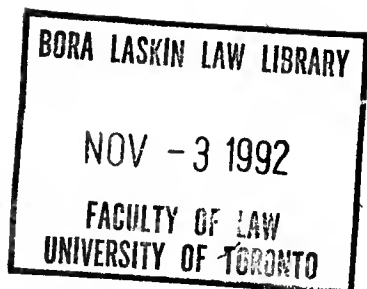




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**REVISED REGULATIONS  
OF ONTARIO, 1990**

**RÈGLEMENTS REFONDUS  
DE L'ONTARIO DE 1990**

**VOLUME 1**

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TORONTO  
1992

The Revised Regulations of Ontario, 1990 were prepared by the Commissioners appointed under the *Regulations Revision Act, 1989*.

Les Règlements refondus de l'Ontario de 1990 ont été préparés par les commissaires nommés en vertu de la *Loi de 1989 sur la refonte des règlements*.





## USER'S GUIDE TO THE REVISED REGULATIONS OF ONTARIO, 1990

### Contents of the Revised Regulations of Ontario, 1990

The Revised Regulations of Ontario, 1990 contain the Regulations of Ontario filed before January 1, 1991, as arranged, consolidated and revised in accordance with the *Regulations Revision Act, 1989*. Regulations that are not of general application but that are still in force are listed in the Schedule contained in the final volume of these Revised Regulations. Obsolete regulations have been omitted from both the Revision and the Schedule. They have no further effect.

#### Regulations which have been amended or remade

Amendments made to the Regulations of Ontario on or after January 1, 1991, are not contained in the Revised Regulations of Ontario, 1990. Regulations which were in force on December 31, 1990 but which were revoked or remade between that date and September 1, 1991 are not contained in the Revised Regulations of Ontario, 1990. Amendments and remade regulations will be published as a supplementary revision in *The Ontario Gazette*.

To determine if a regulation contained in the Revised Regulations of Ontario, 1990 has been amended, refer to the Table of Regulations published in the most recent annual statute volume and in *The Ontario Gazette*. The table lists all of the regulations contained in the Revised Regulations of Ontario, 1990, and all regulations filed on or after January 1, 1991, and shows whether or not a regulation has been amended, remade or revoked.

To determine if a regulation has been amended, remade, or revoked since the publication of the latest Table of Regulations, reference should be made to the weekly publications of *The Ontario Gazette*.

#### Arrangement of the Revised Regulations of Ontario, 1990

The Table of Regulations in each volume lists the statutes alphabetically in English and shows for each statute the regulations made under it.

A reader who knows the English title of an Act may find the regulations made under that Act by consulting the Table of Regulations. A reader who knows the French language subject-matter of an Act under which

## GUIDE D'UTILISATION DES RÈGLEMENTS REFONDUS DE L'ONTARIO DE 1990

### Contenu des Règlements refondus de l'Ontario de 1990

Les Règlements refondus de l'Ontario de 1990 rassemblent les règlements de l'Ontario déposés avant le 1<sup>er</sup> janvier 1991, tels qu'ils ont été arrangés, codifiés et refondus conformément à la *Loi de 1989 sur la refonte des règlements*. Les règlements qui ne sont pas de portée générale, mais qui demeurent en vigueur, sont énumérés dans l'annexe qui se trouve dans le dernier volume du présent recueil. Les règlements caducs ont été omis du recueil et de l'annexe; ils n'ont plus d'effet juridique.

#### Règlements modifiés ou pris de nouveau

Les modifications apportées aux règlements de l'Ontario depuis le 1<sup>er</sup> janvier 1991 ne figurent pas dans les Règlements refondus de l'Ontario de 1990. Les règlements qui étaient en vigueur le 31 décembre 1990 mais qui ont été abrogés ou pris de nouveau entre cette date et le 1<sup>er</sup> septembre 1991 ne figurent pas non plus dans le recueil. Les modifications et les règlements pris de nouveau seront publiés à part à titre de refonte supplémentaire dans la *Gazette de l'Ontario*.

Pour déterminer si un règlement figurant dans les Règlements refondus de l'Ontario de 1990 a été modifié, il suffit de se reporter à la Table des règlements contenue dans le plus récent volume annuel des lois ainsi que dans la *Gazette de l'Ontario*. Cette table énumère tous les règlements contenus dans les Règlements refondus de l'Ontario de 1990 ainsi que tous les règlements déposés depuis le 1<sup>er</sup> janvier 1991; elle indique également si un règlement a été modifié, pris de nouveau ou abrogé.

Pour déterminer si un règlement a été modifié, pris de nouveau ou abrogé depuis la publication de la plus récente Table des règlements, il faut se reporter aux publications hebdomadaires dans la *Gazette de l'Ontario*.

#### Agencement des Règlements refondus de l'Ontario de 1990

La *Table of Regulations* qui se trouve dans chaque volume énumère les Lois refondues de l'Ontario de 1990 par ordre alphabétique anglais et indique, à la suite de chaque loi, les règlements pris en application de celle-ci.

L'utilisateur qui connaît le titre anglais d'une loi peut trouver les règlements pris en application de celle-ci en consultant cette table. L'utilisateur qui connaît le titre français d'une loi en application de laquelle un règlement peut

a regulation may have been made may find the English title of the Act by consulting the *Table alphabétique des matières* in volume 9 and then cross-referencing to the Table of Statutes of the Revised Statutes of Ontario, 1990 which is also set out in volume 9.

#### Title Changes

The Revised Statutes of Ontario, 1990 changed the titles of several statutes. These include the *Agricultural Development Finance Act* (now *Province of Ontario Savings Office Act*), the *Apprenticeship and Tradesmen's Qualification Act* (now *Trades Qualification Act*) and the *Dog Licensing and Live Stock and Poultry Protection Act* (now *Livestock, Poultry and Honey Bee Protection Act*).

Minor changes have been made to the titles of other Acts. Regulations made under the former Act appear under the new title where the Commissioners are of the opinion the regulations still have effect.

#### Rules of Civil Procedure

The Rules of Civil Procedure made under the *Courts of Justice Act* are published in Volume 9.

#### Volume 9 of the Revised Regulations of Ontario, 1990

In addition to the Rules of Civil Procedure, Volume 9 of the Revised Regulations of Ontario, 1990 contains the following items that may be of interest:

1. A copy of the report of the Regulation Revision Commissioners on the Revised Regulations of Ontario, 1990.
2. The *Regulations' Revision Act, 1989*, S.O. 1989, c. 82 under which the Revised Regulations of Ontario, 1990 were prepared is included for purposes of convenient reference.
3. A Schedule to the Revised Regulations of Ontario, 1990, which shows those regulations which remain in force until revocation or expiry but which are not set forth in full because they are not of general application.
4. A copy of the Table of Statutes from the Revised Statutes of Ontario, 1990 and a copy of the *Table alphabétique des matières*.

#### English and French Versions of Regulations

Regulations that were made in English and French appear in bilingual form in the Revised Regulations of Ontario, 1990. Regulations which were made in English only and

avoir été pris, peut trouver le titre anglais de la loi en consultant la Table alphabétique des matières qui se trouve dans le volume 9, puis en se reportant à la *Table of Statutes* contenue dans les Lois refondues de l'Ontario de 1990 qui est également reproduite dans le volume 9.

#### Changement de titres

Les Lois refondues de l'Ontario de 1990 ont modifié le titre anglais de plusieurs lois; par exemple : la loi intitulée *Agricultural Development Finance Act* (maintenant intitulée *Province of Ontario Savings Office Act*), *Apprenticeship and Tradesmen's Qualification Act* (maintenant *Trades Qualification Act*) et *Dog Licensing and Live Stock and Poultry Protection Act* (maintenant *Livestock, Poultry and Honey Bee Protection Act*).

Des modifications mineures ont aussi été apportées au titre d'autres lois. Les règlements pris en application des anciennes lois figurent sous le nouveau titre lorsque les commissaires sont d'avis que les règlements ont encore un effet juridique.

#### Règles de procédure civile

Les Règles de procédure civile prises en application de la *Loi sur les tribunaux judiciaires* sont publiées dans le volume 9.

#### Le volume 9 des Règlements refondus de l'Ontario de 1990

Outre les Règles de procédure civile, le volume 9 des Règlements refondus de l'Ontario de 1990 présente certains documents d'intérêt connexe :

1. Le rapport des commissaires chargés de préparer les Règlements refondus de l'Ontario de 1990.
2. Le texte de la *Loi de 1989 sur la refonte des règlements*, L.O. 1989, chap. 82, en vertu de laquelle les Règlements refondus de l'Ontario de 1990 ont été préparés, qui est reproduit à titre indicatif.
3. Une annexe aux Règlements refondus de l'Ontario de 1990 indiquant les règlements qui demeurent en vigueur jusqu'à leur abrogation ou leur expiration et qui ne sont pas reproduits en entier parce qu'ils ne sont pas de portée générale.
4. Le texte de la *Table of Statutes* figurant dans les Lois refondues de l'Ontario de 1990 ainsi que le texte de la *Table alphabétique des matières*.

#### Versions anglaise et française des règlements

Les règlements qui ont été pris en français et en anglais paraissent sous forme bilingue dans les Règlements refondus de l'Ontario de 1990. Les règlements qui n'ont été pris qu'en

for which there was no official French version on December 31, 1990, appear in English only. French versions of regulations are being prepared on a regular basis. To see if a French version has been made, the reader should follow the procedures described above under the heading "Regulations which have been amended or remade".

#### Citation of Regulations

A regulation in the Revised Regulations of Ontario, 1990, may be cited as "Revised Regulations of Ontario, 1990, Regulation (*number*)", as "Règlements refondus de l'Ontario de 1990, Règlement (*number*)", as "R.R.O. 1990, Reg. (*number*)" or as "R.R.O. 1990, Règl. (*number*)".

#### Organization of a Regulation

Every regulation is composed of numbered sections, cited as section 1, 2, 3, etc. Many sections are further divided into two or more subsections, cited as subsection (1), (2), (3), etc. Some sections and subsections also contain clauses (cited as clause (a), (b), (c), etc.), subclauses (cited as subclause (i), (ii), (iii), etc.), paragraphs (cited as paragraph 1, 2, 3, etc.) and subparagraphs (cited as subparagraph i, ii, iii, etc.). Further levels of division are possible, although they are rare.

Some regulations are divided into numbered Parts, cited as Part I, II, III, etc.

Some regulations contain a definition section that lists, in alphabetical order, definitions of terms used in the regulation. The definition section is usually at the beginning of the regulation, although definitions sometimes appear elsewhere. In a regulation that is divided into Parts, the first section of a Part often contains definitions of terms used in that Part.

Forms and Schedules to regulations usually appear at the end unless they are quite short.

Some regulations may contain a Table of Contents at the beginning of the regulation and in addition may have an index to Forms or Schedules if there are a large number of these items.

#### Headings

Headings in the body of a regulation do not form part of the regulation and should not be relied on as a means of interpreting the regu-

anglais et pour lesquels il n'existait aucune version française officielle le 31 décembre 1990, ne paraissent qu'en anglais. Une version française des règlements est en voie de préparation. Pour déterminer si une version française a été prise, l'utilisateur peut se reporter à la marche à suivre décrite ci-dessus sous la rubrique «Règlements modifiés ou pris de nouveau».

#### Citation des règlements

La citation d'un règlement des Règlements refondus de l'Ontario de 1990 peut se faire selon l'une des formules suivantes : «Règlements refondus de l'Ontario de 1990, Règlement (*numéro*)», «Revised Regulations of Ontario, 1990, Regulation (*numéro*)», «R.R.O. 1990, Règl. (*numéro*)», «R.R.O. 1990, Reg. (*numéro*)».

#### Division d'un règlement

Chaque règlement se compose d'articles numérotés que l'on cite ainsi : article 1, 2, 3, etc. Ces articles se divisent souvent en paragraphes cités ainsi : paragraphe (1), (2), (3), etc. Certains articles et certains paragraphes contiennent également des alinéas (cités ainsi : alinéa a), b), c), etc.), des sous-alinéas (cités ainsi : sous-alinéa (i), (ii), (iii), etc.), des dispositions (citées ainsi : disposition 1, 2, 3, etc.) et des sous-dispositions (citées ainsi : sous-disposition i, ii, iii, etc.). Des divisions plus poussées sont rares dans les textes législatifs.

Certains règlements sont également divisés en parties numérotées, citées ainsi : partie I, II, III, etc.

Certains règlements comportent une disposition qui énonce, par ordre alphabétique, la définition de certains termes utilisés dans les textes. Cette disposition se présente habituellement sous la forme d'un article placé au début du règlement, bien que certaines définitions puissent être placées ailleurs dans le texte. Dans un règlement qui est divisé en parties, le premier article d'une partie contient souvent la définition de termes utilisés dans celle-ci.

Les formules et les annexes qui font partie d'un règlement se trouvent généralement à la fin de celui-ci, à moins qu'elles ne soient très courtes.

Un sommaire figure parfois au début du règlement, ainsi qu'un index des formules ou des annexes s'il y en a un grand nombre.

#### Intertitres

Les intertitres d'un règlement ne font pas partie de celui-ci et ne doivent pas servir à l'interpréter. Ils ne servent qu'à faciliter l'utilisation du texte.

lation. They are included only for convenience of reference.

#### Historical references

Every section of every regulation in the Revised Regulations of Ontario, 1990, contains information to assist in tracing the history of the section. This historical information appears in the form of a citation, found at the end of every section and at the end of some subsections. A citation indicates the origin of the provisions between that citation and the previous citation.

For example, the historical reference "R.R.O. 1980, Reg. 1, s. 1" appears at the end of section 1 of Regulation 1, General, made under the *Abandoned Orchards Act*. This means that the provision has been carried forward without amendment from section 1 of Regulation 1 of the Revised Regulations of Ontario, 1980.

The historical reference "R.R.O. 1980, Reg. 1, s. 2, Sched. 1" appears at the end of section 2 of Regulation 1. This means that section 1 and Schedule 1 of Regulation 1 of the Revised Regulations of Ontario, 1980 have been combined.

The historical reference "O. Reg. 172/90, s. 1(1); O. Reg. 294/90, s. 1" appears at the end of subsection 1(1) of Regulation 5, Fees and Expenses — Justices of the Peace, made under the *Administration of Justice Act*. This means that subsection 1(1) of Regulation 5 as it was made by subsection 1(1) of Ontario Regulation 172/90 appears as it was amended by subsection 1(1) of Ontario Regulation 294/90.

Some historical references contain the word "revised". This means that the language of the former provision was significantly changed by the Commissioners who prepared the Revised Regulations of Ontario, 1990.

The historical references do not form part of the regulation and are included only for convenience of reference.

#### Interpretation Act

Readers of the Revised Regulations of Ontario, 1990, should be aware of the *Interpretation Act*, R.S.O. 1990, c. I.11. The Act contains a number of provisions that apply to the interpretation of regulations. For example, the Act contains definitions that apply to particular words and phrases used in all regulations, unless the context otherwise requires. It also contains provisions that may apply when a regulation is revoked and replaced by another regulation.

#### Notes historiques

Les articles de chaque règlement des Règlements refondus de l'Ontario de 1990 contiennent des renseignements qui permettent d'en retracer l'historique. Ces renseignements se trouvent, sous forme de citation, à la fin de chaque article et à la fin de certains paragraphes. La note historique indique l'origine des dispositions placées entre elle et la note précédente.

Par exemple, la note historique «R.R.O. 1980, Reg. 1, s. 1» paraît à la fin de l'article 1 du Règlement 1, «General», pris en application de la *Loi sur les vergers abandonnés*. Ceci signifie que cette disposition a été tirée sans modification de l'article 1 du Règlement 1 des Règlements refondus de l'Ontario de 1980.

La note historique «R.R.O. 1980, Reg. 1, s. 2, Sched. 1» paraît à la fin de l'article 2 du Règlement 1. Ceci signifie que l'article 1 et l'annexe 1 du Règlement 1 des Règlements refondus de l'Ontario de 1980 ont été combinés.

La note historique «Règl. de l'Ont. 172/90, par. 1 (1); Règl. de l'Ont. 294/90, art. 1» paraît à la fin du paragraphe 1 (1) du Règlement 5, «Fees and Expenses — Justices of the Peace», pris en application de la *Loi sur l'administration de la justice*. Ceci signifie que le paragraphe 1 (1) du Règlement 5 tel qu'il a été pris par le paragraphe 1 (1) du Règlement de l'Ontario 172/90 paraît tel qu'il a été modifié par le paragraphe 1 (1) du Règlement de l'Ontario 294/90.

Certaines notes historiques comportent le mot «révisé». Ceci signifie que la formulation de l'ancienne disposition a été remaniée sensiblement par les commissaires qui ont préparé les Règlements refondus de l'Ontario de 1990.

Les notes historiques ne font pas partie du texte des règlements et ne sont incluses que pour faciliter la consultation de ceux-ci.

#### Loi d'interprétation

Les usagers des Règlements refondus de l'Ontario de 1990 sont priés de tenir compte de la *Loi d'interprétation*, L.R.O. 1990, chap. I.11. Cette loi contient certaines dispositions qui s'appliquent à l'interprétation des règlements. Elle comporte, par exemple, des définitions qui s'appliquent aux termes et expressions utilisés dans tous les règlements, sauf lorsque le contexte exige un sens différent. Elle contient également des dispositions qui peuvent s'appliquer lorsqu'un règlement est abrogé et remplacé par un autre.



**Other Laws**

Readers are reminded that, in addition to Ontario regulations, particular legal issues may be affected by other kinds of laws, including the Constitution of Canada, statutes of the Parliament of Canada and the Legislature of Ontario, municipal by-laws and the common law.

**Ministerial Responsibility for Regulations**

Regulations are laws of Ontario. A validly made regulation has as much force in law as a statute. Regulations are all made under statutes that authorize their making. With the exception of a few statutes that are administered directly by the Legislative Assembly, every Act of the Legislature is administered through a ministry of the Ontario Government. The Ministry of Government Services publishes a brochure detailing which statutes are administered by each ministry. The brochure is entitled "Ministerial Responsibility for Acts".

**Publications Ontario**

Copies of the Revised Regulations of Ontario, 1990, individual regulations and other Government of Ontario publications may be obtained from Publications Ontario. Personal shopping is available at 880 Bay Street, Toronto. Customers may write to Publications Ontario, 5th Floor, 880 Bay Street, Toronto M7A 1N8. Orders may be placed by telephone at (416) 326-5300 or, toll-free in Ontario, 1-800-668-9938. Telephone Service for the hearing impaired is available at (416) 325-3408 or, toll-free in Ontario, 1-800-268-7095. Mastercard and Visa are accepted. Cheques and money orders should be made payable to the Treasurer of Ontario. Prepayment is required.

**Autres lois**

Certaines questions d'ordre juridique peuvent nécessiter, outre la consultation des Règlements de l'Ontario, celle d'autres textes, y compris la Constitution du Canada, les lois du Parlement du Canada et de la Législature de l'Ontario, les règlements municipaux, ainsi que le recours à la common law.

**Responsabilité ministérielle pour les règlements**

Les règlements sont des textes législatifs de l'Ontario. Un règlement valide a tout autant d'effet juridique qu'un texte de loi. Les règlements sont tous pris en application d'une loi qui autorise leur prise. À l'exception de quelques lois dont l'application relève directement de l'Assemblée législative, l'application des lois de la Législature se fait par l'entremise d'un ministère du gouvernement de l'Ontario. Le ministère des Services gouvernementaux publie une brochure intitulée «La responsabilité ministérielle pour les lois», qui fournit tous les renseignements utiles à cet égard.

**Publications Ontario**

On peut se procurer des exemplaires des Règlements refondus de l'Ontario de 1990, de règlements particuliers ainsi que d'autres publications du gouvernement de l'Ontario à Publications Ontario, 880, rue Bay, Toronto. On peut également écrire à Publications Ontario, 880, rue Bay, 5<sup>e</sup> étage, Toronto (Ontario) M7A 1N8. Pour les commandes téléphoniques, composer le (416) 326-5300 ou, sans frais en Ontario, le 1-800-668-9938. Les malentendants peuvent composer le (416) 325-3408 ou, sans frais en Ontario, le 1-800-268-7095. Les cartes de crédit Mastercard et Visa sont acceptées. Faire le chèque ou le mandat à l'ordre du trésorier de l'Ontario. Le paiement est exigé d'avance.



## TABLE OF REGULATIONS

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**Abandoned Orchards Act**  
**Loi sur les vergers abandonnés**

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**REGULATION I**

**GENERAL**

1.—(1) A certificate designating an orchard as a neglected orchard shall be in Form 1.

(2) A revocation of a certificate in Form 1 shall be in Form 2. R.R.O. 1980, Reg. 1, s. 1.

2. The following trees, shrubs or vines are designated for the purposes of clause 8 (b) of the Act:

- 1. Hawthorn.
- 2. Wild plum.

R.R.O. 1980, Reg. 1, s. 2, Sched. 1.

**Form 1**

*Abandoned Orchards Act*

**CERTIFICATE**

No. ....

To: .....  
(owner as shown on last revised assessment roll)

.....  
(address)

Take notice that I have designated the orchard located on

.....  
(lot or part of lot)

..... in the .....  
(concession or plan)

of ....., in the .....  
(county or district)

of ..... as a neglected orchard under subsection 4 (1) of the *Abandoned Orchards Act*.

.....  
(Provincial Entomologist)

Dated at ....., this ..... day of ....., 19.....

R.R.O. 1980, Reg. 1, Form 1.

**Form 2**

*Abandoned Orchards Act*

CERTIFICATE NO. .... is hereby revoked.

.....  
(Provincial Entomologist)

Dated at ....., this ..... day of ....., 19.....

R.R.O. 1980, Reg. 1, Form 2.

---



## Administration of Justice Act *Loi sur l'administration de la justice*

### REGULATION 2

#### COURT REPORTERS AND COURT MONITORS

1. In this Regulation, "court monitor" means court electronic equipment operator. O. Reg. 709/89, s. 1.

2.—(1) Court reporters and court monitors shall be paid the following fees for attendances and services requested by an official of the Ministry of the Attorney General and performed on or after the 1st day of January, 1989:

- |                                                                                                                                                                                                               |         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| 1. Court reporter,                                                                                                                                                                                            |         |
| i. for daily attendance, calculated from a maximum of one-half hour before court commencement to court adjournment less a maximum of one hour for court recesses for lunch or dinner, or both, per hour ..... | \$16.50 |
| ii. for attendance additional to attendance under subparagraph i, per hour.....                                                                                                                               | 16.50   |
| iii. minimum daily attendance fee .....                                                                                                                                                                       | 49.50   |
| iv. cancellation fee, in place of minimum daily attendance fee, if less than forty-eight hours notice of cancellation is given .....                                                                          | 49.50   |
| 2. Court monitor,                                                                                                                                                                                             |         |
| i. for daily attendance, calculated from a maximum of one-half hour before court commencement to court adjournment less a maximum of one hour for court recesses for lunch or dinner, or both, per hour ..... | 13.50   |
| ii. for attendance additional to attendance under subparagraph i, per hour.....                                                                                                                               | 13.50   |
| iii. minimum daily attendance fee .....                                                                                                                                                                       | 40.75   |
| iv. cancellation fee, in place of minimum daily attendance fee, if less than forty-eight hours notice of cancellation is given .....                                                                          | 40.75   |
| 3. Court reporter, for attending and reading evidence where no copies are ordered, per hour.....                                                                                                              | 16.50   |
| 4. Court monitor, for attending and reading evidence where no copies are ordered, per hour.....                                                                                                               | 13.50   |

(2) Time shall be calculated in units of one-half hour for the purposes of subsection (1). O. Reg. 709/89, s. 2.

3. Court reporters and court monitors shall be paid the following fees in respect of duties performed on and after the 1st day of January, 1989:

- |                                                                                                                                     |         |
|-------------------------------------------------------------------------------------------------------------------------------------|---------|
| 1. For a single copy of a transcript of evidence for the purpose of reproduction in an appeal to the Court of Appeal, per page..... | \$ 3.50 |
| 2. For copies of transcripts, including transcript of charge to jury and transcript of oral judgment, but                           |         |

not including a transcript under paragraph 1 or a transcript for use in an appeal book,

- |                                              |        |
|----------------------------------------------|--------|
| i. for the first copy, per page .....        | \$3.00 |
| ii. for each additional copy, per page ..... | .50    |

O. Reg. 709/89, s. 3.

4. A copy of a transcript of evidence ordered by a judge for the judge's own use shall be paid for by the Province of Ontario. O. Reg. 709/89, s. 4.

5. A court reporter or court monitor who is required in the performance of his or her duties to attend at a location other than his or her headquarters shall be paid a kilometre allowance in accordance with Regulation 11 of Revised Regulations of Ontario, 1990 (Kilometre Allowances) and a reasonable reimbursement of expenses for meals and accommodation. O. Reg. 709/89, s. 5.

6. This Regulation, except section 3, does not apply to a court reporter or a court monitor who is a civil servant or a public servant within the meaning of the *Public Service Act*. O. Reg. 709/89, s. 6.

### REGULATION 3

#### FEE PAYABLE TO SMALL CLAIMS COURT REFEREES

1. A referee appointed under section 33 of the *Courts of Justice Act* shall be paid a fee of \$16.75 an hour for the performance of duties and functions in accordance with the rules of court. O. Reg. 612/85, s. 1; O. Reg. 692/87, s. 1; O. Reg. 709/88, s. 1; O. Reg. 440/90, s. 1, *revised*.

### REGULATION 4

#### FEES AND EXPENSES OF JURORS AND CROWN WITNESSES

1. A juror who attends a sitting of the Ontario Court (General Division) shall be paid a fee of \$40 for each day of service after the tenth day of service up to and including the forty-ninth day of service and \$100 for each day of service after the forty-ninth day of service. O. Reg. 178/89, s. 1 (1), *revised*.

2.—(1) Barristers, solicitors and legally qualified medical practitioners when called upon to give evidence in consequence of any professional service rendered by them or to give professional opinions, shall be paid for each day a fee of \$15.

(2) Engineers, accountants, surveyors, architects and other expert witnesses when called upon to give evidence in consequence of any professional service rendered by them or to give evidence depending upon their skill or judgment shall be paid for each day a fee of \$15. R.R.O. 1980, Reg. 4, s. 2 (2, 3).

3. Jurors and Crown witnesses shall be paid the following travelling and living expenses or allowances:

1. Where travelling by private automobile, a kilometre allow-

- ance as set out in Regulation 11 of Revised Regulations of Ontario, 1990, entitled "Kilometre Allowances", or, where the trial is held in the city or town where the juror or Crown witness resides, \$2.75.
2. Where travelling by a means other than private automobile, a sum equal to the amount of the fare actually paid for the transportation from his or her place of residence to the place where the trial is held, and return.
  3. Where required to attend the trial on more than one day and return to his or her place of residence at night, the travelling allowance mentioned in paragraph 1 or 2, as the case may be is payable in respect of each day's attendance.
  4. Where required to remain overnight at the place at which the trial is held, a sum equal to the amount reasonably and actually paid by him or her for living expenses. R.R.O. 1980, Reg. 4, s. 3 (1); O. Reg. 281/82, s. 2 (1); O. Reg. 607/85, s. 1.

## REGULATION 5

### FEES AND EXPENSES—JUSTICES OF THE PEACE

1.—(1) In an area in which sections 4, 15, 16 and 18 and subsection 17 (2) of the *Justices of the Peace Act* do not apply, a part-time justice of the peace who is not employed in the public service of Ontario shall be paid the following fees in respect of duties performed on or after the 1st day of April, 1990:

1. Receiving and swearing an information,
  - i. information portion of a summary conviction ticket or an information charging a parking by-law violation..... \$ .64
  - ii. all other information other than an information to obtain a search warrant..... 1.32
2. Swearing an affidavit including an affidavit of service. .64
3. Considering the issue of process and, where appropriate, issuing process in matters other than where the information charges a parking by-law violation,
  - i. considering the issue of process where no process issued ..... 1.32
  - ii. considering the issue and issuing the summons and a copy..... 1.32
  - iii. considering the issue of a warrant and issuing the warrant ..... 1.32
4. Considering the issue of process and, where appropriate, issuing process on an information charging a parking by-law violation including a summons and the copy thereof,
  - i. considering the issue of process where no process issued ..... .64
  - ii. considering the issue of process and issuing process including a summons and copy thereof ..... .64
5. Considering the issue and, where appropriate, issuing a warrant where a summons has been issued in the first instance,
  - i. considering the issue of a warrant where no warrant issued..... 1.32

- ii. considering the issue where a warrant is issued..... \$1.32
6. Considering and, where appropriate, confirming the issue of an appearance notice, promise to appear or recognizance entered into before an officer-in-charge or a summons served under section 22 of the *Provincial Offences Act*,
  - i. considering the confirmation where the documents are not confirmed ..... 1.32
  - ii. considering the confirmation where the documents have been confirmed ..... 1.32
7. Issuing summons (one per case) to witnesses, unless the justice of the peace or the court considers it necessary or desirable to issue more than one ..... .64
8. Copy of summons for a witness ..... .42
- 9.—(1) Receiving and swearing an information for a search warrant or receiving a report in writing under section 199 of the *Criminal Code* (Canada)..... 1.32
- (2) Considering the issue of a search warrant where no search warrant issued ..... 2.64
- (3) Considering the issue of a search warrant and, if appropriate, issuing a search warrant ..... 2.64
10. Attending to remand prisoners, to adjourn show cause hearings before the commencement of taking evidence, to take undertakings with or without conditions or to take recognizances of bail where the judicial interim release orders have already been made and a surety is named or not required, including the preparation and completion of all documents,
  - i. per attendance between the hours of 8 a.m. and 12 midnight..... 13.83
  - ii. per attendance between the hours of 12 midnight and 8 a.m. .... 27.66
11. Conducting one or more judicial interim release hearings or examining sureties, including preparation of all necessary documents such as judicial interim release orders, warrants of remand, undertakings or recognizances where the accused are released immediately following the hearing and the completion of warrants of committal where the accused are not released,
  - i. for the first hour or part thereof ..... 51.04
  - ii. for each additional hour or part thereof ..... 20.40
12. Adjourning cases and setting dates for trial as assigned by a provincial judge,
  - i. for the first hour or part thereof ..... 51.04
  - ii. for each additional hour or part thereof ..... 20.40
13. Carrying out the duties of a justice of the peace as assigned by a provincial judge, other than duties described in paragraphs 11, 12, 14, 15, 16 and 17, but including pleas of guilty with an explanation for each hour or part thereof ..... 16.80
14. Carrying out the duties of a justice of the peace as assigned by a provincial judge, to hear and determine prosecutions in the Ontario Court (Provincial Division) or a summary conviction court, including pleas of guilty with an explanation, where these sittings pre-

cede the sittings designated for not guilty pleas or where the justice of the peace is assigned by the provincial judge to attend at a location solely for receiving pleas of guilty with an explanation,

i. for the first hour or part thereof .....	\$51.04
ii. for each additional hour or part thereof .....	20.40
15. Receiving an information and swearing the same under section 16 of the <i>Mental Health Act</i> and conducting a hearing in respect of a request for an order for examination in the prescribed form,	
i. for the first hour or part thereof .....	51.04
ii. for each additional hour or part thereof .....	20.40
16. Presiding as a justice of the peace at a hearing under section 490 of the <i>Criminal Code</i> (Canada) concerning the return or detention of things seized by a peace officer or other person,	
i. for the first hour or part thereof .....	51.04
ii. for each additional hour or part thereof .....	20.40
17. Presiding as a justice of the peace at night court sittings in The Municipality of Metropolitan Toronto for any purpose other than receiving pleas of guilty with an explanation, in addition to regular daily duties,	
i. for the first hour or part thereof .....	59.35
ii. for each additional half hour or part thereof.	13.30
18. Preparing a copy of a writing or certificate, or both a writing and a certificate including a conviction or order upon the request of any person, per page .....	1.94
19. Attendance to take any recognizance other than a recognizance of bail (including preparation and completion of recognizance and copies) .....	2.64
20. Preparing a bill of costs, when made out in detail upon the request of a party to the proceedings .....	.64
21. Receiving money and issuing an official receipt therefor in respect of a fine or costs, or both, on behalf of the Ontario Court (Provincial Division).....	.64
22. Attending at the direction of the sheriff for the drafting of a panel of jurors under sections 16 and 18 of the <i>Juries Act</i> , per hour.....	13.62
23. Solemnizing a marriage.....	9.85

O. Reg. 172/90, s. 1 (1); O. Reg. 294/90, s. 1 (1), revised.

(2) Where, in one working day, a justice of the peace performs two or more of the duties described in paragraph 11, 12, 14, 15 or 16 of subsection (1) for a total time greater than one hour, the fee prescribed for the first hour or part thereof shall be applied to the first hour only, and the fee prescribed for each additional hour or part thereof shall be applied to all time in addition to the first hour. O. Reg. 620/85, s. 1, *part*; O. Reg. 695/87, s. 1 (2).

(3) Where a justice of the peace receives a fee for performing duties under paragraph 13 of subsection (1), he or she shall not receive any other fee under that subsection in respect of those duties. O. Reg. 695/87, s. 1 (4), *part*.

(4) Where, in one working day, a justice of the peace performs the duties described in paragraph 17 of subsection (1) at more than one location for a total time greater than one hour, the fee pre-

scribed for the first hour or part thereof shall be applied to the first hour only, and the fee prescribed for each additional half hour or part thereof shall be applied to all time in addition to the first hour. O. Reg. 620/85, s. 1, *part*; O. Reg. 695/87, s. 1 (3); O. Reg. 708/89, s. 1 (2).

(5) A justice of the peace receiving additional compensation under section 3 of Regulation 681 of Revised Regulations of Ontario, 1990 is not entitled to fees under this section in respect of duties for which the additional compensation is applicable. O. Reg. 294/90, s. 1 (2).

(6) For duties performed on or after the 4th day of January, 1988, a justice of the peace shall not be paid fees under this section in excess of \$1,500 for any fourteen-day period commencing on the 4th day of January, 1988 and every second Monday thereafter and ending on Sunday of the following week. O. Reg. 695/87, s. 1 (4), *part*.

(7) Despite subsection (6), for duties performed on or after the 11th day of April, 1988, a justice of the peace shall not be paid fees under this section in excess of \$1,600 for any fourteen-day period commencing on the 11th day of April, 1988 and every second Monday thereafter and ending on Sunday of the following week. O. Reg. 708/88, s. 1 (2); O. Reg. 387/89, s. 1 (2).

(8) Despite subsections (6) and (7), for duties performed on or after the 10th day of April, 1989, a justice of the peace shall not be paid fees under this section in excess of \$1,700 for any fourteen-day period commencing on the 11th day of April and every second Monday thereafter and ending on Sunday of the following week. O. Reg. 708/89, s. 1 (3).

(9) Despite subsections (6), (7) and (8), for duties performed on or after the 1st day of April, 1990, a justice of the peace shall not be paid fees under this section in excess of \$2,100 for any fourteen-day period commencing on the 2nd day of April, 1990 and every second Monday thereafter and ending on Sunday of the following week. O. Reg. 172/90, s. 1 (2).

**REGULATION 6**

**FEEES AND EXPENSES—SHERIFF’S OFFICERS, PROCESS SERVERS, ESCORTS AND MUNICIPAL POLICE FORCES**

1.—(1) The following persons who perform the described services in connection with the administration of justice, including those categories of public servants performing such services during off-duty periods upon the approval of the respective deputy minister or the respective deputy minister’s designee, shall be paid the following fees:

1. Sheriff’s officers and process servers—	
i. the serving of any writ, summons, subpoena, notice pleading or other document for each party served .....	\$ 6.00
ii. the enforcement of any court order, where the cost of enforcement is borne by the Crown in right of Ontario, per hour .....	13.25
2. Escorts—	
Conveying prisoners to a penitentiary for medical examinations or to another jurisdiction, or a juvenile to a training school or for medical examination,	
i. where the distance of escorting is less than eighty kilometres, one way,	
per hour .....	7.50

minimum .....	\$21.00
ii. where the distance of escorting is eighty kilometres or more, and less than 200 kilometres one way, per escort .....	62.50
iii. where the distance is more than 200 kilometres, per escort .....	78.00
iv. where the escorting occupies more than one twenty-four hour period, per day.....	62.50
3. Municipal police forces—	

For executing a warrant of committal for non-payment of a fine payable under section 2 of the Act to the Treasurer of Ontario or serving personally a notice of suspension of driver's licence for non-payment of a fine, for each execution or service .....

1.50

O. Reg. 603/85, s. 1; O. Reg. 694/87, s. 1; O. Reg. 710/89, s. 1 (1).

(2) The fees set out in paragraph 1 of subsection (1) apply in respect of services performed on and after the 1st day of January, 1989. O. Reg. 710/89, s. 1 (2).

2.—(1) A kilometre allowance for executing a warrant or serving a writ, summons, subpoena, notice, pleading or other document, where an allowance is not otherwise payable under a regulation made under the Act, shall be as set out in Regulation 11 of Revised Regulations of Ontario, 1990 ("Kilometre Allowances").

(2) Persons conveying prisoners to a penitentiary or another jurisdiction or escorting a juvenile to a training school shall receive reimbursement of meal and accommodation expenses in conformity with the provisions of the Ministry of the Attorney General Manual of Administration, and,

(a) where public conveyance is used, the actual travelling expenses; or

(b) where a private conveyance is used, a kilometre allowance as set out in Regulation 11 of Revised Regulations of Ontario, 1990 ("Kilometre Allowances"). O. Reg. 794/84, s. 2.

## REGULATION 7

### FEES—CONSTRUCTION LIENS

1. The fees set out in the Schedule are the fees payable in an action under the *Construction Lien Act*. O. Reg. 158/83, s. 1.

#### Schedule

#### FEES PAYABLE IN AN ACTION

1. On the filing of a statement of claim, crossclaim, counterclaim or third party claim, the fee payable is,

- \$5.25, where the claim, crossclaim, counterclaim or third party claim does not exceed \$500,
- \$11, where the claim, crossclaim, counterclaim or third party claim exceeds \$500 but does not exceed \$1,000,
- \$11, where the claim, crossclaim, counterclaim or third party claim exceeds \$1,000, plus \$1 for every \$1,000 or fraction thereof in excess of \$1,000,

but in no case shall the fee payable on a claim exceed \$82, nor shall

the fee payable on a counterclaim, crossclaim or third party claim exceed \$27.25. O. Reg. 605/85, s. 1.

## REGULATION 8

### FEES—REPAIR AND STORAGE LIENS ACT

1. The fees and allowances set out in this Regulation are payable in respect of an application or the enforcement of a writ of seizure or a direction to seize under the *Repair and Storage Liens Act*. O. Reg. 171/90, s. 1.

2.—(1) The following fees are payable in the Ontario Court (General Division):

1. To file an application .....	\$25.00
2. To issue an initial certificate .....	10.00
3. To file a notice of objection.....	12.00
4. To issue a final certificate .....	10.00
5. To issue a writ of seizure .....	25.00
6. To file a waiver of further claim and a receipt	No charge

O. Reg. 171/90, s. 2 (1), revised.

(2) The following fees are payable in the Small Claims Court:

1. To file an application.....	\$25.00
2. To issue an initial certificate .....	3.00
3. To file a notice of objection.....	12.00
4. To issue a final certificate .....	3.00
5. To issue a writ of seizure .....	7.25
6. To file a waiver of further claim and a receipt	No charge

O. Reg. 171/90, s. 2 (2).

3.—(1) The following fees are payable to sheriffs:

1. To file a writ of seizure.....	\$25.00
2. For each attempt to enforce a writ of seizure, exclusive of travelling allowances and reasonable and necessary actual disbursements.	90.00
3. To file a direction to seize .....	25.00
4. For each attempt to enforce a direction to seize, exclusive of travelling allowances and reasonable and necessary actual disbursements.....	90.00

(2) The following fees are payable to bailiffs:

1. To file a writ of seizure.....	\$ 5.50
2. For each attempt to enforce a writ of seizure, exclusive of travelling allowances and reasonable and necessary actual disbursements.	37.00

(3) The allowance payable to sheriffs and bailiffs for kilometres necessarily travelled in an attempt to enforce a writ of seizure is the kilometre allowance as set out in Regulation 11 of Revised Regulations of Ontario, 1990 (Kilometre Allowances).

(4) The allowance payable to sheriffs for kilometres necessarily travelled in an attempt to enforce a direction to seize is the kilometre allowance as set out in Regulation 11 of Revised Regulations of Ontario, 1990 (Kilometre Allowances). O. Reg. 171/90, s. 3.

## REGULATION 9

### FEES—UNIFIED FAMILY COURT

1. The fees set out in the Schedule are payable in the Unified Family Court. R.R.O. 1980, Reg. 8, s. 1.

#### Schedule

#### FEES

#### PAYABLE IN THE UNIFIED FAMILY COURT

1. Filing an application .....	\$50
2. Filing of an answer .....	25
3. Placing of an application on the list for hearing.....	85
4. Issue of summons to a witness.....	9
5. Issue of certificate, including up to three pages of copies of Court documents.....	9
For each additional page .....	.50
6. Copies of documents, per page .....	.50
7. Transmission of papers (postage or carriage for not more than two kilograms included).....	9

#### NOTE:

The fees set out in items 1, 2 and 3 are not payable where the only claims made in the proceeding are under the *Child and Family Services Act* or for support, custody of or access to a child and costs. O. Reg. 607/86, s. 1.

R.R.O. 1980, Reg. 8, Sched.; O. Reg. 281/82, s. 6; O. Reg. 245/83, s. 3; O. Reg. 37/84, s. 1; O. Reg. 404/84, s. 5; O. Reg. 609/85, s. 1; O. Reg. 607/86, s. 1.

## REGULATION 10

### INVESTIGATION FEE—OFFICIAL GUARDIAN

1. The fee is \$85 for an investigation in respect of a petition for divorce or an action for annulment under section 112 of the *Courts of Justice Act*. O. Reg. 606/85, s. 1, revised.

## REGULATION 11

### KILOMETRE ALLOWANCES

1. If payment of a travel or kilometre allowance is authorized and the authorizing instrument states that the allowance shall be in accordance with or as set out in this Regulation, the allowance for each kilometre actually travelled is,

- (a) in northern Ontario, 29.5 cents; and
- (b) in southern Ontario, 29 cents. O. Reg. 521/89, s. 1.

2. The dividing line between northern Ontario and southern Ontario is as follows:

Healey Lake (Municipal) Road from Healey Lake easterly to its junction with Highway 612; Highway 612 southerly to its junction with Highway 69; Highway 69 easterly to its junction with Highway 169; Highway 169 easterly to its junction with Highway 118; Highway 118 through Bracebridge to its junction with Highway 11; Highway 11 northerly to its junction with Highway 60 at Huntsville; Highway 60 easterly to its junction with Highway 62 at Killaloe Station; Highway 62 to Pembroke; the above-named highways to be included in southern Ontario. O. Reg. 404/84, s. 6, part.

## REGULATION 12

### ONTARIO COURT (GENERAL DIVISION)—FEES

1. The following fees are payable in the Ontario Court (General Division):

1. On the issue of,	
i. a statement of claim or notice of action .....	\$ 75.00
ii. a petition for divorce .....	75.00
iii. a notice of application,	
A. under Part IV of the <i>Landlord and Tenant Act</i> .....	25.00
B. any other application .....	75.00
iv. a third or subsequent party claim .....	75.00
v. a statement of defence and counterclaim or answer and counterpetition adding a party .....	75.00
vi. a summons to witness .....	10.00
vii. a certificate .....	10.00
viii. a commission .....	20.00
ix. a writ of execution .....	25.00
x. a notice of garnishment .....	50.00
(This fee includes the filing of the notice with the sheriff.)	
2. On the signing of,	
i. an order directing a reference, except an order on requisition directing the assessment of a solicitor and client bill of costs .....	100.00
ii. an order on requisition directing the assessment of a solicitor and client bill of costs .....	30.00
iii. an appointment for the assessment of party and party costs .....	15.00
3. On the filing of,	
i. a notice of intent to defend .....	40.00
ii. a statement of defence or an answer where no notice of intent to defend has been filed by the same party .....	40.00
iii. a notice of appearance .....	40.00

iv. a notice of motion served on another party or a notice of motion for leave to appeal, except a motion for a consent order .....	\$ 25.00
v. a notice of motion for judgment in a divorce action .....	100.00
vi. a notice of appeal from an interlocutory order .....	75.00
vii. a notice of appeal to an appellate court of a final order of the Small Claims Court .....	25.00
viii. a notice of appeal to an appellate court of a final order of any court or tribunal other than the Small Claims Court .....	75.00
ix. a request to redeem or request for sale .....	10.00
4. On the filing of a trial record, for the first time only .	150.00
5. For making up and forwarding papers, documents and exhibits (the actual cost of transportation to be paid in addition) .....	15.00
6. For making copies of documents:	
i. not requiring certification, per page .....	0.75
ii. requiring certification, per page .....	1.50
7. For the inspection of a court file, except by a solicitor or party in the proceeding, per file .....	5.00
8. To an official examiner, for each person examined,	
i. for the appointment, oath and certificate .....	8.50
ii. for the provision of facilities per hour or part .....	14.50
iii. reporter's attendance, per hour or part .....	17.25
iv. for the transcript of an examination, per page,	
A. first party ordering .....	3.50
B. any additional copies if not ordered before transcript is supplied to first party ordering .....	3.00
C. additional copies regardless of party ordering, if ordered concurrently with A or B ....	0.75
v. for handling costs, per invoice .....	5.00
vi. for attendance out of office, an allowance for travel in accordance with Regulation 11 of Revised Regulations of Ontario, 1990 ("Kilometre Allowances").	

## Notes:

- Solicitors charged at rates in excess of the above or receiving a transcript that does not substantially conform with rule 4.09 of the Rules of Civil Procedure should notify the Inspector of Legal Offices in writing.
- (1) Unless at least three days prior notice of cancellation is given to the official examiner, where an appointment is cancelled or not kept, the fee to the official examiner shall be \$10 plus \$31.75 for each hour reserved for the appointment.
- Saturdays and holidays shall not be counted in the computation of the three days referred to in subnote (1).
- If a party requires a transcript within five working days of

placing the order for the transcript, the party shall be charged an additional charge of 75 cents per page.

(4) If a party requires a transcript within two working days of placing the order for the transcript, the party shall be charged an additional charge of \$1.50 per page.

(5) If more than one party requires a transcript under subnote (3) or (4), only the first party to order shall be charged the additional charge. O. Reg. 393/90, s. 1, *revised*.

#### ONTARIO COURT (GENERAL DIVISION) — FEES IN ESTATES MATTERS

2. The following fees are payable in estates matters in the Ontario Court (General Division):

1. On every grant of probate, administration or guardianship not being a double probate, cessate grant, administration <i>de bonis non administratis</i> , per thousand dollars or part thereof of the value of the estate being administered .....	\$ 5.00
2. On every grant of double probate, cessate grant or administration <i>de bonis non administratis</i> .....	30.00
3. For the inspection of a court file, except by a solicitor or party in the proceeding, per file .....	5.00
4. On every certificate, not being a certificate of a search by the registrar required on an application for a grant .....	10.00
and where documents attached consist of more than five pages, for each additional page .....	0.75
5. On every exemplification .....	15.00
and where documents attached consist of more than five pages, for each additional page .....	0.75
6. On each audit including all services in connection with it .....	150.00
7. On the institution of a contested claim, proof of will in solemn form or an issuance of a notice of application .....	75.00
8. On an intervention or caveat including appearance ..	25.00
9. On every other appearance .....	25.00
10. On depositing a will for safekeeping .....	10.00
11. For making copies of documents,	
i. not requiring certification, per page .....	0.75
ii. requiring certification, per page .....	1.50
12. A summons to a witness .....	10.00
13. On the filing of a notice of motion served on another party, except a motion for a consent order .....	25.00
14. On the filing of a trial record, for the first time only .	150.00
15. For making up and forwarding papers, documents and exhibits (the actual cost of transportation to be paid in addition) .....	15.00



16. On assessment of costs including certificate ..... \$15.00

O. Reg. 393/90, s. 2, revised.

ii. requiring certification, per page ..... \$1.50

O. Reg. 392/90, s. 1, revised.

**REGULATION 13****SHERIFFS—FEES**

1. The following fees are payable to sheriffs:
  1. On receipt by a sheriff of any document for service on any one person, exclusive of travelling allowance . \$15.00
  2. For postage and handling of a copy of a document where service is effected in the manner prescribed by rules of court ..... 6.00
  3. On the filing or renewal of a writ of execution or order which a sheriff is liable or required to enforce.. 18.00
  4. For each delivery of a copy of a writ of execution or a renewal of it to the land registrar of a land titles division ..... 5.00
  5. For each attempt to enforce a writ of delivery, writ of sequestration, order for interim recovery of personal property or order for interim preservation of personal property, exclusive of travelling allowances and reasonable and necessary actual disbursements.. 90.00
  6. For each attempt to enforce a writ of execution or order, exclusive of travelling allowance and reasonable and necessary actual disbursements,
    - i. where no sale is required or held by the sheriff ..... 40.00
    - ii. where a sale is held by the sheriff..... 50.00
  7. For kilometres necessarily travelled in the county or district or regional, district or metropolitan municipality in which the service of a document is effected, or a writ or order is enforced or any other service performed, or an attempt to serve, enforce or perform is made, as set out in Regulation 11 of Revised Regulations of Ontario, 1990 ("Kilometre Allowances").
  8. On a search for writs, per name searched ..... 4.00
  9. Where a search for writs pursuant to any single requisition results in one or more abstracts, \$4 per writ listed on the abstract or abstracts, to a maximum of \$40.
  10. For preparation of a schedule of distribution under the *Creditors' Relief Act*, or a calculation for satisfaction of writs and garnishments, per writ or notice of garnishment ..... 10.00
  11. A sheriff who is directed by the court to perform any service or do any act for which no fee is provided is entitled to be paid a travelling allowance, reasonable and actual disbursements and a fee of \$13.25 for each hour or part of an hour spent performing the service or doing the act.
  12. For making copies of documents,
    - i. not requiring certification, per page ..... 0.75

**REGULATION 14****SMALL CLAIMS COURT— FEES AND ALLOWANCES**

1. The fees and allowances set out in Schedules 1 and 2 are payable to clerks of the Small Claims Court. O. Reg. 391/90, s. 1.
2. The fees and allowances set out in Schedules 3 and 4 are payable to bailiffs of the Small Claims Court. O. Reg. 391/90, s. 2.
3. The fees and allowances set out in Schedule 5 are payable to witnesses appearing before the Small Claims Court. O. Reg. 391/90, s. 3.

**Schedule 1****CLERK'S FEES**

1. Upon filing a claim, third party claim or counter-claim,
  - i. where claim does not exceed \$100 ..... \$ 8.50
  - where claim exceeds \$100 but does not exceed \$500 ..... 15.75
  - where claim exceeds \$500 but does not exceed \$1,000 ..... 22.50
  - where claim exceeds \$1,000 ..... 29.75
  - ii. where there is more than one defendant in an action, for each additional defendant ..... 3.25
  - iii. for every original action entered, to cover postage and handling ..... 6.00
  - iv. for each new or subsequent address on a service ... 3.25
2. Receiving documents from another court office for service or enforcement ..... \$2.25
- Postage and handling ..... 1.00 3.25
3. Transmitting documents to another court office for service ..... \$1.75
- Postage and handling ..... 1.00 2.75
4. Receiving and entering a claim transferred from another court office on a judge's order ..... 3.25
5. Filing a notice of motion ..... 12.75
- (except a notice of motion under the *Wages Act*)
6. Issuing summons to witness ..... 1.75
- Every additional copy ..... 0.75
7. Preparing certificate of judgment for transmission to another court office ..... \$3.00
- Postage and handling ..... 1.00 4.00
8. Receiving certificate of judgment ..... 1.75
9. Receiving for enforcement a process from the Ontario Court (Provincial Division) or an order or judgment as provided by a statute ..... 13.25
10. Issuing writ of delivery ..... 7.25

11. Issuing writ of seizure and sale .....	\$7.25
12. Issuing notice of garnishment .....	10.00
Fee to be deducted from each payment into court made under a notice of garnishment .....	10.00
Placing garnishment proceeding on the trial list .....	3.25
13. Preparing and filing consolidation order .....	55.00
14. In the distribution of funds collected under a consolidation order,	
i. 5 per cent of funds received for distribution to be charged to the debtor, and	
ii. 5 per cent of amount to be distributed, and actual cost of postage, to be charged to creditors.	
15. Issuing notice of examination .....	10.50
16. Issuing warrant of committal .....	4.25
17. Forwarding court file to Divisional Court for appeal .	1.75
18. Certified copy of judgment .....	3.75
19. Certified copy of document other than a judgment ...	1.50
20. If registered mail is necessary for transmitting a document, the full cost of postage shall be paid as an additional fee.	
21. Search by a person not a party to the action .....	1.75
22. Photocopying a document, per page .....	0.75
23. Preparing copy of a document by hand .....	1.75
24. Preparing records of orders—per name .....	0.50
25. Referee services:	
Preparing notices of pretrial hearings, lists of matters to be heard by referee, other related matters, per claim .....	\$3.75
Postage and handling .....	<u>1.00</u> 4.75

O. Reg. 391/90, Sched. 1, revised.

### Schedule 2

#### CLERK'S ALLOWANCES

1. A clerk is entitled to retain for his or her own use all gross fees earned in a year up to and including \$70,000 and 75 per cent of the excess over \$70,000.
2. If the gross fees earned by a clerk in a year are \$28,000 or less, the clerk shall be paid an additional allowance equal to 40 per cent of the gross fees earned.
3. If the gross fees earned by a clerk in a year are \$56,000 or less, but more than \$28,000, the clerk shall be paid an additional allowance equal to 20 per cent of the gross fees earned.
4. If the gross fees earned by a clerk in a year are \$70,000 or less, but more than \$56,000, the clerk shall be paid an additional allowance equal to 10 per cent of the gross fees earned.
5. If the gross fees earned by a clerk in a territorial district in a year are \$70,000 or less, the clerk shall be paid an additional allowance equal to 40 per cent of the gross fees earned, up to

a maximum of \$14,000, and items 2, 3 and 4 do not apply. O. Reg. 391/90, Sched. 2.

### Schedule 3

#### BAILIFF'S FEES

- |                                                                                                                                                                                                                    |        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| 1.—(1) For service of a claim or third party claim .....                                                                                                                                                           | \$8.50 |
| Postage and handling .....                                                                                                                                                                                         | 1.00   |
| (2) In addition to the fee payable under subitem (1), where there is more than one defendant, a fee of \$8.50 shall be paid for each additional defendant.                                                         |        |
| 2.—(1) For each kilometre necessarily travelled, except in an unsuccessful attempt to effect service, the kilometre allowance set out in Regulation 11 of Revised Regulations of Ontario, 1990, subject to item 3. |        |
| (2) For each unsuccessful attempt to effect service .....                                                                                                                                                          | 2.00   |
| 3.—(1) In the territorial divisions referred to in subitem (2), for each attempt to effect service, whether successful or unsuccessful,                                                                            |        |
| i. if the bailiff necessarily travels more than sixteen kilometres, the travel allowance set out in Regulation 11 of Revised Regulations of Ontario, 1990,                                                         |        |
| ii. in all other cases .....                                                                                                                                                                                       | 2.00   |
| (2) Subitem (1) applies to the territorial divisions known as:                                                                                                                                                     |        |
| Hamilton Small Claims Court                                                                                                                                                                                        |        |
| Ottawa Small Claims Court                                                                                                                                                                                          |        |
| Toronto Small Claims Court                                                                                                                                                                                         |        |
| Etobicoke Small Claims Court                                                                                                                                                                                       |        |
| Scarborough Small Claims Court                                                                                                                                                                                     |        |
| North York Small Claims Court                                                                                                                                                                                      |        |
| 4. Service of summons to witness .....                                                                                                                                                                             | 3.25   |
| 5. Service of notice of garnishment on garnishee .....                                                                                                                                                             | 3.25   |
| 6. Service of notice of garnishment on debtor .....                                                                                                                                                                | 3.25   |
| 7. Service of notice of examination .....                                                                                                                                                                          | 5.75   |
| 8. Service of notice of a contempt hearing .....                                                                                                                                                                   | 8.50   |
| 9. Enforcing a writ of delivery or a writ of seizure and sale of personal property .....                                                                                                                           | 8.50   |
| 10. Preparing inventory of personal property seized under a writ of seizure and sale .....                                                                                                                         | 8.50   |
| 11. Advertising sale of personal property seized under a writ of seizure and sale. ....                                                                                                                            | 2.00   |
| 12. Reasonable allowance and disbursements necessarily incurred to remove property seized, and for assistance in the seizure, or to secure or retain property, including appraisers' fees if necessary.            |        |
| 13. If the order for the payment of money is satisfied in whole or in part after seizure and before sale, 5 per cent of the amount directed to be enforced or 5 per                                                |        |

cent of the value of the property seized, whichever is less. O. Reg. 391/90, Sched. 3.

#### Schedule 4

##### BAILIFF'S ALLOWANCES

1. A bailiff is entitled to retain for his or her own use all gross fees earned in a year up to and including \$70,000 and 75 per cent of the excess over \$70,000.
2. If the gross fees earned by a bailiff in a year are \$42,000 or less, the bailiff shall be paid an additional allowance equal to 30 per cent of the gross fees earned.
3. If the gross fees earned by a bailiff in a year are \$56,000 or less, but more than \$42,000, the bailiff shall be paid an additional allowance equal to 10 per cent of the gross fees earned.
4. If the gross fees earned by a bailiff in a year are \$70,000 or less, but more than \$56,000, the bailiff shall be paid an additional allowance equal to 5 per cent of the gross fees earned.

5. If the gross fees earned by a bailiff in a territorial district in a year are \$70,000 or less, the bailiff shall be paid an additional allowance equal to 40 per cent of the gross fees earned, up to a maximum of \$14,000, and items 2, 3 and 4 do not apply. O. Reg. 391/90, Sched. 4.

#### Schedule 5

##### FEES AND ALLOWANCES TO WITNESSES

1. For attendance in court, unless item 2 applies, per day ..... \$ 6.00
2. Barristers, solicitors, physicians, surgeons, engineers and veterinary surgeons who are not parties to the action and who attend to give evidence of a professional service rendered by them or to give a professional opinion, per day ..... 15.00
3. Reasonable travelling expenses actually incurred, but not exceeding the kilometre allowance set out in Regulation 11 of Revised Regulations of Ontario, 1990. O. Reg. 391/90, Sched. 5.



## Aggregate Resources Act *Loi sur les ressources en agrégats*

### REGULATION 15

#### GENERAL

##### FEES

1.—(1) The application fee for,

- (a) a Class A licence is \$200; and
- (b) a Class B licence is \$100.

(2) The rate per tonne for calculating the annual licence fee under subsection 14 (1) of the Act is 6 cents. O. Reg. 702/89, s. 1.

2. For wayside permits, under subsection 24 (1) of the Act, the prescribed permit fee is \$100 and the rate per tonne for calculating the permit fee is 6 cents. O. Reg. 702/89, s. 2.

3. The permit fee for,

- (a) a commercial aggregate permit is \$100 for each pit or quarry on the site multiplied by the number of years or partial years of the term of the permit;
- (b) a public authority aggregate permit is \$100 for each year or partial year of the term of the permit; and
- (c) a personal aggregate permit is \$25. O. Reg. 702/89, s. 3.

4. The transfer fee for,

- (a) a licence is equal to what the application fee would be for the licence; and
- (b) a commercial aggregate permit is equal to what the permit fee would be for the permit. O. Reg. 702/89, s. 4.

##### APPLICATION OF FEES

5.—(1) For the purposes of subsections 14 (4) and 24 (3) of the Act,

- (a) 66⅔ per cent of the total of the annual licence and wayside permit fees paid with respect to sites in a local municipality shall be disbursed to that municipality; and
- (b) 8⅓ per cent of the total of the annual licence and wayside permit fees paid with respect to sites in a county or regional municipality shall be disbursed to that county or regional municipality.

(2) The percentage of the total of the annual licence and wayside permit fees to be set apart under subsections 14 (5) and 24 (4) of the Act for the purposes mentioned in subsection 33 (2) of the Act is 8⅓ per cent. O. Reg. 702/89, s. 5.

##### NOTICES OF APPLICATIONS

6.—(1) A notice of an application for a licence to be published as set out in subsection 11 (2) or 60 (1) of the Act shall be in Form 1.

(2) The signs giving notice of an application for a licence as set out in subsection 11 (2) or 60 (1) of the Act shall,

- (a) state that the site is the subject of an application for a licence under the *Aggregate Resources Act*;
- (b) provide a telephone number of the Ministry at which information about the application can be obtained;
- (c) be placed on the site on or before the first publication of the notice of the application and maintained until forty-five days after the second publication; and
- (d) be placed in such locations on the boundary of the site and be of such size that they may be clearly seen and read from any areas adjoining the site to which the public has access. O. Reg. 702/89, s. 6.

##### ROYALTIES

7.—(1) The minimum royalty under subsection 46 (1) of the Act is 25 cents per tonne.

(2) Security for royalties required by the Minister under subsection 46 (3) of the Act shall be in the form of cash, cheque or money order.

(3) Permittees and licensees who supply aggregate only for use in projects of the Ministry of Transportation are exempted from the payment of royalties. O. Reg. 702/89, s. 7.

##### REHABILITATION SECURITY

8.—(1) In this section and in section 9,

“maximum” means the amount equal to \$6,000 multiplied by the hectares in the site that require rehabilitation; and

“minimum” means the amount equal to \$1,000 multiplied by the hectares in the site that require rehabilitation.

(2) The rehabilitation security a licensee must pay under subsection 50 (1) of the Act is 8 cents for every tonne of aggregate removed from the site during a year payable on or before the 15th day of March of the following year.

(3) A licensee may deduct from the payment required by subsection 50 (1) of the Act,

- (a) any amount that would increase the rehabilitation security account above the maximum; and
- (b) any amount spent before the 15th day of October of the previous year for progressive rehabilitation of the site provided that the rehabilitation security account will not be less than the minimum after the payment.

(4) A licensee is entitled to be refunded, once a year,

- (a) the amount by which the rehabilitation security account exceeds the maximum; and
- (b) the amount spent before the 15th day of October of the previous year for progressive rehabilitation of the site and not deducted under clause (3) (b) to the extent that the rehabilitation security account exceeds the minimum.

(5) Subject to subsection (6), an amount to be refunded under

clause (4) (a) shall be deducted from the rehabilitation security account before any amount under clause (4) (b) is determined.

(6) If the hectares in the site that require rehabilitation have decreased from the previous year,

(a) the licensee is entitled to be refunded the amount by which the rehabilitation security account exceeds the maximum based on the hectares in the site that required rehabilitation in the previous year; and

(b) before any amount to be refunded under clause (4) (a) is determined,

(i) any amount to be refunded under clause (a) shall be deducted from the rehabilitation security account, and then

(ii) any amount to be refunded under clause (4) (b) shall be deducted from the rehabilitation security account.

(7) An amount for progressive rehabilitation a licensee may deduct under clause (3) (b) or is entitled to as a refund under clause (4) (b) shall not exceed the amount the progressive rehabilitation would have cost if it had been done at the rates generally available in the area where the site is located. O. Reg. 702/89, s. 8.

9.—(1) This section applies with respect to aggregate permittees in cases in which the Minister has waived payment in advance under subsection 51 (2) of the Act.

(2) The rehabilitation security a permittee must pay under subsection 51 (2) of the Act is 8 cents for every tonne of aggregate or topsoil removed from the site during a year payable on or before the 15th day of February of the following year.

(3) A permittee may deduct from the payment required by subsection 51 (2) of the Act any amount that would increase the rehabilitation security account above the maximum.

(4) A permittee is entitled to be refunded, once a year, the amount by which the rehabilitation security account exceeds the maximum. O. Reg. 702/89, s. 9.

10. If a site has been completely rehabilitated except for the full establishment of any necessary vegetation, a permittee who has paid rehabilitation security in advance may be refunded an amount out of the rehabilitation security account under section 53 of the Act provided that, after the refund, there is at least \$1,000 in the rehabilitation security account for every hectare in the site. O. Reg. 702/89, s. 10.

11.—(1) The rehabilitation security a person who applies for a permit must pay under subsection 51 (1) of the Act is 8 cents for every tonne which the permit authorizes to be removed.

(2) The rehabilitation security shall be in the form of cash, cheque or money order. O. Reg. 702/89, s. 11.

12. The rate of interest under subsection 52 (2) of the Act for rehabilitation security accounts shall be the rate of interest paid, from time to time, on deposits in the Province of Ontario Savings Office's regular savings accounts that pay interest on the last days of March and September. O. Reg. 702/89, s. 12.

#### RETURNS

13. A licensee, in respect of each site, shall file with the district office for the administrative district of the Ministry where the site is located,

(a) on or before the 31st day of October of each year, if any rehabilitation work has been undertaken, a Rehabilitation Claim setting out a description of the rehabilitation work

undertaken before the 15th day of October of that year and itemized costs of the work done;

(b) on or before the 31st day of January of each year, a Production Report setting out the quantity of aggregate removed from the site in each month during the previous year; and

(c) on or before the 15th day of March of each year, a Statement of Return setting out the calculations of the amount that the licensee must pay as rehabilitation security or is entitled to as a refund from the rehabilitation security account and including proof of the payment of any amount deducted under clause 8 (3) (b) or refunded under clause 8 (4) (b). O. Reg. 702/89, s. 13.

14. If the Minister has waived payment of rehabilitation security in advance under subsection 51 (2) of the Act in respect of an aggregate permit, the permittee shall file with the district office for the administrative district of the Ministry where the site is located,

(a) on or before the 30th day of September of each year, a statement of the hectares in the site that require rehabilitation as of the 15th day of September of that year; and

(b) on or before the 15th day of February of each year, a Rehabilitation Security Report setting out the calculations of the amount that the permittee must pay as rehabilitation security or is entitled to as a refund from the rehabilitation security account. O. Reg. 702/89, s. 14.

#### APPLICATION OF OPERATION AND REHABILITATION PROVISIONS

15.—(1) If a site plan or a condition to a licence or permit specifically addresses a matter addressed in section 16, 17, 18, 19, 20, 21, 23 or 24 then that section is not contravened by a licensee, permittee or other person who acts in accordance with the site plan or condition.

(2) Sections 16 to 20, clause 21 (b) and sections 22 and 23 apply only with respect to those parts of a site that are not land covered by water that is not the result of excavation below the water table. O. Reg. 702/89, s. 15.

#### OPERATION OF PITS AND QUARRIES

16.—(1) Every licensee shall ensure that,

(a) a fence, at least 1.2 metres in height, is erected and maintained along the boundary of the site; and

(b) a gate is erected and maintained at each entrance to, and exit from, the site and that all such gates are kept locked when the pits and quarries on the site are not in operation.

(2) Every licensee and permittee shall ensure that,

(a) each entrance to, and exit from, the site is located so as to provide, at the point of intersection with any highway, a clear view of the highway in both directions;

(b) any topsoil, subsoil or overburden that is stripped in the operation of any pit or quarry on the site is stored on the site in separate stockpiles or earth berms of topsoil, subsoil or overburden with stable slopes;

(c) adequate vegetation is planted and maintained to control erosion of any earth berm or stockpile of topsoil or subsoil;

(d) any building, structure or processing plant on the site is maintained in a good state of repair; and

(e) the site is kept in an orderly condition. O. Reg. 702/89, s. 16.

17.—(1) In this section, "scrap" means all waste material, refuse

and debris and includes scrap metal or lumber, discarded machinery, equipment and motor vehicles, fallen trees and tree stumps.

(2) Every licensee and permittee shall ensure that all scrap on the site is collected in areas on the site that are further than thirty metres from the boundary of the site and is removed from the site on an ongoing basis. O. Reg. 702/89, s. 17.

18.—(1) In this section, “excavation setback area” of a site means the area within,

- (a) fifteen metres from the boundary of the site;
- (b) thirty metres from any part of the boundary of the site that abuts,
  - (i) a highway,
  - (ii) land in use for residential purposes at the time the licence or permit was issued, or
  - (iii) land restricted to residential use by a zoning by-law when the licence or permit was issued; or
- (c) fifteen metres from any body of water that is not the result of excavation below the water table.

(2) No person shall excavate within the excavation setback area of a site.

(3) Every licensee and permittee shall ensure that all excavation faces are stabilized in so far as is necessary to prevent erosion into the excavation setback area. O. Reg. 702/89, s. 18.

19. No person shall excavate on a site so that the height of the excavation face at any point on the edge of an excavation becomes greater than twice the distance from that point to the boundary of the site. O. Reg. 702/89, s. 19.

20.—(1) No person shall pile aggregate, topsoil, subsoil or overburden, locate any processing plant or place, build or extend any building or structure,

- (a) within thirty metres from the boundary of the site; or
- (b) within ninety metres from any part of the boundary of the site that abuts,
  - (i) land in use for residential purposes at the time the licence or permit was issued, or
  - (ii) land restricted to residential use by a zoning by-law when the licence or permit was issued.

(2) Subsection (1) does not apply with respect to earth berms that are intended to screen adjoining lands from the operations on the site.

(3) Every licensee and permittee shall ensure that no earth berm described in subsection (2) is closer than three metres from the boundary of the site. O. Reg. 702/89, s. 20.

21. No person shall,

- (a) detonate any explosives on a site on a holiday or between 6 p.m. on any day and 8 a.m. on the following day; or
- (b) remove topsoil, subsoil or overburden from any site except under a permit that expressly allows the removal. O. Reg. 702/89, s. 21.

22. Every licensee and permittee shall ensure that, on the site, no person contravenes section 18, 19, 20 or 21. O. Reg. 702/89, s. 22.

#### REHABILITATION

23. Every licensee and permittee shall ensure that,

- (a) no material except topsoil or subsoil is brought on to the site for sloping, grading and other rehabilitation of the site unless the overburden from the site is insufficient for those purposes;
- (b) all topsoil and subsoil stripped in the operation of the site is used in the rehabilitation of the site;
- (c) adequate vegetation is planted and maintained to control erosion of any topsoil replaced on the site;
- (d) when the site is finally rehabilitated, the excavation face,
  - (i) of any pit has a slope that is at least three horizontal metres for every vertical metre, and
  - (ii) of any quarry, has a slope that is at least two horizontal metres for every vertical metre;
- (e) the rehabilitation of the site is in accordance with recommended practices and procedures; and
- (f) no aggregate, overburden, topsoil or subsoil, except material in an earth berm, is moved from the excavation setback area defined in subsection 18 (1). O. Reg. 702/89, s. 23.

24. If a site is required by the site plan or a condition of the licence or permit to be rehabilitated to an agricultural use, the licensee or permittee shall ensure that, so far as is necessary for that use,

- (a) adequate drainage and vegetation of the site is provided; and
- (b) any compaction of the site is alleviated. O. Reg. 702/89, s. 24.

#### MISCELLANEOUS

25.—(1) This section applies only within,

- (a) the Town of Caledon; and
- (b) the Town of Halton Hills.

(2) If a wayside permit has been issued under this Act for a site then,

- (a) during the four-year period beginning on the day that permit was issued, no more than two additional wayside permits may be issued for the site, except that a third additional wayside permit may be issued if the Minister consults with the municipality in which the site is located and provides the municipality with the reasons in writing for issuing the permit; and
- (b) during the ten-year period beginning four years after the day the permit was issued, no wayside permit shall be issued for the site or any lands that adjoin the site.

(3) A permit issued contrary to subsection (2) is invalid. O. Reg. 702/89, s. 25.

26. The parts of Ontario set out in the Schedule which have been designated under the *Pits and Quarries Control Act* or a predecessor thereof are redesignated for the purpose of section 5 of the Act. O. Reg. 702/89, s. 26.

#### EXEMPTION

27. With respect to licences and permits issued under section 71

of the Act or section 69 of the *Aggregate Resources Act, 1989* and with respect to licences and permits issued under the *Pits and Quarries Control Act*, the *Mining Act* or the *Beach Protection Act* that were deemed by subsection 69 (8) of the *Aggregate Resources Act, 1989* to be licences or permits issued under that Act,

- (a) subsection 20 (1) does not apply with respect to any stockpile, processing plant, building or structure the location of which was in accordance with the laws and by-laws in force before the 1st day of January, 1990, except in so far as that subsection applies to the extension of any building or structure; and
- (b) clause 23 (d) does not apply with respect to any excavation face that was rehabilitated to a state which satisfied the requirements of the laws and by-laws in force at the time for the final rehabilitation of that excavation face. O. Reg. 702/89, s. 27, revised.

#### Schedule

1. Those parts of the Territorial District of Algoma consisting of,
  - (a) the City of Sault Ste. Marie; and
  - (b) the Township of Prince.
2. All of the County of Brant.
3. All of the County of Bruce.
4. All of the County of Dufferin.
5. All of The Regional Municipality of Durham.
6. All of the County of Elgin.
7. All of the County of Essex.
8. Those parts of the County of Frontenac consisting of,
  - (a) the City of Kingston; and
  - (b) the townships of Kingston, Pittsburgh and Storrington.
9. All of the County of Grey.
10. All of The Regional Municipality of Haldimand-Norfolk.
11. All of The Regional Municipality of Halton.
12. All of The Regional Municipality of Hamilton-Wentworth.
13. Those parts of the County of Hastings consisting of,
  - (a) the City of Belleville;
  - (b) the Separated Town of Trenton;
  - (c) the Town of Deseronto;
  - (d) the villages of Deloro, Frankford, Madoc, Marmora, Stirling and Tweed; and,
  - (e) the townships of Elzevir and Grimsthorpe, Hungerford, Huntingdon, Madoc, Marmora and Lake, Rawdon, Sidney, Thurlow, Tudor and Tyendinaga.
14. All of the County of Huron.
15. All of the County of Kent.
16. All of the County of Lambton.
17. All of the County of Lanark.
18. The United Counties of Leeds and Grenville.
19. Those parts of the Territorial District of Manitoulin consisting of,
  - (a) Great LaCloche Island; and
  - (b) Little LaCloche Island.
20. All of The Municipality of Metropolitan Toronto.
21. All of the County of Middlesex.
22. All of The Regional Municipality of Niagara.
23. All of the County of Northumberland.
24. All of The Regional Municipality of Ottawa-Carleton.
25. All of the County of Oxford.
26. All of The Regional Municipality of Peel.
27. All of the County of Perth.
28. Those parts of the County of Peterborough consisting of,
  - (a) the City of Peterborough;
  - (b) the villages of Havelock, Lakefield, Millbrook and Norwood; and
  - (c) the townships of Asphodel, Belmont, Cavan, Douro, Dummer, Ennismore, Harvey, North Monaghan, Otonabee, Smith and South Monaghan.
29. The United Counties of Prescott and Russell.
30. All of the County of Prince Edward.
31. All of the County of Simcoe.
32. The United Counties of Stormont, Dundas and Glengarry.
33. All of The Regional Municipality of Sudbury.
34. Those parts of the Territorial District of Sudbury consisting of the geographic townships of Dill, Dryden and Trill.
35. All of the County of Victoria, except the townships of Dalton, Laxton, Digby and Longford and Somerville.
36. All of the County of Wellington.
37. All of The Regional Municipality of Waterloo.
38. All of The Regional Municipality of York.

O. Reg. 702/89, Sched.



**Form 1/Formule 1**

*Aggregate Resources Act/Loi sur les ressources en agrégats*

**NOTICE OF APPLICATION FOR A LICENCE/AVIS DE DEMANDE DE PERMIS**

I,  
Je, .....  
Name/Nom

.....  
Address/Adresse Postal Code/Code postal

HEREBY give notice that application has been made for a ..... licence  
 avise PAR LES PRÉSENTES qu'une demande a été faite en vue d'obtenir un permis de catégorie .....  
 Class A or Class B  
 A ou B

to excavate aggregate from a ..... of ..... hectares, located in:  
 pour extraire des agrégats d'un/d'une ..... de ..... hectares situé(e) à :  
 pit/quarry  
 puits d'extraction/carrière

..... Lots or Part Lot(s) Lots ou partie(s) de lot(s)	..... Concession	..... Geographic Township Canton géographique
..... Local Municipality Municipalité locale	..... County/Regional Municipality/District Comté/municipalité régionale/district	

Application is for an expansion to an established licenced pit/quarry (*delete line when not applicable*)  
 Demande d'expansion d'un puits d'extraction ou d'une carrière existant(e) faisant déjà l'objet d'un permis (*biffer la présente ligne, si elle ne s'applique pas*)

Application is for a new pit/quarry (*delete line when not applicable*)  
 Demande pour un nouveau puits d'extraction ou une nouvelle carrière (*biffer la présente ligne, si elle ne s'applique pas*)

Application is for a Class A licence to replace a Class B licence (*delete line when not applicable*)  
 Demande de remplacement d'un permis de catégorie B par un permis de catégorie A (*biffer la présente ligne, si elle ne s'applique pas*)

The estimated amount of aggregate to be excavated annually is ..... tonnes.  
 On estime qu'environ ..... tonnes d'agrégats seront extraites annuellement.

A detailed site plan for the proposed ..... may be examined in the local municipal, county/regional office or at the district office of the Ministry of Natural Resources.  
 Un plan d'implantation détaillé du/de la ..... proposé(e) peut être étudié au bureau de la municipalité locale, au bureau de .....  
 pit/quarry  
 puits d'extraction/carrière  
 comté, au bureau régional ou au bureau de district du ministère des Richesses naturelles.

Any person may send, in writing, objections with reasons and, if desired, a request for a hearing on this application by the Ontario Municipal Board, to the Minister of Natural Resources addressed to the local district office of the Ministry at the following address.

Quiconque s'oppose à la demande peut formuler par écrit les motifs de son opposition dans un avis et le faire parvenir au ministre de Richesses naturelles, au bureau de district du ministère à l'adresse suivante et peut y joindre une demande d'audience devant la Commission des affaires municipales de l'Ontario.

.....  
 The last day on which objections and any request for a hearing may be filed with the Ministry is the ..... day of  
 Le dernier jour prévue pour le dépôt de l'avis d'opposition et de la demande d'audience auprès du ministre est le ....., 19.....

*All information in respect of this application including any written objections is available for public review.*  
*Tous les renseignements donnés relativement à la demande, y compris l'avis d'opposition, peuvent être examinés par le public.*

O. Reg. 702/89, Form 1, revised.  
 Règl. de l'Ont. 702/89, formule 1, révisée.



## Agricultural and Horticultural Organizations Act *Loi sur les organisations agricoles et horticoles*

### REGULATION 16

#### GENERAL

1. In this Regulation, "Northern Ontario" means the districts of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Parry Sound, Rainy River, Sudbury, Timiskaming and Thunder Bay and The District Municipality of Muskoka. O. Reg. 200/89, s. 1.

2. In order to receive a grant from the Minister, an agricultural society must, in the year for which the grant is paid,

- (a) have at least sixty members;
- (b) work to advance its objects;
- (c) comply with the requirements of the Act; and
- (d) hold an agricultural exhibition. O. Reg. 200/89, s. 2.

3.—(1) A grant paid to an agricultural society for agricultural exhibitions shall be equal to one-third of the costs incurred by the agricultural society for prizes, judges' fees, stipends to exhibitors and exhibit materials provided by the society for the exhibition and demonstration of agricultural produce, home crafts, field crop competitions, farm improvement competitions and local amateur talent.

(2) Where the agricultural exhibition is held in Northern Ontario, the grant shall be equal to two-thirds of the costs set out in subsection (1).

(3) The proportion of the grant paid for costs incurred by the agricultural society for the exhibition and demonstration of farm improvement competitions and local amateur talent may not exceed one-third of the total grant.

(4) A grant paid in accordance with this section may not exceed \$3,000 in a one-year period.

(5) In a year where wet weather causes a decrease in the revenue an agricultural society receives from admission tickets, a grant to the society may be increased by the difference between the admission ticket revenue for that year and 90 per cent of the average admission ticket revenue for the three preceding years of normal weather.

(6) The increase described in subsection (5) may not exceed \$1,000. O. Reg. 200/89, s. 3.

4.—(1) A grant paid to an agricultural society for capital improvements and repairs to the society's real property shall be equal to 25 per cent of the costs incurred by the agricultural society for those capital improvements and repairs in a one-year period.

(2) Where the costs for capital improvements and repairs will exceed \$6,000 in a one-year period, the agricultural society shall,

- (a) submit plans, specifications and an estimated cost to the Director; and
- (b) submit satisfactory evidence that, subject to subsection (3), the improvements and repairs will advance or be used to advance the objects of the society.

(3) Where a part of the capital improvements and repairs may not advance or be used to advance the objects of the agricultural

society, the grant shall be equal to 25 per cent of the costs for the improvements and repairs that will advance or be used to advance the objects of the society.

(4) A grant paid in accordance with this section may not exceed, in a one-year period,

- (a) \$1,500, where the costs for capital improvements and repairs are less than or equal to \$6,000; and
- (b) \$25,000, where the costs for capital improvements and repairs exceed \$6,000. O. Reg. 200/89, s. 4.

5.—(1) Where an agricultural society uses property owned by a municipality to carry out its objects, a grant payable under section 4 for capital improvements and repairs to that property shall not exceed \$5,000.

(2) In order to receive a grant under section 4, the agricultural society must have an agreement with the municipality that owns the property allowing the society to use the property for at least ten years after the payment of the grant. O. Reg. 200/89, s. 5.

6. A centennial grant of \$1,500 may be paid to an agricultural society in a year during which the society is observing its 100th anniversary where the society,

- (a) has existed for 100 years; and
- (b) has constructed a permanent commemorative structure for the anniversary. O. Reg. 200/89, s. 6.

7. Where the money appropriated by the Legislature for grants calculated in accordance with sections 3 to 5 is insufficient to pay those grants,

- (a) each grant shall be paid to the agricultural society entitled to receive it in an amount prorated according to the proportion of the grant to the total calculated in accordance with sections 3 to 5; and
- (b) the Minister may, in succeeding years, pay the remainder of grants out of surplus money appropriated by the Legislature for grants. O. Reg. 200/89, s. 7.

8. In order to receive a grant from the Minister, a horticultural society shall, in the year for which the grant is paid,

- (a) have at least twenty-five members where the society is located in a territorial district or fifty members where the society is located elsewhere in Ontario;
- (b) work to advance its objects; and
- (c) comply with the requirements of the Act. O. Reg. 200/89, s. 8.

9.—(1) A grant paid to a horticultural society shall be equal to a maximum of 50 per cent of costs incurred by the society in advancing the objects of the society.

(2) A grant shall not exceed,

- (a) \$1,000, where a horticultural society had less than 200 members in the previous year; and

- (b) \$1,500, where a horticultural society had 200 or more members in the previous year. O. Reg. 200/89, s. 9.

## REGULATION 17

### NAMES

1. Agricultural associations shall provide the following information on applying for incorporation under the Act:

1. An original Ontario biased or weighted computer printed search report for the same name as the name proposed in the Articles of Incorporation from the updated automated name search system (NUANS) owned by the Department of Consumer and Corporate Affairs, Canada, dated not more than ninety days before the submission of the application.

2. If the proposed name is similar or identical to a name that is already in use, a consent to the use of the name from its owners. O. Reg. 530/90, s. 1.

2. The following words and expressions shall not be used in the name of an agricultural association:

1. "Association" or "Ontario", or any other word or expression that denotes that the agricultural association is a representative body, unless two-thirds of the persons represented by the agricultural association's name will be members of it.

2. "College", "institute" or "university", except with a consent in writing on behalf of the Ministry of Colleges and Universities.

3. "Engineer" or "engineering" or any variation of these words, except with the consent in writing of the Association of Professional Engineers of the Province of Ontario.

4. "Housing", unless the agricultural association is owned by, sponsored by or connected with the Government of Canada, the Government of Ontario or a municipal government in Ontario.

5. "Royal", where used as a prefix, unless the consent of the Crown has been obtained through the Secretary of State.

6. Numerals indicating the year of incorporation.

7. Any word or expression that would lead to an inference that the agricultural association is a business corporation. O. Reg. 530/90, s. 2.

3. Unless the proposed name for an agricultural association has been in continuous use for at least twenty years before the date of fil-

ing the application, or unless the proposed name has, through use, acquired a meaning that renders the name distinctive, an agricultural association's name shall not be,

- (a) too general;

- (b) primarily or only a given name or surname used alone of an individual who is living or has died within thirty years preceding the date of filing an application for Articles of Incorporation containing the name;

- (c) primarily or only a geographic name used alone. O. Reg. 530/90, s. 3.

4. An agricultural association's name shall not contain a word or expression, an element of which is the surname of a particular individual, who is living or who has died within the previous thirty years whether or not preceded by a given name or initials, unless the individual, his or her heir, executor, administrator, assigns or guardian consents in writing to the use of the name. O. Reg. 530/90, s. 4.

5. An agricultural association's name shall not contain any word or expression in any language that describes in a misleading manner the activities or services in association with which the name is proposed to be used. O. Reg. 530/90, s. 5.

6.—(1) Only letters from the Roman alphabet or Arabic numerals or a combination of them, and punctuation marks and other marks set out in subsection (2), may form part of the name of an agricultural association.

(2) The following punctuation marks and other marks are permitted as part of an agricultural association's name:

! " # % & ' ( ) \* + , -  
./ : ; < = > ? [ ]

(3) An agricultural association's name shall not consist only or primarily of a combination of marks set out in subsection (2).

(4) At least the first three characters of an agricultural association's name shall be letters from the Roman alphabet or Arabic numerals, or a combination of them. O. Reg. 530/90, s. 6.

7. The name of an agricultural association shall,

- (a) not exceed 120 characters in length, including punctuation marks and spaces;

- (b) be set out in block capital letters in every application filed under the Act. O. Reg. 530/90, s. 7.

8. The names of agricultural societies and horticultural societies incorporated, respectively, under Parts III and IV of the Act shall contain, respectively, the words "agricultural society" and "horticultural society". O. Reg. 530/90, s. 8.

## Agricultural Tile Drainage Installation Act *Loi sur les installations de drainage agricole*

### REGULATION 18

#### GENERAL

1. In this Regulation,

“advanced course” means the advanced course of instruction prescribed in this Regulation, or any course considered equivalent thereto by the Director;

“Drainage Guide” means Publication No. 29 of the Ontario Ministry of Agriculture and Food entitled “Drainage Guide for Ontario”;

“machine” means a machine used in installing a drainage work;

“primary course” means the primary course of instruction prescribed in this Regulation, or any course equivalent thereto satisfactory to the Director;

“tile” means tile, pipe or tubing of any material used in the installation of a drainage work. R.R.O. 1980, Reg. 13, s. 1.

2.—(1) An application for a licence to carry on the business of installing drainage works shall be in Form 1.

(2) An application for a licence to be the operator of a machine used in installing drainage works shall be in Form 2.

(3) An application for a licence for a machine used in installing drainage works shall be in Form 3.

(4) An application for the renewal of a licence in Form 4, 5 or 6 that is or has expired shall be made in the form provided therefor by the Director. R.R.O. 1980, Reg. 13, s. 2.

3.—(1) A licence to carry on the business of installing drainage works shall be in Form 4.

(2) A licence to be the operator of a machine shall be in Form 5.

(3) A licence for a machine shall be in Form 6.

(4) A licence in Form 4, 5 or 6 expires with the 31st day of December of the year in which it is issued.

(5) A licence in Form 4 or 5 is not transferable. R.R.O. 1980, Reg. 13, s. 3.

4.—(1) The fee for a licence in Form 4 is,

(a) \$25 in the case of an applicant or licensee who installed not more than 300,000 feet; and

(b) \$50 in the case of an applicant or licensee who installed more than 300,000 feet,

of drainage work in the year preceding the year in respect of which the application is made.

(2) The fee for a licence in Form 5 is \$5.

(3) The fee for a licence in Form 6 is,

(a) \$100 in the case of a plough-type machine;

(b) \$50 in the case of any other type of machine; and

(c) \$10 in the case of any machine mentioned in clause (a) or (b) that, in the opinion of the Director, is used solely for demonstration purposes. R.R.O. 1980, Reg. 13, s. 4.

5.—(1) The Director may issue a temporary operator's licence to a person who is qualified to be a Class A or Class B machine operator. R.R.O. 1980, Reg. 13, s. 5 (1).

(2) A temporary operator's licence,

(a) shall be in the form provided by the Director; and

(b) is valid for the period of forty-five days next following the date on which it is issued. R.R.O. 1980, Reg. 13, s. 5 (2); O. Reg. 85/83, s. 1 (1).

(3) No person shall be issued more than two temporary operator's licences in any year. R.R.O. 1980, Reg. 13, s. 5 (3).

6. The following fees shall be paid in addition to the fees prescribed by sections 4 and 5:

1. For an operator's examination .....\$5.00

2. For an operator's change of class .....5.00

3. For the transfer of a machine licence .....5.00

R.R.O. 1980, Reg. 13, s. 6.

7.—(1) The following classes of machine operator are established:

1. Class A .

2. Class B.

3. Class C.

(2) An operator,

(a) who is qualified,

(i) to operate and maintain the machine to be operated by him or her,

(ii) to set a system of grade control for the machine he or she operates,

(iii) to interpret drainage plans based upon topographic and profile surveys,

(iv) to implement a drainage work plan, and

(v) to advise on or carry out all other functions connected with the installation of a drainage work;

(b) who has attended the primary and advanced courses and has passed the examinations therefor;

(c) who was previously the holder of a licence as a Class B operator; and

(d) who has had at least seven months previous experience in operating machines in the installation of drainage works,

is a Class A operator.

- (3) An operator,
- (a) who is not qualified,
    - (i) to set up a system of grade control for the machine to be operated by him or her,
    - (ii) to interpret drainage plans based upon topographic and profile surveys, or
    - (iii) to implement a drainage work plan;
  - (b) who is qualified,
    - (i) to operate and maintain the machine to be operated by him or her,
    - (ii) to maintain the grade control established for such machine, and
    - (iii) to carry out all other duties connected with the installation of a drainage work except the duties mentioned in clause (a);
  - (c) who has attended the primary course and has passed the examinations therefor;
  - (d) who was previously the holder of a licence as a Class C operator; and
  - (e) who has had at least three months previous experience in operating machines in the installation of drainage works,

is a Class B operator.

- (4) An operator,
- (a) who is being trained to operate and maintain a machine; and
  - (b) who has had at least sixty days previous experience in carrying out other duties connected with the installation of drainage works,

is a Class C operator. R.R.O. 1980, Reg. 13, s. 7.

8.—(1) A licence as a Class A operator is issued on the terms and conditions that, where a licensed Class B or Class C operator is operating a machine under the Class A operator's supervision,

- (a) the Class A operator is present and in actual communication with the Class B operator at least once in every three-hour period; or
- (b) the Class A operator is present with the Class C operator at all times.

(2) A licence as a Class B operator is issued on the terms and conditions that,

- (a) where the holder is operating a machine; or
- (b) where a Class C operator is operating a machine in the presence of the holder,

a licensed Class A operator is present and in actual communication with him or her at least once in every three-hour period.

(3) A licence as a Class C operator is issued on the terms and conditions that the holder,

- (a) shall operate a machine in the installation of a drainage work only in the presence of an operator licensed as a Class A or Class B operator; and

- (b) shall attend the primary course within one year from the date on which the licence was issued. R.R.O. 1980, Reg. 13, s. 8.

9. Where a change in ownership of a machine is made,

- (a) the licence therefor shall remain with the machine; and
- (b) Notice of Transfer in Form 7, and the prescribed transfer fee, shall be sent to the Director within ten days next following the date of transfer. R.R.O. 1980, Reg. 13, s. 9.

10. A licence in Form 4 is issued on the terms and conditions that,

- (a) the holder or a person employed by the holder on a full-time basis is licensed as a Class A operator or, where the holder is a corporation, it employs on a full-time basis an operator licensed as a Class A operator;
- (b) every person who operates a machine,
  - (i) is the holder of a licence in Form 5, and
  - (ii) complies with the terms and conditions on which the licence is issued;
- (c) every machine used in installing drainage works is licensed in Form 6; and
- (d) whenever the holder or a person employed by the holder completes a drainage work, the holder completes and delivers to the Director within thirty days of completion a report in Form 8. R.R.O. 1980, Reg. 13, s. 10; O. Reg. 85/83, s. 2.

11.—(1) Except in the case of machines that, in the opinion of the Director, are used solely for demonstration purposes, every machine shall,

- (a) be capable of excavating a trench or laying tile to a grade that does not deviate from the grade established by the drainage work plan by more than,
  - (i) 15 per cent of the internal diameter of the tile where the diameter is eight inches or less, or
  - (ii) 10 per cent of the internal diameter of the tile, where the diameter exceeds eight inches; and
- (b) for the purpose of excavating trenches, be equipped with a wheel, chain or other device capable of excavating a trench that exceeds the diameter of the tile to be installed by at least six inches.

(2) For the purposes of subsection (1),

- (a) the grade deviation allowed by clause (a) of that subsection is subject to the conditions that such deviations,
  - (i) occur on a gradual basis over a distance of not less than thirty feet, and
  - (ii) do not occur consecutively above and below the established grade within a distance of 100 feet; and
- (b) the trench width mentioned in clause (b) of that subsection shall be measured at a level above the trench bottom equal to the diameter of the tile. R.R.O. 1980, Reg. 13, s. 11.

12. Where,

- (a) any matter arises for which this Regulation makes no provision; and

(b) a recommendation respecting such matter is set out in the Drainage Guide,

the Director, in making his or her decision, may take notice of the recommendation or of any other generally recognized technical facts, information or opinions within the Director's knowledge. R.R.O. 1980, Reg. 13, s. 12.

13.—(1) The Director may, at such times and in such places as he or she considers advisable, provide courses of instruction as follows:

1. A primary course that includes instruction and practice in one or more of the following:
  - i. basic mathematics.
  - ii. the calculation of grades and grade stake setting.
  - iii. profile and differential levelling.
  - iv. the use of topographic maps.
  - v. drainage technology as contained in the Drainage Guide.
2. An advanced course that includes instruction and practice in one or more of the following:
  - i. mathematics related to area and volume calculations.
  - ii. topographic surveys and readings of topographic maps.
  - iii. the reading of drainage plans and profiles.
  - iv. field surveys.
  - v. the installation of drainage works on the basis of recommendations in the Drainage Guide.

(2) Examinations shall be conducted at the end of a course under the supervision of the instructors. R.R.O. 1980, Reg. 13, s. 13.

14. In addition to the grounds for refusal to renew, suspension or revocation of licences mentioned in section 5 of the Act, the Director may refuse to renew or may suspend or revoke a licence in Form 4 or 5 if, after a hearing,

- (a) the Director is of opinion that any ground mentioned in section 4 of the Act for refusal to issue such licence exists;
- (b) the Director finds that the licensee has failed to comply with, perform or carry out any term and condition on which such licence was issued;
- (c) in the case of a person licensed as a Class A operator, the past performance of the licensee affords reasonable grounds for belief that the qualifications therefor do not exist; or
- (d) in the case of a person licensed as a Class B operator, the past performance of the licensee affords reasonable ground for belief that the qualifications therefor do not exist. R.R.O. 1980, Reg. 13, s. 14.

**Form 1**

*Agricultural Tile Drainage Installation Act*

**APPLICATION FOR LICENCE TO INSTALL DRAINAGE WORKS**

.....

.....  
 (name of corporation, partnership or person and if partnership, give names of all partners)  
 .....  
 (address)

applies for a licence to carry on the business of installing drainage works under the *Agricultural Tile Drainage Installation Act* and the regulations and in support of this application, the following facts are stated:

1. Name under which business is carried on  
.....
2. Number of years engaged in the business of installing drainage works .....
3. Number of feet of drainage work installed in 19\_\_ : .....
4. Description of machines used in installing drainage works:
 

MAKE	MODEL	YEAR
.....	.....	.....
.....	.....	.....

5. The following machine operators engaged in the business or employed on a full-time basis by the applicant are licensed as Class A operators:

NAME	ADDRESS
.....	.....
.....	.....

6. The licence fee of \$..... accompanies this application.

Dated at ....., this ..... day of ....., 19.....

.....  
(signature of applicant)

.....  
(title of official signing for a corporation)

R.R.O. 1980, Reg. 13, Form 1; O. Reg. 85/83, s. 3, *part.*

**Form 2**

*Agricultural Tile Drainage Installation Act*

**APPLICATION FOR LICENCE AS A MACHINE OPERATOR**

.....  
(name of applicant in full)

.....  
(address)

applies for a licence to be the operator of a machine used in installing drainage works under the *Agricultural Tile Drainage Installation Act* and the regulations and, in support of this application, the following facts are stated:

- 1. I have operated machines in the installation of drainage works for a period of ..... years.
- 2. I have attended, and passed the examinations therefor:
  - 1. The Primary Drainage Course ( )
  - 2. The Advanced Drainage Course ( )
  - 3. Other Drainage Courses, as follows: .....
- 3. I have held a licence as a
  - Class A operator .....; (yes or no)
  - Class B operator .....; (yes or no)
  - Class C operator ..... (yes or no)
- 4. I am qualified to perform the duties prescribed by the regulations for:
  - 1. A Class A operator ( )
  - 2. A Class B operator ( )
- 5. I will be operating and maintaining the following types of machines: .....
- 6. I hereby apply for a licence as a Class ..... operator.
- 7. The licence fee of \$5 accompanies this application.

Dated at ....., this ..... day of ....., 19.....  
 .....  
 (signature of applicant)

R.R.O. 1980, Reg. 13, Form 2; O. Reg. 85/83, s. 3, part.

**Form 3**

*Agricultural Tile Drainage Installation Act*

APPLICATION FOR MACHINE LICENCE

.....  
 (name of corporation, partnership or person and if a partnership, give names of all partners)

.....  
 (address)

applies for a licence or licences for the machine or machines described herein for use in installing drainage works under the *Agricultural Tile Drainage Installation Act* and the regulations.

- 1. Description of machines:

MAKE	MODEL	YEAR	SERIAL NO.
.....	.....	.....	.....
.....	.....	.....	.....

2. The licence fee or fees of \$..... accompanies this application.

Dated at ....., this ..... day of ....., 19.....  
 .....  
 (signature of applicant)

.....  
 (title of official signing for a corporation)

R.R.O. 1980, Reg. 13, Form 3.

**Form 4**

*Agricultural Tile Drainage Installation Act*

LICENCE TO INSTALL DRAINAGE WORKS

YEAR ..... LICENCE NO.....

Under the *Agricultural Tile Drainage Installation Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....  
 (name)

.....  
 (address)

carrying on business as .....  
 to carry on the business of installing drainage works.

This licence expires with the 31st day of December, 19.....

Issued at Toronto, this ..... day of ....., 19.....

.....  
 (Director)

R.R.O. 1980, Reg. 13, Form 4.

**Form 5**

*Agricultural Tile Drainage Installation Act*

MACHINE OPERATOR'S LICENCE

YEAR ..... LICENCE NO.....

Under the *Agricultural Tile Drainage Installation Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....  
 (name)

.....  
 (address)

to operate machines used in installing drainage works as a Class ..... operator.

This licence expires with the 31st day of December, 19.....

Issued at Toronto, this ..... day of ....., 19.....



.....  
(Director)

R.R.O. 1980, Reg. 13, Form 5.

**Form 6**

*Agricultural Tile Drainage Installation Act*

**MACHINE LICENCE**

YEAR ..... LICENCE NO.....

Under the *Agricultural Tile Drainage Installation Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....  
(name)

.....  
(address)

for use in installing drainage works of the machine described below:

MAKE	MODEL	YEAR	SERIAL NO.
.....	.....	.....	.....

This licence expires with the 31st day of December, 19.....

Issued at Toronto, this ..... day of ....., 19.....

.....  
(Director)

R.R.O. 1980, Reg. 13, Form 6.

**Form 7**

*Agricultural Tile Drainage Installation Act*

**NOTICE OF TRANSFER OF A MACHINE**

Under the *Agricultural Tile Drainage Installation Act* and the regulations, I hereby give notice of the change of ownership of the machine described below:

LICENCE NO.	MAKE	MODEL	YEAR	SERIAL NO.
.....	.....	.....	.....	.....

FROM .....  
(signature of licensed owner)

To .....  
(name of purchaser)

.....  
(address of purchaser)

The transfer fee of \$5 accompanies this notice.

Dated at ....., this ..... day of ....., 19.....

.....  
(signature of purchaser)

R.R.O. 1980, Reg. 13, Form 7; O. Reg. 85/83, s. 3, *part*.

Form 8

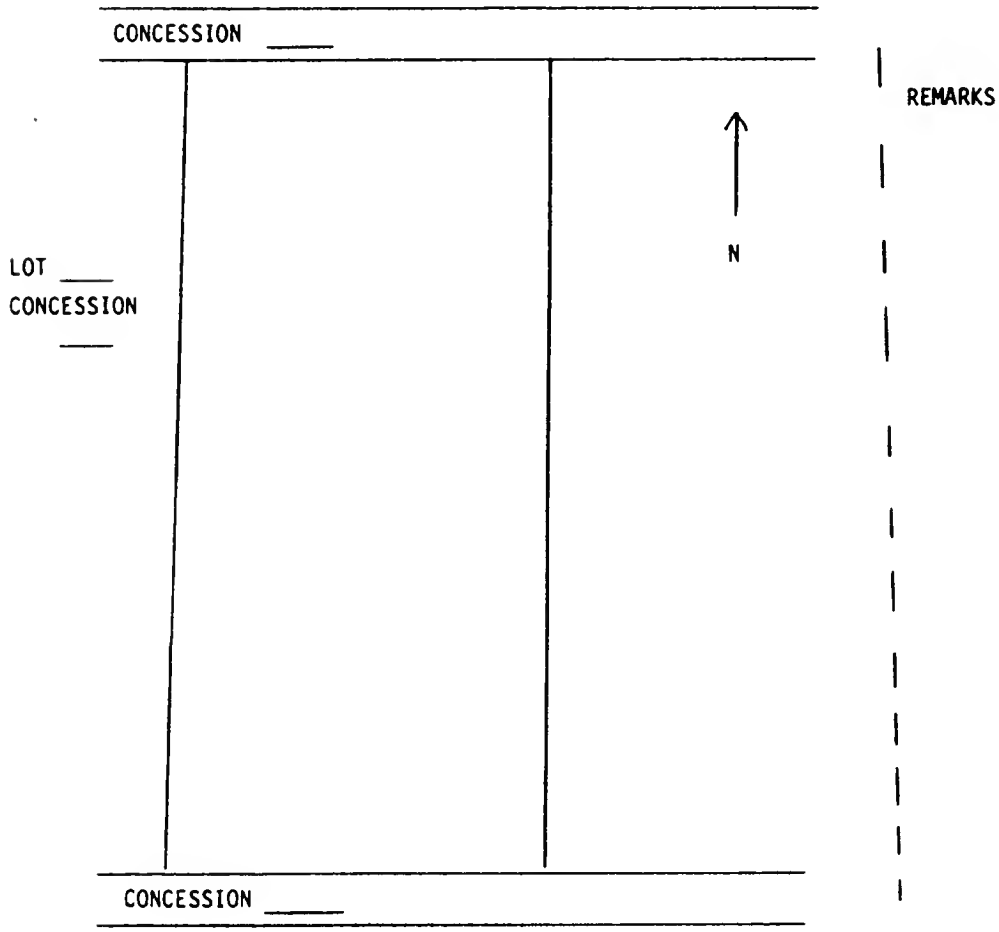
Agricultural Tile Drainage Installation Act

DRAIN RECORD

Owner \_\_\_\_\_ Contractor \_\_\_\_\_

Township \_\_\_\_\_ Lot \_\_\_\_\_ Concession \_\_\_\_\_

AREA	YEAR	RANDOM	SYSTE- MATIC	SPACING (FT.)	ACRES DRAINED	OUTLET				
						MUNICIPAL DRAIN	NATURAL WATER COURSE	ROAD DITCH	PRIVATE DITCH	OTHER SPECIFY BELOW
A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



## Ambulance Act *Loi sur les ambulances*

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### REGULATION 19

#### GENERAL

##### INTERPRETATION

1.—(1) In this Regulation, unless the context otherwise requires,

“attending physician” means a physician who is aware of a patient’s condition and who accepts responsibility for the patient;

“base hospital” means a hospital that is classified as a base hospital under Regulation 964 of Revised Regulations of Ontario, 1990 (Classification of Hospitals);

“base hospital physician” means a physician designated by the medical director of a base hospital program;

“dispatch centre” means a radio station, within the meaning of the *Radio Act* (Canada), that is equipped to receive calls for ambulance service and to dispatch ambulances by radio or telephone and that is used for such purpose;

“dispatcher” means a person who operates radio or telephone equipment at a dispatch centre for the purpose of receiving calls for ambulance service and dispatching ambulances;

“emergency” means a situation where delay in responding to a call for ambulance service could endanger the life, limb or a vital organ of a patient;

“emergency medical attendant” means a person who, in the course of providing ambulance service to a patient in Ontario,

(a) operates, drives or otherwise has the actual care or control of an ambulance, or

(b) attends, assists or renders first aid or emergency medical care,

but does not include a physician, intern, nurse, nursing assistant, respiratory technologist or other skilled and duly qualified medical technician who attends on a call for ambulance service with at least two emergency medical attendants for the purpose of rendering specialized health care services to a specific patient;

“emergency medical care assistant” means an emergency medical attendant who,

(a) has successfully completed an ambulance and emergency care program provided by a College of Applied Arts and Technology or has experience and qualifications that are equivalent thereto, and

(b) has obtained a pass standing in an emergency medical care examination set by the Director under this Regulation;

“employee” includes an independent contractor and an employee of an independent contractor;

“full-time employment” means any employment that is not part-time employment, and full-time employee has a corresponding meaning;

“intern” means a person who holds a degree in medicine granted by a university in Canada authorized to grant degrees in medicine, or

a person holding qualifications approved as equivalent thereto by the Minister or by an official of the Ministry who is authorized by the Minister to grant such approval;

“medical director of a base hospital program” means a physician so designated by a base hospital;

“paramedic” means a person who is an emergency medical care assistant and who,

(a) is authorized to perform one or more delegated medical acts, and

(b) has a document signed by a medical director of a base hospital program that confirms that the person is capable of performing the medical acts specified therein under the direction of a base hospital physician;

“part-time employment” means,

(a) employment for a period that does not normally exceed twenty-four hours per week, or

(b) employment by a person who is a graduate of an ambulance and emergency care program provided at a College of Applied Arts and Technology for a period that does not exceed 150 days after the person’s graduation,

and part-time employee has a corresponding meaning;

“patient” means a person who is sick, injured, incapacitated, in need of medical attention or under medical care, who is transported in an ambulance;

“physician” means a duly qualified medical practitioner; and

“public place” means any place, building or public conveyance to which the public habitually resorts or to which the general public are admitted free or upon payment, but does not include a hospital, nursing home or any other health care facility, or any home or other facility for children or for the aged, or any facility for persons with any mental or physical handicaps, or any private residence or boarding house;

“volunteer” means a person who may receive an honorarium or a stipend but who does not receive a wage or salary;

“volunteer ambulance service” means an ambulance service that is staffed in whole or in part by one or more persons who are volunteers. R.R.O. 1980, Reg. 14, s. 1; O. Reg. 600/89, ss. 1, 2 (1-6).

(2) Clause (a) of the definition of “part-time employment” does not apply to a person who holds the qualifications set out in subsection 7 (3). O. Reg. 600/89, s. 2 (7).

2.—(1) Subject to subsection (2), this Regulation is limited in its application,

(a) where reference is made to an ambulance, to an ambulance that is a motor vehicle within the meaning of the *Highway Traffic Act*, that is used for ambulance service;

(b) where reference is made to an ambulance service, to,

(i) an ambulance service that provides ambulance ser-

vices in an ambulance that is a motor vehicle within the meaning of the *Highway Traffic Act*, or

- (ii) a dispatch centre; and
- (c) where reference is made to an operator, to an operator whose licence is not subject to the condition that ambulance service be provided only in a specific situation authorized by the Director.

(2) Where an operator holds a licence that is subject to the condition that ambulance service be provided only in a specific situation authorized by the Director, the operator shall comply with every condition specified in the licence. R.R.O. 1980, Reg. 14, s. 2.

## PART I LICENCES

3.—(1) An application for a licence to operate an ambulance service or a renewal thereof shall be made to the Director.

(2) An application to renew a licence to operate an ambulance service shall be made not earlier than ninety days and not later than thirty days prior to the date of expiry of the licence. O. Reg. 600/89, s. 3, *part*.

(3) The fee for a licence to operate an ambulance service, or a renewal thereof, is \$10 and the applicant shall submit the fee with the application for a licence or a renewal thereof. R.R.O. 1980, Reg. 14, s. 3 (3).

(4) The operator of an ambulance service shall display the operator's current licence in a conspicuous place at the main premises from which the operator carries on the ambulance service. R.R.O. 1980, Reg. 14, s. 3 (5).

4. Every licence to operate an ambulance service, or renewal thereof, is subject to the condition that,

- (a) the operator use or permit to be used in the operator's ambulance service, only an ambulance which,
  - (i) is designated on the operator's licence,
  - (ii) is approved by the Director for regular use in the operator's ambulance service, or
  - (iii) is authorized for use during a specific emergency situation by the Director or by the dispatch centre that normally directs the movements of the ambulances of the operator's ambulance service;
- (b) the holder of the licence does not transfer any right, title or interest in the ambulance service without the prior written approval of the Director;
- (c) the person named in the licence as operator is in fact the owner and operator of the ambulance service;
- (d) where the Minister establishes a dispatch centre in an area serviced by the operator, the operator shall, upon receiving written notice from the Director that the operator is to cease operating a dispatch centre and that the operator is to transfer control of the dispatch centre operated by the operator to a dispatch centre established by the Minister,
  - (i) permit officials of the Ministry to do all things reasonably necessary to transfer dispatch control to the dispatch centre established by the Minister,
  - (ii) ensure that all telephone lines under the operator's control that are used, advertised or held out as being available for calls for ambulance service are assigned to the dispatch centre established by the Minister or disconnected,

(iii) not use or permit to be used any telephone line under the operator's control for the purpose of receiving calls for ambulance service, and

(iv) not advertise or hold out any telephone number in any telephone directory or otherwise as the number to call for ambulance service, except for any telephone number of the dispatch centre established by the Minister that normally directs the movements of the operators' ambulances; and

(e) the operator shall not operate a dispatch centre without the written approval of the Director. R.R.O. 1980, Reg. 14, s. 4; O. Reg. 542/84, s. 1; O. Reg. 600/89, s. 4.

5. Every operator shall comply with every condition specified in the operator's licence or in this Regulation. R.R.O. 1980, Reg. 14, s. 5.

## PART II FEES FOR SERVICE

6.—(1) Where a person who is not an insured person within the meaning of the *Health Insurance Act* is provided with service by a land ambulance service, the person shall pay to the operator a fee of \$185 and \$4.50 for each kilometre travelled in excess of forty kilometres. O. Reg. 54/84, s. 1, *part*; O. Reg. 594/90, s. 1 (1).

(2) Where a person who is not an insured person within the meaning of the *Health Insurance Act* is provided with service by an air ambulance service that is under charter to the Ministry of Health for a period in excess of twenty-nine days, the person shall pay to the operator a fee of \$600 and \$60 for each six minutes or part thereof flown in excess of one hour. O. Reg. 54/84, s. 1, *part*; O. Reg. 594/90, s. 1 (2).

(3) Where a person who is not an insured person within the meaning of the *Health Insurance Act* is provided with ambulance service by a means other than a means referred to in subsection (1) or (2), the person shall pay the total cost of such ambulance service. O. Reg. 832/82, s. 1, *part*.

## PART III QUALIFICATIONS FOR EMPLOYMENT

### ALL EMPLOYEES—FULL-TIME AND PART-TIME

7.—(1) No person shall be employed in an ambulance service as an emergency medical attendant unless the person,

- (a) is at least eighteen years of age;
- (b) holds an Ontario secondary school graduation diploma or has academic qualifications approved as equivalent thereto by the Minister or by an official of the Ministry who is authorized by the Minister to grant such approval;
- (c) is able to read, write and speak the English language with reasonable fluency;
- (d) holds a valid and subsisting driver's licence issued under the *Highway Traffic Act*, that authorizes the person to drive an ambulance;
- (e) is free from each communicable disease within the meaning of Regulation 558 of Revised Regulations of Ontario, 1990 (Designation of Communicable Diseases);
- (f) is the holder of a subsisting certificate signed by a physician that states that the person is immunized against tetanus, diphtheria, hepatitis B and poliomyelitis or that immunization thereto is medically contraindicated;
- (g) for a period of one year before the date the person com-

mences employment, has not had six or more demerit points recorded on his or her record by the Registrar of Motor Vehicles under the *Highway Traffic Act*;

- (h) for a period of two years immediately prior to the date the person commences employment, has not had his or her driver's licence suspended under the *Highway Traffic Act*;
- (i) for a period of three years immediately prior to the date the person commences employment, has not been prohibited under the *Criminal Code* (Canada) from driving a motor vehicle in Canada;
- (j) has not been convicted of any crime involving moral turpitude for which the person has not been pardoned;
- (k) has successfully completed a restricted radio-telephone operator's course approved by the Minister or a course that is equivalent thereto; and
- (l) is during each year of employment, certified in cardiopulmonary resuscitation to the Basic Rescuer level by the Ontario Heart and Stroke Foundation or to a level that is equivalent thereto. O. Reg. 571/82, s. 1, *part*; O. Reg. 600/89, ss. 1, 5 (1, 2).

(2) In addition to the qualifications set out in subsection (1), a person who commenced full-time employment as an emergency medical attendant before the 1st day of August, 1975 shall be the holder of a valid and subsisting Fundamentals of Casualty Care certificate, first aid certificate given by the St. John's Ambulance or the Canadian Red Cross or a certificate approved as equivalent thereto by the Minister or by an official of the Ministry authorized by the Minister to grant such approval. O. Reg. 571/82, s. 1, *part*; O. Reg. 600/89, ss. 1, 5 (3).

(3) In addition to the qualifications set out in subsection (1), a person who commenced full-time employment as an emergency medical attendant on or after the 1st day of August, 1975 shall be qualified as an emergency medical care assistant. O. Reg. 571/82, s. 1, *part*; O. Reg. 600/89, s. 1.

(4) In addition to the qualifications set out in subsections (1) and (3), a person who is employed as a paramedic shall be the holder of a valid document signed by the medical director of a base hospital program that authorizes the person to perform specified medical acts in accordance with the procedures set by the base hospital. O. Reg. 600/89, s. 5 (4).

(5) In addition to the qualifications set out in subsection (1), an emergency medical attendant who is a part-time employee,

- (a) shall be the holder of a valid and subsisting standard first aid certificate issued by the St. John Ambulance Association or the Canadian Red Cross or hold qualifications that are equivalent thereto; and
- (b) shall have successfully completed an emergency first response course approved by the Minister or a course that is equivalent thereto. O. Reg. 600/89, s. 5 (5).

(6) In addition to the qualifications set out in subsection (1), an emergency medical attendant who is a volunteer in a volunteer ambulance service,

- (a) shall be the holder of a valid and subsisting first aid certificate issued by the St. John Ambulance Association or the Canadian Red Cross or hold qualifications that are equivalent thereto; and
  - (b) shall have successfully completed an emergency first response course approved by the Minister or a course that is equivalent thereto.
- (7) Clauses (1) (d), (g), (h) and (i) do not apply to an emergency

medical attendant who is a volunteer in a volunteer ambulance service and who when acting as such does not drive an ambulance.

(8) An operator shall not hire or keep in the operator's employ or engage in a volunteer capacity an emergency medical attendant who does not meet the applicable requirements set out in this section. O. Reg. 600/89, s. 5 (6).

#### DISPATCHERS

8. Every dispatcher who commences employment in an ambulance service shall,

- (a) be at least eighteen years of age;
- (b) be able to read, write and speak the English language with reasonable fluency;
- (c) hold an Ontario secondary school graduation diploma or academic qualifications approved as equivalent thereto by the Minister or by an official of the Ministry who is authorized by the Minister to grant such approval;
- (d) hold a valid and subsisting senior certificate in first aid issued by St. John Ambulance Association, or a standard certificate in first aid issued by the Canadian Red Cross Society, or qualifications approved as equivalent thereto by the Minister or by an official of the Ministry who is authorized by the Minister to grant such approval, or be a nurse; and
- (e) hold a valid and subsisting Restricted Radio-telephone Operator's Certificate (Land) issued under the *Radio Act* (Canada) or a certificate of proficiency that is superior thereto. R.R.O. 1980, Reg. 14, s. 12.

#### MISCELLANEOUS

9. An operator shall not hire or keep in the operator's employ a dispatcher who does not meet the requirements of section 8. O. Reg. 600/89, s. 6, *part*.

10. Subsection 7 (8) and section 9 do not apply to an emergency medical attendant or dispatcher, as the case requires, who discontinues full-time employment with an operator and who commences full-time employment with another operator as a result of a change in ownership or management or in the structure of the ambulance service. O. Reg. 600/89, s. 6, *part*.

11. Despite any other provision of this Regulation, any person who is registered as a student in nursing, medicine, ambulance and emergency care or a health discipline approved by the Minister for the purposes of this section at,

- (a) a provincially assisted university;
- (b) a College of Applied Arts and Technology; or
- (c) an institution approved by the Minister for the purpose of this section,

may, in the course of providing ambulance service to a patient in Ontario, attend, assist or render first aid or emergency medical care,

- (d) if done so under the actual supervision of a person qualified under this Regulation;
- (e) if the ambulance is staffed in accordance with this Regulation;
- (f) if the person is free from each communicable disease within the meaning of Regulation 558 of Revised Regulations of Ontario, 1990 (Designation of Communicable Diseases) that may be transmitted to a patient;

- (g) if the person is the holder of a subsisting certificate signed by a physician that states that the person is immunized against tetanus, diphtheria, hepatitis B and poliomyelitis or that immunization thereto is medically contraindicated; and
- (h) if the person has not been convicted of any crime involving moral turpitude for which the person has not been pardoned. R.R.O. 1980, Reg. 14, s. 14; O. Reg. 600/89, s. 7.

#### PART IV EXAMINATIONS

12.—(1) The Director may set emergency medical care examinations to test the knowledge and proficiency in emergency medical care of emergency medical care assistants and of persons seeking qualification therefor.

(2) The Director or a person or persons designated by the Director shall examine each person taking an emergency medical care examination and shall assign a pass standing to each examinee who, in the opinion of the examiner, has demonstrated adequate knowledge and proficiency in emergency medical care. R.R.O. 1980, Reg. 14, s. 16.

13.—(1) The Director may, in the manner prescribed, direct any emergency medical care assistant to take an emergency medical care examination set by the Director where,

- (a) the person has not taken any such examination during the four year period immediately prior to the examination date set by the Director; or
- (b) the Director has reasonable grounds for belief that the person may not be competent to perform, with reasonable skill, the duties normally performed by an emergency medical care assistant. R.R.O. 1980, Reg. 14, s. 17 (1).

(2) Where,

- (a) the Director directs an emergency medical care assistant to take an emergency medical care examination under subsection (1); or
- (b) a person who has the qualifications described in clause (a) of the definition of "emergency medical care assistant" in subsection 1 (1) makes a written request to the Director that the person be given notice of the next emergency medical care examination date,

the Director shall cause written notice of the Director's direction and of the time and location of the examination to be given to the emergency medical care assistant or other person. R.R.O. 1980, Reg. 14, s. 17 (2), *revised*.

(3) The notice referred to in subsection (2) shall be given at least sixty days prior to the date of the examination specified in the notice. R.R.O. 1980, Reg. 14, s. 17 (3).

(4) Every emergency medical care assistant who is directed under subsection (1) to take an emergency medical care examination, shall,

- (a) attend at the location and at the time specified in the Director's notice, and take such examination;
- (b) establish to the satisfaction of the Director that the emergency medical care assistant was unable to attend due to illness or other reasonable cause; or
- (c) discontinue full-time employment as an emergency medical attendant forthwith. R.R.O. 1980, Reg. 14, s. 17 (4); O. Reg. 600/89, s. 1.

(5) An emergency medical care assistant who does not obtain a pass standing in an emergency medical care examination shall,

- (a) discontinue full-time employment as an emergency medical attendant forthwith; and
- (b) not recommence full-time employment as an emergency medical attendant until the person obtains a pass standing in an emergency medical care examination. O. Reg. 600/89, s. 9.

#### PART V VEHICLE AND EQUIPMENT STANDARDS

14.—(1) Every operator shall ensure that every ambulance used in the ambulance service the operator operates,

- (a) is constructed and equipped in accordance with the specifications prescribed in Schedule 1;
- (b) except in respect of an item of ambulance accessory equipment which the Director has authorized the operator to omit, contains the ambulance accessory equipment in the quantities and in accordance with the specifications prescribed in Schedule 2;
- (c) contains the medical equipment in the quantities and in accordance with the specifications prescribed in Schedule 3; and
- (d) except for,
  - (i) the equipment required by this subsection or additional quantities thereof where a minimum quantity is specified,
  - (ii) specific equipment approved by the Director for use by the operator in or on an ambulance, or
  - (iii) a specific item of medical equipment that a physician orders be transported to or with a patient in a specific situation,

contains no other equipment. R.R.O. 1980, Reg. 14, s. 19 (1).

(2) Despite subsection (1), an operator who, on the 15th day of July, 1975, is using an ambulance in the operator's ambulance service that is not constructed in accordance with the specifications prescribed in Schedule 1, may continue to use such ambulance until the Director otherwise orders. R.R.O. 1980, Reg. 14, s. 19 (2), *revised*.

(3) Despite subsection (1), where an operator cannot readily obtain any item of equipment required by subsection (1), the operator may, with prior approval of the Director, substitute an item that is equivalent in design and function. R.R.O. 1980, Reg. 14, s. 19 (3).

15. Except for,

- (a) the equipment required or permitted by subsection 14 (1); or
- (b) an item of equipment substituted therefor in accordance with subsection 14 (3),

no operator may acquire by any means whatever any ambulance or ambulance or dispatch equipment unless the operator obtains the prior approval of the Director. R.R.O. 1980, Reg. 14, s. 20.

16. Every operator who acquires any equipment contrary to section 15 shall permit the Director or an inspector appointed under the Act to remove any such equipment from any ambulance in or on which it is located. R.R.O. 1980, Reg. 14, s. 21.

## MAINTENANCE AND REPAIRS

17.—(1) Every operator of an ambulance service shall maintain every ambulance in the ambulance service and the equipment required by section 14,

- (a) in a safe mechanical condition;
- (b) in a clean and sanitary condition; and
- (c) in proper working order.

(2) Every operator who receives a written notice from the Director ordering the operator to effect repairs to an ambulance or to equipment used in the operator's ambulance service shall take all reasonable steps to effect such repairs within forty-eight hours after the receipt of such notice. R.R.O. 1980, Reg. 14, s. 22.

18.—(1) Every operator shall,

- (a) at least once every six months, at intervals not less than 150 days apart, cause each ambulance used in the operator's ambulance service to be inspected at a motor vehicle inspection station licensed under the *Highway Traffic Act*;
- (b) after each such inspection, obtain the safety standards certificate provided for under the *Highway Traffic Act*; and
- (c) within thirty days after each such inspection, file with the Director the safety standards certificate.

(2) Where an inspection made under subsection (1) discloses that an ambulance is not mechanically fit, the operator shall,

- (a) ensure that the ambulance is not used for ambulance service until all repairs required to render it mechanically fit have been made; and
- (b) immediately notify the dispatch centre that normally controls the ambulances used in the operator's ambulance service. R.R.O. 1980, Reg. 14, s. 23.

19. Each member of an ambulance crew who attended on a call where equipment that requires sterilization was used and every operator shall ensure that such equipment is sterilized as soon as is practicable after possible contamination. R.R.O. 1980, Reg. 14, s. 24.

20. No operator and no employee of an operator may install, place or use or permit to be installed, placed or used, in or on any premises or place over which such person has any actual or constructive control, any radiocommunication equipment capable of transmitting on a frequency of 150.100MHz, 149.170MHz, 149.440MHz, 149.410MHz, 149.470MHz or 149.830MHz except where,

- (a) the equipment is contained in an ambulance under section 14;
- (b) the equipment is located in a dispatch centre licensed under the Act; or
- (c) the Director has expressly authorized it. R.R.O. 1980, Reg. 14, s. 25.

21. Every operator shall take reasonable steps to ensure that every employee complies with section 20. R.R.O. 1980, Reg. 14, s. 26.

22. Where equipment is installed, placed or used contrary to section 20, the operator shall permit the Director or an inspector appointed under the Act to remove it. R.R.O. 1980, Reg. 14, s. 27.

23. No operator may transmit on or otherwise use or permit the use of any frequency in connection with ambulance service unless,

- (a) the frequency is 150.100MHz, 149.170MHz, 149.440MHz, 149.410MHz, 149.470MHz or 149.830MHz; or
- (b) the operator has obtained the approval of the Director to the use of such other frequency. R.R.O. 1980, Reg. 14, s. 28.

24. Promptly after the receipt of a directive from the Director respecting the ambulance communication system, every operator shall distribute a copy thereof to each employee who manages or operates radiocommunications equipment. R.R.O. 1980, Reg. 14, s. 29.

25. Every operator shall ensure that all communication equipment under the operator's actual or constructive control is operated in accordance with all applicable Acts of Canada and of Ontario, with all regulations and orders thereunder, and with any instructions and directives issued under authority granted therein. R.R.O. 1980, Reg. 14, s. 30.

## PART VI

## RETURNS AND REPORTS

## EMPLOYMENT RECORDS

26.—(1) Every operator shall keep a separate record with respect to each employee of the operator that shall contain,

- (a) the name, address and social insurance number of the employee;
- (b) the date on which the employee commenced employment;
- (c) the nature of the employment of the employee;
- (d) the current salary of the employee;
- (e) the driver's licence number of the employee;
- (f) the Ontario ambulance system identification number for the employee;
- (g) the experience and qualifications of the employee;
- (h) a list of those immunizations received by the employee; and
- (i) where applicable, the date of and reason for termination of employment. O. Reg. 600/89, s. 11.

(2) Every operator shall cause a report in writing to be made to the Director, no later than thirty days after the last day worked by the employee, in respect of each employee who is dismissed from the employment of the operator by reason of incompetence or ill health. O. Reg. 542/84, s. 6.

(3) Every operator shall, within a reasonable time after receiving a written demand therefor from the Director or the Minister, cause to be submitted to the Director or the Minister, as the case may be, such information recorded under this section as is specified in the written demand.

(4) An operator shall retain in respect of each employee the records required by subsection (1) for at least five years following the date the employee leaves the employ of the operator. R. R. O. 1980, Reg. 14, s. 31 (3, 4).

## INCIDENT REPORTS

27.—(1) Every operator shall ensure that an incident report is made respecting,

- (a) each formal complaint relating to the operator's ambulance service received by the operator or on the operator's behalf;
- (b) each investigation carried out by the operator or under the

operator's authority relating to the operator's ambulance service; and

- (c) every unusual occurrence, including unusual delays, suspicious circumstances, equipment deficiencies or interference in the performance of ambulance service, encountered or experienced by the operator or any of the operator's employees in the course of providing ambulance service.

(2) An operator shall retain a copy of each incident report, whether or not it is an incident report required to be made under this section, for a period of three years after the date of the last notation made therein.

(3) Every operator shall ensure that two copies of each incident report are sent to the Director or to a person designated by the Director for that purpose. R.R.O. 1980, Reg. 14, s. 32.

#### ACCOUNTING SYSTEM AND REPORTS

28. Every operator shall,

- (a) maintain current financial records in accordance with generally accepted accounting principles;
- (b) record the receipts, expenditures, assets, liabilities and equity of the ambulance service;
- (c) cause financial statements to be prepared at the end of each fiscal year and at the end of each fiscal quarter thereafter;
- (d) have the financial records audited yearly by a public accountant, licensed under the *Public Accountancy Act*, and keep with the records relating to the operator's ambulance service the report of the auditor which shall state whether, in the auditor's opinion,
- (i) the auditor has received all the information and explanations the auditor has required,
- (ii) the financial statements are in accordance with the operator's books and records relating to the ambulance service, and
- (iii) the financial statements have been prepared in accordance with generally accepted accounting principles, applied on a basis consistent with that of the previous year; and
- (e) where the operator carries on any business enterprise in addition to the operator's ambulance service,
- (i) keep separate books of account and accounting records in respect of the ambulance service, and
- (ii) cause the financial statements referred to in clause (c) to be separate in detail from any such business enterprise,

except in the case of an operator who operates a public hospital under the *Public Hospitals Act* or an operator that is a municipality. R.R.O. 1980, Reg. 14, s. 33.

29. Every operator shall,

- (a) within sixty days after the end of each fiscal year, submit to the Director the operator's year end financial statements, prepared in accordance with section 28, on forms provided by the Ministry for that purpose, together with a copy of the auditor's report prepared in accordance with section 28; and
- (b) within thirty days after the end of each other fiscal quarter, submit to the Director the operator's quarterly financial

statements on forms provided by the Ministry for that purpose. R.R.O. 1980, Reg. 14, s. 34.

30. Every operator, other than an operator who operates a public hospital under the *Public Hospitals Act* or an operator that is a municipality who carries on any business enterprise in addition to the operator's ambulance service, shall keep separate from any other accounts all bank, trust company, provincial savings office, or similar accounts in which funds respecting the ambulance service are deposited, and shall deposit therein and withdraw therefrom only funds which relate to the ambulance service. R.R.O. 1980, Reg. 14, s. 35.

31.—(1) Every operator who receives funds from the Province of Ontario for ambulance service purposes shall use such funds only for purposes directly related to the provision of ambulance services.

(2) Where the Province of Ontario provides funds to an operator and directs that such funds shall be used for a particular purpose, the operator shall use such funds only for the purpose so specified.

(3) Where the Province of Ontario provides equipment, supplies or other tangible property to an operator, an operator shall use such property only for purposes directly related to the provision of ambulance services unless the Director has approved some other disposition thereof.

(4) Where funds provided by the Province of Ontario are used by an operator to acquire equipment, supplies or any other property, the operator shall use such property so acquired only for purposes directly related to the provision of ambulance services unless the Director has approved some other disposition thereof. R.R.O. 1980, Reg. 14, s. 36.

32. Every operator shall retain all financial records and documents directly relating thereto for a period of seven years. R.R.O. 1980, Reg. 14, s. 37.

33. Where an operator, other than an operator who operates a public hospital under the *Public Hospitals Act*, or an operator that is a municipality carries on any business enterprise in addition to the operator's ambulance service, the operator shall ensure that all records relating to the ambulance service, including personnel equipment and supply records, are maintained separate from any other records maintained by the operator. R.R.O. 1980, Reg. 14, s. 38.

34. Every operator shall maintain a current record of daily hours of work in the operator's ambulance service performed by each of the operator's employees. R.R.O. 1980, Reg. 14, s. 39.

35. Every operator shall make the returns and reports and give such information to the Director respecting the operation of the operator's ambulance service that the Director specifies in a written notice to the operator. R.R.O. 1980, Reg. 14, s. 40.

36.—(1) Every operator shall identify each invoice, work order and other document relating to maintenance of an ambulance used in the operator's ambulance service,

- (a) by manufacturer's vehicle identification number, where the ambulance is not owned by the Province of Ontario; or
- (b) by the vehicle number attached to the chassis of the vehicle by the Ministry, where the ambulance is owned by the Province of Ontario.

(2) Every operator shall retain each invoice, work order and other document referred to in subsection (1),

- (a) for a period of seven years from the date such invoice, work order or document was made or received; or
- (b) until the Director or an inspector appointed under the Act authorizes the disposal thereof,



whichever first occurs. R.R.O. 1980, Reg. 14, s. 41.

#### OPERATIONAL AND ACCIDENT REPORTS

37.—(1) Every dispatcher shall, on receiving a call for ambulance services or on being notified of the movement of an ambulance, complete a report that sets out that fact.

(2) The operator of the dispatch centre shall ensure that the report referred to in subsection (1) is forwarded to the Director forthwith. O. Reg. 600/89, s. 12.

38. Each member of an ambulance crew who responds to a call for ambulance services shall ensure that a report with respect to the call and with respect to the patient is forwarded to the Director forthwith. O. Reg. 600/89, s. 13.

39.—(1) Where a driver of an ambulance is directly or indirectly involved in an accident while in charge of an ambulance and,

(a) the accident is one which the driver is required to report to a police officer under the *Highway Traffic Act*; or

(b) the extent of the damage is such that the ambulance could be unavailable for ambulance service for more than four hours,

the driver shall,

(c) so notify a dispatcher at the dispatch centre which normally directs the movements of the ambulance, in the most expeditious manner available; and

(d) make an accident report to the Director forthwith. R.R.O. 1980, Reg. 14, s. 44 (1); O. Reg. 600/89, s. 14 (1).

(2) A driver of an ambulance who, while having care and control of the ambulance, is involved directly or indirectly in an accident other than an accident described in subsection (1) shall,

(a) report the accident to the nearest provincial or municipal police officer forthwith; and

(b) report the accident to the Director within seventy-two hours after the accident. O. Reg. 600/89, s. 14 (2).

(3) Every operator shall ensure that the operator's employees comply with sections 37, 38 and this section. R.R.O. 1980, Reg. 14, s. 44 (3).

#### PART VII

##### INSURANCE

40. Every operator who uses or permits the use of an ambulance in the operator's ambulance service where the ambulance is not owned by the Province of Ontario shall obtain and maintain in good standing a contract of automobile insurance under Part VI of the *Insurance Act* evidenced by a motor vehicle liability policy whereunder,

(a) the operator and every driver of the ambulance are insured;

(b) the minimum liability of the insurer is \$1,000,000 in respect of any one accident;

(c) the insurer is liable for loss or damage resulting from bodily injury to or the death of any passenger being carried in or upon or entering or getting on to or alighting from the ambulance;

(d) the insurer is liable for loss of or damage to passenger's property carried in or upon the ambulance; and

(e) the insurer is liable while the ambulance is used for carrying

passengers for compensation or hire. R.R.O. 1980, Reg. 14, s. 45.

#### PART VIII

##### MANAGEMENT, OPERATION AND USE

41. An operator shall not refuse and shall not permit any employee to refuse to provide ambulance service unless directed or permitted to do so by a dispatcher. R.R.O. 1980, Reg. 14, s. 46.

42. Each member of an ambulance crew shall ensure,

(a) that every patient transported in a sitting position in an ambulance wears a safety seat belt or other restraint providing an equivalent degree of safety; and

(b) that where a patient is transported on a stretcher in an ambulance,

(i) the patient is adequately secured to the stretcher, and

(ii) the stretcher is firmly secured in the ambulance. R.R.O. 1980, Reg. 14, s. 47.

43. Subject to section 44, no operator may use or permit the use of an ambulance for any purpose not directly related to the provision of ambulance services. O. Reg. 600/89, s. 15.

44.—(1) Subject to subsections (2) and (3), an operator or a member of an ambulance crew shall not transport or permit the transportation in an ambulance of the remains of any person who a physician has declared dead or who is obviously dead by reason of decapitation, transection, decomposition or otherwise.

(2) An ambulance may be used to transport the remains of a person who is obviously dead where,

(a) the remains of the person are in a public place and it is in the public interest that the remains be removed;

(b) arrangements are made to ensure that an alternative ambulance is readily available for ambulance service during the time that the remains are being transported; and

(c) no patient is transported in the ambulance at the same time as the remains.

(3) An ambulance may be used to transport human remains for the purpose of organ transplantation on the order of a physician where the order is acknowledged by a physician at the hospital where the tissue is being delivered.

(4) The ambulance officers attending the human remains referred to in subsection (3) shall care for the human remains as directed by the physician who ordered the transportation. O. Reg. 600/89, s. 16.

(5) Subsection (1) does not apply where a patient being transported in an ambulance is declared dead by a physician while the ambulance is en route.

(6) Every operator shall ensure,

(a) that no dispatcher who is the operator's employee gives any instructions to a member of an ambulance crew which are contrary to this section; and

(b) that each member of an ambulance crew in the operator's ambulance service complies with this section. R.R.O. 1980, Reg. 14, s. 49 (2, 3).

45.—(1) Subject to section 47, the driver of an ambulance in which a patient is transported shall transport the patient,

- (a) to a facility directed by a dispatcher ordering the movements of the ambulance; or
- (b) if a direction is not made under clause (a), to the nearest facility where the medical attention apparently required for the care of the patient is available.

(2) If a physician requests that a patient be transported to a specific health facility, the dispatcher shall comply with the request except if,

- (a) the dispatcher is informed by the facility to which the patient has been directed that the facility cannot receive the patient; or
- (b) a change in the medical condition of the patient requires that the patient be taken to a closer facility or a facility that is better able to care for the patient.

(3) If a patient is directed to a facility other than the specific health facility requested, the dispatcher shall inform the requesting physician of the change in the patient's destination.

(4) A patient who calls for ambulance service or a person who calls for ambulance service on behalf of a patient shall be deemed to have authorized the transportation of the patient in an ambulance. O. Reg. 600/89, s. 17.

46. No person shall smoke any cigar, cigarette, tobacco or other substance while in an ambulance. R.R.O. 1980, Reg. 14, s. 51.

47.—(1) Despite section 45, no operator and no member of an ambulance crew may,

- (a) transport a patient in an ambulance,
  - (i) from Ontario to a place outside of Ontario, or
  - (ii) from a place outside of Ontario to Ontario; or
- (b) proceed in an ambulance to an emergency outside Ontario,

unless authorized to do so by a dispatcher, the Director or an official of the Ministry who is authorized by the Director to grant an authorization.

(2) An operator or an ambulance crew who is directed under section 45 to transport a patient in an ambulance from Ontario to a place outside Ontario may do so only in accordance with subsection (1) of this section.

(3) This section shall not be construed as prohibiting an operator who does not operate an ambulance service in Ontario,

- (a) from transporting a patient into, out of or through Ontario; or
- (b) from entering and providing ambulance services in Ontario when requested to do so by a dispatcher, the Director or an official of the Ministry who is authorized by the Director to make such a request. R.R.O. 1980, Reg. 14, s. 52.

48.—(1) Where in the course of providing ambulance services an operator or a member of an ambulance crew accepts property delivered or entrusted to the operator or member of the crew for safekeeping, the person to whom the property is delivered or entrusted shall take reasonable care of it.

(2) An operator or a member of an ambulance crew may refuse to accept property for safekeeping. R.R.O. 1980, Reg. 14, s. 53.

49. A driver of an ambulance shall,

- (a) immediately upon the termination of an ambulance trip

carefully search the ambulance for any property lost or left therein by any passenger; and

- (b) forthwith deliver any property found by the driver therein,
  - (i) to the passenger who lost or left the property therein,
  - (ii) to the nearest police station, or to a hospital to which the passenger was conveyed, or to the passenger's next of kin, or
  - (iii) where the passenger has died, to a coroner or a person acting with the authority of a coroner, or to the passenger's next of kin. R.R.O. 1980, Reg. 14, s. 54.

50. Every operator of an ambulance service shall ensure,

- (a) that each emergency medical attendant is neat and clean when responding to a call for ambulance service and when transporting a patient;
- (b) that each emergency medical attendant, while on duty, displays, in a conspicuous place on the outside of the person's clothing, an insignia that indicates the highest qualification held by the person under the Act or the regulations; and
- (c) that no person in the employ of the operator, other than a person referred to in clause (b), display an insignia that relates to a qualification referred to in the Act and the regulations. R.R.O. 1980, Reg. 14, s. 55; O. Reg. 600/89, ss. 1, 18.

51.—(1) No emergency medical attendant shall,

- (a) while on duty, take, consume or have in his or her possession any liquor within the meaning of the *Liquor Control Act*, or any drug which could impair his or her ability to function as an emergency medical attendant; or
- (b) report for duty while under the influence of any liquor within the meaning of the *Liquor Control Act*, or any drug which could impair his or her ability to function as an emergency medical attendant. R.R.O. 1980, Reg. 14, s. 56 (1); O. Reg. 600/89, s. 1.

(2) No operator shall permit a member of an ambulance crew to respond to a call for ambulance service while the member is apparently under the influence of such liquor or drug, or suffering from the effects thereof. R.R.O. 1980, Reg. 14, s. 56 (2).

52. Every operator shall ensure that each ambulance of the operator that responds to a call for ambulance services is staffed with a crew of at least two emergency medical attendants each of whom holds the appropriate qualifications set out in section 7. O. Reg. 600/89, s. 19.

53.—(1) An operator shall take all reasonable steps to ensure that where,

- (a) the operator's plan for hours of operation and staffing is approved by an authorized official of the Ministry as the basis for financial support by the Province of Ontario for the provision of ambulance services, and the plan provides that ambulance service shall be immediately available during specified periods;
- (b) the Director directs the operator to make the operator's ambulance service immediately available during periods specified by the Director; or
- (c) the operator agrees with the Director to make the operator's ambulance service immediately available during periods agreed to by the operator and the Director,

there are on duty in respect of each ambulance immediately available for ambulance service during such periods, at least two emergency medical attendants, each of whom holds the qualifications for employment prescribed in this Regulation. R.R.O. 1980, Reg. 14, s. 58 (1); O. Reg. 600/89, s. 1.

(2) For the purposes of this section, an emergency medical attendant shall be deemed to be on duty only if,

- (a) the attendant is physically present at the ambulance service facilities; or
- (b) where the attendant is not physically present, the attendant is required by the operator to hold himself or herself immediately available for a call to work under a call back system and the Director has approved the call back system for use by the operator. R.R.O. 1980, Reg. 14, s. 58 (2); O. Reg. 600/89, s. 1.

**54.—(1)** No person may drive an ambulance that is not available for the provision of ambulance service unless a sign is displayed in a conspicuous manner, both at the front and rear of the vehicle bearing the words "Not in Service" and the words of each sign are clearly visible to the public.

(2) No person may drive an ambulance that is available for the provision of ambulance service unless the staff required by section 52 for responding to a call are present in the ambulance and,

- (a) the ambulance is equipped in accordance with this Regulation and the ambulance and its equipment are in the condition and order required by section 17; or
- (b) where the ambulance accessory equipment or medical equipment is temporarily deficient, a dispatcher has directed that the ambulance be used to provide ambulance services.

(3) Every operator shall ensure that every ambulance used in the operator's ambulance service is used only in accordance with this section. R.R.O. 1980, Reg. 14, s. 59.

**55.** Every operator shall ensure that no employee of the operator who is on duty on the site of the ambulance service performs any duty that is not directly related,

- (a) to the provision of ambulance services;
- (b) to a dispatch centre;
- (c) to the maintenance, repair or preparation of ambulance service equipment;
- (d) to the care and security of persons receiving care in a health care facility;
- (e) to the communications need of a health care facility; or
- (f) to public service activities related to emergency health care. R.R.O. 1980, Reg. 14, s. 60; O. Reg. 600/89, s. 20.

**56.** No operator may require, as a condition of full-time employment in the operator's ambulance service, that the applicant for employment agree to perform any duties which would contravene section 55. R.R.O. 1980, Reg. 14, s. 61.

**57.** Every operator shall ensure that,

- (a) in each ambulance used in the operator's ambulance service, there is displayed in a clearly visible position at the lower left corner of the windshield and on the left side of the rear of the ambulance, the ambulance number designated for the ambulance by the Director;

(b) that only the ambulance number so designated is used as the ambulance radio call number; and

(c) only an ambulance in respect of which an ambulance number has been designated by the Director is used to provide ambulance service. R.R.O. 1980, Reg. 14, s. 62.

**58.** Every operator of an ambulance service shall ensure that,

- (a) each movement of an ambulance used in an ambulance service operated by the operator is reported to the dispatch centre that covers the area in which the ambulance is located or through which the ambulance is proceeding;
- (b) staff at such dispatch centre are continuously informed as to the availability of ambulances in the ambulance service; and
- (c) all employees or other persons acting under the operator's direction in the ambulance service comply with all reasonable directions and instructions respecting the dispatching of ambulances and the ambulance communication system issued by a dispatcher in the area where the ambulance is located at any given time. R.R.O. 1980, Reg. 14, s. 63; O. Reg. 600/89, s. 21.

**59.—(1)** The operator of a dispatch centre shall formulate written operational procedures respecting the method of dispatching and deployment of ambulances in use or intended to be used by the operator's dispatch centre prior to commencing the operation of the dispatch centre.

(2) The operator shall submit the procedures referred to in subsection (1) to the Director for approval prior to commencing the operation of the dispatch centre.

(3) The operator of a dispatch centre shall operate the dispatch centre in accordance with,

- (a) the procedures referred to in this section that are approved by the Director; or
- (b) where the Director approves such procedures subject to variations prescribed by the Director, in accordance with the procedures as varied by the Director; or
- (c) where no such procedures are approved by the Director, in accordance with procedures prescribed by the Director.

(4) An operator of a dispatch centre shall obtain the approval of the Director thereto prior to implementing any changes to the procedures required by this section. R.R.O. 1980, Reg. 14, s. 64.

(5) This section does not apply to an operator who has received a notice under clause 4 (d). O. Reg. 542/84, s. 7.

**60.** Before advertising an ambulance service by any means, an operator shall submit to the Director the proposed form of advertisement and the proposed method of its dissemination. R.R.O. 1980, Reg. 14, s. 65.

**61.** No operator shall identify or permit to be identified any vehicle as an ambulance, whether by sign, marking, reference to the Ministry or otherwise, unless the vehicle is an ambulance that the operator is authorized to use under clause 4 (a). R.R.O. 1980, Reg. 14, s. 66.

**62.—(1)** Where an operator intends to terminate the operator's operation of an ambulance service, the operator shall at least ninety days before the date on which the operator intends to terminate the operation of the ambulance service, give notice in writing to the Director stating,

- (a) that the operation of the ambulance service is to be terminated;

- (b) the date on which the termination is to occur;
- (c) particulars of any arrangements or plans for the sale, transfer or other disposition of the ambulance service or any part thereof; and
- (d) where the operator is a corporation, any arrangements or plans for the transfer of shares in the corporation by any shareholder holding or acquiring such shares at any time between the date such notice is given and the date of termination. R.R.O. 1980, Reg. 14, s. 67 (1).

(2) Subsection (1) does not apply where the termination of the operation of an ambulance service is the result of,

- (a) a revocation by the Director of the operator's licence to operate the ambulance service;
- (b) an order of the Minister made under section 5 of the Act;
- (c) a refusal by the Director to renew the operator's licence to operate the ambulance service; or
- (d) the operator transferring control of the dispatch centre to a dispatch centre established by the Minister. R.R.O. 1980, Reg. 14, s. 67 (2); O. Reg. 542/84, s. 8.

63.—(1) Every operator who terminates the operation of an ambulance service shall, prior to such termination,

- (a) deliver or cause to be delivered to such person or place designated in writing by the Director,
  - (i) the register of employees referred to in subsection 26 (1),
  - (ii) the invoices, work orders and other documents referred to in subsection 36 (1) in respect of each ambulance owned by the Province of Ontario,
  - (iii) the reports referred to in sections 37 and 38,
  - (iv) any records, reports, books, documents or recordings that relate directly to any person who has been provided with ambulance services or to any call for ambulance service,
  - (v) all invoices, orders, records and documents relating to equipment, supplies or other property owned by the Province of Ontario that have been in the operator's possession, and
  - (vi) any financial or other records or reports relating to the ambulance service not previously submitted to the Director or the Minister under any requirement of this Regulation;
- (b) deliver or cause to be delivered to such person or place designated in writing by the Director or by an official of the Ministry acting under the authority of the Director, or by the Minister, all property in the operator's possession or under the operator's control that is owned by the Province of Ontario;
- (c) deliver or cause to be delivered to the Director closing financial statements for the ambulance service on forms provided by the Ministry for that purpose, together with a copy of an auditor's report that meets the requirements of clause 28 (d); and
- (d) pay to the Treasurer of Ontario the amount of any overpayment made by the Province of Ontario for the provision of ambulance services determined in accordance with clause 4 (1) (f) of the Act.

(2) The requirements of Part VI with respect to the retention or delivery of any report, record, invoice, work order or other document do not apply to any report, record, invoice, work order or other document that has been delivered in accordance with this section or in compliance with any request or demand therefor by the Director or the Minister under the Act or the regulations. R.R.O. 1980, Reg. 14, s. 68.

### Schedule 1

#### AMBULANCE SPECIFICATIONS AND EQUIPMENT

1. The minimum external dimensions of a standard ambulance shall be,
  - (a) wheel base 125 inches (312.50 centimetres);
  - (b) tracking width of the front wheels 68 inches (170.00 centimetres).
2. The minimum external dimensions for an ambulance having a four-wheel drive capability shall be,
  - (a) wheel base 127 inches (317.50 centimetres);
  - (b) tracking width of the front wheels 66 inches (165.00 centimetres).
3. The internal dimensions of the patient compartment of an ambulance shall provide,
  - (a) a minimum of 53 inches (132.50 centimetres) between floor and ceiling;
  - (b) for the placement and transport of two stretcher patients;
  - (c) for the placement and transport of at least one sitting patient when only one stretcher is in use;
  - (d) for seating in the patient compartment for at least one attendant with one such attendant's seat at the head of the principal or main stretcher patient;
  - (e) readily accessible and sanitary storage space for medical equipment listed in Schedule 3.
4. The internal dimensions of an ambulance shall provide for,
  - (a) a solid full width partition between the patient compartment and driver's area, extending upward to sliding windows of transparent safety glass or equivalent, which conforms to the standards for glazing materials of vehicles prescribed in the regulations under the *Motor Vehicle Safety Act* (Canada), opening to allow verbal communication between the driver and attendant; and
  - (b) easy loading of stretcher patients by means of a door or doors at the rear of the vehicle, and easy loading of ambulatory patients by means of a door or doors on the right side.
5. Any door opening into or out of the patient compartment shall be designed and equipped to permit such door to be opened from the inside of the vehicle, and such opening mechanism shall,
  - (a) contain instructions for the opening thereof on or adjacent thereto; and
  - (b) be designed to prevent inadvertent opening.
6. A lap-type safety seat belt conforming to the standards prescribed in the regulations under the *Motor Vehicle Safety Act* (Canada) shall be provided for each seating position in the vehicle, and such belt locking mechanism and mounting

- device shall be properly maintained and in good working order.
7. Every ambulance shall provide,
- (a) adequate comfort and safety for patients being transported with the chassis so sprung as to provide maximum riding comfort in the patient compartment;
  - (b) adequate temperature regulation and ventilation;
  - (c) interior lighting adequate for the care of patients;
  - (d) a rear flood light designed and attached to light the area immediately to the rear of the ambulance automatically upon opening of the rear door or doors; and
  - (e) such storage for the equipment in Schedules 2 and 3 as to prevent or minimize projections and sharp edges, and to keep such equipment readily available for use.
8. Every ambulance shall, subject to the *Highway Traffic Act*, be provided with,
- (a) a rotating light, (one only) red and white in colour, consisting of not less than three sealed beam units, two of which shall be red, mounted on the roof and visible from the front and rear for at least 150.00 metres, and where the light consists of four sealed beam units, the units shall be so arranged as to alternately display colours of red and white light;
  - (b) an audio warning device which shall automatically produce alternate high and low horn tones, but no other audible warning sound;
- (c) a public address system;
  - (d) four intermittently flashing lights, mounted on the roof, one on each corner of the vehicle, the two at the front shall simultaneously produce red light only to the front of the vehicle and the two at the rear shall simultaneously produce red light only to the rear of the vehicle; and
  - (e) one intermittently flashing red light, mounted laterally centered on the hood of the vehicle and so arranged as to project a beam of red light through the rear window of a passenger vehicle preceding the ambulance.
9. The controls for the signals and devices in section 8 of this Schedule shall be readily accessible to the driver and operable by the driver while seated in the driving position.
10. Every ambulance shall be painted white, with a horizontal dark blue band extending along each side of the vehicle, in such a proportion and dimension as is appropriate to the design of the vehicle.
11. Every ambulance shall display the word "Ambulance" in block letters, of red retro-reflective material, at least 7 inches (17.50 centimetres) in height, with the lines making up the letters at least 1 inch (2.5 centimetres) in thickness, on the rear of the vehicle, and where applicable relative to the design of the vehicle, on the front thereof. R.R.O. 1980, Reg. 14, Sched. 1.

## Schedule 2

### PART I

#### AMBULANCE ACCESSORY EQUIPMENT

##### GENERAL

Item	Type	Minimum Number Required	Specifications
1.	Spare tire and wheel and tire changing tools	1	Type suitable to the ambulance in which carried
2.	Logging chain	1	At least 10 feet (3.00 metres) drag link at both ends
3.	Rope	1	100 feet, ½ inch (30.00 metres, 1.25 centimetres)
4.	Flares	4	Red, fusee-type 20 minutes
5.	Hacksaw	1	With 6 spare blades
6.	Spade	1	"D" handle
7.	Pry Bar	1	Minimum 48 inches (120 centimetres) in length. Chisel point.
8.	Crow bar	1	36 inches (90 centimetres) in length
9.	Portable hand lights	2	Battery operated
10.	Fire extinguisher	1	Rated 6 B.C. by the Underwriter's Laboratories of Canada
11.	Radio equipment		Two-way communication equipment of a type, power and frequency or frequencies approved by the Director or permitted by these regulations
12.	Safety seat belts	2	1-driver 1-co-driver (conforming to the standards required under the <i>Motor Vehicle Safety Act</i> (Canada))

## PART II

## AMBULANCE ACCESSORY EQUIPMENT

## PATIENT CARE

1. One stair chair with two safety retaining straps of a type designed and intended for use in an ambulance.
2. Two stretchers,
  - (a) the first of which shall be of a wheeled design, adjustable to multi-levels and fully contoured for head and lower limb elevation, having two safety retaining straps; and
  - (b) the second of which shall be as prescribed in clause (a), or be of an emergency type, approved by the Director, with head elevation, having two safety retaining straps.
3. Two stretcher canvasses, or equivalent, with sleeves for removable carrying handles.
4. One pair of carrying handles to fit the stretcher sleeves referred to in section 3 of this Schedule.
5. Lap-type safety seat belts, conforming to the standards prescribed in the regulations under the *Motor Vehicle Safety Act* (Canada), one for each attendant seat and one for each seat position in the patient compartment.
6. One fracture board for stretcher at least 6 feet (1.80 metres) long and 16 inches (40 centimetres) wide, with slots cut in long dimension for hand hold and anchorage.
7. Three safety retaining straps, each at least 6 feet (1.80 metres) long, suitable for use with fracture board.
8. One short fracture board, commonly referred to as a cervical board, 36 inches (90 centimetres) long and 18 inches (45 centimetres) wide, with slots cut in the long dimension for hand hold, of a design and type approved by the Director.
9. Two safety retaining straps, at least 9 feet (2.70 metres) long for use with the short fracture board.
10. Two 4 pound (1.80 kilograms) positioning sand bags.
11. Five blankets.
12. Four sheets, cotton or equivalent.
13. Two sheets, plastic or equivalent.
14. Two pillows - hypoallergenic.
15. Two terry cloth bath towels.
16. Four pillow cases.
17. Two plastic pillow cases.
18. Emesis container.
19. One adjustable, clamp-on type, intravenous pole. R.R.O. 1980, Reg. 14, Sched. 2.

## Schedule 3

## MEDICAL EQUIPMENT

Item	Type	Minimum Number Required	Specifications
1.	Oxygen Equipment,		
	(a) oxygen cylinders	2	Minimum capacity of 736 litres each (E type) one of which shall be fully charged when responding to a call;
		1	Minimum capacity of 3,453 litres (M type);
	(b) regulator litre flow, metre assembly	2	Of a design approved by the Director;
	(c) humidifier	1	
	(d) mask	1	Medium adult size;
	mask	1	Child size.
2.	Ventilator	1	Self-inflating bag, with non-rebreathing valve, and adult mask, adaptable for use with oxygen;
		1	Limited positive pressure (Flynn, or type approved by the Director as equivalent), complete with medium adult mask and child mask.
3.	Suction apparatus	1	Vacuum operated, vehicle mounted;
		1	Manually operated complete with catheter.
4.	Portable first-aid kit	1	
5.	Airway,		
	(a) oropharyngeal	1	Large size;
	oropharyngeal	1	Medium size;
	oropharyngeal	1	Small size;

Item	Type	Minimum Number Required	Specifications
	(b) naso-pharyngeal	1	Size 26 Fr.
	naso-pharyngeal	1	Size 30 Fr.
	naso-pharyngeal	1	Size 34 Fr. with water soluble lubricant.
6.	Cervical collar	2	Ministry of Health design or equivalent.
7.	Tongue depressors	10	Individually wrapped.
8.	Mouth gags	2	Padded tongue blades.
9.	Splints		
	— padded where applicable	2	4½ feet (1.35 metres) long, 3 inches (7.50 centimetres) wide,
	— padded where applicable	2	3 feet (.90 metres) long, 3 inches (7.50 centimetres) wide,
	— padded where applicable	2	15 inches (37.50 centimetres) long, 3 inches (7.50 centimetres) wide.
10.	Hinged half-ring splint with web strap for ankle hitch	1	Must not be self-inflating if inflatable type used.
11.	Bandages		Type commonly referred to as a Thomas Splint.
	(a) conforming	6	3 inches (7.50 centimetres) wide;
	conforming	6	4 inches (10 centimetres) wide;
	(b) flannelette	6	3 inches (7.50 centimetres) wide;
	flannelette	6	6 inches (15.00 centimetres) wide;
	(c) triangular bandage	12	40" × 40" (100 cm × 100 cm) cut diagonally.
12.	Sterile Dressings,		
	(a) sterile gauze pads	24	4 inches by 4 inches (10 centimetres by 10 centimetres) individually wrapped;
	(b) combine pads or equivalent	12	12 inches by 12 inches (30 centimetres by 30 centimetres);
	(c) sterile pressure dressings with securing bandage attached	12	Ministry of Health type;
	(d) eyepads	6	
13.	Adhesive tape	2	3 inch (7.50 centimetres) rolls.
14.	Bandage scissors	1	
15.	Large safety pins	24	
16.	Obstetrical kit	1	Sterilized.
17.	Burn kit	1	Sterilized.

R.R.O. 1980, Reg. 14, Sched. 3.





## Amusement Devices Act *Loi sur les attractions*

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### REGULATION 20

#### GENERAL

#### PART I GENERAL

#### INTERPRETATION

##### 1. In this Regulation,

“adult kart” means a kart that is designed for use by persons who are at least 1320 millimetres in height;

“amusement ride” means an amusement device other than a go-kart or water slide;

“ASTM” means American Society for Testing and Materials;

“attendant” means a person who actively engages in or supervises the loading, movement or unloading of passengers on an amusement device or the marshalling of passenger carrying units or both;

“automobile ride” means an amusement ride in which the passenger carrying unit is in the form of a motor vehicle that travels within or along a predetermined path;

“bumper car” means an automobile ride where the passenger carrying units are equipped with an encircling buffer device and operate in an enclosed area consisting of a runway and a current grid and where the action of passengers may cause one passenger carrying unit to impact into another;

“class A1 amusement device” means a coaster ride, flume ride or ride that is similar to a coaster ride or flume ride, that travels 500 metres or more, other than a class A2 amusement device;

“class A2 amusement device” means an amusement device that is highly complex;

“class B1 amusement device” means a coaster ride, flume ride or ride that is similar to a coaster ride or flume ride, that travels 200 metres or more but less than 500 metres, other than a class A2 amusement device;

“class B2 amusement device” means an amusement device, other than a class A1, A2 or B1 amusement device, go-kart or water slide, that is designed to be used primarily by adults and that,

- (a) transports passengers to a height exceeding six metres,
- (b) tilts passengers more than 45° from the vertical,
- (c) has a total passenger capacity that exceeds fifty, or
- (d) has a combination or has all of the features referred to in clauses (a), (b) and (c);

“class C1 amusement device” means an amusement device, other than a class A1, A2, B1 or C2 amusement device, go-kart or water slide, that is designed to be used primarily by adults;

“class C2 amusement device” means an amusement device, other than a class A1, A2, B1 amusement device, go-kart or water slide, that is designed to be used primarily by children that,

- (a) transports passengers to a height exceeding three metres,
- (b) tilts passengers more than 45° from the vertical,
- (c) has a total passenger capacity that exceeds twenty-four,
- (d) moves passengers more than twenty metres along a circular path measured per revolution or more than fifty metres along a path other than a circular path measured per cycle, or
- (e) has a combination or has all of the features referred to in clause (a), (b), (c) or (d);

“class D amusement device” means an amusement device, other than a class A1, A2, B1 or C2 amusement device, go-kart or water slide, that is designed to be used primarily by children;

“coaster ride” means an amusement ride where passenger carrying units gain potential energy by being driven to a predetermined height from which they descend by kinetic energy along a fixed track;

“CSA” means Canadian Standards Association;

“dry slide” means an amusement ride that consists of one or more inclined channels that do not contain water and on which a person slides down from a predetermined height into a landing area;

“existing amusement device” means an amusement device that was located in Ontario at any time in the twelve months prior to the date this Regulation comes into force;

“factor of safety” means the ratio of the ultimate stress to the maximum stress imposed on a component of an amusement device due to fabrication, erection and environmental and operational conditions;

“field test” means a test or a series of tests used to determine whether an amusement device conforms to its original design and operational criteria;

“flume ride” means an amusement ride where the passenger carrying units are propelled along a water channel by the tow of water and that incorporates a lifting mechanism that imparts potential energy to the passenger carrying units allowing them to descend by kinetic energy along an inclined water channel into a horizontal water channel that decelerates the passenger carrying units;

“follow up inspection” means an inspection that is carried out after a periodic or special inspection to verify whether modifications have been made to correct any non-conformance identified during the periodic or special inspection;

“go-kart” means an amusement device that consists of one or more adult karts or kiddie karts that are driven on a go-kart track and includes the pit area and surrounding area but does not include automobile rides;

“go-kart track” means a specially constructed track that is used for karts;

“kart” means a self-propelled motorized vehicle that is designed to be driven on a go-kart track at limited speed where the driver has full control over acceleration from rest, deceleration, stopping and steering of the vehicle;

“kiddie kart” means a kart that is designed for use by persons who do not exceed 1375 millimetres in height;

“life-guard” means a person who is the holder of,

- (a) the National Lifeguard Service’s Lifeguard Certificate,
- (b) the Royal Life Saving Society Canada’s Bronze Cross,
- (c) the Young Men’s Christian Association’s Basic Life Saver Award, or
- (d) a certificate that is equivalent to a certificate referred to in clause (a), (b) or (c);

“manufacturer” means the manufacturer of an amusement device;

“maximum capacity” means the maximum number of passengers, passenger carrying units or maximum weight or any combination of these that the amusement device is designed for in order to operate safely at the maximum speed specified by the manufacturer for the amusement device;

“mechanic” means a person who has at least four years work experience directly related to the work assigned to the person and who has knowledge of the Act, this Regulation and the codes that apply to the amusement device to which the person is assigned;

“new amusement device” means an amusement device other than an existing amusement device;

“on an emergency basis” means to replace an amusement device that is not operable and for which a current permit is issued;

“operator” means a person who has direct control over the starting, stopping or speed of an amusement device or part thereof or is in charge of the entire operation of an amusement device;

“passenger carrying unit” means that part of an amusement device that is self-propelled or attached directly or indirectly to the drive mechanism by means of a flexible linkage and that carries passengers through a ride cycle;

“periodic inspection” means an inspection, other than a special, follow up or subsequent inspection or an inspection under clause 8 (3) (c), that is carried out from time to time after a permit is issued for an amusement device to determine if the amusement device is in accordance with the Act and this Regulation;

“professional engineer” means a professional engineer within the meaning of the *Professional Engineers Act*;

“prototype test” means a test or series of tests performed by the manufacturer on the primary model of an amusement device to verify the design and operational characteristics of the amusement device including the deflections, loads and forces that are intended to be placed on the amusement device and the passengers riding on the amusement device;

“rope lay” means the length along a rope in which one strand makes a complete revolution around the rope;

“rotor ride” means an amusement ride in which the passengers by the action of centrifugal force are maintained against the inner wall of a rotating vertical cylinder at the same time that the floor of the cylinder is lowered away from the feet of the passengers;

“SAE” means Society of Automotive Engineers;

“safety retainer” means a wire rope, chain, bar, attachment or other device that is designed to prevent a part or parts of an amusement device from,

- (a) becoming disengaged from the amusement device, or

(b) tipping or tilting in a manner that could cause a hazard to a person using the amusement device or a person in the vicinity of the amusement device,

should a means of suspension, guiding or attachment fail;

“special inspection” means an inspection that is carried out following a complaint, accident, fire or similar occurrence with respect to an amusement device;

“subsequent inspection” means an inspection that is carried out to verify whether modifications have been made to correct any non-conformance identified during an inspection under subsection 6 (1) or clause 8 (3) (c);

“turntable ride” means an amusement ride in which passengers are positioned on a smooth, flat, circular table that is surrounded by a cushioned barrier and that by the action of the table rotating tends to force the passengers to slide off the table and into the cushioned barrier;

“water slide” means an amusement device that consists of one or more inclined channels that contain continuously running water, on which a person slides down from a predetermined height into a splash pool and that incorporates facilities for water treatment. O. Reg. 342/87, s. 1.

#### APPLICATION OF ACT

2.—(1) No person shall erect, operate or maintain an amusement device to which this Regulation applies except in accordance with this Regulation.

(2) The following devices are exempt from the Act and this Regulation:

1. Off-road vehicles within the meaning of the *Off-Road Vehicles Act*.
2. Motorized snow vehicles within the meaning of the *Motorized Snow Vehicles Act*.
3. Public pools and wave action pools within the meaning of Regulation 565 of Revised Regulations of Ontario, 1990 (Public Pools).
4. Aircraft within the meaning of the *Aeronautics Act* (Canada).
5. Devices whose sliding action is dependent on snow or ice.
6. Boats, other than motorized boats primarily designed for use by children and bumper boats.
7. Jet water skis and similar jet or motorized devices used on water.
8. Wind surfers and surf boards.
9. Muscular powered devices, other than swinging gyms.
10. Hang gliders.
11. Untethered parasails, balloons and chutes.
12. Hay rides.
13. Soap box racers.
14. Golf carts.
15. Hovercraft.
16. Skateboards and roller skates.

17. Live animal rides.
18. Self-propelled vehicles, other than those that travel in excess of 4 kilometres per hour and are designed primarily for use in an amusement park.

(3) Every existing amusement device shall be deemed to meet the requirements of section 15, subsections 16 (1), (2) and (3), sections 17 and 18, subsection 19 (1) and subsections 20 (1), 22 (1) and 22 (4) and the standards adopted by section 3 of the code adopted in section 26.

- (4) Subsection (3) does not apply,
- (a) with respect to the part that is unsafe, where the person operating the amusement device is aware that a part of the amusement device is unsafe because it does not meet one of the requirements set out in a section referred to in subsection (3);
- (b) with respect to the part that is unsafe, where an inspector finds that a part of an amusement device is unsafe; or
- (c) with respect to the part, where a part of the amusement device is changed or replaced or a new part is added to the amusement device after this Regulation comes into force. O. Reg. 342/87, s. 2 (1-4).

#### LICENCE TO CARRY ON BUSINESS

3.—(1) An application for a licence to carry on the business of operating an amusement device or a renewal thereof shall be in a form provided by the Director.

(2) It is a condition for entitlement for a licence or a renewal thereof that the applicant,

- (a) is or employs a mechanic who is capable of maintaining each amusement device operated by the licensee;
- (b) is or employs a mechanic who is capable of erecting each amusement device that is to be erected by the licensee;
- (c) is or employs a person who has full knowledge of the Act and this Regulation who is in charge of the maintenance and operation of each amusement device of the licensee; and
- (d) is or employs a person who has full knowledge of the Act and this Regulation who is in charge of the erection of each amusement device that is to be erected by licensee.

(3) The amount of liability insurance prescribed for the purposes of section 4 of the Act is an amount not less than \$1,000,000.

(4) Each licence to carry on the business of operating an amusement device expires on the 31st day of December next following the date on which it was issued, unless otherwise stated in the licence. O. Reg. 342/87, s. 3.

#### PERMIT FOR AN AMUSEMENT DEVICE

4.—(1) An application for a permit to operate an amusement device or a renewal thereof shall be in a form provided by the Director.

(2) It is a condition for the issuing of a permit to operate an amusement device that,

- (a) the applicant is a licensee;
- (b) the amusement device with respect to which the permit relates is registered in accordance with section 6;

- (c) the applicant files with the Director an operating schedule that is in accordance with subsection (4); and
- (d) the amusement device with respect to which the permit relates is in conformance with this Regulation.

(3) It is a condition for the renewal of a permit to operate an amusement device that,

- (a) the applicant is a licensee;
- (b) the amusement device with respect to which the permit relates is registered in accordance with section 6;
- (c) the amusement device is maintained in accordance with the requirements of section 10;
- (d) the technical dossier required under clause 6 (1) (a) is updated in accordance with subsection 7 (6); and
- (e) the applicant files with the Director an operating schedule that is in accordance with subsection (4).

(4) For the purposes of this section, an operating schedule shall include,

- (a) the location or locations in Ontario where the amusement device will be operated;
- (b) the operating dates of the amusement device for the calendar year; and
- (c) in the case of an itinerant amusement device, the date or dates for the erection and dismantling of the amusement device.

(5) A permit to operate an amusement device expires on the 31st day of December next following the date on which it is issued unless otherwise stated on the permit.

(6) A permit to operate an amusement device shall be kept in the vicinity of the amusement device to which it relates.

(7) Where a permit is issued to a licensee for an amusement device brought into Ontario on an emergency basis, the Director shall not issue another permit on an emergency basis for that amusement device to that licensee. O. Reg. 342/87, s. 4.

5. A change in the operating schedule of a licensee shall be forwarded by the licensee to the Director,

- (a) where the change is to occur within fourteen days of the licensee becoming aware of the change, forthwith by telephone or other means of immediate communication; or
- (b) where the change is not going to occur within fourteen days of the licensee becoming aware of the change, in writing. O. Reg. 342/87, s. 5.

#### REGISTRATION OF AN AMUSEMENT DEVICE

6.—(1) It is a condition for the registration of an amusement device that,

- (a) a technical dossier in accordance with section 7 with respect to the amusement device is filed with the Director;
- (b) the amusement device is erected by or under the direct supervision of a licensee;
- (c) after the amusement device is erected, a licensee carries out or causes to be carried out a preliminary examination of the amusement device to ensure that the amusement device is in accordance with the filed technical dossier that relates to

the device and is in conformance with the Act and this Regulation;

- (d) the amusement device is inspected by an inspector; and
- (e) the amusement device is found by the inspector to be in a safe operating condition and in conformance with the Act and this Regulation.

(2) Clause (1) (b) does not apply to existing amusement devices.

(3) Upon the conditions set out in subsection (1) being satisfied, the Director shall register the amusement device.

(4) Where an amusement device is registered, the licensee who applied for the registration shall affix the notice indicating the registration number to the amusement device.

(5) Each registration of an amusement device expires five years after the last permit with respect to the device was issued. O. Reg. 342/87, s. 6.

#### TECHNICAL DOSSIER

7.—(1) Every technical dossier shall be submitted in duplicate and in English.

(2) A technical dossier for a new amusement device shall include at least,

- (a) specifications with respect to the amusement device on a form provided by the Director;
- (b) a site layout of the amusement device that shows the static and operational mode clearance requirements, fences, barriers and structures in the vicinity of the amusement device, loading and unloading areas, track and foundations;
- (c) drawings that contain plan and elevation views and cross-sectional areas to show the general arrangement of the amusement device, materials used, major components, dimensions and passenger carrying units;
- (d) drawings showing details of devices used to keep the passenger inside the passenger carrying unit during the operation of the amusement device and safety retainers used;
- (e) instructions with respect to erection and dismantling of the amusement device;
- (f) operational instructions with respect to, daily inspections, loading and unloading of the amusement device, communication between operators, attendants and passengers, environmental conditions that could affect the safe operation of the amusement device, procedures to be followed during an emergency shutdown of the amusement device, procedures to be followed when evacuating the amusement device and duties and responsibilities of operators and attendants;
- (g) a maintenance manual with respect to the amusement device that contains,
  - (i) schematics of the hydraulic and electrical systems showing all operational and safety related components and their characteristics together with sequence of operation,
  - (ii) detailed instructions with respect to the method and interval of inspections, tests, lubrication and replacement of parts,
  - (iii) a list of parts the failure of which could create a hazard, and
  - (iv) the location of and the amount of torque to be

applied to fasteners the failure of which could create a hazard;

(h) one of the following documents:

1. A report of a prototype test carried out by the manufacturer of the amusement device that includes a statement by the manufacturer that a field test is not required to be carried out on the amusement device.
2. A report of a field test carried out on the amusement device by the manufacturer or licensee.
3. A statement by the licensee that a field test will be carried out on the amusement device and a report filed with the Director before an inspection under subsection 6 (1) or clause 8 (3) (c) is arranged with an inspector.
4. A statement together with reasons by the manufacturer as to why no tests are necessary to ensure the safety of the amusement device;

- (i) in the case of a class A1, A2, B1 or B2 amusement device or a water slide, the seal and signature of a professional engineer on all documents;
- (j) a statement by a professional engineer that the design of the amusement device, including the parts and features not specifically identified in the technical dossier and the procedures and instructions laid down in the technical dossier, except for any variance indicated, are in compliance with the Act and the regulations; and
- (k) such other information or documents, in addition to those required under clauses (a) to (j), as are necessary to demonstrate that the amusement device will operate safely and in accordance with the Act and this Regulation.

(3) Subsection (2) does not apply with respect to an amusement device where a technical dossier for the same make and model of an amusement device has been filed with the Director provided that the technical dossier with respect to the amusement device contains the following documents:

1. Written permission of the person who filed the original technical dossier that the technical dossier previously filed with the Director may be used for the amusement device.
2. A photocopy of the filed technical dossier including any amendments or changes thereto.
3. Written permission of the professional engineer who provided the statement required under clause (2) (j) that the statement may be used for the amusement device.
4. A statement by the manufacturer or licensee that all safety related replacements and changes recommended by the manufacturer subsequent to the date of filing of the original technical dossier have been completed in accordance with the manufacturer's recommendation and this Regulation.
5. A site layout of the amusement device that shows the static and operational mode clearance requirements, fences, barriers and structures in the vicinity of the amusement device, loading and unloading areas, track and foundation.
6. One of the documents required under clause (2) (h).
7. A statement by the licensee that the amusement device is identical in design and mode of operation to the amusement device that is the subject of the original technical dossier.

(4) A technical dossier for an existing amusement device or an

amusement device that is brought into Ontario on an emergency basis shall include at least,

- (a) specifications of the device on a form provided by the Director;
  - (b) each document referred to in clauses (2) (f) and (g) and in the case of an itinerant device, the instructions referred to in clause (2) (e), except for a document that has already been filed with the Director with respect to an amusement device that is of the same make and model;
  - (c) a statement by the licensee that the amusement device, including the parts and features not specifically identified in the technical dossier and the procedures and instructions laid down in the technical dossier, except for any variance indicated, are in compliance with the Act and this Regulation; and
  - (d) such other information or documents, in addition to those required under clauses (a), (b) and (c), as are necessary to demonstrate that the amusement device will operate safely and in accordance with the Act and this Regulation.
- (5) An amendment that is made at the request of the Director or by an applicant to a technical dossier before the amusement device to which the technical dossier relates is registered shall include,
- (a) a detailed description of the amendment;
  - (b) where the amendment affects the document, each document required to be submitted with the technical dossier under subsection (2), (3) or (4), as the case may be, with the amendment indicated on the document; and
  - (c) a statement required under clause (2) (j) or (4) (c), as the case requires, with respect to the amendment.
- (6) Where a change, other than a change referred to in section 8, is made to an amusement device after the amusement device is registered that affects the data contained in the technical dossier with respect to the amusement device, the licensee shall submit to the Director, an amendment to the technical dossier that outlines the change,
- (a) forthwith, where the change is a change that affects the safe operation of the amusement device; or
  - (b) at the time that the licensee applies for a renewal of a permit, where the change is not a change that affects the safe operation of the amusement device.
- (7) A copy of the filed technical dossier including any amendments thereto shall be kept by the licensee at the location of the amusement device.
- (8) Where a part of a technical dossier is inconsistent with the Act and this Regulation, the provisions of the Act and this Regulation shall prevail. O. Reg. 342/87, s. 7.

#### CHANGES

- 8.—(1) Every licensee who proposes to change the structural design, inherent safety or operational characteristics of an amusement device that is registered under section 6 by, without limiting the generality of the foregoing,
- (a) increasing the maximum capacity or speed of an amusement device by more than 10 per cent;
  - (b) changing the load bearing structure of an amusement device in a manner that would reduce the original strength of the structure by more than 10 per cent;

- (c) changing the source of power for the main drive or control mechanism of an amusement device;
- (d) changing the method of guiding the passenger carrying units of an amusement device;
- (e) changing the classification of an amusement device;
- (f) relocating an amusement device that was originally designed as non-portable; or
- (g) changing an amusement device from groundmounted to trailer-mounted,

shall submit to the Director the documents set out in subsection (2).

(2) The following documents are required under subsection (1):

1. A detailed description of the proposed change.
2. All documents required to be filed as part of the technical dossier under subsection 7 (2) that relate to the proposed change.
- (3) Every licensee who proposes to make a change of a type referred to in subsection (1) to an amusement device shall ensure that,

- (a) the change is made by or under the direct supervision of the licensee;
- (b) the change is in conformance with the Act and this Regulation; and
- (c) the amusement device is inspected by an inspector prior to being put into operation after the change is made. O. Reg. 342/87, s. 8.

#### ATTENDANTS AND OPERATORS

9.—(1) Every licensee shall appoint a sufficient number of operators and attendants in respect of each amusement device operated by the licensee to meet the requirements of this Regulation.

(2) Every licensee shall ensure that the attendants and operators of the licensee are readily identifiable.

(3) Every licensee shall ensure that each attendant or operator of the licensee has such knowledge, training and experience that,

- (a) each operator of an amusement device is able to operate the amusement device safely without supervision;
- (b) each attendant is able to carry out his or her responsibilities without supervision; and
- (c) each attendant and operator is aware of the hazardous situations that may occur with respect to persons using the amusement device to which the attendant or operator is assigned.

(4) Every attendant shall,

- (a) be located at the area or position designated to the attendant by the operator of the amusement device to which the attendant is assigned;
- (b) be responsible for the safe functioning and use of the amusement device or component that is within the scope of the attendants duties as assigned by the licensee and as set out in this Regulation;
- (c) ensure that persons move safely to or from the amusement device to which the attendant is assigned;

- (d) ensure that persons using the amusement device to which the attendant is assigned are properly instructed with respect to the use of the area and components under the attendant's supervision; and
  - (e) ensure that all components of the amusement device to which the attendant is assigned are properly engaged and that all necessary safety measures in the circumstances are taken before a signal to operate is given to an operator or to a person using the amusement device.
- (5) Every operator shall be responsible for the safe operation and use of the amusement device or part thereof that the operator is assigned.
- (6) No operator shall,
- (a) operate or initiate the operation of an amusement device to which the operator is assigned unless the operator is signalled by an attendant that the amusement device is ready for operation or the operator is otherwise satisfied that all necessary safety measures in the circumstances have been taken to ensure the safe operation of the device;
  - (b) operate more than one amusement device at a time; or
  - (c) while on duty, leave the controls of an amusement device to which the operator is assigned unattended without taking measures to prevent the unauthorized operation of the amusement device. O. Reg. 342/87, s. 9.

#### ERECTION AND MAINTENANCE

10.—(1) Every licensee shall ensure with respect to each amusement device that is operated or intended to be operated by the licensee that,

- (a) the erection of the amusement device is carried out in accordance with the procedures set out in this section and the technical dossier for the amusement device required under section 7;
- (b) no erection or maintenance is performed unless the work is performed by a mechanic or by a mechanic-in-training under the supervision of a mechanic;
- (c) no mechanic is assigned work that is beyond the scope of the mechanic's experience and training; and
- (d) the amusement device is not used or operated unless it is maintained in accordance with the procedures set out in the technical dossier with respect to the amusement device required under section 7 and this section.

(2) Every licensee shall ensure that each amusement device operated by the licensee is maintained in such a manner and as often as is necessary to ensure that the amusement device is in safe operating condition having regard to,

- (a) the inherent quality and condition of the amusement device;
- (b) the manufacturer's recommendations for maintenance of the amusement device; and
- (c) the frequency and method of usage of the amusement device.

(3) Every licensee shall ensure that the maintenance of each amusement device operated by the licensee includes,

- (a) the checking and examination of all parts and functions at intervals that are sufficient to ensure the safe operation of the amusement device;

- (b) the cleaning, lubricating and adjusting of all parts at intervals sufficient to ensure the safe operation of the amusement device;
- (c) the repairing or replacing of worn, defective, damaged or broken parts on the amusement device; and
- (d) the carrying out of all safety related recommendations issued by the manufacturer with respect to the amusement device.

(4) Where the maintenance referred to in clause (3) (a) is carried out on an amusement device, the licensee who operates the amusement device shall ensure that the amusement device is in safe operating condition and is likely to remain in safe operating condition until the next scheduled checking and examination.

(5) No mechanic shall undertake work on an amusement device that is beyond the scope of the mechanic's experience and training.

(6) Where a part of an amusement device is replaced for any reason, the replacement part shall be at least equivalent in strength and function to the original supplied by the manufacturer. O. Reg. 342/87, s. 10.

11. Where a manufacturer of an amusement device or a licensee discovers a defect in a part or component of an amusement device that is related to the safe operation or usage of the amusement device and that part or component is replaced, the manufacturer or licensee, as the case may be, shall forthwith notify the Director, in writing, stating the nature of the defect and the details of any action taken with respect to the part or component. O. Reg. 342/87, s. 11.

#### OPERATION

12.—(1) Every licensee shall ensure with respect to each amusement device that is operated by the licensee that,

- (a) the amusement device is operated in accordance with this Regulation and the technical dossier filed with the Director that relates to the amusement device;
- (b) before the amusement device is opened to the public each day it is inspected and tested in accordance with the technical dossier that relates to the amusement device;
- (c) a log book is kept; and
- (d) a record of each inspection and test that is carried out on the amusement device is kept in the log book referred to in clause (c).

(2) Each record referred to in clause (1) (d) shall be signed by the person performing the inspection or test or the supervisor of the person performing the inspection or test attesting to the carrying out of the inspection or test.

(3) Each log book for an amusement device shall, in addition to a record of daily inspections and tests contain,

- (a) results of all other inspections and tests on the amusement device;
- (b) daily operating records of the amusement device, including all data concerning incidents and accidents involving the amusement device; and
- (c) maintenance records, including all data concerning changes and improvements carried out on the amusement device.

(4) Each log book shall be kept for a period of at least six years from the date of the last entry in the log book.

(5) That portion of the log book that covers the twelve month period previous to the date of the last entry in the log book shall be

kept at the location of the amusement device to which it relates.  
O. Reg. 342/87, s. 12.

## FEES

13.—(1) The following fees are payable under the Act and this Regulation:

1. On an application for a licence to carry on the business of operating an amusement device .....	\$200
2. On an application for a renewal of a licence to carry on the business of operating an amusement device ....	100
3. On an application for a permit to operate an amusement device .....	50
4. On an application for a renewal of a permit to operate an amusement device .....	25
5. On the submission of a technical dossier,	
i. under subsection 7 (2),	
A. for a class A1 or A2 amusement device or a water slide .....	400
B. for a class B1 or B2 amusement device .....	300
C. for a class C1 or C2 amusement device or a go-kart .....	200
D. for a class D amusement device .....	100
ii. under subsection 7 (4),	
A. for a class A1, A2, B1 or B2 amusement device or a water slide .....	200
B. for a class C1, C2 or D amusement device or a go-kart .....	100
iii. under subsection 7 (3), 50 per cent of the fee required under subitem i.	
6. On the submission of documentation under subsection 8 (1),	
i. for a class A1, A2, B1 or B2 amusement device or a water slide .....	200
ii. for a class C1, C2 or D amusement device or a go-kart .....	100
7. On the submission of an amendment to a technical dossier under subsection 7 (5) .....	50
8. On an inspection under subsection 6 (1) or clause 8 (3) (c) or a subsequent or periodic inspection of,	
i. a class A1 or A2 amusement device .....	200
ii. a class B1 or B2 amusement device or a go-kart that uses adult karts .....	100
plus per kart .....	5
iii. a class C1 or C2 amusement device or a go-kart that uses only kiddie karts .....	50
iv. a class D amusement device .....	25
v. a water slide .....	50

plus per 100 metres of total water channel length or part thereof .....

\$50

9. On a special or follow up inspection of,	
i. a class A1, A2, B1 or B2 amusement device or a go-kart that uses adult karts .....	100
ii. a class C1 or C2 amusement device, a water slide or a go-kart that only uses kiddie karts .....	50
iii. a class D amusement device .....	25
10. On an inspection that is unduly delayed or prolonged by reasons of a licensee failing to comply with clause 10 (2) (d) of the Act .....	

all reasonable travelling, meal and accommodation expenses necessarily incurred by an inspector in connection with the inspection by reason of the delay or prolongation,

plus per man hour .....

50

11. On a review of a technical dossier outside the offices of the Elevating Devices Branch of the Ministry or where an inspection is specially arranged to suit a licensee's schedule .....	
all reasonable travelling, meal and accommodation expenses necessarily incurred,	
plus per man day .....	400
12. For a copy of an inspection report or other document relating to an amusement device .....	15
13. For a replacement of a registration number notice ....	25

(2) The manpower, test load, measuring and other devices required to carry out an inspection shall be provided by the licensee.  
O. Reg. 342/87, s. 13.

## PART II

## GENERAL TECHNICAL REQUIREMENTS

14. Where a provision of a code adopted by this Regulation is inconsistent with the Act and this Regulation, the provisions of the Act and this Regulation shall prevail. O. Reg. 342/87, s. 14.

## WELDING

15.—(1) The welding of piping and fittings containing an internal pressure greater than 103 kPa on an amusement device shall conform to CSA Standard B51-M1986, Boiler, Pressure Vessel and Pressure Piping Code.

(2) The welding of stress bearing parts of an amusement device, other than parts referred to in subsection (1), the failure of which could create an unsafe condition, shall conform to CSA Standard W59-1984, Welded Steel Construction (Metal Arc Welding).

(3) The welding of piping and fittings containing an internal pressure greater than 103 kPa on an amusement device shall be carried out by a person who is qualified in accordance with CSA Standard B51-M1986, Boiler, Pressure Vessel and Pressure Piping Code.

(4) The welding of stress bearing parts of an amusement device, other than parts referred to in subsection (1), the failure of which could create an unsafe condition, shall be carried out by a person who is qualified in accordance with CSA Standard W47.1-M1983, Certification of Companies for Fusion Welding of Steel Structures or

W47.2-M1987, Certification of Companies for Fusion Welding of Aluminum, as the case requires. O. Reg. 342/87, s. 15.

#### STRUCTURAL

16.—(1) Structural loads and procedures considered in the design of structural members of every amusement device shall conform to section 4.1 of Regulation 61 of Revised Regulations of Ontario, 1990 made under the *Building Code Act*.

(2) Every permanent foundation that is built specifically for an amusement device shall be designed and constructed in accordance with section 4.2 of Regulation 61 of Revised Regulations of Ontario, 1990 made under the *Building Code Act*.

(3) Materials used for structural members of an amusement device shall be in accordance with section 4.3 of Regulation 61 of Revised Regulations of Ontario, 1990 made under the *Building Code Act*.

(4) Every platform, stair or ramp used in connection with an amusement device shall be designed and constructed in accordance with subsections 3.4.6 and 3.4.7 of Regulation 61 of Revised Regulations of Ontario, 1990 made under the *Building Code Act* except that an inclined platform or ramp may have a maximum gradient of 1:8. O. Reg. 342/87, s. 16.

#### PIPE AND FITTINGS

17.—(1) Piping used in the hydraulic or pneumatic drive mechanism of an amusement device shall have a minimum wall thickness of 1.65 millimetres plus C or as determined by the following formula, whichever is greater:

$$t = \frac{PD}{2SE} + C$$

where t = wall thickness in millimetres,

D = outside diameter of pipe in millimetres,

P = maximum allowable pressure of piping in kilopascals,

S = one-quarter of the minimum tensile strength of the piping in kilopascals,

E = joint efficiency, for seamless pipe, one and for electric resistance welded pipe, 0.85,

C = for pipe of a size up to and including 9.5 millimetres pipe size, 1.3 millimetres and for pipe of a size greater than 9.5 millimetres pipe size, the depth in millimetres of the thread or groove, as the case may be.

(2) Every valve and fitting used in the drive mechanism of an amusement device shall,

- (a) have a factor of safety of not less than five based on the minimum tensile strength of the material used in the valve or fitting; and
- (b) be made of a material that has an elongation of not less than 10 per cent in a gauge length of fifty millimetres when measured in accordance with ASTM Standard E8. O. Reg. 342/87, s. 17.

#### FLEXIBLE HOSE AND COUPLINGS

18.—(1) Where the hydraulic mechanism of an amusement device is fitted with a flexible hose and fitting assembly and the failure of the flexible hose and fitting assembly could create an unsafe condition, the flexible hose and fitting assembly shall,

- (a) have a bursting strength sufficient to withstand not less than five times the maximum pressure anticipated during the normal operation of the amusement device;
- (b) be equal to or better than type 100 R2 within the meaning of SAE Standard J517;
- (c) be compatible with the hydraulic fluid used;
- (d) be used with hose fittings that are nonreusable;
- (e) be permanently marked to show,
  - (i) the manufacture of the hose and fitting assembly,
  - (ii) the type of hose and fitting assembly,
  - (iii) the minimum factory test pressure of the hose and flanging assembly,
  - (iv) the minimum bending radius of the hose, and
  - (v) the date of installation of the hose and fitting assembly.

(2) Every flexible coupling that is used on an amusement device shall be so designed and constructed that the failure of the sealing element used with the coupling will not permit the separation of the parts connected.

(3) Every device or means that is accessible to the public and that is used for preventing the separation of parts on an amusement device shall be removable only with the use of tools that are not in the form of hand operated quick-release levers. O. Reg. 342/87, s. 18.

#### PIN CONNECTIONS

19.—(1) Every pin connection on an amusement device shall have a factor of safety of not less than ten.

(2) Where the failure of a single pin could create an unsafe condition on a part of an amusement device, a safety retainer shall be provided for that part of the amusement device that would be subject to the unsafe condition if the pin failed. O. Reg. 342/87, s. 19.

#### WIRE ROPE DESIGN AND MAINTENANCE

20.—(1) The factor of safety for wire rope used on an amusement device shall be,

- (a) where the safety of the passengers in a passenger carrying unit is dependent on one rope, twelve;
  - (b) where the safety of the passengers in a passenger carrying unit is dependent on two ropes, ten; or
  - (c) where the safety of the passengers in a passenger carrying unit is dependent on more than two ropes, eight.
- (2) Where clips are used to fasten the end of a wire rope,
- (a) the rope end shall be bent over a grooved heart-shaped thimble the groove of which has a radius equal to that of the rope;
  - (b) the U-bolt section of each clip shall contact the dead end or short end of the wire rope;
  - (c) at least two clips shall be used where the wire rope is less than nine millimetres in diameter;
  - (d) at least three clips shall be used where the wire rope is nine or more but less than sixteen millimetres in diameter; and



- (e) at least four clips shall be used where the wire rope is sixteen or more millimetres in diameter. O. Reg. 342/87, s. 20.

21. A wire rope that is used on an amusement device shall be replaced with a new wire rope where,

- (a) six randomly distributed wires are broken in one rope lay or three wires are broken in one strand in one rope lay of the wire rope and the failure of the wire rope could create an unsafe condition on a part of the amusement device;
- (b) there is more than one broken wire in one rope lay of the wire rope and the wire rope bears the entire load of a passenger carrying unit on the amusement device;
- (c) abrasion, scrubbing or peening has caused loss of more than one-third of the original diameter of a wire in the wire rope;
- (d) corrosion occurs to a degree that would affect the factor of safety required for the wire rope;
- (e) kinking, crushing, birdcaging or other damage results in distortion to the structure of the wire rope; and
- (f) a reduction of 6 per cent or more occurs in the nominal diameter of the wire rope. O. Reg. 342/87, s. 21.

#### CHAIN DESIGN AND MAINTENANCE

22.—(1) The factor of safety for link chain used on an amusement device shall be,

- (a) where the safety of the passengers in a passenger carrying unit is dependent on one link chain, fourteen;
- (b) where the safety of the passengers in a passenger carrying unit is dependent on two or more link chains and there is no safety retainer, twelve; or
- (c) where the safety of the passengers in a passenger carrying unit is dependent on two or more link chains and a safety retainer is used in conjunction with the link chains, ten.

(2) Where the safety of the passengers in a passenger carrying unit of an amusement device is dependent on a single link chain, a safety retainer shall be used together with the link chain.

(3) Link chain that is used as a safety retainer or in a stress bearing application on an amusement device shall,

- (a) be certified by the chain manufacturer as to its load carrying capacity; and
- (b) not be constructed of twisted wire or stamped chain.

(4) Each fastener that is used with a link chain on an amusement device shall have a load carrying capacity that is at least equal to the link chain to which it is fastened.

(5) Cold shuts, quick links, shackles or connecting links shall not be added to the link chain that is used as a safety retainer or in a stress bearing application on an amusement device.

(6) Subsection (5) does not apply to shackles that are used as end fasteners on a link chain.

(7) A link chain that is used on an amusement device shall be replaced with a new link chain where,

- (a) a reduction of 10 per cent or more occurs in the original diameter of a link in the chain;
- (b) a link is twisted or distorted;

- (c) corrosion occurs in a link to a degree that affects the factor of safety required for the link chain;

- (d) the link chain is used for a purpose other than that for which it is intended to be used; or

- (e) the link chain is used to carry a load in excess of its capacity. O. Reg. 342/87, s. 22.

#### FENCING, GUARDS AND CLEARANCES

23.—(1) Fencing that will prevent a person from falling shall be provided for each amusement device where it is possible for a person to fall more than 600 millimetres off a platform.

(2) Fencing that will prevent access to the amusement device shall be provided for each amusement device where it is possible for persons other than those authorized by the operator or licensee to have access to an area where,

- (a) parts of the amusement device are moving at a speed that exceed 8 kilometres per hour or seven revolutions per minute;
- (b) any part of the amusement device or passenger swings out over an area to which the public has access less than 2.5 metres above ground level;
- (c) the normal operational mode of the amusement device is potentially hazardous to bystanders; or
- (d) guy wires or braces are used on the amusement device that are not clearly marked with streamers or other similar devices.

(3) Fencing where required under this section, other than in areas restricted to children only, shall be at least one metre in height.

(4) In areas restricted to children only fencing shall be at least 600 millimetres in height.

(5) Each opening to an amusement device that provides access to or egress from the amusement device for the public shall be provided with a means of preventing persons from inadvertently entering the device.

(6) Fencing where required under this section shall be at least 750 millimetres from any moving part of an amusement ride. O. Reg. 342/87, s. 23.

24. Every mounting, drive mechanism, structure or other component of an amusement device that could entangle a part of a passenger or the clothes of a passenger shall be guarded so as to prevent injury to a passenger. O. Reg. 342/87, s. 24.

25. Where two or more amusement devices are adjacent to one another and the public is permitted access between the amusement devices, each amusement device shall be so placed that between a part of an amusement device that is not fenced and,

- (a) a moving part of an adjacent amusement device there is a space of at least four metres; or
- (b) a fixed part of an adjacent amusement device or a fence around an adjacent amusement device there is a clear space or walkway of at least three metres. O. Reg. 342/87, s. 25.

### PART III

#### AMUSEMENT RIDES

##### GENERAL

26. Every amusement ride shall comply with CSA Standard

Z267-M1983, Safety Code for Amusement Rides. O. Reg. 342/87, s. 26.

27. The point of entry to the passenger carrying unit of every amusement ride shall be so positioned that it does not exceed 500 millimetres vertically from the point of access to the passenger carrying unit. O. Reg. 342/87, s. 27.

28. Those parts of passenger carrying units on an amusement ride that may come into contact with other passenger carrying units on the same ride shall be equipped with impact absorbing devices. O. Reg. 342/87, s. 28.

#### SUPPORT AND BLOCKING

29. Every amusement ride shall be erected,

- (a) on a surface that will bear safely all loads that are imposed on the amusement ride during its operation or that could reasonably be expected to be placed on the amusement ride due to the environmental conditions in the locality where the amusement ride is erected; and
- (b) in such a manner as to be stable under all operating conditions and under all environmental conditions that are reasonably expected in the locality where the amusement ride is erected. O. Reg. 342/87, s. 29.

30.—(1) Bricks or cement blocks shall not be used to stabilize an amusement ride.

(2) Subsection (1) does not apply to the use of bricks or cement blocks to stabilize a platform, stair or a ramp that forms part of an amusement ride but is independent structurally from the amusement ride.

(3) Blocks, other than brick or cement blocks, that are used in the construction of an amusement ride shall, where the blocks are more than two tiers high, be cribbed or crossed.

(4) Where only one or two tiers of blocks are used in the construction of an amusement ride, the height of the blocking shall not exceed the total width of the base of the blocks being used.

(5) Blocking that is used in the construction of an amusement ride shall be sized so that the bearing surface of the blocking is at least equal to or greater than the bearing surface of the support pad of the amusement ride. O. Reg. 342/87, s. 30.

#### AUTOMOBILE RIDES

31.—(1) Every automobile ride shall,

- (a) be so limited or governed so as not to exceed 30 kilometres per hour;
- (b) where the ride is guided, be so designed that each passenger carrying unit will stop at the loading and unloading areas without assistance from a passenger;
- (c) have a roadway that provides sufficient grip to enable each passenger carrying unit to be driven safely at maximum speed and to stop within a distance of ten metres; and
- (d) have the roadway monitored during operation, either directly by operators or attendants or both or indirectly by visual and audio electronic means.

(2) A passenger carrying unit that is part of an automobile ride that is self-propelled by an internal combustion motor and that is losing oil or fuel shall be immediately removed from the roadway of the automobile ride.

(3) Lost oil or fuel from an automobile ride shall be removed immediately. O. Reg. 342/87, s. 31.

#### BUMPER CARS

32.—(1) Each passenger carrying unit on a bumper car ride shall,

- (a) be fitted with an encircling buffer of soft material that is at least 100 millimetres thick;
- (b) be provided with a device to maintain continuous electrical contact with the runway at a minimum pressure of fifteen newtons;
- (c) when used simultaneously with other passenger carrying units on a runway, not differ in weight by more than 30 per cent from the lightest passenger carrying unit; and
- (d) have the steering wheel and its hub and all exposed components on the bumper car that are located between the seat and the steering wheel padded and designed so as to minimize the risk of injury to an occupant in the event of a collision.

(2) Every area surrounding a bumper car runway shall be fitted with crash borders that have,

- (a) a top edge that is not located lower than the top edge of the encircling buffer on the passenger carrying units; and
- (b) a bottom edge that is not located higher than the bottom edge of the encircling buffer on the passenger carrying units.

(3) Every bumper car runway shall consist of segments that are undamaged, even, polished and clean and that make electrical contact with adjacent segments without sparking.

(4) Every current grid that supplies power to a bumper car ride shall,

- (a) where the grid is constructed of wire mesh,
  - (i) be constructed of galvanized or stainless steel wire that has a diameter of at least 1.2 millimetres, and
  - (ii) have mesh openings that do not exceed thirty-eight millimetres in width;

(b) be tensioned so that no car lifts the current grid more than thirty millimetres from its rest position during normal operation of the ride; and

(c) be positively connected to its power supply at a minimum of,

- (i) two points in the case of a runway that has an area of 200 square metres or less, or
- (ii) three points in the case of a runway that has an area of more than 200 square metres.

(5) Every current collector pole that transfers power from the current grid to a bumper car on a bumper car ride shall,

- (a) be so designed and constructed that the pole maintains contact with the current grid at a minimum of three points simultaneously;
- (b) exert a force on the current grid at the point of contact of at least ten newtons and not more than sixteen newtons;
- (c) be anchored to the bumper car so as to prevent the pole from falling down during normal operation of the bumper car ride;
- (d) be insulated, other than where it contacts the current grid, so as to prevent a person from getting an electric shock; and

- (e) be provided with padding for a distance of at least 600 millimetres vertically from the top of the back of the seat of the passenger carrying unit so as to minimize risk of injury to a passenger. O. Reg. 342/87, s. 32.

#### CIRCULAR RIDES

33. The control equipment of each amusement ride where a passenger can control the elevation of a passenger carrying unit shall,

- (a) be so designed that the operator can override the passenger's control;
- (b) allow elevation of the passenger carrying unit only after the rotating mechanism of the passenger carrying unit has been started; and
- (c) allow sufficient time for the passenger carrying unit to be lowered to its lowest position before the rotating mechanism of the passenger carrying unit is stopped. O. Reg. 342/87, s. 33.

34. Every rotor ride shall be so designed that,

- (a) floor and inside cylinder walls are free of protruding or indented parts;
- (b) the top rim of the cylinder is inaccessible to passengers and spectators;
- (c) the enter and exit doors in the cylinder are fitted with at least one locking mechanism;
- (d) the floor can only be lowered when the rotating cylinder reaches its maximum operational speed; and
- (e) the floor is raised back into its original position before the operational speed of the cylinder is decreased. O. Reg. 342/87, s. 34.

35. Every amusement ride where passengers are restrained by centrifugal force inside a passenger carrying unit that can be raised or tilted shall be so designed that,

- (a) the raising and tilting of the passenger carrying unit can only commence after the passenger carrying unit reaches its maximum operational speed in the horizontal position; and
- (b) the speed of the passenger carrying unit is not decreased until the passenger carrying unit returns to its original horizontal position. O. Reg. 342/87, s. 35.

#### TURNABLES

36. Every turntable ride shall,

- (a) be smooth on all surfaces that contact passengers; and
- (b) have the non-moving sliding area,
- (i) surrounded by a cushioned crash barrier,
- (ii) on the same plane as the turntable, and
- (iii) not less than two metres wide.

O. Reg. 342/87, s. 36.

#### DRY SLIDES

37. Every dry slide shall meet the requirement of sections 68 to 72 with necessary modifications. O. Reg. 342/87, s. 37.

#### OPERATION AND USE

38. Every licensee shall ensure that no amusement ride operated by the licensee is operated where weather conditions make the operation of the amusement ride unsafe. O. Reg. 342/87, s. 38.

39. Passenger carrying units of an amusement ride that are self-propelled and that are used on a track at the same time shall all be operated by the same type of power source. O. Reg. 342/87, s. 39.

#### PART IV

#### GO-KARTS

#### KART DESIGN

40.—(1) Except as set out in subsections (2) and (3), the speed of every kart shall be inherently limited or governed so as not to exceed the maximum speed for which the track is designed.

(2) The speed of an adult kart shall be limited or governed so as not to exceed 45 kilometres per hour.

(3) The speed of a kiddie kart shall be limited or governed so as not to exceed 16 kilometres per hour.

(4) Where the design of a kart enables the readjustment of its speed to exceed the limits set out in this section, the means of adjusting the speed shall not be accessible to the user of the kart. O. Reg. 342/87, s. 40.

41. The seat, back rest and leg area of every kart shall be so designed as to retain the driver inside the kart in the event of a collision at the front, rear or side of the kart. O. Reg. 342/87, s. 41.

42. Rotating, moving or hot engine parts of a kart that may constitute a hazard to an occupant of the kart shall be shielded to prevent burns to the occupant or the entanglement of the occupant's hair, hands or clothing. O. Reg. 342/87, s. 42.

43. No more than one person shall occupy a kart at any one time unless the kart is equipped with a seat that is intended to seat two persons. O. Reg. 342/87, s. 43.

44. A kart shall have brakes that are so designed and adjusted as to enable a ninety kilogram driver to slow down and stop the kart from its maximum speed within a distance of twelve metres. O. Reg. 342/87, s. 44.

45. The brake and throttle controls on a kart shall,

- (a) be foot operated and readily recognizable as to function; and
- (b) return automatically to a non-operational position when released. O. Reg. 342/87, s. 45.

46.—(1) The steering wheel and its hub and all exposed components on a kart that are located between the seat and the steering wheel shall be padded and designed so as to minimize the risk of injury to an occupant in the event of a collision or upset.

(2) A head rest or roll bar on a kart that protrudes above the seat back of the kart shall be padded. O. Reg. 342/87, s. 46.

47. A kart shall be provided with impact absorbing bumpers or body parts on the front of the kart. O. Reg. 342/87, s. 47.

48. The wheels of a kart shall be so enclosed or guarded that the wheel of one kart cannot interlock with or ride over the wheels of another kart. O. Reg. 342/87, s. 48.

49. The fuel tank of a kart shall be so designed and mounted that it cannot get damaged if the kart rolls over. O. Reg. 342/87, s. 49.

## GO-KART TRACK DESIGN

50. A go-kart track shall,
- (a) have a hard and smooth surface;
  - (b) provide road grip sufficient to enable a kart to be driven safely at maximum speed and to stop within the stopping distance set out in section 45; and
  - (c) be free of ruts, holes or bumps. O. Reg. 342/87, s. 50.
51. White or yellow lines that are at least 100 millimetres in width shall be used to mark all inside and outside edges of a go-kart track except where barriers that are built in accordance with subsection 56 (4) are provided along the inside and outside edges of the entire go-kart track. O. Reg. 342/87, s. 51.
52. Every go-kart track shall be closed at any time that the visibility on the track is less than fifty metres. O. Reg. 342/87, s. 52.
- 53.—(1) A go-kart track shall be equipped with ABC dry chemical fire extinguishers of 2.25 kilograms each in the locations referred to in subsection (2).
- (2) A fire extinguisher shall be located within seventy metres of every section of the go-kart track and at least one fire extinguisher shall be kept in the pit area.
  - (3) The location of each fire extinguisher shall be prominently marked and the fire extinguisher easily accessible. O. Reg. 342/87, s. 53.
54. Refueling of karts shall be carried out at a designated location that is remote from any area that is accessible to the public. O. Reg. 342/87, s. 54.
- 55.—(1) The shoulder of every go-kart track shall,
- (a) be level with the go-kart track or sloped towards or away from the go-kart track at a gradient that does not exceed a 1:12 ratio; and
  - (b) have a smooth and firm surface up to at least ten metres from the edge of the go-kart track.
- (2) Where barriers that are provided for a go-kart track are of a fixed type, the requirements of subsection (1) apply only to the area between the edge of the go-kart track and the barriers.
  - (3) Barriers shall be provided on every go-kart track,
    - (a) along every outer edge of every go-kart track curve;
    - (b) between the go-kart track and every obstruction or hazard that is located within ten metres from the go-kart track; and
    - (c) along all non-access and non-egress edges of the pit area.
  - (4) Each barrier on a go-kart track shall,
    - (a) be so constructed that a kart colliding with a barrier at maximum speed will,
      - (i) safely come to a full stop, or
      - (ii) be guided safely back to the proper part of the go-kart track;
    - (b) be so designed as to prevent a kart from overturning or running over or under the barrier after its contact with the barrier; and
    - (c) be constructed of materials that will not readily ignite.

(5) Where a barrier on a go-kart track is of a nonfixed type, the barrier shall be such that it will not encroach onto any section of the go-kart track or spectators' area as a result of coming into contact with a kart. O. Reg. 342/87, s. 55.

56.—(1) Every go-kart track shall be surrounded by a fence that is at least one metre in height in order to prevent persons not authorized by the operator from having access to the go-kart track.

(2) The requirements of subsection (1) may be met by natural barriers that provide the same degree of protection as the fence required under subsection (1). O. Reg. 342/87, s. 56.

## OPERATION AND USE

57. Only a person who is at least 1320 millimetres in height and who has a leg length that is sufficient to reach the brake and throttle controls from the driver's seat shall be permitted to drive an adult kart. O. Reg. 342/87, s. 57.

58. Only a person who does not exceed 1375 millimetres in height and who has a leg length sufficient to reach the brake and throttle controls from the driver's seat shall be permitted to drive a kiddie kart. O. Reg. 342/87, s. 58.

59. All karts that are operated simultaneously on a go-kart track shall have bumpers, body parts and wheels that are compatible. O. Reg. 342/87, s. 59.

60. Adult karts and kiddie karts shall not be operated on the same track at the same time. O. Reg. 342/87, s. 60.

61. No kart shall be operated on a go-kart track where the weather conditions are such that the requirements of clause 48 (b) cannot be satisfied. O. Reg. 342/87, s. 61.

62. Every section of a go-kart track shall be monitored during its operation, either directly by operators or attendants or both or indirectly by visual and audio electronic means. O. Reg. 342/87, s. 62.

63. A kart that is losing oil or fuel shall be immediately removed from the go-kart track. O. Reg. 342/87, s. 63.

64. Only a person who is wearing a helmet that fits the person's head and that meets the requirements of Regulation 610 of Revised Regulations of Ontario, 1990 (Safety Helmets) shall be permitted to use a kart. O. Reg. 342/87, s. 64.

65.—(1) A person who has hair longer than shoulder length shall not be permitted to use a kart unless the person's hair is tied up so as to make it shoulder length or shorter.

(2) A person who is smoking shall not be permitted to use a kart.

(3) A person who is wearing loose clothing so as to interfere with the safe operation of the kart shall not be permitted to use a kart unless the person's clothing is safely secured. O. Reg. 342/87, s. 65.

66. Attendants shall ensure that persons who are using karts that are on the go-kart track do not leave their karts. O. Reg. 342/87, s. 66.

67.—(1) Every go-kart shall have a sign posted at the track entrance and pit that conveys the following rules and instructions:

1. To drive an adult kart you must be at least 1320 millimetres (fifty-two inches) tall.
2. To drive a kiddie kart you must not be over 1375 millimetres (fifty-four inches) tall.
3. Keep both hands on the wheel at all times.
4. Keep both feet in the kart at all times.

5. Approved helmets must be worn.
6. Hair longer than shoulder length must be tied.
7. All loose clothing must be secured.
8. No smoking in karts or in pit area.
9. While on track—stay in kart at all times.

(2) Signs that indicate the direction of travel of karts shall be posted at various locations around the go-kart track perimeter. O. Reg. 342/87, s. 67.

## PART V WATER SLIDES

### DESIGN

68.—(1) Every water slide shall be so designed that,

- (a) the support structure and frame will safely sustain the weights and pressures reasonably expected to be placed on the water slide over the projected operating life of the water slide;
- (b) the strength of the materials used in the construction of the water slide and the accessories used in and around the water slide will not be affected by exposure to the environmental conditions reasonably expected in the locality where the water slide is erected;
- (c) parts with external surfaces that may come into contact with a person using the water slide are assembled, arranged and finished so that they will not cut, pinch, puncture or cause an abrasion to any person;
- (d) surfaces that may come into contact with a person using the water slide are inert, non-toxic, smooth and easy to clean;
- (e) sufficient ventilation is provided to prevent the concentration of toxic fumes from disinfectants used with the water slide;
- (f) the walking surfaces in and about the water slide including the entrance and exit to the water slide are slip-resistant and will not retain water; and
- (g) the water slide has a starting zone that is of such a length and is so marked that it provides sufficient time for a person leaving the starting zone to splash down in the splash pool and clear the splash down area safely before the next person splashes down.

(2) Every room that is used to store chemicals or machinery used in the operation of a water slide shall be guarded so as to prevent entry by any person who is not authorized to enter the room by the licensee.

(3) Every mat or sliding apparatus used on a water slide shall,

- (a) be free of sharp corners and protrusions;
- (b) have a sliding surface that allows smooth movement through the channel of the water slide; and
- (c) be so constructed that the impact of a mat or sliding apparatus into a person will not cause injury to the person.

(4) Every water slide channel shall,

- (a) be banked so as to keep each person using the water slide safely inside the channel;
- (b) be so designed that,

- (i) the speed of each person on each curve of the water slide is such that the person can maintain a safe body equilibrium,
- (ii) the attachment of channel components form a continuous and smooth surface,
- (iii) the curves and tunnels do not create hazard for a person who impacts with the walls of a channel or the ceiling of a tunnel,
- (iv) the continuous and combined action of hydrostatic, dynamic and static loads and deterioration due to environmental conditions reasonably expected in the locality where the water slide is erected do not cause structural failure that could result in injury to a person using the water slide,
- (v) the channel terminates,
  - (A) at a depth of at least 150 millimetres below the operating water level of the splash pool,
  - (B) where the channel is level for a distance of at least three metres at the exit of the channel into the splash pool, at a height of not more than fifty millimetres above the surface of the water in the splash pool, and
- (vi) no change of slope of the channel will cause a person using the slide to be injured.

(5) Subclause (4) (b) (v) does not apply where the design of the termination portion of the water slide in relation to the splash pool does not create a hazard to any person using the water slide.

(6) The amount of water in every water slide shall be such that will create a flow in the channel sufficient to keep each person using the water slide moving in the channel for the entire length of the channel at a speed that will not create a hazard to the person.

(7) Every water slide splash pool shall,

- (a) be of sufficient length, width and depth so as to prevent each person splashing down from a channel into the splash pool from contacting the walls or bottom of the splash pool, adjacent channel exits or other persons exiting into the splash pool;
- (b) have each inlet for the water circulation system,
  - (i) of a size that will not create an inlet suction pressure that is hazardous to persons using the water slide,
  - (ii) located so as to be inaccessible to persons using the water slide, or
  - (iii) protected with a device positioned in front of the inlet so as to prevent persons using the water slide from being drawn against the inlet; and
- (c) so designed as to automatically shut down the water slide if the water level in the splash pool falls below the minimum required for the safe operation of the water slide. O. Reg. 342/87, s. 68.

### OPERATION

69.—(1) The area at the top of every water slide shall be supervised by at least one attendant who shall have continuous and direct supervision of that area and who shall be responsible for,

- (a) ensuring that persons using the water slide conduct themselves in an orderly manner, that there is no running or other unsafe behaviour in the upper part of the water slide

channels and starting areas and that persons enter and leave the starting zone at safe intervals; and

- (b) supervising all areas of the water slide, other than the splash pool area, that are visible to the attendant from the attendant's station.

(2) The splash pool area of every water slide shall be supervised by at least one attendant who is a lifeguard who shall have continuous and direct supervision of that area and who shall be responsible for ensuring that persons using the water slide,

- (a) move into and out of the splash pool in a quick and orderly manner; and
- (b) conduct themselves in an orderly manner and that there is no running or other unsafe behaviour in the lower part of the water slide channels, splash pool or pool deck. O. Reg. 342/87, s. 69.

**70.** Every water slide shall be equipped with a battery or electronically operated voice communication system between an attendant who is supervising the splash pool and an attendant who is supervising at the top of the water slide. O. Reg. 342/87, s. 70.

**71.** The daily inspection required to be carried out under section 12 shall be carried out on each water slide,

- (a) before the water is circulated to ensure that no safety hazard exists; and
- (b) with the water circulating to ensure that the pumping and filtering equipment are operating correctly and that there is,

- (i) the correct level of water in the splash pool, and

- (ii) sufficient water flowing in the channels of the water slide,

to ensure the safe operation of the water slide. O. Reg. 342/87, s. 71.

**72.** Every water slide shall have a sign posted at the entrance to the water slide that conveys the following rules and instructions:

1. Obey all orders given by the attendant and operator.
2. No person shall dive, run, stand, kneel, rotate or stop in the channel.
3. Hands must be kept inside the channel.
4. Users must leave the splash pool promptly.
5. No person shall bring glass, bottles or food into the water slide area. O. Reg. 342/87, s. 72.

## Anatomy Act *Loi sur l'anatomie*

### REGULATION 21

#### GENERAL

1. The following are designated as schools for the purposes of the Act:

1. Queen's University — Department of Anatomy
2. University of Ottawa — Department of Anatomy
3. University of Toronto — Department of Anatomy
4. University of Western Ontario — Department of Anatomy
5. Canadian Memorial Chiropractic College — Department of Anatomy
6. University of Guelph — Section of Human Anatomy
7. McMaster University — Department of Anatomy
8. University of Waterloo — Section of Human Anatomy
9. Humber College of Applied Arts and Technology — Health Sciences Division. R.R.O. 1980, Reg. 15, s. 1; O. Reg. 412/85, s. 1.

2.—(1) In accordance with section 8 of the Act, each school shall keep the following records:

1. Every certificate for anatomical dissection of an unclaimed body, in Form 2, received by the school.
2. Every certificate for anatomical dissection of a donated body, in Form 3, received by the school.
3. A copy of every receipt for a body, in Form 4, completed by the school.
4. Every notice of disposal of a body, in Form 7, completed by the school.
5. Every identification tag, in Form 8, attached to a body received by the school.
6. Every consent given under the *Human Tissue Gift Act* for use after death of a body received by the school.
7. The burial permit required in connection with the disposal of a body under the *Vital Statistics Act*.
8. An antero posterior photograph and a lateral photograph of the face of each unclaimed body received by the school.
9. A complete set of fingerprints of each unclaimed body received by the school. R.R.O. 1980, Reg. 15, s. 2.

(2) Each school is required to retain each record referred to in subsection (1) for a period of ten years following the date on which the record is made but may dispose of the record upon the expiry of that period. O. Reg. 216/81, s. 1.

3. Every local inspector shall ensure that a donated body information report, in Form 1, is completed and kept on file in his or her office. R.R.O. 1980, Reg. 15, s. 3.

4. Where a local inspector has caused an unclaimed body under his or her control to be delivered to a school, the local inspector shall complete and forward to the school a certificate for anatomical dis-

section of an unclaimed body, in Form 2. R.R.O. 1980, Reg. 15, s. 4.

5. Where a local inspector has been notified, under subsection 5 (2) of the Act, of a body received for the purposes of anatomical dissection, the local inspector shall, after having obtained the particulars he or she requires, complete and forward to the school a certificate for anatomical dissection of a donated body, in Form 3. R.R.O. 1980, Reg. 15, s. 5.

6. The professor of anatomy, or his or her agent, of a school to which an unclaimed or donated body has been delivered shall complete a receipt for the body, in Form 4 and shall forward a copy of the receipt to the local inspector and the general inspector. O. Reg. 216/81, s. 2.

7. Every local inspector or coroner, as the case may be, shall ensure that there is completed and filed in his or her office a report of an unclaimed body, in Form 5, in respect of every unclaimed body under the control of the local inspector or coroner, as the case may be. R.R.O. 1980, Reg. 15, s. 7.

8. Every local inspector or coroner, as the case may be, shall complete and forward to the clerk of the municipal corporation a report and warrant to dispose of an unclaimed body, in Form 6, in respect of every unclaimed body to be disposed of at the expense of the municipal corporation under section 11 of the Act. R.R.O. 1980, Reg. 15, s. 8.

9. The professor of anatomy, or his or her agent, of a school shall complete and forward to the general inspector a notice of disposal of a body, in Form 7, in respect of every body to be disposed of by the school. R.R.O. 1980, Reg. 15, s. 9.

10. Every local inspector or coroner, as the case may be, or his or her agent shall ensure that there is attached to the neck and to a toe of each donated body and of each unclaimed body an identification tag in Form 8, before the body is delivered to a school. R.R.O. 1980, Reg. 15, s. 10.

11. Every local inspector or coroner, as the case may be, shall complete and forward to the person in charge of a public morgue or private morgue, as the case may be, for the municipality in which a body is found an order for storage of a body, in Form 9. R.R.O. 1980, Reg. 15, s. 12; O. Reg. 216/81, s. 4.

12. The general inspector shall submit to the Solicitor General, on or before the 30th day of March in each year, an annual report for the preceding year. R.R.O. 1980, Reg. 15, s. 13.

13. The general inspector shall ensure that a register of all bodies reported to him or her under the Act and this Regulation is kept. R.R.O. 1980, Reg. 15, s. 14.

14. There shall be paid to a local inspector by a school a fee of \$40 for each body delivered to the school by the inspector. R.R.O. 1980, Reg. 15, s. 15.

15. There shall be paid to a local inspector or coroner by a municipality a fee of \$40 for each body disposed of by the municipal corporation under section 11 of the Act. R.R.O. 1980, Reg. 15, s. 16.

16. On or before the 31st day of January in each year, each school shall pay to the general inspector a fee of \$200. R.R.O. 1980, Reg. 15, s. 17.

**Form 1***Anatomy Act***DONATED BODY INFORMATION REPORT**

Name of Deceased (Surname, Given Name(s))			Sex	Age	Birthplace
Last Place of Residence of Deceased Street or Rural Route		Borough, City, Town, Village or Township		Regional Municipality, County or District	
Date Death Reported to Local Inspector Day      Month      Year		Time Reported a.m. or p.m.	Reported By Surname		Given Name(s)
Address of Person Reporting Death to Local Inspector					
Date of Death Day      Month      Year		Place of Death			
Cause of Death					
School of Anatomy to Which Body Delivered				Date Body Delivered to School Day      Month      Year	
Burial Permit Obtained at (Place)				Date Obtained Day      Month      Year	
Information Regarding Deceased Obtained From Name in Full			Address		
Dated At (Place)		Local Inspector of Anatomy or the Inspector's Agent (Signature)			
Date (Day/Mo./Yr.)		Address of Local Inspector of Anatomy or the Inspector's Agent			

O. Reg. 216/81, s. 5, part.



**Form 2***Anatomy Act*

## CERTIFICATE FOR ANATOMICAL DISSECTION OF AN UNCLAIMED BODY

To (Name of School of Anatomy and Place)					
This is to certify that I have received all the necessary details and information pertaining to Surname			Given Name(s)	Sex	Age
Date of Death Day      Month      Year	Place of Death		Birthplace		
Cause of Death					
Last Place of Residence of Deceased Street or Rural Route		Borough, City, Town, Village or Township		Regional Municipality, County or District	
<b>And this is your authority to proceed with the dissection of the body in accordance with the <i>Anatomy Act</i> if the body is not reclaimed before the expiration of the fourteen-day period required by subsection 5 (1) of the <i>Anatomy Act</i>.</b>					
Dated At (Place)		Local Inspector of Anatomy (Signature)			
Date (Day/Mo./Yr.)		Address of Local Inspector of Anatomy			

Distribution Unit  
 1. School of Anatomy  
 2. Local Inspector  
 3. General Inspector

O. Reg. 216/81, s. 5, part.

**Form 3***Anatomy Act*

## CERTIFICATE FOR ANATOMICAL DISSECTION OF A DONATED BODY

To (Name of School of Anatomy and Place)					
This is to certify that I have received all the necessary details and information pertaining to Surname			Given Name(s)	Sex	Age
Date of Death	Place of Death		Birthplace		
Cause of Death					
Last Place of Residence of Deceased Street or Rural Route		Borough, City, Town, Village or Township		Regional Municipality, County or District	
<b>And this is your authority to proceed with the dissection of the body in accordance with the <i>Anatomy Act</i>.</b>					
Dated At (Place)		Local Inspector of Anatomy (Signature)			
Date (Day/Mo./Yr.)		Address of Local Inspector of Anatomy			

Distribution Unit  
 1. School of Anatomy  
 2. Local Inspector  
 3. General Inspector

O. Reg. 216/81, s. 5, part.

**Form 4***Anatomy Act***RECEIPT FOR A BODY**
 Unclaimed  
 Donated

To the Local Inspector of Anatomy at (Address in Full)					
Date Received Unclaimed/Donated Body Day                      Month                      Year		Surname		Given Name(s)	
Sex	Age	Date of Death Day                      Month                      Year		Place of Death	
Last Place of Residence of Deceased Street or Rural Route		Borough, City, Town, Village or Township		Regional Municipality, County or District	
Cause of Death					
Dated At (Place)			Professor of Anatomy or the Professor's Agent (Signature)		
Date (Day/Mo./Yr.)			Name of School of Anatomy		

Distribution Unit 1. Local Inspector  
 2. School of Anatomy  
 3. General Inspector

O. Reg. 216/81, s. 5, part.

## Form 5

## Anatomy Act

## REPORT OF UNCLAIMED BODY

Name of Deceased Surname		Given Name(s)		Sex	Age
Birthplace of Deceased			Date of Birth (Day/Mo./Yr.)		
Last Place of Residence of Deceased Street or Rural Route		Borough, City, Town, Village or Township		Regional Municipality, County or District	
Death Reported By Surname		Given Name(s)		Date Death Reported Day Month Year Time (a.m. or p.m.)	
Address of Person Reporting Death					
Body of Deceased is Located at (Hospital, Public or Private Morgue, etc.)					
Date Deceased Admitted to Hospital Day Month Year		Date of Death Day Month Year		Death Reported to Coroner <input type="checkbox"/> Yes <input type="checkbox"/> No	
				Autopsy <input type="checkbox"/> Yes <input type="checkbox"/> No	
Place of Death (Hospital, Home for Aged, etc.)					
Cause of Death					
Death Certificate Signed By (Indicate Name and Address in Full)					
Physical Deformities (If "Yes" Describe) <input type="checkbox"/> Yes <input type="checkbox"/> No					
Description of Clothing and Other Personal Belongings					
Disposal of Personal Belongings					
Remarks Regarding Body (Where a police officer was notified of the death, give the police officer's name, telephone number and detachment; also describe what steps were taken to locate next-of-kin, and what other information has been obtained.)					
Body was Delivered to the School of Anatomy Location of School			Name of Person Contacted		
Name of Person Delivering Body			Date Body Delivered (Day/Mo./Yr.)		
OR					
Body was Disposed of by the Municipal Corporation Name of Municipality			Date Body Disposed of (Day/Mo./Yr.)		
Dated At (Place)		Local Inspector of Anatomy or Coroner or Agent (Signature)			
Date (Day/Mo./Yr.)		Address of Local Inspector of Anatomy or Coroner or Agent			
<b>Note: Body Must Not be Delivered to a School of Anatomy Until a Period of Twenty-Four Hours has Elapsed</b>					

**Form 6**

*Anatomy Act*

**REPORT AND WARRANT TO DISPOSE OF AN UNCLAIMED BODY**

To the Municipal Corporation of (Name)					
Name of Deceased Surname		Given Name(s)		Sex	Age
Date of Death Day      Month      Year		Place of Death (Hospital, Home for Aged, etc.)			
Last Place of Residence of Deceased Street or Rural Route		Borough, City, Town, Village or Township		Regional Municipality, County or District	
Body of Deceased is Located at (Hospital, Public or Private Morgue, etc.)					
Remarks Regarding Body					
<b>Under the authority of section 11 of the <i>Anatomy Act</i>, I hereby direct you to dispose of this body at the expense of the municipal corporation.</b>					
Dated At (Place)			Local Inspector of Anatomy or Coroner (Signature)		
Date (Day/Mo./Yr.)			Address of Local Inspector of Anatomy or Coroner		

Distribution Unit 1. Municipal Corporation  
 2. Local Inspector or Coroner  
 3. General Inspector

O. Reg. 216/81, s. 5, part.

**Form 7**

*Anatomy Act*

**NOTICE OF DISPOSAL OF A BODY**

To the General Inspector of Anatomy					
Deceased      Surname		Given Name(s)		Sex	Age
Date Body Received by School of Anatomy Day      Month      Year		Date of Death (Day/Mo./Yr.)		Birthplace of Deceased	
Last Place of Residence of Deceased Street or Rural Route		Borough, City, Town, Village or Township		Regional Municipality, County or District	
This is to inform you that the body of the deceased will be disposed of by <input type="checkbox"/> burial <input type="checkbox"/> cremation    as required by section 7 of the <i>Anatomy Act</i> .					
Place Where Body will be Disposed of (Name)				Date of Disposition (Day/Mo./Yr.)	
Dated At (Place)			Professor of Anatomy or the Professor's Agent (Signature)		
Date (Day/Mo./Yr.)			Name of School of Anatomy		

Distribution Unit 1. General Inspector  
 2. School of Anatomy

O. Reg. 216/81, s. 5, part.

**Form 8***Anatomy Act*

Ontario

Ministry of the  
Solicitor  
General

## IDENTIFICATION TAG

Date (Day/Mo./Yr.)

**Note: Donated or Unclaimed Bodies**

1. Identification tags shall be attached, before delivery, to the neck and to a toe.
2. Fingerprints and photographs shall be taken immediately on unclaimed bodies by the School of Anatomy.

Body of (Surname)		Given Name(s)	
Sex	Age	Located at	
To be Delivered to (Name of School of Anatomy)			
Local Inspector of Anatomy or Coroner (Name)			
Person Tagging Body (Signature)		Tel. No.	

O. Reg. 216/81, s. 5, part.

**Form 9***Anatomy Act*

## ORDER FOR STORAGE OF A BODY

To the Person in Charge of the Public or Private Morgue at (Name)					
<b>Under the authority of subsection 12 (1) of the <i>Anatomy Act</i>, I hereby order you to store the body of the deceased until such time as other arrangements are made for disposal of the body.</b>					
Deceased	Surname		Given Name(s)	Sex	Age
Date of Death		Place of Death			
Day	Month	Year			
Cause of Death					
Last Known Address of Deceased					
Street or Rural Route		Borough, City, Town, Village or Township		Regional Municipality, County or District	
Dated At (Place)		Local Inspector of Anatomy or Coroner (Signature)			
Date (Day/Mo./Yr.)		Address of Local Inspector of Anatomy or Coroner			

O. Reg. 216/81, s. 5, part.



## Animals for Research Act *Loi sur les animaux destinés à la recherche*

### REGULATION 22

#### GENERAL

1.—(1) An application for a licence as an operator of a supply facility shall be made to the Director in Form 1.

(2) A licence as an operator of a supply facility shall be in Form 2.

(3) The fee for a licence as an operator of a supply facility is \$25.

(4) A licence expires with the 31st day of December of the year of issue.

(5) Every licence shall have listed therein the types or species of animals that are bred and reared by the licensee.

(6) The Director shall at any time upon the application of the licensee insert additional types or species of animals in a licence without additional fee.

(7) No licensee shall sell or offer for sale an animal for use in a research facility unless the animal is of a type or species listed in the licence.

(8) A licence is not transferable. R.R.O. 1980, Reg. 16, s. 1.

2. (1) An application for registration of a research facility shall be in Form 3.

(2) The Director may issue a certificate of registration of a research facility in Form 4.

(3) The fee for registration of a research facility is,

(a) \$50 for one research facility; and

(b) \$25 for each additional research facility under the control of the same operator.

(4) Subject to subsection 4 (2) of the Act, where a research facility does not fully conform to the regulations the Director may register the research facility subject to the condition that the research facility conform fully with the regulations before the date determined by the Director and set out in the registration and any certificate thereof.

(5) Registration of a research facility is subject to the following conditions:

1. The registration expires with the 31st day of December of the year in which registration is made.

2. The operator of a registered research facility shall not purchase or otherwise acquire an animal for use in the research facility from the holder of a licence in Form 2 unless the animal is of a type or species listed on the licence. R.R.O. 1980, Reg. 16, s. 2.

3. No person shall construct, acquire or reconstruct premises for use as a research facility, supply facility or pound without,

(a) notifying the Director of their intention; and

(b) furnishing the Director with a copy of the plans and speci-

cations of the premises proposed to be used, constructed or reconstructed. R.R.O. 1980, Reg. 16, s. 3.

4.—(1) The operator of every research facility shall, prior to the first day of March in every year, submit to the Director an annual report in respect of the preceding calendar year and the report shall contain,

(a) the total number of every species of animal used for research in the research facility in the year;

(b) the total number of dogs and the total number of cats purchased or otherwise acquired from,

(i) other research facilities,

(ii) pounds,

(iii) supply facilities, and

(iv) other sources; and

(c) the total number of dogs and the total number of cats that in any experiment or surgical procedure did not recover from anaesthesia.

(2) The operator of every research facility shall submit to the Director a report setting out,

(a) the names of members of the animal care committee forthwith after the committee is established; and

(b) particulars of every change in membership of the animal care committee, including the name of any new member, forthwith after the change is made. R.R.O. 1980, Reg. 16, s. 4.

5.—(1) The maximum price that shall be paid for dogs or cats by the operators of research facilities under clause 20 (6) (c) of the Act shall be \$6 for each dog and \$2 for each cat.

(2) For the purposes of subsection 20 (9) of the Act, the operator of a pound may require the operator of a research facility to pay not more than \$2 per day or part thereof for each dog and \$1 per day or part thereof for each cat sold to the operator of the research facility respecting its care, food and accommodation but only in respect of the period commencing with the day next following the day that the operator of the research facility is notified that the dog or cat is available for sale and ending with the day that the dog or cat leaves the pound. R.R.O. 1980, Reg. 16, s. 5.

6. A person operating an elementary school or secondary school that contains a research facility is exempt from subsection 4 (1) and section 14 of the Act and from section 4 of Regulation 24 of Revised Regulations of Ontario, 1990, in respect of the research facility subject to the following conditions:

1. The research facility shall be maintained in a sanitary condition at all times, as free as practicable from insects and vermin.

2. The standards of health, welfare and care of animals and the buildings, facilities and equipment provided by any person from whom animals are purchased have been approved by the Director. R.R.O. 1980, Reg. 16, s. 6.

7. Where a research facility is established by an operator and is used by that operator as a research facility for a total period of time not exceeding thirty days in any one year, the operator is exempt from subsection 4 (1) of the Act and from section 4 of Regulation 24 of Revised Regulations of Ontario, 1990, in respect of the premises, subject to the condition that the research facility shall be maintained in a sanitary condition at all times, as free as practicable from insects and vermin. R.R.O. 1980, Reg. 16, s. 7.

8. Where a person who is associated with a research facility and who is conducting research in connection therewith under the jurisdiction of an animal care committee established in connection with the research facility conducts the research on premises not owned or occupied by the operator of the research facility, that person is exempt from subsection 4 (1) of the Act and from section 4 of Regulation 24 of Revised Regulations of Ontario, 1990, in respect of such premises subject to the following conditions:

- 1. The research facility shall be maintained in a sanitary condition at all times, as free as practicable from insects and vermin.
- 2. The animal care committee shall, prior to the research being conducted, advise the Director in writing of the name of the person conducting the research and the address at which the research is to be conducted. R.R.O. 1980, Reg. 16, s. 8.

9. Where a person operates a research facility on premises owned by another person and the facility is operated under the jurisdiction of an animal care committee solely for the purpose of conducting field trials on livestock, poultry or such other species of animals as the Director may approve, using only a substance or substances the testing of which is required under any law in force in Ontario, the operator is exempt from subsection 4 (1) of the Act and from section 4 of Regulation 24 of Revised Regulations of Ontario, 1990, in respect of such premises subject to the following conditions:

- 1. The research facility shall be maintained in a sanitary condition at all times as free as practicable from insects and vermin.
- 2. The animal care committee shall, prior to the research being conducted, advise the Director in writing of the name of the person conducting the research, the address at which the research is to be conducted and the number and type or species of animals to be used in the research. R.R.O. 1980, Reg. 16, s. 9, revised.

10. Where a person wishes to purchase or otherwise acquire an animal for use in a research facility and the animal is not of a type that may be readily purchased or otherwise acquired under section 14 of the Act by reason of its species or strain or by reason of any specific disease or condition desired of the animal, the person is exempt from section 14 of the Act but, where the animal is a dog or cat the exemption is subject to the following conditions:

- 1. Prior to purchasing or otherwise acquiring the animal the person shall advise the Director in writing of,
  - i. the number of animals to be purchased or otherwise acquired,
  - ii. the name and address of the person from whom the animal is to be purchased or otherwise acquired, and
  - iii. the reason why the animal may not be readily purchased or otherwise acquired under section 14 of the Act.
- 2. Prior to purchasing or otherwise acquiring the animal the person shall obtain the permission in writing of the Director therefor. R.R.O. 1980, Reg. 16, s. 10.

requests referred to in clause 20 (6) (c) of the Act the operator is exempt from the prohibition in subsection 20 (6) of the Act against destroying or causing or permitting to be destroyed any dog or cat but only where the dog or cat does not conform with the requirements specified in the requests.

(2) For the purposes of subsection 24 (10) of the Act the treasurer of a municipality that has passed a by-law under which dogs or cats are impounded in a pound, or such person as the treasurer may designate in writing, is prescribed as the person to whom payment shall be made in respect of a dog or cat in the pound. R.R.O. 1980, Reg. 16, s. 11.

12.—(1) An operator of a research facility is exempt from subsection 14 (2) of the Act where,

- (a) the operator has acquired a dog or cat under clause 20 (6) (c) of the Act;
- (b) the research use of the dog or cat has been completed;
- (c) in the opinion of the operator of the research facility, the dog or cat is in a state of good health and suitable for one or more of the uses referred to in clause 20 (6) (b) of the Act; and
- (d) the operator disposes of the dog or cat by gift to the operator of the pound from which the dog or cat was acquired,
  - (i) for any of the uses referred to in clause 20 (6) (b) of the Act, or
  - (ii) for euthanasia.

(2) No dog or cat that has been returned to a pound under subsection (1) shall be disposed of to a research facility. R.R.O. 1980, Reg. 16, s. 12.

**Form 1**

*Animals for Research Act*

**APPLICATION FOR LICENCE AS AN OPERATOR OF A SUPPLY FACILITY**

To: The Director  
under the *Animals for Research Act*  
Ministry of Agriculture and Food

.....  
(name of applicant)  
.....  
(address)

applies for a licence as an operator of a supply facility under the *Animals for Research Act*. In support of this application the following facts are stated:

- 1. Location of supply facility: .....
- 2. Owner of premises, if not the applicant: .....
- 3. Type or species of animals bred and reared on premises:  
.....
- 4. Operator of the research facility with whom the applicant has a contract: .....

Dated at ....., this ..... day of ....., 19.....

11.—(1) Where the operator of a pound has not satisfied all



.....  
(signature of applicant)

R.R.O. 1980, Reg. 16, Form 1.

**Form 2**

*Animals for Research Act*

**LICENCE AS AN OPERATOR OF A SUPPLY FACILITY**

Under the *Animals for Research Act* and the regulations, and subject to the limitations thereof, this licence is issued to:

.....  
(name)

.....  
(address)

to be the operator of a supply facility at .....

.....  
(location)

Type or species of animals bred and reared by the operator .....

.....

This licence expires with the 31st day of December, 19.....

Issued at Toronto, this ..... day of ....., 19.....

.....  
Director  
under the *Animals for Research Act*

R.R.O. 1980, Reg. 16, Form 2.

**Form 3**

*Animals for Research Act*

**APPLICATION FOR REGISTRATION OF RESEARCH FACILITY**

To: The Director  
under the *Animals for Research Act*  
Ministry of Agriculture and Food

.....  
(name of applicant)

.....  
(address)

applies for registration of the research facility or facilities referred to below under the *Animals for Research Act*.

<u>Name of Research Facility</u>	<u>Location</u>
1. ....	.....
2. ....	.....
3. ....	.....
4. ....	.....

Dated at ....., this ..... day of ....., 19.....

.....  
(signature of applicant)

R.R.O. 1980, Reg. 16, Form 3.

**Form 4**

*Animals for Research Act*

**CERTIFICATE OF REGISTRATION OF RESEARCH FACILITY**

Under the *Animals for Research Act* and the regulations, and subject to the limitations thereof, the following research facility or facilities are registered:

<u>Name of Research Facility</u>	<u>Location</u>
1. ....	.....
2. ....	.....
3. ....	.....
4. ....	.....

It is a condition of registration of the following research facility or facilities that they conform with the regulations under the *Animals for Research Act* before the date stated opposite the name of such research facility or facilities.

<u>Name of Research Facility</u>	<u>Date</u>
1. ....	.....
2. ....	.....
3. ....	.....
4. ....	.....

This registration expires with the 31st day of December, 19 ....

Issued at Toronto, this ..... day of ....., 19.....

.....  
Director  
under the *Animals for Research Act*

R.R.O. 1980, Reg. 16, Form 4.

**REGULATION 23**

**POUNDS**

1. In this Regulation,

“anaesthetic” means a procedure that causes the loss of sensation of pain in the whole or any part of the body of an animal and “anaesthesia” and “anaesthetize” have corresponding meanings;

“communal” means containing more than one animal;

“environment” means the total of all the conditions and elements that make up the surroundings of an individual animal;

“euthanasia” means the deliberate infliction of an intended death upon an animal;

“intraperitoneal” means delivered into the abdominal cavity;

“intravenous” means delivered into a vein;

“sanitize” means to clean for the purpose of controlling disease-producing organisms and “sanitized” has a corresponding meaning;

“vermin” means an animal the presence of which may be harmful to

the health, comfort or welfare of an animal in a pound. R.R.O. 1980, Reg. 17, s. 1.

2. Every pound shall,

- (a) be located in a place free from conditions that might injuriously affect the sanitary operation of the pound; and
- (b) be constructed in such manner that it is capable of being maintained in a sanitary condition. R.R.O. 1980, Reg. 17, s. 2.

3. Every part of a pound that is adjacent to any building that is part of a pound shall be maintained in a neat and orderly condition free of refuse, debris and vermin. R.R.O. 1980, Reg. 17, s. 3.

4.—(1) This section applies to,

- (a) every room that is used for the housing of dogs or cats or that is occupied at any time by a dog or cat in a pound; and
- (b) every room that is used for storing feed, bedding or waste or for the preparation of food in a pound.

(2) Floors shall be,

- (a) soundly constructed of hard, durable material;
- (b) impervious to water;
- (c) constructed of a material that may be readily sanitized; and
- (d) maintained in a good state of repair from cracks, holes and other damage.

(3) Where there are floor drains,

- (a) a floor drain and any trench installed in connection therewith that is used for waste disposal shall be flushed at such intervals as may be necessary to prevent any accumulation of waste that might impair the health or welfare of any dog or cat in the room;
- (b) the floor shall be so constructed and maintained that surface liquids thereon will drain into the drain; and
- (c) the operator of the pound shall cause the drains to be examined as often as is necessary to ensure that they are functioning properly, have an adequate water seal and are not harbouring vermin.

(4) Walls shall be,

- (a) soundly constructed of hard, durable material;
- (b) impervious to water to a height adequate for sanitary maintenance;
- (c) constructed of a material that may be readily sanitized; and
- (d) maintained in a good state of repair free from cracks, holes and other damage.

(5) Where there is a door,

- (a) every frame or moulding around the door opening shall be so constructed and maintained that it has no space or spaces capable of harbouring vermin; and
- (b) the door shall be maintained in a good state of repair free from cracks, holes and other damage.

(6) Where it is not practicable to sanitize any equipment that is in the room unless it is removed from the room, the opening of at least

one door in the room shall be of sufficient size to permit the removal of the equipment from the room.

(7) Where there is a window,

- (a) every frame or moulding around the window opening shall be so constructed and maintained that it has no space or spaces capable of harbouring vermin;
- (b) means shall be provided to prevent the effects of direct sunlight through the window;
- (c) the window shall be so constructed and maintained as to prevent the entrance of vermin through the window; and
- (d) the window shall be maintained in a good state of repair free from cracks, holes and other damage.

(8) Roofs and ceilings shall be,

- (a) soundly constructed; and
- (b) maintained in a good state of repair free from cracks, holes and other damage.

(9) Where any pipe, drain, conduit or other service facility is installed through any floor, wall or ceiling, the place where the pipe, drain, conduit or other service facility enters or leaves the room shall be so sealed as to prevent the entrance of vermin into the room.

(10) Alleyways and service aisles between cages or pens shall be of sufficient width to permit the safe and efficient movement of persons and equipment and shall not be used for storage or accumulation of materials or equipment of any kind.

(11) Every room in a pound shall be maintained in a clean condition.

(12) The operator of every pound shall take all reasonable steps to prevent the spread of and to destroy vermin and invertebrates that may be harmful to the health, comfort or welfare of any dog or cat in the pound. R.R.O. 1980, Reg. 17, s. 4.

5.—(1) Every room that is used for the housing of dogs or cats within a pound shall be equipped with a lighting system that is so designed, constructed and maintained that,

- (a) it distributes light as evenly and with as little glare as possible; and
- (b) it provides adequate light for the proper observation of every animal in the room.

(2) Every room that is used for the housing of dogs or cats within a pound shall be adequately lighted for a continuous period or at least eight hours in every twenty-four hour period. R.R.O. 1980, Reg. 17, s. 5.

6. Every room that is used for the housing of dogs or cats within a pound shall at all times be adequately ventilated for the health, welfare and comfort of every dog or cat therein. R.R.O. 1980, Reg. 17, s. 6.

7. Every room that is used for the housing of dogs or cats within a pound shall at all times be maintained at a temperature suitable for the health, welfare and comfort of every dog or cat therein. R.R.O. 1980, Reg. 17, s. 7.

8.—(1) The operator of every pound shall ensure that there is, in every day, on the premises on which the pound is located, an adequate number of persons competent in the care of dogs and cats to properly care for every dog or cat in the pound.

(2) Subject to subsection (3), the operator of every pound shall post or cause to be posted a notice in a conspicuous location outside

the pound stating the hours and days on which the pound is open to persons who wish to claim any dogs or cats impounded therein and every pound shall be open for such purpose at least once in every day while there is a dog or cat in the pound.

(3) A pound may remain closed on a holiday and on one day in every week that is not a holiday.

(4) Where a pound remains closed on a day that is not a holiday, every unexpired redemption period for any dog or cat in the pound on that day is extended by one day. R.R.O. 1980, Reg. 17, s. 8.

9. Only persons competent to handle dogs and cats shall handle dogs or cats in a pound. R.R.O. 1980, Reg. 17, s. 9.

10.—(1) Every dog or cat in a pound shall be identified by a neckband, individual tag, physical mark or a tag or marking on the cage in which the dog or cat is kept.

(2) The operator of every pound shall maintain within the pound a record of every animal in the pound and shall preserve the record within the pound for at least two years from the date that the animal was last in the pound and the record shall include:

- (a) the sex of the animal;
- (b) the estimated age and weight of the animal;
- (c) the colour, markings and any physical abnormalities of the animal;
- (d) the breed or type of the animal;
- (e) a record of the circumstances under which the animal came to be in the pound;
- (f) the time, date and place where the animal was found;
- (g) the date and time at which the animal arrived at the pound;
- (h) a record of any tag, name plate or other means of identification on the animal when it came into the pound;
- (i) where the animal is returned to its owner, the name and address of the owner and the date of return;
- (j) where the animal is sold or disposed of by gift, the name and address of the person to whom it was sold or disposed of and a statement of the purpose of the sale or disposal;
- (k) where the animal is sold to the operator of a research facility, the name and address of the research facility and evidence of the sale;
- (l) where the animal is destroyed, the date on which it is destroyed and a statement setting out the clause of subsection 20 (7) of the Act under which the animal is destroyed. R.R.O. 1980, Reg. 17, s. 10.

11. Every cage or pen used in a pound for the housing of dogs or cats shall be so constructed and maintained that,

- (a) every animal in the cage or pen may comfortably
  - (i) extend its legs to their full extent,
  - (ii) stand,
  - (iii) sit,
  - (iv) turn around, and
  - (v) lie down in a fully extended position;
- (b) it is not likely to harm any animal therein;

(c) any animal therein cannot readily escape therefrom;

(d) it minimizes as nearly as practicable the transfer of pathogenic agents; and

(e) it may be readily sanitized. R.R.O. 1980, Reg. 17, s. 11.

12. Where a group of dogs or cats in a pound is housed in a communal cage, pen or dog run no individual dog or cat, as the case may be, shall be placed in the cage, pen or dog run with the group of dogs or cats where the placing of the individual dog or cat would result in harm to any of the dogs or cats and, where the behavior of the dogs or cats in the cage pen or dog run is such that harm is likely to result, any dog or cat whose removal will prevent the harm from occurring shall forthwith be removed. R.R.O. 1980, Reg. 17, s. 12.

13.—(1) This section applies to all pens or cages in every pound.

(2) Litter or bedding material in every cage or pen shall be changed as often as is necessary to keep it dry, clean and free of noxious fumes.

(3) Pens or cages and collecting pans for the collecting of excreta and waste shall be clean and any excreta or waste therein removed as often as is necessary for the health and comfort of every dog or cat therein.

(4) Every dog or cat that is housed in a cage or pen shall be removed from its cage or pen and changed to a freshly sanitized cage or pen as often as is necessary for its health and comfort.

(5) No dog or cat shall be placed in a cage or pen that is vacant and of which it has not been the last occupant unless the cage or pen and equipment used in connection therewith have first been sanitized.

(6) Where a cage is cleaned or sanitized, the cage rack or portion thereof used in connection with the cage shall be cleaned or sanitized at the same time.

(7) Every animal shall be protected against liquid spray while a cage or pen is being cleaned.

(8) Every device used to supply drinking water to a dog or cat shall be maintained in a sanitary condition and shall be so constructed and maintained as to ensure,

- (a) that the dog or cat is receiving water; and
- (b) that the device is functioning properly.

(9) Every container for food or water shall be maintained in a sanitary condition. R.R.O. 1980, Reg. 17, s. 13.

14.—(1) Every dog or cat in a pound shall be supplied with food of a type and in amounts nutritionally adequate for the dog or cat and that is palatable and free from contamination.

(2) Food and water for a dog or cat in a pound shall be provided in containers or devices that may be readily sanitized and that do not interfere with the activities referred to in clause 11 (a) and food shall not be placed directly on the floor of the cage or pen in which the dog or cat is located.

(3) Every dog or cat in a pound shall be supplied with adequate amounts of potable water.

(4) Where a dog or cat is fed with perishable food the remnants of the food shall be removed from the cage or pen every day. R.R.O. 1980, Reg. 17, s. 14.

15.—(1) In every pound, waste materials and excreta shall be collected and disposed of in a sanitary manner.

(2) Subject to the *Dead Animal Disposal Act*, in any pound, the carcass of an animal shall be,

- (a) forthwith removed from its cage or pen; and
- (b) except for the whole or a part of the carcass that is retained in a sanitary manner for research, forthwith disposed of.

(3) Where the carcass of an animal is disposed of and the dead animal is not a dead animal as defined in the *Dead Animal Disposal Act*, the carcass shall be disposed of by,

- (a) burying it with a covering of at least two feet of earth;
- (b) incineration; or
- (c) delivery to a rendering plant,
  - (i) licensed under the *Dead Animal Disposal Act*, or
  - (ii) approved under the *Meat Inspection Act* (Canada) in a vehicle constructed and equipped in accordance with the *Dead Animal Disposal Act*. R.R.O. 1980, Reg. 17, s. 15.

16. In any pound, the operator thereof shall take or cause to be taken all steps practicable to treat and prevent the spread of any disease found in any animal and to prevent distress to any animal. R.R.O. 1980, Reg. 17, s. 16.

17.—(1) Every cat housed in a pound shall be supplied with litter material for the collection of excreta and waste.

(2) Every communal cage and pen used for the housing of cats in a pound shall be equipped with resting perches so constructed and maintained as to provide clean, dry and safe surfaces of sufficient size to permit the cats to lie down in comfort and the resting perches shall not all be at the same height. R.R.O. 1980, Reg. 17, s. 17.

18.—(1) Where a dog has been housed for twenty-one days in a cage that is not at least twice the height of the dog measured to the point of the withers and the dog has not had reasonable daily access to an exercise area outside of the cage, the dog shall be housed in a cage or pen that is at least twice the height of the dog measured to the point of the withers.

(2) Every pen used for the housing of dogs in any pound shall be so constructed and maintained as to provide a clean, dry and safe surface adequate to permit the dogs to lie down in comfort at all times. R.R.O. 1980, Reg. 17, s. 18.

19. An outdoor dog run in a pound may be used to provide dogs in the pound with exercise subject to the following conditions:

1. No dog shall be removed from indoor housing and placed in the outdoor dog run or removed from the outdoor dog run and placed in indoor housing where to do so would result in a change in environment likely to cause harm to the dog.
2. The surface on which the dog run is established shall be so maintained as to rapidly drain all excess surface water.
3. The dog run shall be so fenced as to prevent any dog from escaping.
4. The dog run shall be kept in a clean condition free from any materials or equipment likely to cause harm to a dog.
5. Every dog in the dog run shall have access to a shelter that is,
  - (a) readily accessible to the dog;
  - (b) large enough to comfortably accommodate all of the dogs in the dog run;

(c) so constructed and maintained as to provide protection from the effects of direct sunlight, precipitation and wind; and

(d) that is dry and well drained. R.R.O. 1980, Reg. 17, s. 19.

20.—(1) Where euthanasia is carried out with respect to any dog or cat in a pound, it shall be carried out

- (a) by a person or persons properly trained in the euthanasia procedure to be used;
- (b) in such manner that the death of the dog or cat occurs without unnecessary pain, delay or discomfort; and
- (c) in a manner that does not endanger or disturb other animals in the pound.

(2) No person shall use an euthanasia procedure with respect to any dog or cat in a pound unless it is a procedure that is permitted under section 21 or 22 and that is carried out with equipment of a type and used in a manner approved by the Director. R.R.O. 1980, Reg. 17, s. 20.

21.—(1) This section applies to euthanasia of dogs or cats other than by the use of chemicals.

(2) The following euthanasia procedures are permitted:

1. In the case of dogs, killing by means of a captive bolt pistol.
2. Shooting by means of a firearm.
3. Exsanguination, but only where the animal is completely anaesthetized prior to and during the procedure.
4. In the case of dogs, electrocution. R.R.O. 1980, Reg. 17, s. 21.

22.—(1) This section applies to euthanasia of dogs or cats by the use of chemicals.

(2) The following euthanasia procedures are permitted:

1. Administration of barbiturates intravenously or intraperitoneally.
2. Slow intravenous administration of Hoechst Pharmaceutical product T-61.
3. Administration of chloral hydrate intravenously.
4. Administration of ether by inhalation.
5. Administration of carbon dioxide by inhalation.
6. Administration of chloroform by inhalation.
7. Administration of carbon monoxide by inhalation but only where substantially all impurities have been removed therefrom and the temperature of the carbon monoxide does not exceed 25 degrees centigrade. R.R.O. 1980, Reg. 17, s. 22.

## REGULATION 24

### RESEARCH FACILITIES AND SUPPLY FACILITIES

1. In this Regulation,

“anaesthetic” means a procedure that causes the loss of sensation of

pain in the whole or any part of the body of an animal and "anaesthesia" and "anaesthetize" have corresponding meanings;

"communal" means containing more than one animal;

"environment" means the total of all the conditions and elements that make up the surroundings of an individual animal;

"euthanasia" means the deliberate infliction of an intended death upon an animal other than death that arises directly as an immediate result of an experimental or testing procedure;

"game animal" means a game animal or fur-bearing animal as defined in the *Game and Fish Act*;

"intracardial" means delivered into the heart;

"intraperitoneal" means delivered into the abdominal cavity;

"intrathoracic" means delivered into the thoracic cavity;

"intravenous" means delivered into a vein;

"livestock" means cattle, goats, horses, sheep or swine;

"sanitize" means to clean for the purpose of controlling disease-producing organisms and "sanitized" has a corresponding meaning;

"vermin" means an animal the presence of which may be harmful to the health, comfort or welfare of an animal in a research facility or supply facility. R.R.O. 1980, Reg. 18, s. 1.

2. Every research facility and supply facility shall,

- (a) be located in a place free from conditions that might injuriously affect the sanitary operation of the research facility or supply facility; and
- (b) be constructed in such manner that it is capable of being maintained in a sanitary condition. R.R.O. 1980, Reg. 18, s. 2.

3. Every part of a research facility or supply facility that is adjacent to any building that is part of a research facility or supply facility shall be maintained in a neat and orderly condition free of refuse, debris and vermin. R.R.O. 1980, Reg. 18, s. 3.

4.—(1) This section applies to,

- (a) every room that is used for the housing of animals in a research facility or supply facility or for surgical, experimental or testing procedures involving animals; and
- (b) every room that is used for storing feed, bedding or waste or for the preparation of food in a research facility or supply facility.

(2) Floors shall be,

- (a) soundly constructed of hard, durable material;
- (b) impervious to water;
- (c) constructed of a material that may be readily sanitized; and
- (d) maintained in a good state of repair, free from cracks, holes and other damage.

(3) Where there are floor drains,

- (a) a floor drain and any trench installed in connection therewith that is used for waste disposal shall be flushed at such intervals as may be necessary to prevent any accumulation

of waste that might impair the health or welfare of any animal in the room;

(b) the floor shall be so constructed and maintained that surface liquids thereon will drain into the drain; and

(c) the operator of a research facility or supply facility shall cause the drains to be examined as often as is necessary to ensure that they are functioning properly, have an adequate water seal and are not harbouring vermin.

(4) Walls shall be,

(a) soundly constructed of hard, durable material;

(b) impervious to water to a height adequate for sanitary maintenance;

(c) constructed of a material that may be readily sanitized; and

(d) maintained in a good state of repair free from cracks, holes and other damage.

(5) Where there is a door,

(a) every frame or moulding around the door opening shall be so constructed and maintained that it has no space or spaces capable of harbouring vermin; and

(b) the door shall be maintained in a good state of repair free from cracks, holes and other damage.

(6) Where it is not practicable to sanitize any equipment that is in the room unless it is removed from the room, the opening of at least one door in the room shall be of sufficient size to permit the removal of the equipment from the room.

(7) Where there is a window,

(a) every frame or moulding around the window opening shall be so constructed and maintained that it has no space or spaces capable of harbouring vermin;

(b) means shall be provided to prevent the effects of direct sunlight through the window;

(c) the window shall be so constructed and maintained as to prevent the entrance of vermin through the window; and

(d) the window shall be maintained in a good state of repair free from cracks, holes and other damage.

(8) Roofs and ceilings shall be,

(a) soundly constructed; and

(b) maintained in a good state of repair free from cracks, holes and other damage.

(9) Light fixtures shall be so constructed and maintained as to be readily sanitized.

(10) Where any pipe, drain, conduit or other service facility is installed through any floor, wall or ceiling, the place where the pipe, drain, conduit or other service facility enters or leaves the room shall be so sealed as to prevent the entrance of vermin into the room.

(11) Alleyways and service aisles between cages or pens shall be of sufficient width to permit the safe and efficient movement of persons and equipment and shall not be used for storage or accumulation of materials or equipment of any kind.

(12) Every room in a research facility or supply facility shall be maintained in a clean condition.

(13) The operator of every research facility or supply facility shall take all reasonable steps to prevent the spread of and to destroy vermin and invertebrates that may be harmful to the health, comfort or welfare of any animal in the research facility or supply facility except only that such steps need not be taken to the extent that the presence of such vermin or invertebrates forms a necessary element in any research. R.R.O. 1980, Reg. 18, s. 4.

5.—(1) Every room that is used for the housing of animals within a research facility or supply facility shall be equipped with a lighting system that is so designated, constructed and maintained that,

- (a) it distributes light as evenly and with as little glare as possible; and
- (b) it provides adequate light for the proper observation of every animal in the room.

(2) In every twenty-four hour period, every lighting system referred to in subsection (1) shall be so operated as to produce,

- (a) in the case of diurnal animals, a minimum of eight continuous hours of light; and
- (b) in the case of nocturnal animals, a maximum of sixteen continuous hours of light,

for the animals that are housed in the room except only that the system need not be so operated to the extent that the number of hours of light or the absence or reduction thereof forms a necessary element in any research. R.R.O. 1980, Reg. 18, s. 5.

6. Every room that is used for the housing of animals within a research facility or supply facility shall at all times be ventilated by means of an air ventilation system that distributes either fresh air or recirculated air uniformly in the room without drafts so as to provide enough fresh air or recirculated air in the room for the health, welfare and comfort of the animals therein except only that the room need not be so ventilated to the extent that ventilation or the lack of ventilation forms a necessary element in any research. R.R.O. 1980, Reg. 18, s. 6.

7. In any room that is used for the housing of animals within a research facility or supply facility the temperature within the room shall be maintained,

- (a) at a level that is as constant as may be practicable; and
- (b) at a level that is suitable for the health, welfare and comfort of every animal that is housed in the room,

except only to the extent that the temperature forms a necessary element in any research. R.R.O. 1980, Reg. 18, s. 7, *revised*.

8. The air in every room within a building that is part of a research facility or supply facility and that is used for the housing of animals shall be maintained at a relative humidity that is suitable for the health, comfort and welfare of any animal in the room except only to the extent that relative humidity forms a necessary element in any research. R.R.O. 1980, Reg. 18, s. 8.

9.—(1) Where the research facility or supply facility receives animals that have been shipped or transported to the research facility or supply facility,

- (a) the area in which the animals are placed at the time they are received shall be maintained in a sanitary condition;
- (b) except in the case of germ-free or gnotobiotic animals, the animals shall be removed without undue delay from any shipping containers in which they have been shipped or transported;
- (c) the animals shall be examined for disease by a person com-

petent for the purpose as soon after receipt as may be practicable; and

- (d) the operator shall take or cause to be taken all reasonable steps necessary to prevent the escape of the animals.

(2) Where the operator of a research facility or supply facility rejects animals that have been shipped or transported to the research facility or supply facility, the operator shall take, or cause to be taken all steps reasonably necessary to provide for the health, welfare and comfort of the animals until the animals are transported from the premises of the research facility or supply facility or are destroyed. R.R.O. 1980, Reg. 18, s. 9.

10.—(1) The operator of every research facility and every supply facility shall ensure that there is, in the research facility or supply facility, an adequate number of persons competent in the care of animals to properly care for every animal in the research facility or supply facility.

(2) Where the operator of a research facility or supply facility has been notified that animals are being shipped or transported to the research facility or supply facility, the operator shall cause a person to be present at the place where the animals are expected to arrive at such time as is reasonable to anticipate the arrival of the animals. R.R.O. 1980, Reg. 18, s. 10.

11. Only persons competent to handle the species or type of animal being handled shall handle animals in a research facility or supply facility. R.R.O. 1980, Reg. 18, s. 11.

12.—(1) Every dog or cat in a research facility shall be identified by tattoo, neckband, individual tag, physical mark or a tag or marking on the cage in which the animal is kept.

(2) The operator of every research facility shall maintain within the research facility a record of every dog and cat in the research facility and shall preserve the record within the research facility for at least two years from the date that the dog or cat was last in the research facility and the record shall include,

- (a) the sex of the dog or cat;
- (b) the estimated age and weight of the dog or cat;
- (c) the colour, markings and any physical abnormalities of the dog or cat;
- (d) the breed or type of the dog or cat;
- (e) the name of the person from whom the dog or cat was purchased or otherwise acquired and the date thereof where the dog or cat was not born in the research facility;
- (f) any invoice, bill of sale or like record of the purchase of the dog or cat; and
- (g) the allocation of the dog or cat.

(3) The operator of every research facility shall maintain within the research facility a record of all animals in the research facility other than dogs or cats and shall preserve the record within the research facility for at least one year from the date that the animals entered the research facility and the record shall include,

- (a) the date of arrival of the animals;
- (b) the name of the person from whom the animals are purchased or otherwise acquired; and
- (c) the allocation of the animals.

(4) Every licensed operator of a supply facility shall maintain within the supply facility for a period of one year from the date of

purchase or sale a record of all animals purchased or sold by the licensed operator and the record shall include,

- (a) the date of such purchase or sale; and
- (b) the name of the person from whom or to whom the animals were purchased or sold, as the case may be. R.R.O. 1980, Reg. 18, s. 12.

13. Every cage, tank or pen used in a research facility or supply facility for the housing of animals shall be so constructed and maintained that,

- (a) except in the case of fish and snakes, every animal in the cage, tank or pen may comfortably,
  - (i) extend its legs to their full extent,
  - (ii) stand,
  - (iii) sit, and
  - (iv) lie down, and in the case of animals other than live-stock, turn around and lie down in a fully extended position;
- (b) in the case of fish and snakes, every animal in the cage, tank or pen shall have adequate room for its health, welfare and comfort;
- (c) it is not likely to harm any animal therein;
- (d) every animal therein may be readily observed unless the natural habits of the animal otherwise require;
- (e) any animal therein cannot readily escape therefrom;
- (f) it minimizes as nearly as practicable the transfer of pathogenic agents; and
- (g) it may be readily sanitized. R.R.O. 1980, Reg. 18, s. 13.

14. Where a group of animals in a research facility or supply facility are housed in a communal cage, tank, pen or enclosed compound, no individual animal shall be placed in the cage, tank, pen or enclosed compound with the group of animals where the placing of the individual animal would result in harm to any of the animals and, where the behavior of animals in any cage, tank, pen or enclosed compound is such that harm is likely to result, any animal or animals whose removal will prevent the harm from occurring shall forthwith be removed. R.R.O. 1980, Reg. 18, s. 14.

15. Pregnant mammals in a research facility or supply facility shall, prior to parturition, be,

- (a) so handled as to prevent injury to the animal; and
- (b) maintained in a cage or pen that is,
  - (i) suitably designed for the safe delivery of the young,
  - (ii) equipped with a floor that is so constructed and maintained that it has a surface that will not cause any injury to the animals therein,
  - (iii) equipped with a parturition environment of a type suitable for the animal, and
  - (iv) provided with heat, light and ventilation adequate for the health, comfort and safety of the animal and its young. R.R.O. 1980, Reg. 18, s. 15.

16.—(1) This section applies to all tanks, pens, stalls, cages or enclosed compounds in every research facility or supply facility used for the housing of animals therein, other than a tank, cage, pen or

enclosed compound that is so constructed and maintained as to stimulate, as closely as practicable, the natural environment of the animal or animals therein.

(2) Litter or bedding material in every cage, pen, stall or enclosed compound shall be changed as often as is necessary to keep it dry, clean and free of noxious fumes.

(3) Tanks, pens, stalls, cages, enclosed compounds and collecting pans for the collection of excreta and waste shall be cleaned and any excreta or waste therein removed as often as is necessary for the health and comfort of every animal therein.

(4) Every animal that is housed in a cage or pen shall be removed from its cage or pen and changed to a freshly sanitized cage or pen as often as is necessary for its health and comfort.

(5) No animal shall be placed in a cage or pen that is vacant and of which it has not been the last occupant unless the cage or pen and equipment used in connection therewith have first been sanitized.

(6) Where a cage is cleaned or sanitized, the cage tack or portion thereof used in connection with the cage shall be cleaned or sanitized at the same time.

(7) Every animal shall be protected against liquid spray while a cage, pen or enclosed compound is being cleaned.

(8) Every device used to supply drinking water to an animal shall be maintained in a sanitary condition and shall be so constructed and maintained as to ensure,

- (a) that the animal is receiving water; and
- (b) that the device is functioning properly.

(9) Every container for food or water shall be maintained in a sanitary condition. R.R.O. 1980, Reg. 18, s. 16.

17.—(1) Every animal in a research facility or supply facility shall be supplied with food of a type and in amounts nutritionally adequate for the species and that is palatable and free from contamination.

(2) Subsection (1) does not apply to an animal that is in a research facility and being used for research in which the diet of the animal forms an essential element of the research but only to the extent that is necessitated by the research.

(3) Water and food, other than fresh vegetable matter, for a mammal or bird in a research facility or supply facility shall be provided in containers or devices that may be readily sanitized and that do not interfere with the activities referred to in clause 13 (a), and food shall not be placed directly on the floor of the cage, pen or enclosed compound in which the animal is located.

(4) Subsection (3) does not apply in the case of,

- (a) young animals;
- (b) germfree or gnotobiotic animals;
- (c) livestock;
- (d) animals housed in a cage where the animals are destroyed not later than ten days after being placed in the cage;
- (e) non-human primates; and
- (f) mink and ferrets where the food is placed on the top of the cage or pen.

(5) Every animal in a research facility or supply facility shall be supplied with adequate amounts of potable water.

(6) Subsection (5) does not apply to an animal that is in a research facility and is being used for research in which the water intake of the animal forms an essential element of the research but only to the extent that is necessitated by the research.

(7) Where an animal in a cage or pen is fed with perishable food, the remnants of the food shall be removed from the cage or pen every day.

(8) Culled vegetable matter or cuttings from institutional kitchens, stores, restaurants and other like sources shall not be supplied to animals in a research facility or supply facility.

(9) Subsections (3) and (7) do not apply to animals that are housed in an environment that is intended to simulate, as closely as possible, the natural environment of the animals. R.R.O. 1980, Reg. 18, s. 17.

18.—(1) In every research facility or supply facility, waste materials and excreta shall be collected and disposed of in a sanitary manner.

(2) Subject to the *Dead Animal Disposal Act*, in any research facility or supply facility the carcass of an animal shall be,

- (a) forthwith removed from its cage, tank, pen or enclosed compound; and
- (b) forthwith, except for the whole or a part of a carcass that is retained in a sanitary manner for research other than a post mortem examination,
  - (i) disposed of,
  - (ii) taken to a post mortem room for post mortem examination and, after the post mortem examination, forthwith disposed of, or
  - (iii) placed, except in the case of livestock, in a water-proof container and then kept refrigerated until it can be taken to a post mortem room for post mortem examination and, after the post mortem examination, forthwith disposed of.

(3) Where the carcass of an animal is disposed of and the dead animal is not a dead animal as defined in the *Dead Animal Disposal Act*, the carcass shall be disposed of by,

- (a) burying it with a covering of at least two feet of earth;
- (b) incineration;
- (c) delivery to a rendering plant,
  - (i) licensed under the *Dead Animal Disposal Act*, or
  - (ii) approved under the *Meat Inspection Act* (Canada), in a vehicle constructed and equipped in accordance with the *Dead Animal Disposal Act*; or
- (d) placing the carcass in a disposal pit of a type and constructed in a manner approved by the Director. R.R.O. 1980, Reg. 18, s. 18.

19.—(1) In any research facility or supply facility the operator thereof shall take or cause to be taken all steps practicable to treat and prevent the spread of any disease found in any animal and to prevent distress to any animal except only that such steps need not be taken to the extent that they form a necessary element in research.

(2) The operator of every research facility or supply facility shall provide an inspector with such garments as the operator deems necessary to protect the health of animals in the research facility or supply facility. R.R.O. 1980, Reg. 18, s. 19.

20.—(1) All water provided in any tank, cage or pen for the use of Amphibia in a research facility or supply facility shall be kept free of contamination that is likely to cause harm to the Amphibia.

(2) Every tank, cage or pen used for housing Amphibia in a research facility or supply facility shall be so constructed and maintained as to provide a suitable resting area readily accessible at all times to any Amphibia in the tank, cage or pen.

(3) Live insects provided as food for any Amphibia in a research facility or supply facility shall be so handled as to prevent their escape. R.R.O. 1980, Reg. 18, s. 20.

21.—(1) Every cat received at a research facility, before being used in connection with any research, other than research carried out within ten days of the arrival of the cat and that will result in the death of the cat within that time, shall be,

- (a) immunized against, or treated for, disease in such manner as is appropriate to maintain the health and comfort of the cat unless the cat is to be used for research in which the use of a cat that has not been so immunized or treated is a necessary element; and
- (b) housed for a sufficient length of time to accustom it to the normal environment provided for cats in the research facility.

(2) Every cat housed in a research facility or supply facility shall be supplied with litter material for the collection of excreta and waste.

(3) Every communal cage and pen used for the housing of cats in a research facility or supply facility shall be equipped with resting perches so constructed and maintained as to provide clean, dry and safe surfaces of sufficient size to permit the cats to lie down in comfort and the resting perches shall not all be at the same height. R.R.O. 1980, Reg. 18, s. 21.

22.—(1) Every dog received at a research facility, before being used in connection with any research, other than research carried out within ten days of the arrival of the dog and that will result in the death of the dog within that time, shall be,

- (a) immunized against, or treated for, disease in such manner as is appropriate to maintain the health and comfort of the dog unless the dog is to be used for research in which the use of a dog that has not been so immunized or treated is a necessary element; and
- (b) housed for a sufficient length of time to accustom it to the normal environment provided for dogs in the research facility.

(2) Where a dog has been housed for twenty-one days in a cage that is not at least twice the height of the dog measured to the point of the withers and the dog has not had reasonable daily access to an exercise area outside of the cage, the dog shall be housed in a cage or pen that is at least twice the height of the dog measured to the point of the withers.

(3) Every pen used for the housing of dogs in any research facility or supply facility shall be so constructed and maintained as to provide a clean, dry and safe surface adequate to permit the dogs to lie down in comfort at all times. R.R.O. 1980, Reg. 18, s. 22.

23.—(1) Every door in a room in a research facility or supply facility that is used for housing non-human primates shall be equipped with a device adequate to prevent the escape of any such primate from the room.

(2) Every non-human primate shall, forthwith upon arrival at a research facility and at such further intervals as may be appropriate, having regard to all of the circumstances, be tested for tuberculosis in



a manner adequate to disclose the presence of tuberculosis in the primate.

(3) Every non-human primate found to have tuberculosis by a test under subsection (2) shall be isolated from other non-human primates that have not been found to have tuberculosis or shall be humanely destroyed except only that such steps need not be taken to the extent that the spread of tuberculosis forms a necessary element in research.

(4) No person who is known to have active tuberculosis shall be employed in the care of non-human primates.

(5) Every non-human primate received at a research facility, before being used in connection with any research, other than research carried out within ten days of the arrival of the non-human primate and that will result in the death of the non-human primate within that time, shall be individually housed for a sufficient length of time to accustom it to the normal environment provided for non-human primates in the research facility.

(6) No person shall house a non-human primate in a restraint chair but a restraint chair may be used to the extent necessitated by the nature of an experiment.

(7) Where non-human primates are housed in a communal cage or pen, not more than twenty-five non-human primates shall be housed in the cage or pen. R.R.O. 1980, Reg. 18, s. 23.

24.—(1) Live animals or insects provided as food for any reptiles in a research facility or supply facility shall be so handled as to prevent their escape.

(2) Every cage in which snakes are housed in a research facility or supply facility shall contain a quantity of suitable materials sufficient to permit snakes to shed their skins in a normal manner.

(3) Where venomous reptiles are housed in a research facility or supply facility,

- (a) every door in any room used for housing such reptiles shall be equipped with an effective locking device; and
- (b) every door referred to in clause (a) shall be kept securely closed when there is no person in the room. R.R.O. 1980, Reg. 18, s. 24.

25.—(1) In any research facility or supply facility an animal may be housed outdoors subject to the following conditions:

1. The animal shall not be removed from indoor housing and placed in outdoor housing or removed from outdoor housing and placed in indoor housing where to do so would result in a change in environment likely to cause harm or discomfort to the animal.
2. The animal shall be provided with adequate potable water.
3. The surface on which the outdoor housing is established shall be so maintained as to rapidly drain all excess surface water that is not required by the species of animal so housed.
4. The cage, pen, compound or field in which the animal is kept shall be so fenced as to,
  - (a) protect the animal from predators; and
  - (b) prevent the animal from escaping.
5. The cage, pen or compound used for outdoor housing of the animal shall be kept in a clean condition free from any materials or equipment likely to cause harm to the animal.

6. The cage, pen, compound or field in which the animal is kept shall have therein shelter,

- (a) readily accessible to the animal;
- (b) large enough to comfortably accommodate all of the animals in the cage, pen, compound or field;
- (c) so constituted as to provide substantial protection from the effects of direct sunlight, precipitation and wind; and
- (d) that is dry and well drained.

7. The animal shall be provided with sufficient clean bedding material to maintain its health, welfare and comfort.

(2) In any research facility, where an animal that is not a domesticated animal is used in a research project, the animal may be housed outdoors, provided that the conditions under which it is housed simulate the natural environment of the animal in all material respects. R.R.O. 1980, Reg. 18, s. 25.

26.—(1) Where surgical procedures are performed on an animal with the intention that the animal recover from anaesthesia, the procedures shall be carried out in accordance with established veterinary practice in a surgery area that is maintained in a sanitary condition and designated for the purpose.

(2) Every surgery area referred to in subsection (1) shall be equipped with all equipment necessary to provide for the health and welfare of the animal during surgery. R.R.O. 1980, Reg. 18, s. 26.

27.—(1) Every research facility in which an animal is subjected to surgical procedures performed with the intention that the animal survive shall have a post-operative recovery area equipped with,

- (a) cages or pens appropriate for the animal, so constructed and maintained as to provide appropriate temperature control, cleanliness, ease of observation, ready access to the animal for emergency and supportive therapy purposes and so constructed and maintained that the animal is not likely to injure itself; and
- (b) sufficient materials and equipment to provide for treatment of an animal during the post-operative period.

(2) During the post-operative recovery period, the person who was responsible for the procedure shall provide or cause to be provided appropriate post-operative care in accordance with established veterinary practices.

(3) No animal shall be removed from the post-operative recovery area until it has recovered from anaesthesia. R.R.O. 1980, Reg. 18, s. 27.

28.—(1) Where euthanasia is carried out with respect to any animal in a research facility or supply facility, it shall be carried out,

- (a) by a person or persons properly trained in the euthanasia procedure to be used;
- (b) in such manner that the death of the animal occurs without unnecessary pain, delay or discomfort; and
- (c) in a manner that does not endanger or disturb other animals in the research facility or supply facility.

(2) No person shall use an euthanasia procedure with respect to any animal in a research facility or supply facility unless it is a procedure that is permitted under section 29, 30, 31 or 32. R.R.O. 1980, Reg. 18, s. 28.

29.—(1) This section applies to euthanasia of coldblooded animals other than by the use of chemicals.

- (2) The following euthanasia procedures are permitted:
1. In the case of Amphibia and reptiles, the insertion of a sharp instrument between the skull and atlas and into the cranial cavity.
  2. In the case of fish, the striking of a strong blow to the head behind the eyes.
  3. In the case of all cold-blooded animals, decapitation.
  4. In the case of all cold-blooded animals, cervical dislocation. R.R.O. 1980, Reg. 18, s. 29.

30.—(1) This section applies to euthanasia of coldblooded animals by the use of chemicals.

- (2) The following euthanasia procedures are permitted:
1. In the case of all Amphibia or reptiles,
    - (a) injection of barbiturates;
    - (b) injection of procaine hydrochloride;
    - (c) oral administration of tribromoethanol;
    - (d) the administration of chloroform by inhalation;
    - (e) the administration of ether by inhalation; and
    - (f) injection of chlorobutanol saturated solution.
  2. In the case of fish,
    - (a) the suspension in water of tricaine methanesulfonate;
    - (b) the suspension in water of 2-methylquinoline; and
    - (c) prolonged bubbling into the tank of a high concentration of carbon dioxide.
  3. In the case of Amphibia, the suspension in water of tricaine methanesulfonate. R.R.O. 1980, Reg. 18, s. 30.

31.—(1) This section applies to euthanasia of warm-blooded animals other than by use of chemicals.

- (2) The following euthanasia procedures are permitted:
1. In the case of all mammals, exsanguination, but only where the animal is completely anaesthetized prior to and during the procedure.
  2. In the case of birds and rodents, cervical dislocation.
  3. In the case of livestock and dogs, electrocution but only where the electrocution equipment is approved by the Director.
  4. In the case of rodents, decapitation, but only with equipment that is approved by the Director. R.R.O. 1980, Reg. 18, s. 31.

32.—(1) This section applies to euthanasia of warm-blooded animals by the use of chemicals.

- (2) The following euthanasia procedures are permitted:
1. Administration of barbiturates intravenously, intracardially, intrathoracically or intraperitoneally.
  2. Administration of tribromoethanol rectally or orally other than in the case of dogs.

3. Slow intravenous administration of Hoechst Pharmaceutical product T-61.
4. Administration of chloral hydrate intraperitoneally, intravenously or orally.
5. Administration of ether by inhalation.
6. Administration of carbon dioxide by inhalation.
7. Administration of chloroform by inhalation. R.R.O. 1980, Reg. 18, s. 32.

## REGULATION 25

### TRANSPORTATION

1. In this Regulation,
- “disposable shipping container” means a shipping container that is not a re-usable shipping container;
- “livestock” means cattle, goats, horses, sheep or swine;
- “re-usable shipping container” means a shipping container that is so designed, constructed and maintained and made of such materials that,
- (a) it may be readily sanitized, and
  - (b) it does not readily harbour insects or disease-producing organisms;
- “sanitize” means to clean for the purpose of controlling disease-producing organisms. R.R.O. 1980, Reg. 19, s. 1.

2. This Regulation applies to the transportation of animals that are used or are intended to be used by a research facility. R.R.O. 1980, Reg. 19, s. 2.

3.—(1) Every vehicle used for transporting animals shall be free from mechanical defects that are likely to impair the health, welfare or comfort of the animals.

(2) Other than in the case of fish, every vehicle shall be equipped to provide adequate amounts of fresh air to all animals in the vehicle without injurious drafts.

(3) The part of every vehicle in which animals are transported shall be maintained at a temperature suitable for the health, welfare and comfort of the animals.

(4) The part of every vehicle in which animals are transported shall be so constructed and maintained as to prevent, so far as may be practicable, the entry of exhaust gases.

(5) The part of every vehicle in which animals are transported shall be so constructed and maintained that it may be readily sanitized. R.R.O. 1980, Reg. 19, s. 3.

4.—(1) This section applies only to animals other than fish and livestock.

- (2) Animals shall be shipped in,
- (a) cages or re-usable shipping containers;
  - (b) disposable shipping containers; or
  - (c) compartments that are constructed as an integral part of the vehicle.

(3) Every cage, shipping container and compartment referred to in subsection (2) shall be,

- (a) so constructed and maintained that any animal therein cannot readily escape;
- (b) of sufficient size that every animal therein may stand, sit and lie down;
- (c) so constructed and maintained that it is not likely to harm any animal therein;
- (d) so constructed and maintained that it provides adequate ventilation at all times during transit;
- (e) where it is placed above another cage, shipping container or compartment, equipped with a floor that is impervious to moisture and that is so constructed and maintained as to prevent excreta from entering any other cage, shipping container or compartment;
- (f) so constructed and maintained that animals therein remain reasonably free of contamination by excreta or vomit; and
- (g) so constructed and maintained as to provide for ready access at all times during transit to the animals therein.

(4) Every cage, re-usable shipping container and compartment referred to in subsection (2) shall be maintained in a sanitary condition.

(5) No disposable shipping container shall be used more than once. R.R.O. 1980, Reg. 19, s. 4.

5.—(1) This section applies only to livestock.

(2) The floor of any stall or compartment of any vehicle in which livestock are transported or of any ramp used in connection therewith shall be so constructed and maintained as to provide a surface free from any holes or cracks capable of causing injury to any head of livestock.

(3) Every stall or compartment of any vehicle used for the transportation of livestock and every ramp used in connection therewith shall be free from any projections, holes or objects capable of causing injury to any head of livestock.

(4) Every stall or compartment of any vehicle used for the transportation of livestock shall be supplied with amounts of clean bedding material adequate to provide for the comfort and safety of any livestock therein. R.R.O. 1980, Reg. 19, s. 5.

6.—(1) This section applies only to fish.

(2) Fish shall be transported in a container that is so constructed and maintained that it will contain sufficient water for the needs of the fish therein and will provide sufficient oxygen for the health, welfare and comfort of the fish.

(3) Every fish shall be maintained in an adequate volume of water that is sufficiently oxygenated and of a suitable temperature for the health, welfare and comfort of the fish. R.R.O. 1980, Reg. 19, s. 6.

7. Every vehicle used for the transportation of animals shall, during the time that it is so used, have a covering adequate to prevent the direct entry of sunlight, rain, hail or snow into the part of the vehicle in which the animals are transported. R.R.O. 1980, Reg. 19, s. 7.

8. If more than one animal is transported in a cage, container, compartment, tank or stall, no individual animal shall be placed therein where the placing of the animal would result in harm to any of the animals and where the behaviour of animals in any cage, container, compartment, tank or stall is such that harm is likely to result, any animal or animals whose removal will prevent the harm from occurring shall forthwith be removed. R.R.O. 1980, Reg. 19, s. 8.

9. Every person who transports animals shall transport them to their destination without undue delay. R.R.O. 1980, Reg. 19, s. 9.

10. All animals while in transit shall be supplied, at such times as are necessary for their health, welfare and comfort, with such quantities of palatable, uncontaminated food or water as are necessary for their health, welfare and comfort. R.R.O. 1980, Reg. 19, s. 10.

11.—(1) Every vehicle that is in use for transporting animals shall have therein a person who is competent to care for the animals while in transit and who shall,

- (a) carry out or cause to be carried out all reasonable actions necessary to provide for the health, welfare and comfort of the animals in transit;
- (b) regularly inspect the animals in the vehicle to determine whether any of them are seriously ill or seriously injured; and
- (c) if any animal appears to be seriously ill or seriously injured, arrange for the animal to receive veterinary care as soon as may be practicable or shall forthwith humanely destroy the animal. R.R.O. 1980, Reg. 19, s. 11 (1).

(2) The person referred to in subsection (1) shall, when the animals arrive at their destination, ensure that the animals are placed,

- (a) in the custody of a person authorized to take custody of the animals by the person to whom the animals are being transported; or
- (b) in a location in which the health, welfare and comfort of the animals will not be impaired and shall immediately notify the person to whom the animals are being transported. R.R.O. 1980, Reg. 19, s. 11 (2).



**Apprenticeship and Tradesmen's Qualification Act**  
*Loi sur l'apprentissage et la qualification professionnelle des gens de métier*

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**See now**

**Trades Qualification Act**

**Volume 8**

**Voir**

**Loi sur la qualification professionnelle des gens de  
métier**



**Arbitrations Act**  
**Loi sur l'arbitrage**

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**REGULATION 26**

**FEEs CHARGEABLE BY ARBITRATORS**

1. The fees chargeable by arbitrators under the Act are the following fees:

- 1. For each sitting where a reference is not proceeded with and a postponement is made at the request of a party,
  - not less than ..... \$ 40
  - not more than ..... 80
- 2. For each day's sitting, consisting of at least six hours,
  - not less than ..... 150

- not more than ..... \$250
- 3.\* For each additional hour over six hours, where a day's sitting consists of at least six hours,
  - not less than ..... 20
  - not more than ..... 30
- 4. For each day's sitting, consisting of less than six hours where a reference is proceeded with, except for fractions of an hour, for each hour,
  - not less than ..... 20
  - not more than ..... 30

R.R.O. 1980, Reg. 64, s. 1.





## Architects Act *Loi sur les architectes*

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### REGULATION 27

#### GENERAL

1. In this Regulation,

“address of record”, in relation to a member of the Association, means the last address of the member recorded in the register maintained by the Registrar;

“certificate of academic qualifications” means a certificate as to academic qualifications issued by a national or regional architectural certification body in Canada that is recognized by the Council;

“design-builder” means a person who is in the business of constructing, enlarging or altering buildings and who engages or retains a holder to provide architectural services in connection with a project for the constructing, enlarging or altering of a building;

“holder” means a holder of a certificate of practice, a certificate of practice issued under section 23 of the Act or a temporary licence;

“limited competition” means an architectural competition, other than an open competition, in which an invitation to compete is extended to two or more holders;

“open competition” means an architectural competition in which an invitation to compete is extended to all members of the Association;

“owner” means a person, including the Crown in right of Ontario or of Canada, who has an estate or interest recognized by law in land or a building with respect to which architectural services are provided;

“seal” means a seal issued by the Registrar. O. Reg. 517/84, s. 1.

2. The following electoral districts are continued:

1. The East Central Ontario Electoral District, composed of the counties of Haliburton, Northumberland, Peterborough and Victoria, the City of Scarborough in The Municipality of Metropolitan Toronto and The Regional Municipality of Durham.
2. The Eastern Ontario Electoral District, composed of the counties of Frontenac, Hastings, Lanark, Lennox and Addington, Prince Edward and Renfrew, the united counties of Leeds and Grenville, Prescott and Russell, and Stormont, Dundas and Glengarry and The Regional Municipality of Ottawa-Carleton other than the City of Ottawa.
3. The North Central Ontario Electoral District, composed of the county of Simcoe, the City of North York in The Municipality of Metropolitan Toronto, The Regional Municipality of York and The Territorial District of Muskoka.
4. The Northern Ontario Electoral District, composed of the territorial districts of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Parry Sound, Rainy River, Sudbury, Thunder Bay and Timiskaming.
5. The Ottawa Centre Electoral District, composed of the City of Ottawa in The Regional Municipality of Ottawa-Carleton.

6. The Province of Ontario Electoral District, composed of the whole of the Province of Ontario.

7. The Southwestern Ontario Electoral District, composed of the counties of Bruce, Elgin, Essex, Huron, Kent, Lambton, Middlesex, Oxford and Perth.

8. The Toronto Centre Electoral District, composed of the Borough of East York and the cities of Toronto and York in The Municipality of Metropolitan Toronto.

9. The West Central Ontario Electoral District, composed of the County of Dufferin, the regional municipalities of Halton and Peel, and the City of Etobicoke in The Municipality of Metropolitan Toronto.

10. The Western Ontario Electoral District, composed of the regional municipalities of Haldimand-Norfolk, Hamilton-Wentworth, Niagara and Waterloo and the counties of Brant, Grey and Wellington. O. Reg. 517/84, s. 2, *revised*.

3.—(1) There shall be an election of members to the Council on the fourth Monday of November in each year for the succeeding year.

(2) When an election of members to the Council is not held at the prescribed time, the members of the Council then in office are continued in office until their successors are elected or appointed.

(3) The term of office of members elected to the Council commences on the 1st day of January immediately following the date of their election.

(4) The term of office of every member of the Council is three years. O. Reg. 517/84, s. 4 (1-4), *revised*.

4.—(1) A member of the Association is eligible for election to the Council if the member,

- (a) is a Canadian Citizen resident in Ontario;
- (b) has an address of record within the Electoral District for which the member is nominated; and
- (c) is a member in good standing in the Association.

(2) A member is in good standing in the Association for the purpose of subsection (1) where,

- (a) the member is not in default of payment of any fee prescribed by the by-laws, or any fee, levy, or costs imposed under the Act or the regulations;
- (b) the member's professional conduct or competence is not the subject of proceedings before the Discipline Committee; and
- (c) the member's licence is not under suspension. O. Reg. 517/84, s. 5.

5. The Registrar has the supervision and direction of every election and the Registrar shall decide all matters incidental thereto, including the eligibility of a member of the Association to vote and any dispute that may arise during the course of the election. O. Reg. 517/84, s. 6.

6.—(1) The nomination of candidates for election to the Council must be,

- (a) in writing;
- (b) on the nomination form prescribed by the Registrar, which shall be mailed to each member in an Electoral District in which an election is to be held on or before the first Monday in October in each election year;
- (c) signed by at least three members, each of whom has an address of record within the Electoral District for which the nominated member is eligible for election;
- (d) in the case of a candidate nominated for the Province of Ontario Electoral District, signed by any three members; and
- (e) delivered to, or received by, the Registrar on or before the fourth Monday in October in each election year.

(2) A nomination form must have the candidate's consent signed thereon.

(3) No member of the Association may be nominated for election in more than one Electoral District. O. Reg. 517/84, s. 7.

7. Where the number of candidates for election to the Council nominated in an Electoral District is the same as the number of members to be elected to the Council from the Electoral District, the Registrar shall certify that the candidate or candidates are elected by acclamation. O. Reg. 517/84, s. 8.

8.—(1) Except in Electoral Districts where candidates have been certified as elected by acclamation, the Registrar shall, on or before the second Monday of November, mail to every member qualified to vote in the election a ballot and one or more return envelopes in the form prescribed by the Registrar together with a memorandum of voting instructions.

(2) The form and content of the ballot, the accompanying envelope or envelopes and the voting instructions shall be as the Registrar considers will best ensure and preserve the anonymity of the voters and the secrecy of their votes.

(3) Every member of the Association who is qualified to vote at an election may cast one vote for each member to be elected to the Council,

- (a) in the Electoral District within which he or she has an address of record; and
- (b) in the Province of Ontario Electoral District.

(4) Each ballot shall be marked by the member voting by placing an "X" opposite the name of the candidate or candidates for whom the member votes and the member shall enclose his or her ballot in the envelope or envelopes provided in accordance with the voting instructions and deliver it or send it by mail to the office of the Registrar so that it will be received by the Registrar on or before the election day. O. Reg. 517/84, s. 9.

9. The Registrar shall, on or before each election day, appoint two members of the Association who shall act as scrutineers of the election. O. Reg. 517/84, s. 10.

10.—(1) Not later than three days following each election day, the ballots shall be opened by the Registrar in the presence of the scrutineers and such clerical staff as the Registrar may authorize.

(2) The scrutineers shall examine the ballots, count the votes cast for each candidate and record the number of votes cast and the number of spoiled ballots for each electoral district in a book or other record provided by the Registrar.

(3) In the case of an equality of votes between two or more candidates in an electoral district, the scrutineers shall determine, by lot, the member or members elected to the Council.

(4) Upon completion of the count, the scrutineers shall complete an election return in the form prescribed by the Registrar for each electoral district showing the number of votes cast for each candidate, as well as the number of spoiled ballots and shall file the election returns together with all of the ballots with the Registrar. O. Reg. 517/84, s. 11.

11. Upon receipt of the election returns and the ballots, the Registrar shall certify the member or members who have received the largest number of votes in each electoral district as having been elected to the Council and shall forthwith notify each candidate and subsequently all members of the Association, of the election results. O. Reg. 517/84, s. 12.

12.—(1) The Registrar shall destroy all ballots in an election twenty-one days after the candidates are notified of the results of the election, unless a recount has been requested in the meantime in accordance with subsection (2).

(2) A candidate may require a recount by delivering to the Registrar a request in writing and a \$200 deposit within twenty days after receiving from the Registrar notice of the results of the election.

(3) The Registrar shall conduct the recount within thirty days after the date of delivery of the request and deposit.

(4) If the recount changes the result of the election, the amount of the deposit shall be returned to the candidate who paid it.

(5) The recount shall be presided over by the Registrar who shall,

- (a) set the date for the recount;
- (b) give notice in writing at least fifteen days before the date set for the recount to all candidates in the electoral district for which the recount has been requested that a recount is to be held;
- (c) notify the candidates that they or their agents are entitled to be present to examine all ballots and envelopes and to satisfy themselves that all ballots have been properly marked and counted;
- (d) make the decision to accept or reject a ballot;
- (e) certify the member or members who have received the largest number of votes in each electoral district as having been elected as a member or members of the Council; and
- (f) where two or more candidates receive an equal number of votes, determine, in the presence of the candidates or their agents, by lot, the member or members elected to the Council. O. Reg. 517/84, s. 13.

13. Where there is an interruption of mail service during an election, the Registrar may extend the time for the holding of the election and may, in addition thereto, extend the time for the doing of any act in connection with the election, for such period as the Registrar considers reasonable in the circumstances. O. Reg. 517/84, s. 14.

14. Elections to fill vacancies on the Council when no quorum of the Council remains in office shall be conducted with necessary modifications in accordance with the provisions of this Regulation that apply to general elections. O. Reg. 517/84, s. 15.

15.—(1) A member of the Council is disqualified from sitting on the Council when the member,

- (a) is, by reason of incapacity, unable to act as a member of the Council;

- (b) has been found guilty of professional misconduct or incompetence;
- (c) fails to attend three consecutive regular meetings of the Council without cause;
- (d) ceases to be eligible for election to the council;
- (e) ceases to have an address of record within the Electoral District for which the member was elected;
- (f) ceases to be a member in good standing in the Association; or
- (g) fails to perform the duties of a member of the Council that are prescribed by the by-laws.
- (2) A member who is disqualified from sitting on the Council is deemed to be removed from the Council.
- (3) A member of Council whose conduct is the subject of a proceeding before the Discipline Committee is disqualified from sitting on the Council pending the decision or order of the Discipline Committee. O. Reg. 517/84, s. 16.
- 16.—(1)** At a meeting of the Council, the members of the Council shall elect by ballot from among the elected members a president, a vice-president and treasurer and two or more vice-presidents. O. Reg. 71/90, s. 1.
- (2) Every vacancy caused by the death, resignation, removal or incapacity to act of an officer, shall be filled by the holding of a by-election which shall take place at the next meeting of Council immediately following the act which resulted in the vacancy.
- (3) The election or by-election shall be supervised and directed by the Registrar who shall prescribe the forms for nominations and ballots, conduct the poll, certify the result of the election and decide all matters incidental thereto and any dispute that may arise during the course of the election.
- (4) Council shall appoint two persons who shall act as scrutineers for the election.
- (5) The scrutineers shall examine the ballots and count the votes cast for each officer to be elected and report the results of the election to the Registrar. O. Reg. 517/84, s. 17 (2-5).
- (6) The council by by-law shall fix the term of office of the president, the vice president and treasurer and the vice-presidents and the commencement of the term of office but the term of office shall not exceed eighteen months.
- (7) No person is eligible to hold office as president for more than two terms in succession. O. Reg. 179/89, s. 1 (2).
- (8) An officer elected at a by-election shall hold office for the unexpired portion of the term of the officer whose office he or she is elected to fill. O. Reg. 517/84, s. 17 (8).
- 17.—(1)** The Executive Committee is continued. O. Reg. 517/84, s. 18 (1), *revised*.
- (2) The Executive Committee shall be composed of the president, who shall chair it, and the other officers elected under subsection 16 (1). O. Reg. 179/89, s. 2, *part*.
- (3) A majority of the members of the Executive Committee constitutes a quorum. O. Reg. 517/84, s. 18 (4).
- 18.—(1)** The Academic Requirements Committee is continued. O. Reg. 517/84, s. 19 (1), *revised*.
- (2) The Academic Requirements Committee shall be composed of,
- (a) at least three elected members of the Council appointed at pleasure to the Committee by the Council;
- (b) at least one member of the Association who is not a member of the Council and who is appointed at pleasure to the Committee by the Council; and
- (c) one representative of every university or college in Ontario that is, by law, authorized to grant degrees in architecture and maintains a faculty, school or department of architecture, appointed at pleasure by the Council on the recommendation of the university or college, but the representative must be a member of the Association employed on a full-time basis in the faculty, school or department of the university or college that recommends the representative.
- (3) Three members of the Academic Requirements Committee, of whom two are elected members of the Council, constitute a quorum.
- (4) All determinations of the Academic Requirements Committee require the vote of a majority of the members of the Committee present at the meeting.
- (5) The Council shall appoint one member of the Academic Requirements Committee to be the chair of the Committee.
- (6) The chair or, in the absence of the chair, a member of the Academic Requirements Committee designated by the chair shall preside at all meetings of the Committee. O. Reg. 517/84, s. 19 (2-6).
- 19.—(1)** The Experience Requirements Committee is continued. O. Reg. 517/84, s. 20 (1), *revised*.
- (2) The Experience Requirements Committee shall be composed of,
- (a) at least one elected member of the Council appointed at pleasure to the Committee by the Council; and
- (b) at least three members of the Association who are not members of the Council and who are appointed at pleasure to the Committee by the Council. O. Reg. 517/84, s. 20 (2).
- (3) A majority of the members of the experience Requirements Committee constitutes a quorum. O. Reg. 365/89, s. 1.
- (4) All determinations of the Experience Requirements Committee require the vote of a majority of the members of the Committee present at the meeting.
- (5) The Council shall appoint one member of the Experience Requirements Committee to be the chair of the Committee.
- (6) The chair or, in the absence of the chair, a member of the Experience Requirements Committee designated by the chair shall preside at all meetings of the Committee. O. Reg. 517/84, s. 20 (4-6).
- 20.—(1)** The Registration Committee is continued. O. Reg. 517/84, s. 21 (1), *revised*.
- (2) The Registration Committee shall be composed of,
- (a) at least two elected members of the Council appointed at pleasure to the Committee by the Council; and
- (b) at least two members of the Association who are not members of the Council and who are appointed at pleasure to the Committee by the Council.
- (3) Three members of the Registration Committee, one of whom is an elected member of the Council, constitute a quorum.

(4) All decisions of the Registration Committee at a meeting or a hearing require the vote of a majority of the members of the Committee present at the meeting or hearing.

(5) The Council shall appoint one member of the Registration Committee, who is an elected member of the Council, to be the chair of the Committee.

(6) The chair or, in the absence of the chair, a member of the Registration Committee designated by the chair shall preside at all meetings and hearings of the Committee. O. Reg. 517/84, s. 21 (2-6).

**21.** The Complaints Committee is continued. O. Reg. 517/84, s. 22, *revised*.

**22.** The Discipline Committee is continued. O. Reg. 517/84, s. 23, *revised*.

**23.—(1)** The Fees Mediation Committee is continued. O. Reg. 517/84, s. 24 (1), *revised*.

(2) The Fees Mediation Committee shall be composed of,

- (a) at least one elected member of the Council appointed at pleasure to the Committee by the Council; and
- (b) such other members of the Association who are not members of the Council and who are appointed at pleasure to the Committee by the Council. O. Reg. 599/85, s. 1.

(3) Three members of the Fees Mediation Committee, one of whom is an elected member of the Council and one of whom shall be a person appointed to the Council by the Lieutenant Governor in Council, constitute a quorum for the purpose of mediation and arbitration under section 37 of the Act.

(4) The Council shall appoint one member of the Fees Mediation Committee, who is an elected member of the Council, to be the chair of the Committee.

(5) The chair, or in the absence of the chair, a member of the Fees Mediation Committee designated by the chair, shall preside at all meetings and hearings of the Committee.

(6) All decisions of the Fees Mediation Committee require the vote of a majority of the members of the Committee present at the meeting or hearing.

(7) Where the Fees Mediation Committee commences a hearing and a member thereof becomes unable to act, the remaining members, if they constitute a quorum, may complete the hearing despite the absence of the member who is unable to act. O. Reg. 517/84, s. 24 (3-7).

**24.** The following are prescribed as classes of persons whose interests are related to those of the Association:

1. Associates
2. Graduate associates
3. Student associates
4. Honorary members
5. Life members
6. Retired members. O. Reg. 517/84, s. 25.

**25.—(1)** Associates are persons who have paid the annual fees prescribed by the by-laws and who are elected as associates by the Council and,

- (a) who have resigned their memberships in the Association and are resident outside the Province of Ontario;
- (b) who are eligible for election as retired members; or
- (c) who have resigned their memberships in the Association and who, due to special circumstances, merit the status of associates.

(2) An associate is entitled to receive general information issued by the Association and to attend the annual and general meetings of the members of the Association, but is not entitled to vote at such a meeting.

(3) Associate status is valid for one year. O. Reg. 517/84, s. 26.

**26.—(1)** Graduate associates are persons who are of good character, have paid the annual fees prescribed by the by-laws, have complied with the academic requirements specified in the regulations for the issuance of a licence and who are elected as graduate associates by the Council.

(2) A graduate associate is entitled to receive general information issued by the Association and to attend the annual and general meetings of the members of the Association, but is not entitled to vote at such a meeting.

(3) Graduate associate status is valid for one year. O. Reg. 517/84, s. 27.

**27.—(1)** Student associates are persons who are of good character, have paid the annual fees prescribed by the by-laws, are enrolled in Ontario in faculties, schools or departments of architecture or other courses of study that are considered by Council to be equivalent thereto and who are elected as student associates by the Council.

(2) A student associate is entitled to receive general information issued by the Association and to attend the annual and general meetings of the members of the Association but is not entitled to vote at such a meeting.

(3) Student associate status is valid for one year. O. Reg. 517/84, s. 28.

**28.—(1)** Honorary members are persons who have rendered to the architectural profession signal or valuable service or who have scrupulously upheld the objects of the Association and who are elected as honorary members at an annual or general meeting of the members of the Association.

(2) The Council may nominate persons for election as honorary members.

(3) Honorary members shall be elected at the annual or general meetings of the members of the Association by a vote of four-fifths of the members present at the meeting.

(4) An honorary member is entitled to receive general information issued by the Association and to attend the annual and general meetings of the members of the Association but is not entitled to vote at such a meeting. O. Reg. 517/84, s. 29 (1-4).

(5) An honorary member shall be issued a Certificate of Honorary Membership and, if the honorary member was previously the holder of a licence, he or she may use the title "architect". O. Reg. 368/86, s. 1.

**29.—(1)** Life members are persons who have resigned their memberships in the Association, who have thereafter held the status of associates or retired members and who are elected as life members by the Council. O. Reg. 688/87, s. 1.

(2) A life member is entitled to receive general information issued by the Association and to attend the annual and general meet-

ings of the members of the Association but is not entitled to vote at such a meeting.

(3) A life member may use the title "architect". O. Reg. 571/84, s. 30 (2, 3).

30.—(1) Retired members are persons who have resigned their memberships in the Association, who have paid the annual fees prescribed by the bylaws and who are elected as retired members by the Council. O. Reg. 688/87, s. 2.

(2) A retired member is entitled to receive general information issued by the Association and to attend the annual and general meetings of the Association but is not entitled to vote at such a meeting.

(3) A retired member may use the title "architect".

(4) Retired status is valid for one year. O. Reg. 517/84, s. 31 (2-4).

31.—(1) The Council shall annually conduct an admission course.

(2) Successful completion of the admission course is a requirement for the issuance of a licence. O. Reg. 517/84, s. 32 (1, 2).

(3) The requirements for registration in the admission course are as follows:

1. The applicant must be a graduate associate.
2. The applicant must provide evidence of sufficient facility in the English language to be able to meet the standards of practice for the practice of architecture in Ontario.
3. The applicant must provide evidence of completion in Canada of a period of eighteen months of experience in the employment and under the personal supervision and direction of a person licensed or authorized to engage in the practice of architecture in a province in Canada.
4. The applicant must pay the fees prescribed by the by-laws for the admission course. O. Reg. 661/88, s. 1, *part*.

(4) In this section, "experience" means experience gained after the applicant has obtained a degree in architecture, or graduation from a course of study that is considered by the Council to be equivalent to a degree in architecture. O. Reg. 517/84, s. 32 (6).

32.—(1) The academic and experience requirements for the issuance of a licence are:

1. A degree in architecture from a university or other post-secondary institution, or graduation from a course of study that is considered by the Council to be equivalent to a degree in architecture.
2. A certificate of academic qualifications.
3. Registration in and successful completion of,
  - i. the admission course and examinations, and
  - ii. such other courses of study and examinations as are set or approved by the Council,

within the five years preceding the application.

4. Evidence that the applicant has completed in Canada a period of three years of experience, six months of which have been completed in Ontario within three years prior to the date of the application, in the employment and under the personal supervision and direction of a person who is licensed or authorized to engage in the practice of architecture in a province of Canada, that will provide sufficient experience to enable the applicant to meet the generally

accepted standards of practical skill required to engage in the practice of architecture. O. Reg. 517/84, s. 33 (1); O. Reg. 599/85, s. 2; O. Reg. 671/87, s. 1 (1); O. Reg. 661/88, s. 2 (1).

(2) An applicant who registered in Course 1 or Course 2 before the 1st day of July, 1987 is not required to apply for a licence within five years of the registration but is required to complete the admission course and pass the examinations within that time. O. Reg. 661/88, s. 2 (2).

33. The Council may, where it is of the opinion that the applicant's qualifications, knowledge and experience so merit, grant an exemption from all or part of the academic and experience requirements set out in this Regulation. O. Reg. 517/84, s. 34.

34. The requirements and qualifications for the issuance of a certificate of practice are,

- (a) evidence that the applicant is participating in the indemnity plan or that the applicant is entitled to an exemption from the indemnity plan;
- (b) evidence that the applicant, if the applicant is a natural person engaged in the practice of architecture as an employee, has given notice in writing to the employer stating that the applicant intends to offer architectural services to the public and that the applicant intends to apply for a certificate of practice; and
- (c) payment of the certificate of practice fees prescribed by the by-laws when filing the application for the certificate of practice. O. Reg. 517/84, s. 35; O. Reg. 810/84, s. 1; O. Reg. 599/85, s. 3; O. Reg. 149/87, s. 1.

35. Every certificate of practice is subject to the following terms and conditions:

1. Before entering into a joint venture to engage in the practice of architecture, the holder of the certificate of practice must file with the Registrar a memorandum of joint venture in a form that shall be provided by the Registrar.
2. The holder of the certificate of practice must comply with the Act and the regulations. O. Reg. 517/84, s. 36; O. Reg. 599/85, s. 4; O. Reg. 149/87, s. 2.

36. The requirements and qualifications for the issuance of a certificate of practice issued under section 23 of the Act are:

1. Evidence that,
  - i. in the case of a corporation, an officer, director or full-time employee of the corporation,
  - ii. in the case of a partnership of corporations, an officer, director or full time employee of a member of the partnership or a full-time employee of the partnership, or
  - iii. in the case of a partnership, a member or full-time employee of the partnership,

is the holder of a temporary licence.

2. Evidence that the applicant will engage in the practice of architecture with respect to the architectural project for which the certificate of practice is sought in collaboration with a member who has been approved by the Council or in collaboration with a holder of a certificate of practice.
3. Evidence that the applicant and the collaborating holder of a certificate of practice or the collaborating member who has been approved by the Council are participating in the

- indemnity plan or that they are entitled to an exemption from the indemnity plan.
4. Payment of the fees prescribed by the by-laws for the certificate of practice when filing the application for the certificate of practice. O. Reg. 517/84, s. 37; O. Reg. 599/85, s. 5; O. Reg. 149/87, s. 3.
37. Every certificate of practice issued under section 23 of the Act is subject to the following terms and conditions:
1. The holder of the certificate of practice will engage in the practice of architecture with respect only to the project described in the certificate of practice and in collaboration with a member who has been approved by the Council or in collaboration with a holder of a certificate of practice.
  2. The holder of the certificate of practice must have an officer, director or full-time employee who is the holder of a temporary licence.
  3. The certificate of practice issued under section 23 of the Act is valid only for twelve months from the date of its issuance, but is renewable annually subject to subsection 20 (1) of the Act.
  4. The holder of the certificate of practice must comply with the Act and the regulations. O. Reg. 517/84, s. 38; O. Reg. 599/85, s. 6; O. Reg. 149/87, s. 4.
38. The requirements and qualifications for the issuance of a temporary licence are:
1. Evidence that the applicant,
    - i. is a member of an organization of architects that is recognized by the Council and that has objects, standards of practice and requirements for admission to membership or issuance of temporary licences similar to those of the Association, or
    - ii. is engaged in the practice of architecture outside Ontario and, in the opinion of the Council upon reasonable grounds, has sufficient academic and practical qualifications to engage in the practice or architecture with competence in Ontario.
  2. Evidence that the applicant will engage in the practice of architecture with respect to the architectural project for which the temporary licence is sought in collaboration with a member who has been approved by the Council or in collaboration with a holder of a certificate of practice.
  3. Evidence that the applicant and the collaborating holder of a certificate of practice or the collaborating member who has been approved by the Council are participating in the indemnity plan or that they are entitled to an exemption from the indemnity plan.
  4. Payment of the temporary licence fees prescribed by the by-laws when filing the application for the temporary licence. O. Reg. 517/84, s. 39; O. Reg. 599/85, s. 7; O. Reg. 149/87, s. 5.
39. Every temporary licence is subject to the following terms and conditions:
1. The holder of the temporary licence will engage in the practice of architecture with respect only to the project described in the temporary licence and in collaboration with a member who has been approved by the Council or in collaboration with a holder of a certificate of practice.
  2. The temporary licence is valid, only for twelve months from the date of its issuance, but is renewable annually subject to subsection 24 (2) of the Act.
3. The holder of the temporary licence must comply with the Act and the regulations. O. Reg. 517/84, s. 40; O. Reg. 599/85, s. 8; O. Reg. 149/87, s. 6.
40. No holder of a certificate of practice, a certificate of practice issued under section 23 of the Act or a temporary licence shall use a name, designation or letterhead that is,
- (a) the same as or similar to the name of a sole proprietorship, partnership, corporation or joint venture that engages in the practice of architecture in Ontario so that its use would be likely to deceive;
  - (b) a number name;
  - (c) in the case of a corporation that does not have a number name, a name other than the name of the corporation;
  - (d) otherwise misleading;
  - (e) scandalous, obscene or immoral; or
  - (f) self-laudatory. O. Reg. 517/84, s. 41.
- 41.—(1) A member of the Association who is,
- (a) a holder of a certificate of practice;
  - (b) a member of a partnership that holds a certificate of practice;
  - (c) an employee of the Crown of Ontario or of Canada, a crown agency, sole proprietorship, partnership or a corporation, if required to use a seal in the member's capacity as an employee; or
  - (d) an officer, director or full-time employee of a holder of a certificate of practice who personally supervises and directs the practice of architecture by the holder of the certificate of practice,
- is entitled, upon application in the form that shall be provided by the Registrar and upon payment of the fees prescribed by the by-laws, to be issued a seal in a design approved by the Council.
- (2) A holder of a temporary licence is entitled, upon application in the form that shall be provided by the Registrar and upon payment of the fees prescribed by the by-laws, to be issued a seal in a design approved by the Council.
- (3) The ownership of every seal issued by the Association is retained in the Association. O. Reg. 517/84, s. 42 (1-3).
42. For the purpose of the Act, "professional misconduct" means,
1. Contravention of any provision of the Act, or the regulations.
  2. Knowingly contravening any provision of the *Building Code Act*, or Regulation 61 of Revised Regulations of Ontario, 1990 (known as the Building Code).
  3. Knowingly contravening any federal, provincial or municipal law, regulation or by-law relating to the construction, enlargement or alteration of buildings.
  4. Authorizing, permitting, counselling, assisting, aiding, abetting or acquiescing in any contravention of a federal, provincial or municipal law, regulation or by-law relating to the construction, enlargement or alteration of buildings.

5. Permitting, counselling, assisting, aiding or abetting any person who is not a member or a holder of a certificate of practice, a certificate of practice issued under section 23 of the Act or a temporary licence to engage or hold himself, herself or itself out as engaging in the practice of architecture.
6. Authorizing, permitting, counselling, assisting, aiding, abetting or acquiescing in any contravention of the Act or the regulations by any person.
7. Authorizing, permitting, counselling, assisting, aiding abetting or acquiescing in any act that constitutes professional misconduct.
8. Failing to abide by the terms and conditions of a licence, certificate of practice, certificate of practice issued under section 23 of the Act or temporary licence.
9. Failing to maintain the standards of practice of the profession.
10. Failing to maintain the performance standards of the profession.
11. Charging a fee for architectural services not performed.
12. Providing architectural services in competition with another holder for a building project in Ontario without a fee except when taking part in an open competition for a building project in Ontario.
13. Undertaking to provide architectural services at a fee that is not fully disclosed, fair or reasonable.
14. Knowingly submitting a false or misleading account or charge for architectural services rendered to a client.
15. Signing or issuing a false or misleading certificate, report or other document.
16. Having a conflict of interest.
17. Using a name, designation or letterhead that is prohibited by the regulations.
18. Using a seal that has not been issued under this Regulation.
19. Affixing a seal or permitting a seal to be affixed to a design that was not prepared in its entirety under the personal supervision and direction of a member or a holder of a temporary licence.
20. Failing to ensure that the name and designation of the holder is on every design created by the holder that is issued or exhibited to any person who is not a holder except in the case of an open competition in which anonymity is a requirement.
21. Failure of a member or holder to affix his or her seal and signature through the imprint of his or her seal to every design prepared under his or her personal supervision and direction and issued or exhibited to a person who is not a holder and is either submitted as part of an application for a building permit or is used for the construction, enlargement or alteration of a building, except in the case of an open competition in which anonymity is a requirement.
22. Failure of a member or holder to return a seal to the Registrar upon cancellation, revocation or suspension of a licence, certificate of practice, certificate of practice issued under section 23 of the Act or temporary licence, dissolution of a corporation or partnership, termination of a practice of architecture or project described in a temporary licence or certificate of practice issued under section 23 of the Act or when no longer required to use a seal in his or her capacity as an employee.
23. Failure of a member or holder to provide to the Registrar upon request any design, document or record relating to an investigation or a proceeding in respect of the professional conduct or competence of a member or holder.
24. Failing to notify the Registrar in writing forthwith of a change of address recorded on a register maintained under the Act by the Registrar.
25. Failing to notify the Registrar in writing forthwith of a change in any particular contained in an application for a licence, certificate of practice, certificate of practice issued under section 23 of the Act, temporary licence or seal or in an application to participate in or for exemption from the indemnity plan.
26. Failing to reply promptly to any letter received from the Registrar related to the professional conduct or competence of a member or holder.
27. Knowingly making a false representation or statement in an application for a licence, certificate of practice, certificate of practice issued under section 23 of the Act, temporary licence or seal or in an application to participate in or for exemption from the indemnity plan.
28. Failure to co-operate with the Association with respect to claims made under the indemnity plan.
29. Failure of a member or holder to notify the Registrar of the receipt of a petition to declare the member or holder bankrupt or the making of a general assignment for the benefit of creditors and of the manner in which the professional responsibilities of the member or holder will be discharged.
30. Becoming bankrupt under the *Bankruptcy Act* (Canada) if the professional responsibilities of the member or holder have not been discharged.
31. Misrepresenting the qualifications or capabilities of a member or holder, or an officer, director, partner or employee of a member or holder.
32. Making a false statement or publication concerning the professional work or the practice of architecture of another member or holder.
33. Making a false, exaggerated or misleading statement as to the practice of architecture carried on by the member or holder.
34. Copying the design or work of another person without the consent or agreement of the other person.
35. Passing off or claiming authorship of the design of another person without the consent or agreement of the other person.
36. Claiming credit for having performed architectural services on a building project with respect to which the member or holder did not have a personal or active involvement.
37. Accepting money or any other benefit for architectural services from a person other than a client or the employer.
38. Doing or failing to do anything while engaged in the practice of architecture that shows a deliberate or reckless disregard for the rights and safety of others.
39. Failing to perform architectural services with reasonable skill and judgment.



40. Knowingly employing a former member or holder whose licence, certificate of practice, certificate of practice issued under section 23 of the Act or temporary licence has been revoked or engaging in the practice of architecture with such person.
41. Knowingly employing a member or holder whose licence, certificate of practice, certificate of practice issued under section 23 of the Act or temporary licence is under suspension or engaging in the practice of architecture with such person.
42. Using or permitting the name or photograph of a member or holder to be used as an endorsement for a product or service that is utilized in the practice of architecture.
43. Making use of services offered by manufacturers or suppliers of building materials, appliances or equipment or by contractors that are accompanied by an obligation that is detrimental to the best interests of a client.
44. Disclosing confidential information received from a client or employer except as authorized by law or with the consent of the client or employer.
45. Disclosing confidential information received as a member of the Council or a committee or as a representative of the Association.
46. Failing to act fairly and impartially between the parties to a contract that the member or holder is administering.
47. Soliciting or accepting any work when the member or holder knows or has reason to believe that another member or holder has been engaged or employed for the same purpose by the same client except as permitted by the standards of practice set out in this regulation.
48. Withdrawing services except for good cause and upon reasonable notice.
49. Taking part in an open competition for a building project in Ontario for which the conditions of competition have not been approved by the Council.
50. Taking part in a limited competition for a building project in Ontario in which all holders are not equally remunerated.
51. Undertaking to provide architectural services for a building project where the member or holder has acted as a professional advisor or member of a jury for an open or limited competition for the building project.
52. Providing architectural services without an express written or oral contract.
53. Failing to carry out the terms of a contract to provide architectural services.
54. Conduct or an act relevant to the practice of architecture that, having regard to all of the circumstances, would reasonably be regarded by members of the Association as disgraceful, dishonourable or unprofessional.
55. Providing a design or general review to a person who is not,
  - i. the owner of a building project,
  - ii. a holder,
  - iii. a holder of a certificate of authorization issued under the *Professional Engineers Act*,
  - iv. a design-builder, or
- v. a person who intends to make an offer in writing to an owner to provide a design. O. Reg. 517/84, s. 43; O. Reg. 810/84, s. 2; O. Reg. 368/86, s. 2; O. Reg. 149/87, s. 7; O. Reg. 661/88, s. 3.
- 43.—(1) A member or holder has a conflict of interest where the member or holder or an officer, director, partner or employee of the member or holder,
- (a) has a direct or indirect financial or other interest in any material, device, invention or service used on a building project with respect to which the member or holder provides architectural services;
  - (b) makes use of any service offered by a contractor, subcontractor or manufacturer or supplier of building materials, appliances or equipment, that may adversely affect the judgment of the member or holder as to any question that arises on a building project with respect to which the member or holder provides architectural services;
  - (c) has a direct or indirect financial or other interest, whether personal or otherwise, in or with a person, firm, partnership or corporation that is the owner, contractor, subcontractor, construction manager, design-builder or project manager of a building project with respect to which the member or holder provides architectural services;
  - (d) has a direct or indirect financial or other interest in a contract or transaction, other than the agreement between the architect and the client, to which the owner, contractor, subcontractor, construction manager, design-builder or project manager is a party on a building project with respect to which the member or holder provides architectural services;
  - (e) has a direct or indirect financial or other interest, whether personal or otherwise, that may adversely affect the judgment of the member or holder as to any question that may arise on a building project with respect to which the member or holder provides architectural services; or
  - (f) has a direct or indirect financial or other interest, whether personal or otherwise, in or with any person, firm, partnership or corporation that submits or has submitted tenders or bids on a building project with respect to which the member or holder provides architectural services.
- (2) Clause (1) (a) does not apply to create a conflict of interest where the interest is disclosed in the contract documents and the consent in writing of the client is obtained.
- (3) Clause (1) (c) or (d) does not apply to create a conflict of interest where the interest is disclosed in the contract documents.
- (4) Subsection (1) does not apply to create a conflict of interest in the provision of architectural services with respect to a building project of which the member or holder is a substantial owner or that is controlled by the member or holder where the interest is disclosed in the contract documents. O. Reg. 517/84, s. 44.
44. The following qualifications and requirements shall be complied with to obtain the reinstatement of a licence, certificate of practice, a certificate of practice issued under section 23 of the Act or temporary licence that was cancelled by the Registrar:
1. The applicant must file an application for reinstatement with the Registrar within three years of the date of cancellation.
  2. The applicant must pay all fees, premiums, levies and deductibles in arrears on the date of cancellation.
  3. The applicant must pay the annual fees prescribed by the



by-laws due and owing on the date of filing of the application for reinstatement.

4. The applicant must pay the reinstatement fee prescribed by the by-laws. O. Reg. 517/84, s. 45; O. Reg. 149/87, s. 8.

45. Every member or holder shall forthwith provide to the Registrar factual information that is requested of the member or holder by the Council with respect to fees and remuneration for architectural services and as to any matter relevant to the member's or holder's practice or professional activity related to the practice of architecture for the purposes of compilation and distribution of statistical information on fees and remuneration and as to the supply, distribution and professional activities of members and holders, but persons engaged in the administration of the Act and this Regulation shall maintain secret the names of persons providing the information as a matter that comes to their knowledge in the course of their duties under the Act and this Regulation and shall assemble the information in a manner that will ensure the anonymity of individual members and holders. O. Reg. 517/84, s. 46.

46. It is a term and condition of every certificate of practice, certificate of practice issued under section 23 of the Act and temporary licence that the holder must not engage in any business, trade, occupation or profession, other than the practice of architecture or professional engineering, without the prior approval of the Council. O. Reg. 517/84, s. 47.

47.—(1) A holder of a certificate of practice shall maintain the standards of practice for the practice of architecture in the performance of architectural services.

(2) It is part of the standards of practice that every holder of a certificate of practice must,

- (a) maintain at least one office from which the practice of architecture is carried on;
- (b) maintain chronological books, records, accounts and files for each architectural project including,
  - (i) a record showing all fees and disbursements charged for services,
  - (ii) files containing all letters, memoranda, notices and correspondence,
  - (iii) files containing all evaluations, advice and reports,
  - (iv) files containing all certificates, statements, notices and other documents with respect to contract administration or general review carried out, and
  - (v) all designs issued, exhibited or used for the construction, enlargement or alteration of a building. O. Reg. 517/84, s. 48 (1, 2).

(3) It is part of the standards of practice that every office in which the practice of architecture is carried on must,

- (a) be accessible to all clients during business hours;
- (b) be equipped with a telephone that is answered either manually or by means of a mechanical device and that is listed in the local telephone directory;
- (c) have such staff, instruments, equipment and activities as are reasonably necessary for the performance of architectural services; and
- (d) be under the personal supervision and direction of a member. O. Reg. 517/84, s. 48 (3); O. Reg. 810/84, s. 3.

48.—(1) Unless exempted by this section, every member of the Association to whom a seal is issued and every holder shall partici-

pate in the indemnity plan and shall obtain an indemnity from the indemnity plan that provides an indemnity of not less than \$250,000 in respect of each claim against the member or holder. O. Reg. 149/87, s. 9, *part*.

(2) Subject to subsections (4) and (5), the following are exempt from the requirements of clauses 40 (1) (a) and (b) of the Act:

1. Every member who is an employee of any of the following employers, but only in the member's capacity as an employee:
  - i. Her Majesty in right of Ontario or any agent thereof,
  - ii. Her Majesty in right of Canada or any agent thereof,
  - iii. a board or a private school, both as defined in the *Education Act*,
  - iv. a municipality, including a regional, district or metropolitan municipality or the County of Oxford,
  - v. a sole proprietorship, partnership or corporation that does not hold a certificate of practice, a certificate of practice issued under section 23 of the Act or a temporary licence.
2. Every holder who maintains an office in another province or territory of Canada from which the holder's practice of architecture is carried on and who does not practice architecture in Ontario. O. Reg. 149/87, s. 9, *part*; O. Reg. 671/87, s. 2 (1).

(3) Subject to subsections (4), (5) and (6), the following are exempt from the requirements of clause 40 (1) (b) of the Act:

1. Every member to whom a seal has been issued who is an employee of a holder of a certificate of practice issued under subsection 14 (2) or 15 (2) or section 18, 19 or 23 of the Act or of a holder of a temporary licence, but only in the member's capacity as an employee and only so long as the member is insured against errors and omissions arising out of the performance or non-performance of architectural services under a professional liability insurance policy issued to the holder and that has a minimum limit of liability of \$250,000 in respect of each claim, either with or without an aggregate limit of liability for a policy period.
2. Every holder who maintains an office in another province or territory of Canada from which the holder's practice of architecture is carried on and who also practices architecture in Ontario, every holder of a certificate of practice issued under subsection 14 (2) or 15 (2) or section 18, 19 or 23 of the Act and every holder of a temporary licence, but only so long as the holder is insured against errors and omissions arising out of the performance or non-performance of architectural services under a professional liability insurance policy that has a minimum limit of liability of \$250,000 in respect of each claim, either with or without an aggregate limit of liability for a policy period.
3. Every member and every holder who on the date this section comes into force is insured against errors and omissions arising out of the performance or non-performance of architectural services under a professional liability insurance policy but an exemption under this paragraph expires with the end of the policy period or the termination of the policy, whichever occurs first. O. Reg. 149/87, s. 9, *part*; O. Reg. 671/87, s. 2 (2).

(4) Every member of the Association to whom a seal has been issued and every holder shall file with the general manager of the indemnity plan, in the form prescribed by the by-laws, an application to participate in the indemnity plan or for an exemption from participation in the indemnity plan.

- (5) The application referred to in subsection (4) shall be filed,
- (a) at the time a person files an application to obtain a seal or to become a holder; or
  - (b) at the time a person ceases to be eligible for an exemption from the indemnity plan.
- (6) Every member or holder who claims an exemption under subsection (3), at the time of filing an application for an exemption, shall file proof of the insurance referred to in the relevant paragraph of that subsection. O. Reg. 149/87, s. 9, *part*.

49. The following are prescribed as standards of practice:

1. No holder or officer, director, employee or partner of a holder shall solicit or accept any work in respect of a building project knowing or having reason to believe that another holder has been engaged on the same building project for the same purpose by the same client.
2. Paragraph 1 does not apply to prevent a holder from,
  - i. advising or reporting on any aspect of the practice of architecture if an independent opinion is being sought and the other holder has been so informed in writing by the client, or
  - ii. undertaking the work after,
    - A. the client has given notice in writing to the holder that the engagement or employment of the other holder has been terminated, and
    - B. the holder has given notice in writing, by registered mail, to the other holder that he, she or it has been engaged or employed for the same purpose by the same client.
3. Every member of the Association or holder must promptly bring to the attention of the Registrar any act or omission by another member or holder that may constitute professional misconduct or incompetence.
4. Every member of the Association or holder must promptly bring to the attention of the Registrar any act or omission by any person that may constitute a contravention of the Act or the regulations.
5. Every member of the Association or holder must meet his, her or its financial obligations to the Association and to his, her or its employees and the financial obligations related to the provision of architectural services, including the prompt payment of premiums, levies and deductible amounts.
6. Except in the case of a corporation whose name includes the word "architect" or "architects" every holder shall use the designation "architect" or "architects" in the holder's practice of architecture.
7. Where a holder provides a design to a person who intends to make an offer in writing to an owner to provide a design and the offer is accepted, the holder must provide his services only to the owner, a holder, a holder of a certificate of authorization issued under the *Professional Engineers Act*, or a design-builder.
8. Every holder of a licence, certificate of practice, certificate of practice issued under section 23 of the Act, and temporary licence shall keep his licence, certificate of practice or temporary licence, as the case may be, prominently displayed in his place of business.
9. Every member or holder shall present clearly to his employer or client the consequences that may be expected

from any deviation in a design for which he is responsible in a case where his judgment is overruled by nontechnical authority.

10. Where a member or holder provides general review of the construction, enlargement or alteration of a building to a design-builder, the member or holder must perform all of the services prescribed as performance standards by section 50. O. Reg. 517/84, s. 50; O. Reg. 810/84, s. 4; O. Reg. 149/87, s. 10; O. Reg. 671/87, s. 3.

50. The following are prescribed as performance standards with respect to the general review of the construction, enlargement or alteration of a building by a member or holder as provided for in the building code prescribed under the *Building Code Act*:

1. The member or holder, with respect to the matters that are governed by the building code, shall,
  - i. make periodic visits to the site to determine whether the work is in general conformity with the design documents that were prepared by a member or holder,
  - ii. inform the client and contractor in writing as to the progress and quality of the work and as to any part of the work that the member or holder has observed during the visits to the site not to be in conformity with the design documents,
  - iii. review all changes to the design documents to determine whether the changes conform to the building code,
  - iv. review and comment on shop drawings and samples for general conformity with the design concept of the work, and
  - v. if the member or holder is specifically engaged to co-ordinate the general review of the professional engineers and reports of the inspection and testing companies, co-ordinate the general review of the professional engineers and the reports of the inspection and testing companies that pertain directly to the work being reviewed and arrange for the distribution of such reports to the client and the contractor, or
  - vi. if the member or holder is not engaged to perform any or all of the services listed in subparagraph v, cooperate with the professional engineer responsible for the co-ordination of the general review in order to assist the professional engineer in the carrying out of the functions described in that subparagraph.
2. In paragraph 1, "design document" means a design or other document which formed the basis for the issuance of a building permit and includes all changes thereto that were authorized by the chief official as defined in the *Building Code Act*. O. Reg. 368/86, s. 3, *part*.

51.—(1) A notice or document in respect of a committee may be served or delivered personally or by mail addressed to the person to whom the notice or document is to be given at the last known address of the person.

(2) A copy of a notice or document that is mailed shall be deemed to be served on the tenth day following the day on which it is mailed, unless the contrary is shown. O. Reg. 160/85, s. 1; O. Reg. 368/86, s. 3, *part*.

(3) Subsection (2) does not apply to a final decision or order to which section 18 of the *Statutory Powers Procedure Act* applies. O. Reg. 672/87, s. 1.

## Artificial Insemination of Livestock Act *Loi sur l'insémination artificielle du bétail*

### REGULATION 28

#### ARTIFICIAL INSEMINATION—GENERAL

1. In this Regulation "certificate of registration" means a certificate issued under the *Animal Pedigree Act* (Canada). R.R.O. 1980, Reg. 66, s. 1.

2. Persons engaged in the artificial insemination of goats, horses or sheep are exempt from the provisions of the Act and this Regulation with respect to such goats, horses or sheep. R.R.O. 1980, Reg. 66, s. 2.

#### PART I

3. This Part applies only to the artificial insemination of cattle. R.R.O. 1980, Reg. 66, s. 3.

4.—(1) The owner of a herd of cattle, or a full-time employee, who is engaged in the breeding of cows in the herd by artificial insemination is, in respect of the artificial insemination so performed, exempt from the provisions of the Act and this Regulation.

(2) Where semen produced outside Ontario is stored in the premises of a Class A semen-producing business and is transferred and delivered through the facilities of that Class A semen-producing business, a person selling or offering such semen for sale is exempt from subsection 16 (2) of the Act. R.R.O. 1980, Reg. 66, s. 4.

5.—(1) An application for a licence to commence or continue to engage in a semen-producing business (cattle) shall be in Form 1.

(2) A licence to commence or continue to engage in a semen-producing business (cattle) shall be in Form 2 and the fee therefor is \$1.

(3) An application for a licence to commence or to continue to engage in an inseminating business (cattle) shall be in Form 3.

(4) A licence to commence or continue to engage in an inseminating business (cattle) shall be in Form 4 and the fee therefor is \$1.

(5) An application for a licence to commence or continue to act as an inseminator (cattle) shall be in Form 5.

(6) A licence to commence or continue to act as an inseminator (cattle) shall be in Form 6 and the fee therefor is \$1.

(7) An application for a licence to commence or continue to act as a semen processing supervisor (cattle) shall be in Form 7.

(8) A licence to commence or continue to act as a semen processing supervisor (cattle) shall be in Form 8. R.R.O. 1980, Reg. 66, s. 5.

6.—(1) The fee for a licence in Form 2, 4, 6 or 8 shall accompany the application for the licence.

(2) A licence in Form 2, 4, 6 or 8 expires with the 31st day of December of the year of issue.

(3) A licence in Form 2, 4, 6 or 8 is not transferable. R.R.O. 1980, Reg. 66, s. 6.

7.—(1) Subject to subsection (3), the Commissioner shall not issue a licence in Form 6 unless the person to whom the licence would issue has successfully completed an examination approved by

the Commissioner in the theory and practice of artificial insemination.

(2) Subject to subsection (3), the Commissioner shall not issue a licence in Form 8 unless the applicant therefor has successfully completed an examination approved by the Commissioner in the theory and practice of semen collecting, processing and storage.

(3) Despite subsections (1) and (2), the Commissioner may issue a licence to a person who has not successfully completed an examination under subsection (1) or (2) but he or she may cancel the licence unless the examination is successfully completed within one year after a licence was first issued under this subsection. R.R.O. 1980, Reg. 66, s. 7.

8. The following grounds are prescribed for the refusal to renew, suspension or cancellation of a licence in addition to those grounds referred to in clauses 10 (1) (a) and (b) of the Act:

1. With respect to a Class "B" semen-producing business, the shipment of semen to any place other than a Class "A" semen-producing business.
2. With respect to a Class "A" semen-producing or a Class "B" semen-producing business, the sale or offering for sale in Ontario of semen from a bull that is affected with or has been exposed to an infectious or contagious disease capable of being transmitted in semen or the sale or offering for sale in Ontario of semen that is affected by any condition that would render it harmful or ineffective for inseminating cattle. R.R.O. 1980, Reg. 66, s. 8.

9.—(1) Every Class "A" semen-producing business shall have a building or buildings adequate for the stabling of bulls, the collecting of semen and the maintaining of records.

(2) Every Class "B" semen-producing business shall have a building or buildings adequate for the stabling of bulls and the maintaining of records and, unless all semen is collected, evaluated and processed at the facilities of a Class "A" semen-producing business, adequate for the collecting of semen. R.R.O. 1980, Reg. 66, s. 9.

10.—(1) Every Class "A" semen-producing business shall have a laboratory with adequate facilities for,

- (a) sterilization of equipment;
- (b) evaluation of semen;
- (c) shipping of semen; and
- (d) frozen storage of semen.

(2) Every Class "B" semen-producing business shall, unless all semen is collected, evaluated, processed and stored at the facilities of a Class "A" semen-producing business, have a laboratory with adequate facilities for,

- (a) sterilization of equipment;
- (b) evaluation of semen;
- (c) shipping of semen; and
- (d) frozen storage of semen. R.R.O. 1980, Reg. 66, s. 10.

11. Every inseminating business shall have facilities with adequate refrigeration for the storage of semen. R.R.O. 1980, Reg. 66, s. 11.

12. Every operator of a semen-producing business or an inseminating business shall prominently display in his or her place of business, in respect of each bull maintained at the business from which semen is offered for sale,

- (a) a copy of the certificate of registration for a registered bull that is maintained by the business;
- (b) a statement of the identification of the sire and dam and the identification and date of birth of an unregistered bull that is maintained by the business;
- (c) a full statement concerning the performance record of each beef bull that is maintained by the business from which semen is offered for sale through the business; and
- (d) a full statement of the current information pertaining to the performance and type of the progeny of each bull maintained by the business from which semen is offered for sale, through the business,

and shall have readily available information equivalent to that mentioned in clauses (a), (b), (c) and (d) with respect to bulls that are not maintained by the business and from which semen is offered for sale through the business. R.R.O. 1980, Reg. 66, s. 12.

13.—(1) Semen collected by a semen-producing business for the purpose of freezing shall be frozen at a laboratory approved by the Commissioner.

(2) Semen frozen by a semen-producing business shall bear positive identification including identification of the bull and the date and location of the freezing. R.R.O. 1980, Reg. 66, s. 13.

14.—(1) Subject to subsection (3), no semen-producing business or inseminating business shall collect any semen unless the parentage of the bull that produced the semen has been verified by means of blood types by the appropriate breed registry organization.

(2) A blood test of a parent of a bull is not required where the Commissioner is of the opinion that it is impossible or impractical to obtain a blood sample of the parent and waives the blood test in writing.

(3) Semen may be collected prior to the verification of parentage by blood types where the Commissioner is of the opinion that verification prior to collection is impractical and authorizes the collection in writing but, subject to subsection (2), no semen shall be sold or offered for sale prior to completion of verification of parentage by blood type. R.R.O. 1980, Reg. 66, s. 14.

15.—(1) No semen shall be collected for processing and storage from a bull unless the bull has,

- (a) undergone examination and inspection by a full-time veterinarian of the Health of Animals Branch of the Department of Agriculture of Canada; and
- (b) within thirty days prior to entering the premises of a semen-producing business has passed tests with negative results,

respecting tuberculosis, brucellosis, leptospirosis, leucosis and bluetongue.

(2) Upon entering the premises of a semen-producing business each bull shall be segregated from all other animals in an isolation section maintained for that purpose for at least thirty days and shall not be released from the isolation section into the premises until, after the expiration of such thirty-day period, it has been retested with negative results respecting tuberculosis, brucellosis and leptospirosis.

(3) Each bull maintained on the premises of a semen-producing business shall be tested at six month intervals respecting tuberculosis, brucellosis and leptospirosis and shall not continue to be maintained on the premises of the semen-producing business unless it achieves negative results on such tests.

(4) Each bull maintained on the premises of a semen-producing business shall be tested annually respecting trichomoniasis, leucosis and bluetongue and shall not continue to be maintained on the premises of the semen-producing business unless it achieves negative results on such tests.

(5) An inspector may enter and inspect the premises of a semen-producing business or an inseminating business at any time, and may conduct such tests as are considered necessary by the Commissioner.

(6) An inspector may obtain and remove samples of semen from a semen-producing business or an inseminating business and cause the samples to be examined to determine whether or not the semen is affected by a condition that would render it harmful or ineffective for inseminating cattle.

(7) An inspector may examine books, records and other documents in the premises of a semen-producing business or an inseminating business relating to quality of semen and disposition of semen.

(8) Any bull affected with or exposed to any infectious or contagious disease shall be segregated from all other bulls.

(9) The Commissioner may order that semen be destroyed if, in his or her opinion, the bull from which the semen was collected is affected with or has been exposed to an infectious or contagious disease capable of being transmitted in semen.

(10) The Commissioner may order that semen be destroyed if, in his or her opinion, the semen is affected by any condition that would render it harmful or ineffective for inseminating cattle. R.R.O. 1980, Reg. 66, s. 15.

16. Every person operating a Class "A" semen-producing business or an inseminating business shall make returns to the Commissioner annually, at the end of each fiscal year of the business, consisting of,

- (a) an audited financial statement of the operations of the business for the fiscal year then ended;
- (b) a record of the number of cattle artificially inseminated to each bull from which semen has been offered for sale by the business regardless of whether or not the bull was owned by the business; and
- (c) a record of the number of young sires of each breed that were entered during the year in a young sire proving program approved by the Commissioner. R.R.O. 1980, Reg. 66, s. 16.

17. Every Class "B" semen-producing business shall make returns to the Commissioner annually at the end of each fiscal year of the business consisting of a report of the number of doses of semen sold to residents of Ontario from each bull that is maintained by the business. R.R.O. 1980, Reg. 66, s. 17.

18. Every semen-producing business shall conduct such program for the proving of the breeding value of bulls as the Commissioner approves. R.R.O. 1980, Reg. 66, s. 18.

19. No person who sells, offers for sale or holds in possession for sale semen from a bull for or on behalf of a semen-producing business or an inseminating business shall publish or cause to be published any advertisement or statement respecting the bull that is untrue, deceptive, misleading or likely to mislead. R.R.O. 1980, Reg. 66, s. 19.

20. The Minister may make grants to inseminating businesses in

the territorial districts and inseminating businesses in the County of Hastings in an amount not exceeding \$4 for each cow artificially inseminated. R.R.O. 1980, Reg. 66, s. 20, *revised*.

## PART II

21. This Part applies to the artificial inseminating of swine. R.R.O. 1980, Reg. 66, s. 21.

22. The owner of a herd of swine, or a full time employee, who is engaged in the breeding of sows in the herd by artificial insemination is, in respect of the artificial insemination so performed, exempt from the provisions of the Act and this Regulation. R.R.O. 1980, Reg. 66, s. 22.

23.—(1) An application for a licence to commence or continue to engage in a semen-producing business (swine) shall be in Form 9.

(2) A licence to commence or continue to engage in a semen-producing business (swine) shall be in Form 10 and the fee therefor is \$1.

(3) An application for a licence to commence or to continue to engage in an inseminating business (swine) shall be in Form 11.

(4) A licence to commence or continue to engage in an inseminating business (swine) shall be in Form 12 and the fee therefor is \$1.

(5) An application for a licence to commence or continue to act as an inseminator (swine) shall be in Form 13.

(6) A licence to commence or continue to act as an inseminator (swine) shall be in Form 14 and the fee therefor is \$1.

(7) An application for a licence to commence or continue to act as a semen processing supervisor (swine) shall be in Form 15.

(8) A licence to commence or continue to act as a semen-producing supervisor (swine) shall be in Form 16. R.R.O. 1980, Reg. 66, s. 23.

24.—(1) The fee for a licence in Form 10, 12, 14 or 16 shall accompany the application for the licence.

(2) A licence in Form 10, 12, 14 or 16 expires with the 31st day of December of the year of issue.

(3) A licence in Form 10, 12, 14 or 16 is not transferable. R.R.O. 1980, Reg. 66, s. 24.

25.—(1) Subject to subsection (3), the Commissioner shall not issue a licence in Form 14 unless the person to whom the licence would issue has successfully completed an examination approved by the Commissioner in the theory and practice of artificial insemination.

(2) Subject to subsection (3), the Commissioner shall not issue a licence in Form 16 unless the applicant therefor has successfully completed an examination approved by the Commissioner in the theory and practice of semen collecting, processing and storage.

(3) Despite subsections (1) and (2), the Commissioner may issue a licence to a person who has not successfully completed an examination under subsection (1) or (2) but he or she may cancel the licence unless the examination is successfully completed within one year after a licence was first issued under this subsection. R.R.O. 1980, Reg. 66, s. 25.

26.—(1) Every semen-producing business shall have a building or buildings adequate for the stabling of boars and the collecting, processing and storing of semen.

(2) The buildings referred to in subsection (1) shall be kept clean and sanitary at all times. R.R.O. 1980, Reg. 66, s. 26.

27. Every semen-producing business shall have a laboratory with adequate facilities for,

(a) the sterilization of equipment;

(b) the evaluation of semen;

(c) the shipping of semen; and

(d) the storage of semen. R.R.O. 1980, Reg. 66, s. 27.

28. Every operator of a semen-producing business shall prominently display at the place of business in respect of each boar maintained at the business from which semen is offered for sale,

(a) a copy of the certificate of registration for a registered boar that is owned by the business;

(b) a full statement concerning the performance record for each boar that has been performance tested from which semen is offered for sale; and

(c) a full statement of the current information pertaining to the performance of the progeny of each boar from which semen is offered for sale through the business. R.R.O. 1980, Reg. 66, s. 28.

29.—(1) Semen collected by a semen-producing business for the purpose of freezing shall be frozen at a laboratory approved by the Commissioner.

(2) Semen shall bear positive identification including identification of the boar and the date and location of collection. R.R.O. 1980, Reg. 66, s. 29.

30.—(1) No semen shall be obtained by a semen-producing business from a boar that does not test negative on tests for brucellosis, tuberculosis and leptospirosis conducted thirty days apart and immediately preceding first use of the boar by the semen-producing business.

(2) An inspector may enter and inspect the premises of a semen-producing business at any time and may conduct such tests as are considered necessary by the Commissioner.

(3) An inspector may obtain and remove samples of semen from a semen-producing business or an inseminating business and cause the samples to be examined to determine whether or not the semen is affected by a condition that would render it harmful or ineffective for inseminating swine.

(4) An inspector may examine books, records and other documents in the premises of a semen-producing business or an inseminating business relating to quality of semen and disposition of semen.

(5) Every boar affected with or exposed to any infectious or contagious disease shall be segregated from all other boars.

(6) The Commissioner may order that semen be destroyed if, in his or her opinion, the boar from which the semen was collected is affected with or has been exposed to an infectious or contagious disease capable of being transmitted in semen.

(7) The Commissioner may order that semen be destroyed if, in his or her opinion, the semen is affected by any condition that would render it harmful or ineffective for inseminating swine. R.R.O. 1980, Reg. 66, s. 30.

31. Every semen-producing business shall conduct such program for the proving of the breeding value of boars as the Commissioner approves. R.R.O. 1980, Reg. 66, s. 31.

32. No person who sells, offers for sale or holds in possession for sale semen from a boar for or on behalf of a semen-producing business shall publish or cause to be published any advertisement or

statement respecting the boar that is untrue, misleading or likely to mislead. R.R.O. 1980, Reg. 66, s. 32.

Issued at Toronto, this ..... day of ....., 19.....

**Form 1**

*Artificial Insemination of Livestock Act*

**APPLICATION FOR A LICENCE TO ENGAGE IN A SEMEN-PRODUCING BUSINESS (CATTLE)**

To The Livestock Commissioner,  
Ministry of Agriculture and Food,  
Legislative Buildings  
Toronto, Ontario.

.....  
(name of applicant)

.....  
(address)

applies for a licence to engage in a semen-producing business (cattle)

for the year ending with the 31st of December, 19..... under the *Artificial Insemination of Livestock Act* and the regulations, and in support of this application, the following facts are stated:

- 1. Business address of applicant: .....
- 2. Name of semen-producing business: .....
- 3. Location of semen-producing business: .....  
(lot and concession, municipality, county, etc., or district)
- 4. Class of licence applied for:.....  
(A or B)

Dated at ....., this ..... day of ....., 19.....  
.....  
(signature of applicant)

R.R.O. 1980, Reg. 66, s. 1.

**Form 2**

*Artificial Insemination of Livestock Act*

**LICENCE TO ENGAGE IN A SEMEN-PRODUCING BUSINESS (CATTLE)**

Year ..... Class ..... No. ....

Under the *Artificial Insemination of Livestock Act* and the regulations, and subject to the limitations thereof, this licence is issued to,

.....  
(name)

.....  
(address)

to engage in a semen-producing business (cattle) at

.....  
(location)

This licence expires with the 31st day of December, 19.....

.....  
(Livestock Commissioner)

R.R.O. 1980, Reg. 66, Form 2.

**Form 3**

*Artificial Insemination of Livestock Act*

**APPLICATION FOR A LICENCE TO ENGAGE IN AN INSEMINATING BUSINESS (CATTLE)**

To The Livestock Commissioner,  
Ministry of Agriculture and Food,  
Legislative Buildings,  
Toronto, Ontario.

.....  
(name of applicant)

.....  
(address)

applies for a licence for the year ending with the 31st day of December, 19..... to engage in an inseminating business (cattle) for the area .....

.....  
under the *Artificial Insemination of Livestock Act* and the regulations, and in support of this application the following fact is stated:

Business address of applicant: .....

Dated at Toronto, this ..... day of ....., 19.....  
.....  
(signature of applicant)

R.R.O. 1980, Reg. 66, Form 3.

**Form 4**

*Artificial Insemination of Livestock Act*

**LICENCE TO ENGAGE IN AN INSEMINATING BUSINESS (CATTLE)**

Year ..... No. ....

Under the *Artificial Insemination of Livestock Act* and the regulations, and subject to the limitations thereof, this licence is issued to,

.....  
(name)

.....  
(address)

to engage in an inseminating business (cattle) for the area .....

This licence expires with the 31st day of December, 19.....

Issued at Toronto, this ..... day of ....., 19.....

.....  
(Livestock Commissioner)

R.R.O. 1980, Reg. 66, Form 4.

**Form 5**

*Artificial Insemination of Livestock Act*

**APPLICATION FOR A LICENCE TO ACT AS AN INSEMINATOR (CATTLE)**

To The Livestock Commissioner,  
Ministry of Agriculture and Food,  
Legislative Buildings,  
Toronto, Ontario.

.....  
(name of applicant)

.....  
(address)

applies for a licence to act as an inseminator (cattle) for the area  
..... under the *Artificial Insemination of Live-  
stock Act* and the regulations for the year ending with the 31st day of  
December, 19.....

Dated at Toronto, this ..... day of ....., 19.....

.....  
(signature of applicant or manager of inseminating  
business where applicable)

R.R.O. 1980, Reg. 66, Form 5.

**Form 6**

*Artificial Insemination of Livestock Act*

**LICENCE TO ACT AS AN INSEMINATOR (CATTLE)**

Year ..... No. ....

Under the *Artificial Insemination of Livestock Act* and the regula-  
tions, and subject to the limitation thereof, this licence is issued to,

.....  
(name)

.....  
(address)

to act as an inseminator (cattle) for the area .....

This licence expires with the 31st day of December, 19.....

Issued at Toronto, this ..... day of ....., 19.....

.....  
(Livestock Commissioner)

R.R.O. 1980, Reg. 66, Form 6.

**Form 7**

*Artificial Insemination of Livestock Act*

**APPLICATION FOR A LICENCE TO ACT AS A SEMEN PROCESSING SUPERVISOR (CATTLE)**

To The Livestock Commissioner,  
Ministry of Agriculture and Food,  
Legislative Buildings,  
Toronto, Ontario.

.....  
(name of applicant)

.....  
(address)

applies for a licence to act as a semen processing supervisor (cattle)  
in connection with .....  
(name of semen-producing business)

under the *Artificial Insemination of Livestock Act* and the regulations  
for the year ending with the 31st day of December, 19.....

Dated at Toronto, this ..... day of ....., 19.....

.....  
(signature of applicant)

R.R.O. 1980, Reg. 66, Form 7.

**Form 8**

*Artificial Insemination of Livestock Act*

**LICENCE TO ACT AS A SEMEN PROCESSING SUPERVISOR (CATTLE)**

Year ..... No. ....

Under the *Artificial Insemination of Livestock Act* and the regula-  
tions, and subject to the limitations thereof, this licence is issued to,

.....  
(name)

.....  
(address)

to act as a semen processing supervisor (cattle) in connection with  
.....  
(name of semen-producing business)

and such other semen-producing business as may be required under  
the said Act and regulations.

This licence expires with the 31st day of December, 19.....

.....  
(Livestock Commissioner)

R.R.O. 1980, Reg. 66, Form 8.

**Form 9**

*Artificial Insemination of Livestock Act*

**APPLICATION FOR A LICENCE TO ENGAGE IN A SEMEN-PRODUCING BUSINESS (SWINE)**

To The Livestock Commissioner,  
Ministry of Agriculture and Food,  
Legislative Buildings,  
Toronto, Ontario.

.....  
(name of applicant)

.....  
(address)

applies for a licence to engage in a semen-producing business (swine) for the year ending with the 31st day of December, 19..... under the *Artificial Insemination of Livestock Act* and the regulator and in support of this application, the following facts are stated:

- 1. Business address of applicant: .....
- 2. Name of semen-producing business: .....
- 3. Location of semen-producing business: .....
- .....  
    (lot and concession, municipality, county, etc., district)
- 4. Where applicant is a corporation without share capital, state number of members: .....
- 5. Breed or breeds to be serviced: .....
- 6. Service fee charged: .....

Dated at Toronto, this ..... day of ....., 19.....  
.....  
(signature of applicant)

R.R.O. 1980, Reg. 66, Form 9.

**Form 10**

*Artificial Insemination of Livestock Act*

**LICENCE TO ENGAGE IN A SEMEN-PRODUCING BUSINESS (SWINE)**

Year ..... Class ..... No. ....

Under the *Artificial Insemination of Livestock Act* and the regulations, and subject to the limitations thereof, this licence is issued to,

.....  
(name)

.....  
(address)

to engage in a semen-producing business (swine) at .....  
(location)

This licence expires with the 31st day of December, 19.....

Issued at Toronto, this ..... day of ....., 19.....  
.....  
(Livestock Commissioner)

R.R.O. 1980, Reg. 66, Form 10.

**Form 11**

*Artificial Insemination of Livestock Act*

**APPLICATION FOR A LICENCE TO ENGAGE IN AN INSEMINATING BUSINESS (SWINE)**

To The Livestock Commissioner,  
Ministry of Agriculture and Food,  
Legislative Buildings,  
Toronto, Ontario.

.....  
(name of applicant)

.....  
(address)

applies for a licence for the year ending with the 31st day of December, 19..... to engage in an inseminating business (swine) for the area .....

.....  
under the *Artificial Insemination of Livestock Act* and the regulations, and in support of this application the following fact is stated:

Business address of applicant: .....

Dated at Toronto, this ..... day of ....., 19.....  
.....  
(signature of applicant)

R.R.O. 1980, Reg. 66, Form 11.

**Form 12**

*Artificial Insemination of Livestock Act*

**LICENCE TO ENGAGE IN AN INSEMINATING BUSINESS (SWINE)**

Year ..... No. ....

Under the *Artificial Insemination of Livestock Act* and the regulations, and subject to the limitations thereof, this licence is issued to,

.....  
(name)

.....  
(address)

to engage in an inseminating business (swine) for the area .....

This licence expires with the 31st day of December, 19.....

Issued at Toronto, this ..... day of ....., 19.....



.....  
(Livestock Commissioner)

R.R.O. 1980, Reg. 66, Form 12.

**Form 13**

*Artificial Insemination of Livestock Act*

**APPLICATION FOR A LICENCE TO ACT AS AN  
INSEMINATOR (SWINE)**

To The Livestock Commissioner,  
Ministry of Agriculture and Food,  
Legislative Buildings,  
Toronto, Ontario.

.....  
(name of applicant)

.....  
(address)

applies for a licence to act as an inseminator (swine) for the area  
..... under the *Artificial Insemination of Live-  
stock Act* and the regulations for the year ending with the 31st day of  
December, 19.....

Dated at Toronto, this ..... day of ....., 19.....

.....  
(signature of applicant or manager of  
inseminating business where applicable)

R.R.O. 1980, Reg. 66, Form 13.

**Form 14**

*Artificial Insemination of Livestock Act*

**LICENCE TO ACT AS AN INSEMINATOR (SWINE)**

Year ..... No. ....

Under the *Artificial Insemination of Livestock Act* and the regula-  
tions, and subject to the limitations thereof, this licence is issued to,

.....  
(name)

.....  
(address)

to act as an inseminator (swine) for the area .....

This licence expires with the 31st day of December, 19.....

Issued at Toronto, this ..... day of ....., 19.....

.....  
(Livestock Commissioner)

R.R.O. 1980, Reg. 66, Form 14.

**Form 15**

*Artificial Insemination of Livestock Act*

**APPLICATION FOR A LICENCE TO ACT AS A SEMEN  
PROCESSING SUPERVISOR (SWINE)**

To The Livestock Commissioner,  
Ministry of Agriculture and Food,  
Legislative Buildings,  
Toronto, Ontario.

.....  
(name of applicant)

.....  
(address)

applies for a licence to act as a semen-processing supervisor (swine)  
in connection with .....

.....  
(name of semen-producing business)

under the *Artificial Insemination of Livestock Act* and the regulations  
for the year ending with the 31st day of December, 19.....

Dated at Toronto, this ..... day of ....., 19.....

.....  
(signature of applicant)

R.R.O. 1980, Reg. 66, Form 15.

**Form 16**

*Artificial Insemination of Livestock Act*

**LICENCE TO ACT AS A SEMEN-PRODUCING  
SUPERVISOR (SWINE)**

Year ..... No. ....

Under the *Artificial Insemination of Livestock Act* and the regula-  
tions, and subject to the limitations thereof, this licence is issued to,

.....  
(name)

.....  
(address)

to act as a semen-producing supervisor (swine) in connection with .....

.....  
(name of semen-producing business)

and such other semen-producing business as may be required under  
the said Act and regulations.

This licence expires with the 31st day of December, 19.....

.....  
(Livestock Commissioner)

R.R.O. 1980, Reg. 66, Form 16.



**Assessment Act**  
***Loi sur l'évaluation foncière***

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**REGULATION 29**

**APPLICATION FOR DIRECTION OF SCHOOL  
SUPPORT**

1. An application for direction of school support referred to in subsection 16 (3) of the Act shall be in Form 1. O. Reg. 627/88, s. 1.

2. An application for direction of school support may be submitted by an agent of the applicant. O. Reg. 627/88, s. 2.

3. Where the assessment commissioner approves an application

under subsection 16 (7) of the Act, the commissioner shall mail a copy of the approved application to the applicant. O. Reg. 627/88, s. 3.

4. An application for direction of school support referred to in subsection 16 (4) of the Act shall be in Form 2. O. Reg. 398/89, s. 1.

5. A notice by a corporation for direction of school support shall be in Form 3 or 4, as the case requires. O. Reg. 249/90, s. 1, *part*.

6. A notice by a partnership for direction of school support shall be in Form 5 or 6, as the case requires. O. Reg. 249/90, s. 1, *part*.

**Form 1/Formule 1**

*Assessment Act/Loi sur l'évaluation foncière*

**Application for Direction of School Support  
Demande d'affectation des impôts scolaires**

To: The Regional Assessment Commissioner  
Au: Commissaire régional à l'évaluation

NBHD Quartier	City Comté	Mun. Municip.	Map/Div Carte/Div.	Map/Sub Carte/Lotiss.	Parcel Parcelle	Prim/Sub Prim/Lotiss.
------------------	---------------	------------------	-----------------------	--------------------------	--------------------	--------------------------

Address: Adresse:

Please enter or revise my school support designation on the Assessment Roll in accordance with the following information:  
Veuillez inscrire ou modifier l'affectation de mes impôts scolaires sur le rôle d'évaluation selon les renseignements ci-dessus.

<b>Municipality / Municipalité</b>	<b>Property Location / Emplacement de la propriété</b>			Unit/Apt Logement App.	Residence Tel. No. / N° de tel. (domicile)
<b>Mailing Address - if different from above / Adresse postale (si différente de celle figurant ci-dessus)</b>	City / Ville	Province	Country / Pays	Postal Code / Code postal	<b>Complete for rural areas only À ne remplir que dans les zones rurales</b> Lot No. / N° de lot   Plan/Conc. No. / N° de plan/conc.
<b>Business Address - If self-employed or in partnership in business / Adresse commerciale (Travailleurs indépendants ou associés d'une entreprise)</b>					Business Tel. No. / N° de tel. (bureau)
List other properties that you own or rent in the Municipality or Region / Indiquez les autres propriétés que vous possédez ou louez dans la municipalité ou la région					

The statistical information is essential and is required by the Provincial Government for new owners and tenants, new school registrations and changes of address.  
Les renseignements statistiques sont essentiels et exigés par le gouvernement provincial pour les nouveaux propriétaires ou locataires, les nouvelles inscriptions à l'école et les changements d'adresse.

For School Board Use Only Réservé au conseil scolaire							② Occupancy Occupant	③ Residency Domicile	④ School Support Soutien scolaire	⑤ French Language Education Rights Droits à l'enseignement en langue française		
							1 Owner Propriétaire	1 Live in the unit described above? Habitez-vous au logement indiqué ci-dessus?	Are you Roman Catholic? (see below) Étes-vous catholique? (voir ci-dessous)	Are you a Supporter/Elector for Étes-vous contribuable/électeur ou électrice des écoles P Public publiques S Separate séparées	Do you have the right to be a French language elector for school board elections? (see below) Avez-vous le droit de voter à l'élection des membres du conseil scolaire en tant qu'électeur ou électrice francophone? (voir ci-dessous)	If yes do you wish to vote for Si oui voulez-vous voter pour F French-Trustees Conseillers francophones E/A English-Trustees Conseillers anglophones
							2 Tenant Locataire	2 Live elsewhere in municipality? Habitez-vous ailleurs dans cette municipalité?				
							3 Spouse Conjoint	3 Live in another municipality? Habitez-vous dans une autre municipalité?				
							4 Child Other Enfant autre	4 Live elsewhere on this property? Habitez-vous ailleurs sur cette propriété?				
① List all residents/owners/tenants Inscrivez le nom de tous les résidents/propriétaires/locataires							1 2 3 4	1 2 3 4	yes oui no non	P S	yes oui no non	F E/A
Male Homme Femme Femme	Business Commerce etc	Birthdate Date de naissance	year année	month mois	Canadian Citizen Citoyen canadien	yes oui no non	yes oui no non	P S	yes oui no non	F E/A		

<p><b>④ School Support</b>                  The option to be a separate school elector/supporter is available only to Roman Catholics (which includes Greek and Ukrainian Catholics in union with the See of Rome). The Education Act permits Roman Catholics who are owners or tenants of property located in a separate school zone to direct the education portion of their property tax to the Separate School Board if they so desire. Any Roman Catholic living in a separate school zone may be a separate school elector if (s)he so desires.  <b>Any queries on specific school support problems should be addressed to your local Separate or Public School Board.</b></p>		<p><b>④ Soutien scolaire</b>                  Seuls les catholiques (y compris les catholiques de rite grec et ukrainien unis au Saint-Siège de Rome) ont le droit d'être électeurs ou électrices des écoles séparées ou d'affecter leurs impôts scolaires au conseil des écoles séparées. Si vous êtes catholique et propriétaire ou locataire d'une propriété située dans une zone d'écoles séparées, la Loi sur l'éducation vous autorise à affecter vos impôts scolaires au conseil des écoles séparées. Si vous êtes catholique et vous habitez dans une zone d'écoles séparées vous avez le droit d'être électeur ou électrice des écoles séparées. Pour tout renseignement au sujet du soutien scolaire, veuillez vous adresser au bureau régional du conseil des écoles séparées ou publiques.</p>		Whole House / Maison entière	Base Apt / App. au sous-sol	1st Floor / Rez-de-chaussée	2nd Floor / 2e étage	3rd Floor / 3e étage	Owner or tenant of this property since / Propriétaire ou locataire de cette propriété depuis	
<p><b>⑤ French Language Education Rights</b>                  In communities where a school board operates both French and English schools, trustees will be elected to the school board to represent the minority language group (French or English). You have the right to vote for French language trustees if you are qualified to vote and can answer Yes to any one of these three questions:                  1. Is French the language you first learned and still understand?                  2. Did you receive your elementary school instruction in Canada in French?                  3. Have any of your children received, or are they now receiving elementary or secondary school instruction in Canada in French?                  *This does NOT include French immersion or French as a second language.</p>		<p><b>⑤ Droits à l'enseignement en langue française</b>                  Dans les localités où un conseil scolaire administre des écoles françaises et des écoles anglaises, des conseillers scolaires sont élus pour représenter le groupe linguistique minoritaire (francophone ou anglophone). Vous avez le droit d'être des conseillers scolaires de langue française si vous avez le droit de vote et que vous répondez OUI à l'une de ces trois questions:                  1. Le français est-il la première langue que vous avez apprise et le comprenez-vous encore?                  2. Avez-vous fait vos études élémentaires au Canada en français?                  3. Avez-vous un ou des enfants qui ont fait ou qui font présentement des études élémentaires ou secondaires au Canada en français?                  *À L'EXCLUSION des programmes d'immersion ou de français langue seconde!</p>		Indicate (✓) area occupied / Cocher les pièces occupées					19	
Name of School Board Agent / Nom du conseil scolaire mandataire		Is hereby authorized to act as agent in matters of school support designation in respect to the above mentioned property(ies) on behalf of the undersigned. est autorisé par la présente à agir en tant que mandataire pour les questions relatives à l'affectation des impôts scolaires en ce qui concerne la/les propriété(s) mentionnée(s) ci-dessus au nom du soussigné								
Signature of Owner or Tenant / Signature du propriétaire ou du locataire	Date / 19	Month / Mois	Day / Jour	Signature of Owner or Tenant / Signature du propriétaire ou du locataire	Date / 19	Month / Mois	Day / Jour			
This Application is: / Cette demande est : <input type="checkbox"/> Approved / Approuvée <input type="checkbox"/> Refused / Rejetée				Signature of Assessment Commissioner / Signature du commissaire à l'évaluation		Date / 19			Month / Mois	Day / Jour
Reason for Refusal / Motifs du refus										
For School Board Use Only / Réserve au conseil scolaire										

O. Reg. 398/89, s. 2, revised.

Form 2/Formule 2

Assessment Act/Loi sur l'évaluation foncière

Application for Direction of School Support  
Demande d'affectation des impôts scolaires

To: The Regional Assessment Commissioner:  
Au: Commissaire régional à l'évaluation:

NBHD Quartier	City Comté	Mun Municip	Map/Div Carte/Div.	Map/Sub Carte/Lotss	Parcel Parcelle	Prim/Sub Prim/Lotss
------------------	---------------	----------------	-----------------------	------------------------	--------------------	------------------------

Address: Adresse

Please enter or revise my school support designation on the Assessment Roll in accordance with the following information.  
Veuillez inscrire ou modifier l'affectation de mes impôts scolaires sur le rôle d'évaluation selon les renseignements ci-dessus.

Municipality / Municipalité	Property Location / Emplacement de la propriété	Unit/Apt / Logement/App.	Residence Tel. No. / N° de tél. (résidentiel)
Mailing Address - if different from above / Adresse postale (s. différente de celle figurant ci-dessus) City / Ville Province Country / Pays Postal Code / Code postal		Complete for rural areas only / À ne remplir que dans les zones rurales Lot No. / N° de lot Plan/Conc. No. / N° de plan/conc.	
Business Address - If self-employed or in partnership in business / Adresse commerciale (Travailleurs indépendants ou associés d'une entreprise)			Business Tel. No. / N° de tél. (bureau)
List other properties that you own or rent in the Municipality or Region / Indiquez les autres propriétés que vous possédez ou louez dans la municipalité ou la région			

The statistical information is essential and is required by the Provincial Government for new owners and tenants, new school registrations and changes of address.  
Les renseignements statistiques sont essentiels et exigés par le gouvernement provincial pour les nouveaux propriétaires ou locataires, les nouvelles inscriptions à l'école et les changements d'adresse.

For School Board Use Only Réservé au conseil scolaire	② Occupancy Occupant	③ Residency Domicile	④ School Support / Soutien scolaire Complete sections A, B, C / Remplir les sections A, B, C		
	1 Owner Propriétaire 2 Tenant Locataire 3 Spouse Conjoint 4 Child Other Enfant autre	1 Live in the unit described above? Habitez-vous au logement indiqué ci-dessus? 2 Live elsewhere in municipality? Habitez-vous ailleurs dans cette municipalité? 3 Live in another municipality? Habitez-vous dans une autre municipalité? 4 Live elsewhere on this property? Habitez-vous ailleurs sur cette propriété?	Do you wish to be a Supporter / Elector for Desirez-vous être contribuable / électeur ou éléctrice des écoles P Public publiques FP French-Public (must have French Language Education Rights) S Separate (must be Roman Catholic) séparées (vous devez être catholique) Are you Roman Catholic? (see below) Étes-vous catholique? (voir ci-dessous) Do you have French Language Education Rights? (see below) Avez-vous droit à l'enseignement en langue française? (voir ci-dessous)		
① List all residents/owners/tenants Inscrivez le nom de tous les résidents/propriétaires/locataires					
Male Homme Female Femme	Business Commerce etc	Birthdate Date de naissance	yes oui	no non	Canadian Citizen Citoyen canadien yes oui no non
1 o	2 v	3 o	4 o	1 u	2 u
1 o	2 v	3 o	4 o	1 u	2 u
yes oui	no non	yes oui	no non	yes oui	no non
yes oui	no non	yes oui	no non	yes oui	no non
yes oui	no non	yes oui	no non	yes oui	no non
yes oui	no non	yes oui	no non	yes oui	no non

<p><b>4 School Support</b> The option to be a separate school elector/supporter is available only to a Roman Catholic (which includes a Greek and Ukrainian Catholic in union with the See of Rome). The Education Act permits Roman Catholics who are owners or tenants of property located in a separate school zone to direct the education portion of their property tax to the Separate School Board if they so desire. Any Roman Catholic living in a separate school zone may be a separate school elector if (s)he so desires. <b>Any queries on specific school support problems should be addressed to your local School Board.</b></p>	<p><b>4 Soutien scolaire</b> Seuls les catholiques (y compris les catholiques de rite grec et ukrainien unis au Saint-Siège de Rome) ont le droit d'être électeurs ou électrices des écoles séparées ou d'affecter leurs impôts scolaires au conseil des écoles séparées. Si vous êtes catholique et propriétaire ou locataire d'une propriété située dans une zone d'écoles séparées, la Loi sur l'éducation vous autorise à affecter vos impôts scolaires au conseil des écoles séparées. Si vous êtes catholique et vous habitez dans une zone d'écoles séparées vous avez le droit d'être électeur ou électrice des écoles séparées. Pour tout renseignement au sujet du soutien scolaire, veuillez vous adresser au conseil scolaire local.</p>	<p>Whole House Maison entière</p>	<p>Base Apt App au sous-sol</p>	<p>1st Floor Rez-de-chaussée</p>	<p>2nd Floor 2e étage</p>	<p>3rd Floor 3e étage</p>	<p>Owner or tenant of this property since Propriétaire ou locataire de cette propriété depuis Month Day Mois Jour</p>
<p><b>5 French Language Education Rights</b> In communities where a French language school board has been established property owners and tenants who have French language education rights under the Charter may choose to direct the education portion of their property tax to the French language school board. You have French language education rights if you are a Canadian citizen and can answer "Yes" to any one of these three questions: 1. Is French the language you first learned and still understand? 2. Did you receive your elementary school instruction in Canada in French? 3. Have any of your children received or are they now receiving elementary or secondary school instruction in Canada in French? *This does NOT include French immersion or French as a second language! To support the Roman Catholic sector of a French language school board, you must be Roman Catholic in addition to having French language education rights.</p>	<p><b>5 Droits à l'enseignement en langue française</b> Dans les localités où un conseil scolaire de langue française a été créé, les propriétaires et locataires qui ont droit à l'enseignement en langue française en vertu de la Charte peuvent choisir d'affecter la portion de leur impôt foncier relative à l'enseignement au conseil scolaire de langue française. Vous avez droit à l'enseignement en langue française si vous avez la citoyenneté canadienne et que vous pouvez répondre "oui" à l'une de ces trois questions: 1. Le français est-il la première langue que vous avez apprise et le comprenez-vous encore? 2. Avez-vous fait vos études élémentaires au Canada en français? 3. Avez-vous un ou des enfants qui ont fait ou qui font présentement des études élémentaires ou secondaires au Canada en français? * (À L'EXCLUSION des programmes d'immersion ou de français langue seconde) Pour avoir le droit de soutenir la section catholique d'un conseil scolaire de langue française, vous devez être catholique en plus d'avoir droit à l'enseignement en langue française.</p>	<p>Indicate (x) area occupied Cochez les cases occupées</p>	<p>▲</p>	<p>▲</p>	<p>▲</p>	<p>19</p>	<p>If not whole house indicate no. of rooms Indiquer le nombre de pièces occupées si vous n'occupez pas toute la maison</p>
<p>Name of School Board Agent / Nom du conseil scolaire/mandataire</p>		<p>Is hereby authorized to act as agent in matters of school support designation in respect to the above mentioned property(ies) on behalf of the undersigned. est autorisé par la présente à agir en tant que mandataire pour les questions relatives à l'affectation des impôts scolaires en ce qui concerne la/les propriété(s) mentionnée(s) ci-dessus au nom du soussigné.</p>					
<p>Signature of Owner or Tenant / Signature du propriétaire ou du locataire</p>	<p>Date Month / Mois Day / Jour 19</p>	<p>Signature of Owner or Tenant / Signature du propriétaire ou du locataire</p>	<p>Date Month / Mois Day / Jour 19</p>				
<p><b>This Application is:</b> <input type="checkbox"/> Approved / <input type="checkbox"/> Refused <b>Cette demande est :</b> <input type="checkbox"/> Approuvée / <input type="checkbox"/> Rejetée Reasons for Refusal / Motifs du refus:</p>	<p>Signature of Assessment Commissioner / Signature du commissaire à l'évaluation</p>	<p>Date Month / Mois Day / Jour 19</p>					

O. Reg. 398/89, s. 3, revised.

**Form 3**

**NOTICE BY CORPORATION  
FOR DIRECTION OF SCHOOL SUPPORT**

EDUCATION ACT R.S.O. 1990, CHAPTER E.2, SECTION 112

To the Regional Assessment Commissioner:

TAKE NOTICE that .....  
(name of corporation)  
pursuant to a resolution of the directors requires that until this notice  
is withdrawn, varied or cancelled, ..... per cent of the assessment for  
land and business or other assessments of the corporation within  
.....  
(municipality)

be entered, rated and assessed for separate school purposes. The  
remainder of the assessment, if any, will be entered and assessed for  
public school purposes, pursuant to subsection 112 (5) of the  
*Education Act*, as amended.

The portion of the assessment to be entered, rated and assessed  
for separate school purposes does not bear a greater proportion to  
the whole of the assessment than the number of shares held by sepa-  
rate school supporters in the corporation bears to the total number of  
shares of the corporation issued and outstanding.

Any previous notice given under this section or any predecessor  
thereof is hereby cancelled.

Given on behalf of the corporation this ..... day of  
....., 19.....

Signed .....  
Name (Printed) .....  
Authorized Signing Officer .....  
(Title)  
O. Reg. 249/90, s. 2, part.

**Form 4**

**NOTICE BY CORPORATION  
FOR DIRECTION OF SCHOOL SUPPORT**

OTTAWA-CARLETON FRENCH-LANGUAGE SCHOOL  
BOARD ACT, CHAPTER O.44,  
SECTION 17

To the Assessment Commissioner, Assessment Region No. 3:

TAKE NOTICE that .....  
(name of corporation)  
pursuant to a resolution of the directors requires that until this notice  
is withdrawn, varied or cancelled, the assessment for land and busi-  
ness or other assessments of the corporation within .....  
(municipality)

be entered, rated and assessed as follows:

.....per cent for the purposes of the Roman Catholic sector of The  
Ottawa-Carleton French-language School Board;

.....per cent for the purposes of The Ottawa Roman Catholic Sepa-  
rate School Board or The Carleton Roman Catholic Separate School  
Board, as the case requires;

.....per cent for the purposes of the public sector of The Ottawa-  
Carleton French-language School Board. The remainder of the  
assessment, if any, will be entered and assessed for the purposes of  
The Ottawa Board of Education or The Carleton Board of Educa-  
tion, as the case requires, pursuant to subsection 17 (6) of the  
*Ottawa-Carleton French-Language School Board Act*.

The portion of the assessment to be entered, rated and assessed  
for the purposes of The Ottawa Roman Catholic Separate School  
Board or The Carleton Roman Catholic Separate School Board, as  
the case requires, does not bear a greater proportion to the whole of  
the assessment than the number of shares in the corporation held by  
separate school supporters, who are not supporters of the Roman  
Catholic sector, bears to the total number of shares of the corpora-  
tion issued and outstanding.

The portion of the assessment to be entered, rated and assessed  
for the purposes of a sector of The Ottawa-Carleton French-language  
School Board does not bear a greater proportion to the whole of the  
assessment than the number of shares in the corporation held by sup-  
porters of that sector bears to the total number of shares of the cor-  
poration issued and outstanding.

Any previous notice given under this section or any predecessor  
thereof is hereby cancelled.

Given on behalf of the corporation this ..... day of  
....., 19.....

Signed .....  
Name (Printed) .....  
Authorized Signing Officer .....  
(Title)  
O. Reg. 249/90, s. 2, part.

**Form 5**

**NOTICE BY PARTNERSHIP  
FOR DIRECTION OF SCHOOL SUPPORT**

EDUCATION ACT R.S.O. 1990, CHAPTER E.2, SECTION 112

To the Regional Assessment Commissioner:

TAKE NOTICE that (1) I am a partner in .....  
(name of partnership)  
and (2) the partnership directs that, until this notice is withdrawn,  
varied or cancelled, ..... per cent of the assessment for land  
and business or other assessments of the partnership located at  
.....  
(address)  
within .....  
(municipality)

be entered, rated and assessed for separate school purposes. The  
remainder of the assessment, if any, will be entered and assessed for  
public school purposes, pursuant to subsection 112 (5) of the  
*Education Act*, as amended.

The portion of the assessment to be entered, rated and assessed  
for separate school purposes does not bear a greater proportion to  
the whole of the assessment than the percentage interest in the part-  
nership held by separate school supporters bears to the whole inter-  
est in the partnership.

Any previous notice given under this section or any predecessor  
thereof is hereby cancelled.



Given on behalf of the partnership this ..... day of  
 ....., 19.....

Signed .....  
 (Partner)

Name (Printed) .....  
 O. Reg. 249/90, s. 2, part.

Given on behalf of the partnership this ..... day of  
 ....., 19.....

Signed .....  
 (Partner)

Name (Printed) .....  
 O. Reg. 249/90, s. 2, part.

**Form 6**

**NOTICE BY PARTNERSHIP  
 FOR DIRECTION OF SCHOOL SUPPORT**

**OTTAWA-CARLETON FRENCH-LANGUAGE SCHOOL  
 BOARD ACT, CHAPTER O.44, SECTION 17**

To the Assessment Commissioner, Assessment Region No. 3:

TAKE NOTICE that (1) I am a partner in .....  
 (name of partnership)

and (2) the partnership directs that, until this notice is withdrawn,  
 varied or cancelled, the assessment for land and business or other  
 assessments of the partnership located at .....  
 (address)

within .....be entered, rated and assessed as follows:  
 (municipality)

.....per cent for the purposes of the Roman Catholic sector of The  
 Ottawa-Carleton French-language School Board;

.....per cent for the purposes of The Ottawa Roman Catholic Sepa-  
 rate School Board or The Carleton Roman Catholic Separate School  
 Board, as the case requires;

.....per cent for the purposes of the public sector of The Ottawa-  
 Carleton French-language School Board. The remainder of the  
 assessment, if any, will be entered and assessed for the purposes of  
 The Ottawa Board of Education or The Carleton Board of Educa-  
 tion, as the case requires, pursuant to subsection 17 (6) of the  
*Ottawa-Carleton French-Language School Board Act.*

The portion of the assessment to be entered, rated and assessed  
 for the purposes of The Ottawa Roman Catholic Separate School  
 Board or The Carleton Roman Catholic Separate School Board, as  
 the case requires, does not bear a greater proportion to the whole of  
 the assessment than the percentage interest in the partnership held  
 by separate school supporters, who are not supporters of the Roman  
 Catholic sector, bears to the whole interest in the partnership.

The portion of the assessment to be entered, rated and assessed  
 for the purposes of a sector of The Ottawa-Carleton French-language  
 School Board does not bear a greater proportion to the whole of the  
 assessment than the percentage interest in the partnership held by  
 supporters of that sector bears to the whole interest in the partner-  
 ship.

Any previous notice given under this section or any predecessor  
 thereof is hereby cancelled.

**REGULATION 30**

**ASSESSMENT AREAS AND REGIONS**

1. The following assessment areas are established:

1. The Eastern Ontario Assessment Area consisting of:

- i. Assessment Region Number 1
- ii. Assessment Region Number 2
- iii. Assessment Region Number 3
- iv. Assessment Region Number 4
- v. Assessment Region Number 5
- vi. Assessment Region Number 6
- vii. Assessment Region Number 7

as established by section 2.

2. The Central Ontario Assessment Area consisting of:

- i. Assessment Region Number 9
- ii. Assessment Region Number 10
- iii. Assessment Region Number 11
- iv. Assessment Region Number 12
- v. Assessment Region Number 13
- vi. Assessment Region Number 14
- vii. Assessment Region Number 15
- viii. Assessment Region Number 16
- ix. Assessment Region Number 17

as established by section 2.

3. The Western Ontario Assessment Area consisting of:

- i. Assessment Region Number 18
- ii. Assessment Region Number 19
- iii. Assessment Region Number 20
- iv. Assessment Region Number 21
- v. Assessment Region Number 22
- vi. Assessment Region Number 23
- vii. Assessment Region Number 24

- viii. Assessment Region Number 25
- ix. Assessment Region Number 26
- x. Assessment Region Number 27
- as established by section 2.
4. The Northern Ontario Assessment Area consisting of:
- i. Assessment Region Number 28
  - ii. Assessment Region Number 29
  - iii. Assessment Region Number 30
  - iv. Assessment Region Number 31
  - v. Assessment Region Number 32
- as established by section 2. O. Reg. 144/82, s. 1.
2. The following Assessment Regions are established:
1. Assessment Region Number 1, consisting of the counties of Prescott, Russell, Glengarry, Stormont and Dundas.
  2. Assessment Region Number 2, consisting of the counties of Grenville, Lanark and Leeds.
  3. Assessment Region Number 3, consisting of The Regional Municipality of Ottawa-Carleton.
  4. Assessment Region Number 4, consisting of the County of Renfrew.
  5. Assessment Region Number 5, consisting of the counties of Lennox, Addington and Frontenac.
  6. Assessment Region Number 6, consisting of the counties of Hastings, Prince Edward Island and Northumberland.
  7. Assessment Region Number 7, consisting of the counties of Haliburton, Victoria and Peterborough.
  8. Assessment Region Number 9, consisting of the City of Toronto.
  9. Assessment Region Number 10, consisting of the City of North York.
  10. Assessment Region Number 11, consisting of the City of Scarborough and the Borough of East York.
  11. Assessment Region Number 12, consisting of the cities of Etobicoke and York.
  12. Assessment Region Number 13, consisting of The Regional Municipality of Durham.
  13. Assessment Region Number 14, consisting of The Regional Municipality of York.
  14. Assessment Region Number 15, consisting of The Regional Municipality of Halton and The Regional Municipality of Peel.
  15. Assessment Region Number 16, consisting of the County of Simcoe.
  16. Assessment Region Number 17, consisting of The District Municipality of Muskoka.
  17. Assessment Region Number 18, consisting of The Regional Municipality of Niagara.
  18. Assessment Region Number 19, consisting of The Regional Municipality of Hamilton-Wentworth.
  19. Assessment Region Number 20, consisting of the County of Brant and The Regional Municipality of Haldimand-Norfolk.
  20. Assessment Region Number 21, consisting of The Regional Municipality of Waterloo.
  21. Assessment Region Number 22, consisting of the counties of Wellington and Dufferin.
  22. Assessment Region Number 23, consisting of the counties of Middlesex, Elgin and Oxford.
  23. Assessment Region Number 24, consisting of the counties of Huron and Perth.
  24. Assessment Region Number 25, consisting of the counties of Grey and Bruce.
  25. Assessment Region Number 26, consisting of the counties of Lambton and Kent.
  26. Assessment Region Number 27, consisting of the County of Essex.
  27. Assessment Region Number 28, consisting of the territorial district of Nipissing and Perry Sound.
  28. Assessment Region Number 29, consisting of the territorial districts of Cochrane and Timiskaming.
  29. Assessment Region Number 30, consisting of the territorial districts of Sudbury and Manitoulin.
  30. Assessment Region Number 31, consisting of the Territorial District of Algoma.
  31. Assessment Region Number 32, consisting of the territorial districts of Thunder Bay, Kenora and Rainy River. O. Reg. 144/82, s. 2.

**REGULATION 31  
ASSESSMENT NOTICES**

1. A notice of assessment under subsection 31 (1) of the Act shall be in Form 1 or Form 2, as the case requires. O. Reg. 3/87, s. 1.

**Form 1**

*Assessment Act*



**Notice of Property Valuation  
(Notice of Assessment)**

① Effective From	Property Identifier (Roll Number)	Neighbourhood
	Municipality	

This Notice of Property Valuation shows the Assessed Value of the property which you own or occupy. This assessment is the value on which property taxes (municipal and education) will be levied based on mill rates calculated by your municipality. Mill rates are established to raise the funds to meet municipal, county or region and school board needs.

The relationship between assessment and tax is **Assessed Value X Mill Rate = Taxes.**

*Additional information about the numbered items can be found on the reverse side.*

Name and Address of Person(s) Assessed

② School Support Designation

Location and Description of Property

Frontage                  Depth                  Area

③ For the purpose of Assessment, this property is classed as	④ Estimated Market Value in	⑤ Property Class % X	=	<b>Assessed Value</b>	⑥ Type of Mill Rate to be used for Taxation	⑦ Business Assessment

If you require any assistance, please contact the Regional Assessment Office at

You may meet with an assessor to discuss any of the information shown on this Notice at the Open House Session(s) listed below.

An amended Notice will be issued if a correction should be made to any information shown on this Notice before

**Notice of Complaint under section 39 of the Assessment Act (Appeal)**  
If you believe you have been improperly assessed, you or your agent may lodge a complaint by completing the reverse side and forwarding to

**Important:**

If your previous assessment is under appeal at the time you receive this Notice, or if this Notice does not reflect the most recent decision of the Board, it is necessary that you again lodge a complaint with the Assessment Review Board against this assessment.

Regional Registrar, Assessment Review Board	Mail Complaint by
Property Identifier (Roll Number)	Neighbourhood

**Complaint Procedurea (Appeal)**  
(Section 39 of the Assessment Act, R.S.O. 1990, Chapter A.31)

To lodge a complaint against your assessment, state your reason(s) in the space below, sign and forward this 'cut off' portion to the Regional Registrar at the address shown on the front of this Notice.

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Name of Complainant or Agent	Mailing Address	Street	City	Province	Postal Code
Residence Telephone No	Business Telephone No		Signature of Complainant or Agent		

If you wish to lodge a complaint against your assessment and retain this Notice, include the following information on a separate sheet of paper headed "Notice of Complaint", and forward to the Regional Registrar at the address shown on the front of this Notice.

1. Name, Mailing Address, Telephone No. of Complainant or Agent.
2. Location and Description of Property that is the subject of the complaint – (see front of Notice).
3. Assessment Property Identifier (Roll Number) – (see front of Notice).
4. Reason(s) for complaint.
5. Signature of Complainant or Agent.

**Additional Information**

**Note:** Residential tenants who do not pay municipal property taxes directly will not receive individual tax bills.

- ① **Effective From:**  
The information on this Notice will be used to calculate and direct property taxes from the date shown. You will receive a Notice only when there has been a change to the information contained in the assessment records or this assessment is under appeal at year end.
- ② **School Support Designation:**  
A portion of your property taxes supports either the "public" or "separate" school system. The occupant of property is responsible for determining the direction of school taxes; however, only Roman Catholic ratepayers including Catholics of the Greek or Ukrainian Rite in union with the See of Rome, may choose to support separate schools. All others must support public schools. All requests to change School Support must be in writing to the Regional Assessment Office, at the address shown on the front of this Notice.
- ③ **Property Class:**  
Each property is assigned to one or more of the following property classes for assessment purposes:
 

• Residential (1-6 units)	• Commercial
• Multi-Residential (7 or more units)	• Industrial
• Farm	

This classification is based on factors such as design, use, ownership and zoning.
- ④ **Estimated Market Value:**  
In reassessed municipalities an estimate of the most likely selling price in a specified year is determined for each property. Under the Section 58 Reassessment Program, the Estimated Market Value is then multiplied by the Property Class % to determine the Assessed Value.
- ⑤ **Property Class %:**  
One Property Class % is established for each of the classes of property (see ③ above) in a municipality which has been reassessed under the Section 58 Reassessment Program. This percentage, when multiplied by the Estimated Market Value ( ④ ), provides the Assessed Value for taxation purposes.
- ⑥ **Mill Rate To Be Used:**  
All property is taxed at either the "residential" or "commercial" mill rate. These rates are established annually by your municipality to fund municipal, county or region and school board needs. The mill rate is the effective tax rate set by your municipality to levy a specified amount of tax for each \$1,000 of assessment.
- ⑦ **Business Assessment:**  
Where a property or a portion of a property is occupied for business purposes, a Business Assessment is calculated by multiplying the Assessed Value by the appropriate business percentage. Business percentages are determined by the type of business carried on, in accordance with section 7 of the Assessment Act. The Business Assessment is taxed at the "commercial" mill rate. (Note: The minimum Business Assessment is \$100.)

**Form 2**  
**Formule 2**

*Assessment Act*  
*Loi sur l'évaluation foncière*



**Notice of Property Valuation**  
**(Notice of Assessment)**  
**Avis d'estimation de propriétés**  
**(Avis d'évaluation foncière)**

① Effective From / Date de prise d'effet	Property Identifier (Roll Number) / Identification de propriété (numéro au rôle)	Neighbourhood / Quartier
	Municipality / Municipalité	

This Notice of Property Valuation shows the Assessed Value of the property which you own or occupy. This assessment is the value on which property taxes (municipal and education) will be levied based on mill rates calculated by your municipality. Mill rates are established to raise the funds to meet municipal, county or region and school board needs.

Le présent avis d'estimation de propriétés indique la valeur imposable de la propriété que vous occupez ou dont vous êtes propriétaire. Cette évaluation constitue la valeur en fonction de laquelle les impôts fonciers (municipaux et scolaires) sont perçus et à laquelle s'applique le taux du millième fixé par votre municipalité. Ce taux est fixé en vue de recueillir les fonds nécessaires aux fins de la municipalité, du comté, de la région et du conseil scolaire.

The relationship between assessment and tax is: **Assessed Value X Mill Rate = Taxes**

La formule de calcul de l'impôt foncier est la suivante:  
**Valeur imposable X Taux du millième = Impôt foncier.**

Additional information about the numbered items can be found on the reverse side

Reportez vous au verso pour tout renseignement supplémentaire au sujet des rubriques numérotées

Name and Address of Person(s) Assessed / Nom et adresse des personnes qui font l'objet de l'évaluation

② School Support Designation / Soutien scolaire

Location and Description of Property  
Emplacement et description de la propriété

Frontage / Longueur de la façade      Depth / Profondeur      Area / Superficie

③ For the purpose of Assessment, this property is classed as Catégorie de propriété aux fins de l'évaluation foncière	④ Estimated Market Value in En la valeur marchande estimée était	⑤ Property Class % X applicable à la catégorie de propriété	Assessed Value Valeur imposable	⑥ Type of Mill Rate to be used for Taxation Taux du millième à appliquer pour l'imposition	⑦ Business Assessment Évaluation commerciale
--------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------	----------------------------------------------------------------	------------------------------------	-----------------------------------------------------------------------------------------------	-------------------------------------------------

If you require any assistance, please contact the Regional Assessment Office at  
Si vous avez besoin d'aide, veuillez vous adresser au bureau régional d'évaluation foncière indiqué ci-dessous

You may meet with an assessor to discuss any of the information shown on this Notice at the Open House Session(s) listed below  
Un évaluateur vous fournira les explications nécessaires lors des séances d'information publiques indiquées ci-dessous

An amended Notice will be issued if a correction should be made to any information shown on this Notice before  
En cas de rectification d'un renseignement indiqué dans le présent avis, un avis modifié sera émis avant la date suivante

**Avis de plainte**

**Notice of Complaint under section 40 of the Assessment Act (Appeal)**  
**Avis de plainte prévu à l'article 40 de la Loi sur l'évaluation foncière (Appel)**

If you believe you have been improperly assessed, you or your agent may lodge a complaint by completing the reverse and forwarding to  
Si vous estimez que votre évaluation est incorrecte, vous ou votre mandataire pouvez déposer une plainte à ce sujet. Remplissez la formule figurant au verso et envoyez-la à l'adresse suivante

**Important:**  
If your previous assessment is under appeal at the time you receive this Notice, or if this Notice does not reflect the most recent decision of the Board, it is necessary that you again lodge a complaint with the Assessment Review Board against this assessment

Si votre évaluation foncière précédente est en instance d'appel lors de la réception du présent avis, ou si le présent avis ne reflète pas la dernière décision de la Commission, il vous incombe de déposer de nouveau une plainte au sujet de la présente évaluation auprès de la Commission de révision de l'évaluation foncière.

Regional Registrar, Assessment Review Board / Registrateur régional de la Commission de révision de l'évaluation foncière	Mail Complaint by Date limite de mise à la poste de l'avis de plainte
Property Identifier (Roll Number) / Identification de propriété (numéro au rôle)	Neighbourhood / Quartier

**Complaint Procedures (Appeal)**

(Section 40 of the Assessment Act, R.S.O. 1990, Chapter A.31)

**Procédure de dépôt d'une plainte (Appel)**

(article 40 de la Loi sur l'évaluation foncière, L.R.O. 1990, chapitre A.31)

To lodge a complaint against your assessment, state your reason(s) in the space below, sign and forward this 'cut off' portion to the Regional Registrar at the address shown on the front of this Notice.

Pour déposer une plainte à l'égard de votre évaluation foncière, veuillez en indiquer les motifs(s) ci-dessous, signer et envoyer cette partie détachable au registraire régional à l'adresse indiquée au recto du présent avis.

Name of Complainant or Agent/Nom du plaignant ou de son mandataire	Mailing Address/Adresse postale	Street/Rue	City/Ville	Province	Postal Code/Code postal
Residence Telephone No./N° de téléphone (domicile)	Business Telephone No./N° de téléphone (bureau)	Signature of Complainant or Agent/Signature du plaignant ou de son mandataire			

Check this box if you wish to appear before a bilingual (English/French) Board.  Cochez cette case si vous désirez comparaître devant une commission bilingue (français/anglais).

If you wish to lodge a complaint against your assessment and retain this Notice, include the following information on a separate sheet of paper headed "Notice of Complaint", and forward to the Regional Registrar at the address shown on the front of this Notice.

Si vous désirez déposer une plainte à l'égard de votre évaluation foncière et conserver le présent avis, veuillez indiquer les renseignements précisés ci-dessous sur une feuille séparée portant le titre "Avis de plainte" et envoyer celle-ci au registraire régional de la Commission de révision de l'évaluation foncière à l'adresse qui est indiquée au recto du présent avis.

- 1 Name Mailing Address, Telephone No. of Complainant or Agent.
- 2 Location and Description of Property that is the subject of the complaint (see front of Notice).
- 3 Assessment Property Identifier (Roll Number) - (see front of Notice)
- 4 Reason(s) for complaint.
- 5 Signature of Complainant or Agent.
- 6 Preference to appear before a bilingual (English/French) Board

- 1 Nom, adresse postale et n° de téléphone du plaignant ou de son mandataire.
- 2 Emplacement et description de la propriété qui fait l'objet de la plainte (voir au recto du présent avis).
- 3 Identification de propriété (numéro au rôle) - (voir au recto du présent avis)
- 4 Motif(s) de la plainte
- 5 Signature du plaignant ou de son mandataire.
- 6 Préférence de comparaître devant une commission bilingue (français/anglais)

**Additional Information**

**Renseignements supplémentaires**

Note: Residential tenants who do not pay municipal taxes directly will not receive individual tax bills.

Remarque: Il n'est pas envoyé de relevé d'imposition individuel aux locataires d'un logement qui ne paient pas directement les impôts fonciers municipaux.

- Effective From:**  
The information on this Notice will be used to calculate and direct property taxes from the date shown. You will receive a Notice only when there has been a change to the information contained in the assessment records or this assessment is under appeal at year end.
- School Support Designation:**  
A portion of your property taxes supports either the "public" or "separate" school system. The occupant of property is responsible for determining the direction of school taxes; however, only Roman Catholic ratepayers including Catholics of the Greek or Ukrainian Rite in union with the See of Rome, may choose to support separate schools. All others must support public schools. All requests to change School Support must be in writing to the Regional Assessment Office, at the address shown on the front of this Notice.
- Property Class:**  
Each property is assigned to one or more of the following property classes for assessment purposes.
  - Residential (1-6 units)
  - Commercial
  - Multi-Residential (7 or more units)
  - Industrial
  - Farm

This classification is based on factors such as design, use, ownership and zoning.
- Estimated Market Value:**  
In reassessed municipalities an estimate of the most likely selling price in a specified year is determined for each property. Under the Section 58 Reassessment Program, the Estimated Market Value is then multiplied by the Property Class % to determine the Assessed Value.
- Property Class %:**  
One Property Class % is established for each of the classes of property (see 3 above) in a municipality which has been reassessed under the Section 58 Reassessment Program. This percentage, when multiplied by the Estimated Market Value (4), provides the Assessed Value for taxation purposes.
- Mill Rate To Be Used:**  
All property is taxed at either the "residential" or "commercial" mill rate. These rates are established annually by your municipality to fund municipal, county or region and school board needs. The mill rate is the effective tax rate set by your municipality to levy a specified amount of tax for each \$1,000 of assessment.
- Business Assessment:**  
Where a property or a portion of a property is occupied for business purposes, a Business Assessment is calculated by multiplying the Assessed Value by the appropriate business percentage. Business percentages are determined by the type of business carried on, in accordance with section 7 of the Assessment Act. The Business Assessment is taxed at the "commercial" mill rate. (Note: The minimum Business Assessment is \$100.)

- Date de prise d'effet:**  
Les renseignements indiqués sur le présent avis sont utilisés aux fins du calcul et de l'affectation des impôts fonciers à compter de la date qui figure sur l'avis. Il n'est envoyé d'avis que si les renseignements dans les dossiers relatifs à l'évaluation sont modifiés ou que la présente évaluation est encore en instance d'appel à la fin de l'exercice.
- Soutien scolaire:**  
Une partie de vos impôts fonciers est affectée soit aux écoles "publiques" soit aux écoles "séparées". Il incombe à l'occupant de la propriété de spécifier l'affectation des impôts scolaires. Toutefois, seuls les contribuables catholiques, y compris les catholiques de rite orthodoxe grec ou ukrainien unis au Saint-Siège de Rome, ont le droit d'affecter leurs impôts scolaires aux écoles séparées. Tous les autres contribuables sont tenus d'affecter leurs impôts scolaires aux écoles publiques. Les demandes de modification du soutien scolaire sont faites par écrit et adressées au bureau régional de l'évaluation foncière, à l'adresse indiquée au recto du présent avis.
- Catégorie de propriété:**  
Aux fins de l'évaluation foncière, chaque propriété est classée dans une ou plusieurs des catégories suivantes.
  - Residentielle (1 à 6 logements)
  - Commerciale
  - Multi-residentielle (7 logements ou plus)
  - Industrielle
  - Agricole

Ce classement est établi en tenant compte de facteurs tels que la conception architecturale, l'utilisation, le droit de propriété, et le zonage.
- Valeur marchande estimée:**  
Dans les municipalités qui font l'objet d'une réévaluation foncière, il est procédé à une estimation du prix auquel se vendrait probablement au cours d'une année donnée chaque propriété qui y est située. Conformément à l'article 58 (Programme de réévaluation foncière), la valeur marchande ainsi estimée est ensuite multipliée par le pourcentage applicable à la catégorie de propriété visée afin d'obtenir la valeur imposable.
- Pourcentage applicable à la catégorie de propriété:**  
Un pourcentage applicable à la catégorie de propriété est fixé pour chaque catégorie de propriété (voir rubrique 3 ci-dessus) dans une municipalité qui a fait l'objet d'une réévaluation foncière conformément à l'article 58 (Programme de réévaluation foncière). La multiplication de ce pourcentage par la valeur marchande estimée (voir rubrique 4) permet d'obtenir le montant de la valeur imposable.
- Taux du millième à utiliser pour l'imposition:**  
Toute propriété est imposée en fonction du taux du millième applicable soit à la catégorie "résidentielle" soit à la catégorie "commerciale". Les taux ainsi appliqués sont fixés chaque année par votre municipalité en vue de recueillir les fonds nécessaires aux fins de la municipalité, du comté, de la région et du conseil scolaire. Le taux du millième constitue le taux d'imposition applicable fixé par votre municipalité en vue de percevoir un montant donné d'impôts pour chaque tranche de 1 000 \$ d'évaluation foncière.
- Évaluation commerciale:**  
Si la totalité ou une partie d'une propriété est occupée à des fins commerciales, le calcul de l'évaluation commerciale est effectué en multipliant le montant de la valeur imposable par le pourcentage applicable au commerce visé. Les pourcentages applicables aux commerces sont fixés en fonction du genre de commerce exploité, conformément à l'article 7 de la Loi sur l'évaluation foncière. L'évaluation commerciale est imposée au taux du millième "commercial" (Remarque: le montant minimum de l'évaluation commerciale est de 100 \$)

**REGULATION 32**

**ASSESSMENT NOTICES OF SUPPLEMENTARY OR OMITTED ASSESSMENT**

1. A notice of assessment of supplementary assessments under section 34 of the Act and for omitted assessments under section 33 of the Act shall be in Form 1 or Form 2, as the case requires. O. Reg. 466/87, s. 1.

**Form 1**

*Assessment Act*



**Notice of Supplementary or Omitted Assessment**

Property Identifier (Roll Number)	Neighbourhood
Municipality	

This Notice has been issued to inform you of a **change** in the assessment of the property you own or occupy or a **change** in its tax status. The assessment shown on this Notice is in addition to any previous assessment. Section 34 of the *Assessment Act* allows for supplementary assessments to be made during the course of the tax year. Typically, these reflect new construction, new businesses, or a new liability for taxation. Section 33 of the Act authorizes the issuing of a Notice of Assessment where there has been an omission from the municipality's Assessment Roll. **Your municipality will send you a tax bill based on the assessment below.** Additional information about the numbered items can be found on the reverse side of this Notice.

Name and Address of Person(s) Assessed

① School Support Designation

Location and Description of Property

Frontage      Depth      Area

② For the purpose of Assessment, this property is classed as	③ Estimated Market Value in	④ Property Class %	⑤ Assessed Value	⑥ Type of Mill Rate to be used for Taxation	Reason for Supplementary or Omitted Assessment
		X	=		

If you require any assistance, please contact the Regional Assessment Office at:

Call collect if you are located outside of the toll-free area.

**Notice of Complaint under section 40 of the Assessment Act (Appeal)**

If you believe you have been improperly assessed, you or your agent may lodge a complaint by completing the reverse side and forwarding to:

Regional Registrar, Assessment Review Board	Mail Complaint by
Property Identifier (Roll Number)	Neighbourhood

**Complaint Procedure (Appeal)**  
(Section 40 of the Assessment Act, R.S.O. 1990, Chapter A.31)

To lodge a complaint against your assessment, state your reason(s) in the space below, sign and forward this 'cut off' portion to the Regional Registrar at the address shown on the front of this Notice.				
Name of Complainant or Agent	Mailing Address	Street	City	Province Postal Code
Residence Telephone No.	Business Telephone No.		Signature of Complainant or Agent	
<p>If you wish to lodge a complaint against your assessment and retain this Notice, include the following information on a separate sheet of paper headed "Notice of Complaint", and forward to the Regional Registrar at the address shown on the front of this Notice.</p> <ol style="list-style-type: none"> <li>1. Name, Mailing Address, Telephone No. of Complainant or Agent.</li> <li>2. Location and Description of Property that is the subject of the complaint - (see front of Notice).</li> <li>3. Assessment Property Identifier (Roll Number) - (see front of Notice).</li> <li>4. Reason(s) for complaint.</li> <li>5. Signature of Complainant or Agent.</li> </ol>				

**Additional Information**

**Note: Residential tenants who do not pay municipal property taxes directly will not receive individual tax bills.**

**① School Support Designation:**

A portion of your property taxes supports either the "public" or "separate" school system. The occupant of property is responsible for determining the direction of school taxes; however, only Roman Catholic ratepayers, including Catholics of the Greek or Ukrainian Rite in union with the See of Rome, may choose to support separate schools. All others must support public schools. All requests to change School Support must be in writing to the Regional Assessment Office, at the address shown on the front of this Notice.

**② Property Class:**

Each property is assigned to one or more of the following property classes for assessment purposes:

- Residential (1-6 units)
- Multi-Residential (7 or more units)
- Farm
- Commercial
- Industrial

This classification is based on factors such as design, use, ownership and zoning.

**③ Estimated Market Value:**

In reassessed municipalities an estimate of the most likely selling price in a specified year is determined for each property. Under the Section 58 Reassessment Program, the Estimated Market Value is then multiplied by the Property Class % to determine the Assessed Value.

**④ Property Class %:**

One Property Class % is established for each of the classes of property (see ② above) in a municipality which has been reassessed under the Section 58 Reassessment Program. This percentage, when multiplied by the Estimated Market Value (③), provides the Assessed Value for taxation purposes.

**⑤ Assessed Value:**

The value on which property taxes (municipal and education) will be levied based on mill rates calculated by your municipality. The relationship between assessment and tax is: Assessed Value X Mill Rate = Taxes.

**⑥ Mill Rate To Be Used:**

All property is taxed at either the "residential" or "commercial" mill rate. These rates are established annually by your municipality to fund municipal, county or region and school board needs. The mill rate is the effective tax rate set by your municipality to levy a specified amount of tax for each \$1,000 of assessment.



**Form 2  
Formule 2**

*Assessment Act  
Loi sur l'évaluation foncière*



**Notice of Supplementary or Omitted Assessment  
Avis d'évaluation foncière supplémentaire ou omise**

Property Identifier (Roll Number) / Identification de propriété (numéro au rôle)	Neighbourhood / Quartier
Municipality / Municipalité	

This Notice has been issued to inform you of a change in the assessment of the property you own or occupy or a change in its tax status. The assessment shown on this Notice is in addition to any previous assessment.

Section 34 of the Assessment Act allows for supplementary assessments to be made during the course of the tax year. Typically, these reflect new construction, new businesses, or a new liability for taxation.

Section 33 of the Act authorizes the issuing of a Notice of Assessment where there has been an omission from the municipality's Assessment Roll.

Your municipality will send you a tax bill based on the assessment below.

Additional information about the numbered items can be found on the reverse side of this Notice.

Le présent avis est délivré afin de vous informer d'une modification de l'évaluation foncière de la propriété que vous occupez ou dont vous êtes propriétaire ou d'une modification de la situation des impôts fonciers de celle-ci.

L'évaluation foncière qu'indique le présent avis s'ajoute à toute évaluation foncière antérieure.

Aux termes de l'article 34 de la Loi sur l'évaluation foncière, des évaluations foncières supplémentaires peuvent être effectuées au cours de l'exercice fiscal, par exemple, de nouvelles constructions, de nouvelles entreprises commerciales ou d'un nouveau facteur d'assujettissement à l'imposition.

L'article 33 de la Loi autorise la délivrance d'un avis d'évaluation foncière lorsqu'il y a une omission au rôle d'évaluation de la municipalité.

Votre municipalité vous fera parvenir un relevé d'imposition en fonction de l'évaluation foncière indiquée ci-dessous.

Reportez-vous au verso du présent avis pour tout renseignement supplémentaire au sujet des rubriques numérotées.

Name and Address of Person(s) Assessed / Nom et adresse des personnes qui font l'objet de l'évaluation

① School Support Designation / Soutien scolaire

Location and Description of Property / Emplacement et description de la propriété

Frontage / Longueur de la façade      Depth / Profondeur      Area / Superficie

② For the purpose of Assessment, this property is classed as / Catégorie de propriété aux fins de l'évaluation foncière	③ Estimated Market Value in / En la valeur marchande estimée était de	④ Property Class % applicable to the category of property	⑤ Assessed Value / Valeur imposable	⑥ Type of Mill Rate to be used for Taxation / Taux du millième à appliquer pour l'imposition	Reason for Supplementary or Omitted Assessment / Motif de l'évaluation foncière supplémentaire ou omise
		X	=		

If you require any assistance, please contact the Regional Assessment Office at: / Si vous avez besoin d'aide, veuillez vous adresser au bureau régional d'évaluation foncière indiqué ci-dessous

Call collect if you are located outside of the toll-free area / Vous pouvez appeler à frais virés si vous résidez à l'extérieur de la zone d'appel sans frais interurbain.

**Notice of Complaint under section 40 of the Assessment Act (Appeal)  
Avis de plainte prévu à l'article 40 de la Loi sur l'évaluation foncière (Appel)**

If you believe you have been improperly assessed, you or your agent may lodge a complaint by completing the reverse side and forwarding to:

Si vous estimez que votre évaluation est incorrecte, vous ou votre mandataire pouvez déposer une plainte à ce sujet. Remplissez la formule prévue au verso et envoyez-la à l'adresse suivante :

Regional Registrar, Assessment Review Board / Régistrateur régional de la Commission de révision de l'évaluation foncière	Mail Complaint by / Date limite de mise à la poste de l'avis de plainte
Property Identifier (Roll Number) / Identification de propriété (numéro au rôle)	Neighbourhood / Quartier

**Complaint Procedures (Appeal)**

(Section 40 of the Assessment Act, R.S.O. 1990, Chapter A.31)

**Procédure de dépôt d'une plainte (Appel)**

(article 40 de la Loi sur l'évaluation foncière, L.R.O. 1990, chapitre A.31)

To lodge a complaint against your assessment, state your reason(s) in the space below, sign and forward this 'cut off' portion to the Regional Registrar at the address shown on the front of this Notice.		Pour déposer une plainte à l'égard de votre évaluation foncière, veuillez en indiquer le(s) motif(s) ci-dessous, signer et envoyer cette partie détachable au registraire régional à l'adresse indiquée au recto du présent avis.	
Name of Complainant or Agent/Nom du plaignant ou de son mandataire		Mailing Address/Adresse postale	Street/Rue
Residence Telephone No./N° de téléphone (domicile)		City/Ville	Province
Business Telephone No./N° de téléphone (bureau)		Postal Code/Code postal	Signature of Complainant or Agent/Signature du plaignant ou de son mandataire
Check this box if you wish to appear before a bilingual (English/French) Board. <input type="checkbox"/>		Cochez cette case si vous désirez comparaître devant une commission bilingue (français/anglais).	
If you wish to lodge a complaint against your assessment and retain this Notice, include the following information on a separate sheet of paper headed "Notice of Complaint", and forward to the Regional Registrar at the address shown on the front of this Notice.		Si vous désirez déposer une plainte à l'égard de votre évaluation foncière et conserver le présent avis, veuillez indiquer les renseignements précisés ci-dessous sur une feuille séparée portant le titre "Avis de plainte" et envoyer celle-ci au registraire régional de la Commission de révision de l'évaluation foncière à l'adresse qui est indiquée au recto du présent avis.	
1. Name, Mailing Address, Telephone No. of Complainant or Agent.		1. Nom, adresse postale et n° de téléphone du plaignant ou de son mandataire.	
2. Location and Description of Property that is the subject of the complaint – (see front of Notice).		2. Emplacement et description de la propriété qui fait l'objet de la plainte – (voir au recto du présent avis).	
3. Assessor's Property Identifier (Roll Number) – (see front of Notice).		3. Identification de propriété (numéro au rôle) – (voir au recto du présent avis).	
4. Reason(s) for complaint		4. Motif(s) de la plainte.	
5. Signature of Complainant or Agent		5. Signature du plaignant ou de son mandataire.	
6. Preference to appear before a bilingual (English/French) Board.		6. Préférence de comparaître devant une commission bilingue (français/anglais).	

**Additional Information**

Note: Residential tenants who do not pay municipal property taxes directly will not receive individual tax bills.

**1 School Support Designation:**

A portion of your property taxes supports either the "public" or "separate" school system. The occupant of property is responsible for determining the direction of school taxes, however, only Roman Catholic ratepayers, including Catholics of the Greek or Ukrainian Rite in union with the See of Rome, may choose to support separate schools. All others must support public schools. All requests to change School Support must be in writing to the Regional Assessment Office, at the address shown on the front of this Notice.

**2 Property Class:**

Each property is assigned to one or more of the following property classes for assessment purposes:

- Residential (1-6 units)
- Commercial
- Multi-Residential (7 or more units)
- Industrial
- Farm

This classification is based on factors such as design, use, ownership and zoning.

**3 Estimated Market Value:**

In reassessed municipalities an estimate of the most likely selling price in a specified year is determined for each property. Under the Section 58 Reassessment Program, the Estimated Market Value is then multiplied by the Property Class % to determine the Assessed Value.

**4 Property Class %:**

One Property Class % is established for each of the classes of property (see 2) above) in a municipality which has been reassessed under the Section 58 Reassessment Program. This percentage, when multiplied by the Estimated Market Value (3), provides the Assessed Value for taxation purposes.

**5 Assessed Value:**

The value on which property taxes (municipal and education) will be levied based on mill rates calculated by your municipality. The relationship between assessment and tax is Assessed Value X Mill Rate = Taxes.

**6 Mill Rate To Be Used:**

All property is taxed at either the "residential" or "commercial" mill rate. These rates are established annually by your municipality to fund municipal, county or region and school board needs. The mill rate is the effective tax rate set by your municipality to levy a specified amount of tax for each \$1,000 of assessment.

**Renseignements supplémentaires**

Remarque: Il n'est pas envoyé de relevé d'imposition individuel aux locataires d'un logement qui ne paient pas directement les impôts fonciers municipaux.

**1 Soutien scolaire:**

Une partie de vos impôts fonciers est affectée soit aux écoles "publiques" soit aux écoles "séparées". Il incombe à l'occupant de la propriété de spécifier l'affectation des impôts scolaires. Toutefois, seuls les contribuables catholiques, y compris les catholiques de rite grec ou ukrainien unis au Saint-Siège de Rome, ont le droit d'affecter leurs impôts scolaires aux écoles séparées. Tous les autres contribuables sont tenus d'affecter leurs impôts scolaires aux écoles publiques. Les demandes de modification du soutien scolaire sont faites par écrit et adressées au bureau régional de l'évaluation foncière, à l'adresse indiquée au recto du présent avis.

**2 Catégorie de propriété:**

Aux fins de l'évaluation foncière, chaque propriété est classée dans une ou plusieurs des catégories suivantes:

- Résidentielle (1 à 6 logements)
- Commerciale
- Multi-résidentielle (7 logements ou plus)
- Industrielle
- Agricole

Ce classement est établi en tenant compte de facteurs tels que la conception architecturale, l'utilisation, le droit de propriété, et le zonage.

**3 Valeur marchande estimée:**

Dans les municipalités qui font l'objet d'une réévaluation foncière, il est procédé à une estimation du prix auquel se vendrait probablement au cours d'une année donnée chaque propriété qui y est située. Conformément à l'article 58 (Programme de réévaluation foncière), la valeur marchande ainsi estimée est ensuite multipliée par le pourcentage applicable à la catégorie de propriété visée afin d'obtenir la valeur imposable.

**4 Pourcentage applicable à la catégorie de propriété:**

Un pourcentage applicable à la catégorie de propriété est fixé pour chaque catégorie de propriété (voir rubrique 2, ci-dessus) dans une municipalité qui a fait l'objet d'une réévaluation foncière conformément à l'article 58 (Programme de réévaluation foncière). La multiplication de ce pourcentage par la valeur marchande estimée (voir rubrique 3) permet d'obtenir le montant de la valeur imposable.

**5 Valeur imposable:**

Cette valeur constitue la valeur sur laquelle les impôts fonciers (municipaux et scolaires) sont perçus et à laquelle s'applique le taux du millième fixé par votre municipalité. La formule de calcul de l'impôt foncier est la suivante: Valeur imposable X Taux du millième = Impôt foncier.

**6 Taux du millième à utiliser pour l'imposition:**

Toute propriété est imposée en fonction du taux du millième applicable soit à la catégorie "résidentielle" soit à la catégorie "commerciale". Les taux ainsi appliqués sont fixés chaque année par votre municipalité en vue de recueillir les fonds nécessaires aux fins de la municipalité, du comté, de la région et du conseil scolaire. Le taux du millième constitue le taux d'imposition applicable fixé par votre municipalité en vue de percevoir un montant donné d'impôts pour chaque tranche de 1 000 \$ d'évaluation foncière.

## REGULATION 33

## EQUALIZATION OF ASSESSMENTS (VARIOUS MUNICIPALITIES) UNDER SUBSECTION 58 (3) OF THE ACT

1. In this Regulation, "class" means a class established under section 3. O. Reg. 486/90, s. 1.

2.—(1) This Regulation applies with respect to real property located within the following:

1. The towns of Amherstburg and Tecumseh and the Township of Tilbury North in the County of Essex.
2. The Village of Tweed in the County of Hastings.
3. The Township of Ernestown in the County of Lennox and Addington.
4. The Township of Longueuil in the United Counties of Prescott and Russell.
5. The townships of Osnabruck and Williamsburgh in the United Counties of Stormont, Dundas and Glengarry.
6. The Town of Cache Bay and the Township of Mattawan in the District of Nipissing.
7. The Township of Shuniah in the District of Thunder Bay.
8. The Township of Larder Lake in the District of Timiskaming.
9. The Dryden Board of Education in the District of Kenora.

(2) This Regulation applies with respect to the assessment to be shown on the assessment roll for 1989 (for the taxation year 1990) and for each subsequent year until a new assessment of all property within the municipality is made. O. Reg. 486/90, s. 2.

3. The real property in each municipality is divided into the classes described in Schedule 1 to this Regulation. O. Reg. 486/90, s. 3.

4.—(1) For the purposes of subsection 58 (3) of the Act, the standards described in this section must be considered in equalizing assessments within the classes of real property in each municipality and in computing the factors resulting from the application of the standards.

(2) The proportion that the municipal and school board taxes levied for 1989 in each class of real property in a municipality bears to the total municipal and school taxes levied for 1989 in the municipality must be maintained in such a way that the amount calculated using the formula,

$$A \times B$$

is substantially the same as the amount calculated using the formula,

$$A \times C$$

in which,

"A" is the single mill rate which would have resulted in the amount of municipal and school taxes levied for 1989 against the total assessment in 1989 of all of the properties that comprise the class,

"B" is the total assessment in 1989 of all the properties that comprise the class, and

"C" is the total assessment of the class for the 1990 taxation year

following the application of the assessment standards described in this section.

(3) All real property within a class in a municipality must, to the extent possible, be assessed at the same proportion of the 1984 market value of the real property.

(4) For the purpose of subsection (3), market value is as determined by the Assessment Commissioner in whose Assessment Region the real property is located.

(5) The total assessment of the real property in the municipality, including assessments made under section 33 or 34 of the Act, must not be substantially changed.

(6) The assessment relationships between the classes of real property in a municipality must not be significantly altered as a result of the application of the standards described in this section.

(7) Subsection (6) does not apply with respect to changes in assessment relationships that have resulted from an increase in the total assessment of a class because of assessments made under section 33 or 34 of the Act. O. Reg. 486/90, s. 4.

5. For the purpose of subsection 58 (3) of the Act, the factor to be applied to the market value of property in each class in a municipality, as set out in Column 2 of Schedule 2 to this Regulation, is set out opposite it in Column 3. O. Reg. 486/90, s. 5.

## Schedule 1

## Classes of Real Property

ITEM	COLUMN 1	COLUMN 2
1.	Class 1	Property assessed as, <ol style="list-style-type: none"> <li>i. residential and comprising not more than six residential units, including vacant land municipally zoned for residential development described in this clause, or</li> <li>ii. seasonal residential, including vacant land, zoned principally for this purpose.</li> </ol>
2.	Class 2	Property assessed as, <ol style="list-style-type: none"> <li>i. residential and comprising seven or more residential units, including vacant land municipally zoned principally for residential development described in this clause, or</li> <li>ii. a unit or proposed unit within the meaning of the <i>Condominium Act</i> to which subsection 60 (4) of the <i>Assessment Act</i> applies.</li> </ol>
3.	Class 3	Property assessed as commercial, including vacant land municipally zoned principally for commercial development.
4.	Class 4	Property assessed as industrial, including vacant land municipally zoned principally for industrial development.
5.	Class 5	Property assessed as farm land.
6.	Class 6	Property assessed as a pipe line.

O. Reg. 486/90, Sched. 1.

**Schedule 2**

**Factors Applied to Market Value**

ITEM	COLUMN 1	COLUMN 2	COLUMN 3
1.	Amherstburg, town	1	0.316
		2	0.598
		3	0.307
		4	0.485
		5	0.266
		6	0.469
2.	Cache Bay, town	1	0.285
		3	0.439
		6	0.566
3.	Dryden, board of education	1	0.056
		3	0.072
		4	0.096
		5	0.056
		6	0.159
4.	Ernestown, township	1	0.072
		2	0.155
		3	0.093
		4	0.114
		5	0.071
		6	0.094
5.	Larder Lake, township	1	0.129
		2	0.127
		3	0.200
		4	0.258
6.	Longueuil, township	1	0.037
		3	0.059
		4	0.075
		5	0.059
		6	0.115
7.	Mattawan, township	1	0.014
		3	0.013
		4	0.004
		6	0.028
8.	Osnabruk, township	1	0.062
		2	0.126
		3	0.101
		4	0.134
		5	0.070
		6	0.076
9.	Shuniah, township	1	0.036
		3	0.080
		4	0.085
		5	0.036
		6	0.104
10.	Tecumseh, town	1	0.040
		2	0.088
		3	0.034
		4	0.067
		5	0.036
		6	0.074
11.	Tilbury North, township	1	0.044
		3	0.043
		4	0.074
		5	0.036
		6	0.052

ITEM	COLUMN 1	COLUMN 2	COLUMN 3
12.	Tweed, village	1	0.049
		2	0.050
		3	0.064
		4	0.047
		5	0.033
13.	Williamsburgh, township	1	0.059
		2	0.124
		3	0.103
		4	0.148
		5	0.066
		6	0.097

O. Reg. 486/90, Sched. 2.

**REGULATION 34**

**INTERIOR INFORMATION QUESTIONNAIRE**

1. The questionnaire referred to in section 11 of the Act shall be in the following Form:

**Form**

*Assessment Act*

CNTY.    MUN.    MAP-DIV.    SUB-DIV.    PARCEL    TENANT  
 —            —            —            —            —            —

**INTERIOR INFORMATION QUESTIONNAIRE  
 QUESTIONNAIRE FOR OWNER OR OCCUPANT**

Number of Rooms	
1st floor	
2nd floor	
3rd floor	

Floors	
sub floor only	
finished, hardwood/tile	
softwood	
partly finished	

Interior Walls	
plaster	
drywall	
panelling	
other	
partitions, finished one side	
partitions, finished both sides	
unfinished	

Ceilings	
plaster	
drywall	
panelling	
unfinished	
other	

Insulation		
	Fully	Partially
exterior wall		
ceiling		

Plumbing	
toilet(s)	
basin(s)	
bathtub(s)	
shower stall(s)	
kitchen sink(s)	
chemical toilet	

Fire Place	
brick	
stone	

Year House Built .....

Date of any Renovations or Remodelling .....

Mailing Address .....

Signature .....

R.R.O. 1980, Reg. 69, s. 1.

**REGULATION 35**

**PIPE LINE RATES**

1. In lieu of the rates contained in subsection 25 (4) of the Act for the assessment for taxation of pipe lines, the rates contained in the Schedule shall apply to the assessment for taxation of all pipe lines liable to assessment and taxation under section 25 of the Act and located in or on the boundary of any municipality, or territory without municipal organization comprised in a locality, or in any part of a municipality or of such territory, in which an assessment at market value is or has been made as a result of the making of a proclamation under section 63 of the Act. R.R.O. 1980, Reg. 71, s. 1.

2. For the purpose of clause 25 (16) (b) of the Act,

- (a) where two or more pipe lines occupy the same right of way, the second and subsequent pipe lines occupying that right of way are designated to be each pipe line occupying that right of way, except that which bears the higher or highest assessed value computed by applying the rates in the Schedule to this Regulation without the reduction in rates for the second and subsequent pipe lines occupying the same right of way provided for in clause (b), and where two or more pipe lines occupying the same right of way have the same assessed value so computed and that assessed value is the higher or highest assessed value or is the only assessed value for the pipe lines occupying that right of way, each of such pipe lines is designated as a second and subsequent pipe line except that one that was first in use as a pipe line; and
- (b) where a right of way occupied by a pipe line that is not designated to be a second or subsequent pipe line under clause (a) is occupied by a pipe line that is so designated, each pipe line so designated shall be assessable and taxable at 75 per cent of the rate in the Schedule that is applicable to each pipe line so designated. R.R.O. 1980, Reg. 71, s. 2.

**Schedule**

**PIPE LINE RATES**

**ASSESSMENT IN DOLLARS PER FOOT OF LENGTH**

Size of Pipe		Gas Transmission Pipe Line	Oil Transmission Pipe Line	Field and Gathering Pipe Line
Not over 1"	Nominal Inside Diameter	\$ 1.07	\$ 1.07	\$ 0.80
Over 1" and not over 2"	" "	1.34	1.28	0.96
Over 2" and not over 3"	" "	1.71	1.66	1.34
Over 3" and not over 4"	" "	2.14	2.09	1.61
Over 4" and not over 5"	" "	2.62	2.51	1.93
Over 5" and not over 6"	" "	3.16	3.05	2.35
Over 6" and not over 8"	" "	4.39	4.17	3.32
-10"	" "	6.47	6.10	4.87
-12"	" "	8.03	7.44	6.05
-14"	Outside Diameter	9.68	8.93	
-16"	" "	11.45	10.43	
-18"	" "	13.32	11.88	
-20"	" "	16.75	14.87	
-22"	" "	18.51	16.26	

## Schedule (cont'd)

Size of Pipe		Gas Transmission Pipe Line	Oil Transmission Pipe Line	Field and Gathering Pipe Line
—24"	Outside Diameter	20.38	17.82	
—26"	" "	22.36	19.26	
—28"	" "	24.45	20.76	
—30"	" "	26.64	22.36	
—32"	" "	28.94	23.97	
—34"	" "	31.30	25.63	
—36"	" "	33.87	27.50	

R.R.O. 1980, Reg. 71, Sched.

**REGULATION 36****PIPE LINE RATES**

1.—(1) The rates contained in Schedule 1 apply to the assessment for taxation of all pipe lines liable to assessment and taxation under section 25 of the Act and located in or on the boundary of any municipality or territory without municipal organization comprised in a locality named in this subsection or in any part of a municipality situated within,

- (a) The Regional Municipality of Haldimand-Norfolk,
  - (i) in the City of Nanticoke,
  - (ii) in the towns of Dunnville, Haldimand and Simcoe, and
  - (iii) in the townships of Delhi and Norfolk;
- (b) the Town of Milton in The Regional Municipality of Halton;
- (c) The Regional Municipality of Hamilton-Wentworth,
  - (i) in the City of Hamilton, and
  - (ii) in the Town of Stoney Creek;
- (d) The Regional Municipality of Niagara,
  - (i) in the Town of Niagara-on-the-Lake, and
  - (ii) in the Township of Wainfleet;
- (e) The Regional Municipality of Ottawa-Carleton,
  - (i) in the cities of Gloucester, Kanata, Nepean, Ottawa, Vanier, and
  - (ii) in the townships of Osgoode and Rideau;
- (f) the City of Brampton in The Regional Municipality of Peel;
- (g) The Regional Municipality of Waterloo,
  - (i) in the cities of Cambridge and Kitchener, and
  - (ii) in the townships of North Dumfries, Wellesley, Wilmot and Woolwich;
- (h) the County of Dufferin,
  - (i) in the Town of Orangeville, and
  - (ii) in the Village of Grand Valley;

- (i) the County of Elgin,
  - (i) in the City of St. Thomas,
  - (ii) in the Town of Aylmer,
  - (iii) in the villages of Dutton, Port Burwell, Port Stanley, Rodney, Springfield, Vienna and West Lorne, and
  - (iv) in the townships of Aldborough and Malahide;
- (j) the Township of Cardiff in the County of Haliburton;
- (k) the County of Hastings,
  - (i) in the City of Belleville,
  - (ii) in the Town of Deseronto,
  - (iii) in the villages of Madoc, Marmora and Stirling, and
  - (iv) in the townships of Bangor, Wicklow and McClure, Elzevir and Grimsthorpe, Faraday, Herschel, Hungerford, Huntingdon, Mayo, Monteagle, Sidney, Tudor and Cashel, and Woolaston;
- (l) the County of Huron,
  - (i) in the towns of Clinton, Goderich and Wingham,
  - (ii) in the villages of Bayfield, Brussels, Hensall and Zurich, and
  - (iii) in the townships of Ashfield, Colborne, East Wawanosh, Goderich, Grey, Hay, Howick, Hullett, McKillop, Stanley, Stephen, Tucketsmith, Turnberry and West Wawanosh;
- (m) the County of Kent,
  - (i) in the City of Chatham,
  - (ii) in the towns of Blenheim, Bothwell and Tilbury,
  - (iii) in the villages of Eirieu, Erie Beach, Highgate, Thamesville and Wheatley, and
  - (iv) in the townships of Harwich and Howard;
- (n) the townships of Bastard and South Burgess, and Front of Escott in the United Counties of Leeds and Grenville;
- (o) the County of Middlesex,
  - (i) in the towns of Parkhill and Strathroy,
  - (ii) in the villages of Ailsa Craig, Glencoe and Lucan, and

- (iii) in the townships of Adelaide, Biddulph, Caradoc, Delaware, East Williams, London, Metcalfe, Mosa, Westminster and West Williams;
- (p) the County of Northumberland,
- (i) in the towns of Cobourg and Port Hope,
- (ii) in the Village of Colborne, and
- (iii) in the Township of Seymour;
- (q) the County of Oxford,
- (i) in the towns of Ingersoll and Tillsonburg, and
- (ii) in the townships of Blandford-Blenheim, East Zorra-Tavistock, Norwich and South-West Oxford;
- (r) the County of Perth,
- (i) in the Town of Listowel,
- (ii) in the Village of Milverton, and
- (iii) in the Townships of Blanshard, Downie, Ellice, Elma, Logan, North Easthope and South Easthope;
- (s) the County of Peterborough,
- (i) in the City of Peterborough,
- (ii) in the Village of Millbrook, and
- (iii) in the townships of Asphodel, Cavan, Otonabee, and South Monaghan;
- (t) the Town of Vankleek Hill in the United Counties of Prescott and Russell;
- (u) the County of Prince Edward,
- (i) in the villages of Bloomfield and Wellington, and
- (ii) in the townships of Ameliasburgh and Sophiasburgh;
- (v) the County of Renfrew,
- (i) in the Town of Renfrew,
- (ii) in the villages of Chalk River and Cobden, and
- (iii) in the townships of Admaston, Alice and Braser, Bagot and Blythfield, Bromley, Brougham, Brudenell and Lyndoch, Griffith and Matawatchan, Hotton and Ross;
- (w) the County of Simcoe,
- (i) in the towns of Collingwood and Midland,
- (ii) in the villages of Coldwater, Port McNicoll and Victoria Harbour, and
- (iii) in the townships of Adjala, Flos, Innisfil, Mara, Matchedash, Oro, Tay, Tosorontio and West Gwillimbury;
- (x) the County of Victoria,
- (i) in the Town of Lindsay,
- (ii) in the villages of Fenelon Falls, Omemee, Sturgeon Point and Woodville, and
- (iii) in the townships of Bexley, Carden, Dalton, Fenelon, Manvers and Mariposa;
- (y) the County of Wellington,
- (i) in the City of Guelph,
- (ii) in the Town of Mount Forest,
- (iii) in the villages of Arthur, Clifford and Drayton, and
- (iv) in the townships of Eramosa, Minto, Peel, Pilkington, Puslinch, West Garafraxa and West Luther;
- (z) the District of Cochrane,
- (i) in the City of Timmins,
- (ii) in the towns of Hearst, Iroquois Falls and Smooth Rock Falls,
- (iii) in the townships of Black River-Matheson and Mattice-Val Côté, and
- (iv) in the boards of education of Cochrane-Iroquois Falls and Hearst;
- (za) the District of Kenora,
- (i) in the Township of Red Lake, and
- (ii) in the Improvement District of Sioux Narrows;
- (zb) the District of Nipissing,
- (i) in the towns of Cache Bay and Mattawa,
- (ii) in the townships of Airy, Bonfield, Caldwell, East Ferris, Field, Papineau, Springer and Temagami,
- (iii) in the Improvement District of Cameron,
- (iv) in the boards of education of Nipissing and Timiskaming,
- (v) in the schools areas of Murchison and Lyell Township and Sabine Township,
- (vi) in the Nipissing District Roman Catholic Separate School Board, and
- (vii) in the Murchison and Lyell and Sabine Combined Roman Catholic Separate Schools;
- (zc) the Town of Rainy River in the District of Rainy River; and
- (zd) the District of Timiskaming,
- (i) in the towns of Charlton, Kirkland Lake, Latchford and New Liskeard,
- (ii) in the townships of Harley, Hudson and Larder Lake, and
- (iii) in the Timiskaming Board of Education.
- (2) The rates contained in Schedule 2 apply to the assessment for taxation of all pipe lines liable to assessment and taxation under section 25 of the Act and located in or on the boundary of any municipality or territory without municipal organization comprised in a locality named in this subsection or in any part of a municipality situated within,
- (a) the Town of Ajax in The Regional Municipality of Durham;

- (b) the City of Waterloo in The Regional Municipality of Waterloo;
- (c) the County of Frontenac,
- (i) in the City of Kingston, and
- (ii) in the townships of Hinchinbrooke, Howe Island, Oso and Pittsburgh;
- (d) the townships of Anson, Hindon and Minden, Bicroft, Dysart, Bruton, Clyde, Dudley, Eyre, Guilford, Harburn, Harcourt and Havelock, Lutterworth, Monmouth, Sherborne, McClintock, Livingston, Lawrence and Nightingale, Snowdon and Stanhope in the County of Haliburton;
- (e) the County of Lambton,
- (i) in the Town of Petrolia,
- (ii) in the villages of Grand Bend, Point Edward and Watford, and
- (iii) in the townships of Enniskillen and Plympton;
- (f) the County of Lanark,
- (i) in the towns of Almonte and Carleton Place, and
- (ii) in the townships of Lavant, Dalhousie and North Sherbrooke, Montague, North Burgess, North Emsley and South Sherbrooke;
- (g) the United Counties of Leeds and Grenville,
- (i) in the City of Brockville,
- (ii) in the Separated Town of Gananoque,
- (iii) in the villages of Athens and Cardinal, and
- (iv) in the townships of Elizabethtown, Front of Leeds and Lansdowne, Rear of Leeds and Lansdowne, South Crosby and South Elmsley;
- (h) the townships of Richmond and Sheffield in the County of Lennox and Addington;
- (i) the Township of Chandos in the County of Peterborough;
- (j) the Town of Rockland in the United Counties of Prescott and Russell;
- (k) the United Counties of Stormont, Dundas and Glengarry,
- (i) in the City of Cornwall,
- (ii) in the Village of Iroquois, and
- (iii) in the townships of Lochiel and Matilda;
- (l) the District of Algoma,
- (i) in the Township of White River, and
- (ii) in the Improvement District of Dubreuilville;
- (m) the District of Kenora,
- (i) in the towns of Keewatin, Kenora and Sioux Lookout,
- (ii) in the townships of Barclay, Ear Falls and Ignace,
- (iii) in the Improvement District of Balmertown, and
- (iv) in the boards of education of Dryden, Kenora and Red Lake;
- (n) the District of Rainy River,
- (i) in the townships of Atwood, Chapple, La Vallée, McCrosson and Tovell, and Morson, and
- (ii) in the Fort Frances-Rainy River Board of Education;
- (o) the District of Sudbury,
- (i) in the Township of Ratter and Dunnet, and
- (ii) in the Espanola Board of Education; and
- (p) the District of Thunder Bay,
- (i) in the towns of Geraldton and Longlac, and
- (ii) in the townships of Nipigon and O'Connor.
- (3) The rates contained in Schedule 3 apply to the assessment for taxation of all pipe lines liable to assessment and taxation under section 25 of the Act and located in or on the boundary of any municipality or territory without municipal organization comprised in a locality named in this subsection or any part of a municipality situated within,
- (a) The Regional Municipality of Durham,
- (i) in the towns of Newcastle and Pickering, and
- (ii) in the townships of Brock, Scugog and Uxbridge;
- (b) The Regional Municipality of Hamilton-Wentworth,
- (i) in the towns of Ancaster and Flamborough, and
- (ii) in the Township of Glanbrook;
- (c) the City of Niagara Falls In The Regional Municipality of Niagara;
- (d) The Regional Municipality of Ottawa-Carleton,
- (i) in the Village of Rockcliffe Park, and
- (ii) in the townships of Cumberland and Goulbourn;
- (e) The Regional Municipality of York,
- (i) in the towns of Aurora, East Gwillimbury, Newmarket and Whitchurch-Stouffville, and
- (ii) in the townships of Georgina and King;
- (f) the County of Brant,
- (i) in the City of Brantford, and
- (ii) in the Town of Paris;
- (g) the townships of East Garafraxa and Mono in the County of Dufferin;
- (h) the County of Elgin,
- (i) in the Village of Belmont, and
- (ii) in the townships of Bayham, Dunwich and Southwold;
- (i) the City of Owen Sound in the County of Grey;



- (j) the Township of Glamorgan in the County of Haliburton;
- (k) the Village of Tweed in the County of Hastings;
- (l) the County of Kent,  
 (i) in the Town of Ridgetown, and  
 (ii) in the townships of Dover and Tilbury East;
- (m) the County of Lanark,  
 (i) in the Separated Town of Smiths Falls and the Town of Perth, and  
 (ii) in the Township of Ramsay;
- (n) the County of Lambton,  
 (i) in the villages of Alvinston, Arkona, Oil Springs and Thedford, and  
 (ii) in the townships of Bosanquet, Euphemia and Moore;
- (o) the United Counties of Leeds and Grenville,  
 (i) in the Town of Kemptville,  
 (ii) in the villages of Newboro and Westport, and  
 (iii) in the townships of Edwardsburgh, Front of Yonge, Kitley and North Crosby;
- (p) the County of Lennox and Addington,  
 (i) in the Village of Newburgh, and  
 (ii) in the Township of Amherst Island;
- (q) the County of Middlesex,  
 (i) in the Village of Newbury, and  
 (ii) in the townships of Ekfrid, Lobo, North Dorchester and West Nissouri;
- (r) the Township of Zorra in the County of Oxford;
- (s) the County of Perth,  
 (i) in the City of Stratford, and  
 (ii) in the Township of Hibbert;
- (t) the County of Peterborough,  
 (i) in the villages of Havelock, Lakefield and Norwood, and  
 (ii) in the townships of Burleigh and Anstruther, Douro, Dummer, Ennismore, North Monaghan and Smith;
- (u) the United Counties of Prescott and Russell,  
 (i) in the Town of Hawkesbury,  
 (ii) in the Village of Casselman, and  
 (iii) in the townships of Cambridge, Clarence and East Hawkesbury;
- (v) the Township of North Marysburgh in the County of Prince Edward;
- (w) the County of Renfrew,  
 (i) in the Town of Arnprior,  
 (ii) in the villages of Eganville and Killaloe Station, and  
 (iii) in the townships of Grattan, Head, Clara and Maria, McNab, North Algona, Pembroke, Petawawa, Rolph, Buchanan, Wylie and McKay, Radcliffe, Sebastopol, South Algona, Stafford and Wilberforce;
- (x) the County of Simcoe,  
 (i) in the City of Orillia,  
 (ii) in the towns of Alliston and Penetanguishene,  
 (iii) in the villages of Cookstown and Tottenham, and  
 (iv) in the townships of Rama, Sunnidale, Tecumseth and Tiny;
- (y) the United Counties of Stormont, Dundas and Glengarry,  
 (i) in the Village of Chesterville, and  
 (ii) in the Township of Charlottenburgh;
- (z) the County of Victoria,  
 (i) in the Village of Bobcaygeon, and  
 (ii) in the townships of Eldon, Emily, Laxton, Digby and Longford, Ops and Somerville;
- (za) the County of Wellington,  
 (i) in the towns of Fergus and Harriston,  
 (ii) in the villages of Elora and Erin, and  
 (iii) in the townships of Arthur, Erin, Maryborough and Nichol;
- (zb) the City of Sault Ste. Marie in the District of Algoma;
- (zc) the District of Cochrane,  
 (i) in the Town of Cochrane,  
 (ii) in the townships of Fauquier-Strickland, Glackmeyer, Moonbeam, Opatatika and Val Rita-Harty, and  
 (iii) in the Kapuskasing Board of Education;
- (zd) the District of Kenora,  
 (i) in the Town of Dryden, and  
 (ii) in the Township of Machin;
- (ze) the City of North Bay in the District of Nipissing;
- (zf) the Township of Atikokan in the District of Rainy River;
- (zg) the District of Sudbury,  
 (i) in the Township of Hagar, and  
 (ii) in the Sudbury Board of Education;
- (zh) the District of Timiskaming,

- (i) in the townships of Armstrong, Chamberlain, Dack, Harris, Kerns and McGarry, and
- (ii) in the Improvement District of Matachewan; and
- (zi) the District of Thunder Bay,
- (i) in the City of Thunder Bay,
- (ii) in the townships of Manitowadge, Marathon, Schteiber and Terrace Bay, and
- (iii) in the Lake Superior Board of Education. O. Reg. 73/86, s. 1.
2. For the purposes of clause 25 (17) (b) of the Act,
- (a) where two or more pipe lines occupy the same right of way, each pipe line occupying the right of way is a second and

subsequent pipe line, except that which bears the highest assessed value computed by applying the rates in the Schedules without the reduction in rates for the second and subsequent pipe lines occupying the same right of way provided for in clause (b), but where two or more pipe lines occupying the same right of way have the same assessed value so computed and that assessed value is the highest assessed value or is the only assessed value for the pipe lines occupying that right of way, each of such pipe lines is designated as a second and subsequent pipe line except that one that was first in use as a pipe line; and

- (b) where a right of way occupied by a pipe line that is not designated to be a second or subsequent pipe line under clause (a) is also occupied by a pipe line that is designated to be a second or subsequent pipe line, each pipe line so designated shall be assessable and taxable at 75 per cent of the rate in the Schedule that is applicable to each pipe line so designated. O. Reg. 316/83, s. 2.

### Schedule 1

#### 1975 PIPE LINE RATES

##### 1975 MARKET VALUE IN DOLLARS PER FOOT OF LENGTH

Size of Pipe		Gas Transmission Pipe Line	Oil Transmission Pipe Line	Field and Gathering Pipe Line
Not over 1"	Nominal Inside Diameter	\$ 2.10	\$ 2.10	\$1.55
Over 1" and not over 1½"	Nominal Inside Diameter	2.30	2.20	1.65
Over 1½" and not over 2½"	Nominal Inside Diameter	2.45	2.35	1.75
Over 2½" and not over 3¾"	Nominal Inside Diameter	3.40	3.30	2.65
Over 3¾" and not over 4½"	Nominal Inside Diameter	4.15	4.05	3.10
Over 4½" and not over 5⅝"	Nominal Inside Diameter	5.10	4.90	3.65
Over 5⅝" and not over 6⅞"	Nominal Inside Diameter	6.00	5.80	4.45
Over 6⅞" and not over 8"	Nominal Inside Diameter	7.00	6.65	5.30
-10"	Nominal Inside Diameter	9.30	8.75	7.00
-12"	Nominal Inside Diameter	11.70	10.85	8.80
-14"	Outside Diameter	14.25	13.15	
-16"	Outside Diameter	17.00	15.50	
-18"	Outside Diameter	19.85	17.70	
-20"	Outside Diameter	22.35	19.85	
-22"	Outside Diameter	25.65	22.55	
-24"	Outside Diameter	27.95	24.45	
-26"	Outside Diameter	30.80	26.50	
-28"	Outside Diameter	34.15	29.00	
-30"	Outside Diameter	36.75	30.85	
-32"	Outside Diameter	39.35	32.60	
-34"	Outside Diameter	41.95	34.35	
-36"	Outside Diameter	44.90	36.45	
-38"	Outside Diameter	47.65	38.25	
-42"	Outside Diameter	53.20		

O. Reg. 316/83, Sched. 1.

### Schedule 2

#### 1978 PIPE LINE RATES

##### 1978 MARKET VALUE IN DOLLARS PER FOOT OF LENGTH

Size of Pipe		Gas Transmission Pipe Line	Oil Transmission Pipe Line	Field and Gathering Pipe Line	
				Steel	Plastic
Not over 1"	Nominal Inside Diameter	\$ 2.75	\$ 2.75	\$ 2.05	\$
Over 1" and not over 1½"	Nominal Inside Diameter	3.00	2.90	2.25	1.25
Over 1½" and not over 2½"	Nominal Inside Diameter	3.70	3.60	2.75	1.65
Over 2½" and not over 3¾"	Nominal Inside Diameter	4.70	4.55	3.50	2.45
Over 3¾" and not over 4½"	Nominal Inside Diameter	5.70	5.55	4.25	3.20

## Schedule 2 (cont'd)

Size of Pipe		Gas Transmission Pipe Line	Oil Transmission Pipe Line	Field and Gathering Pipe Line	
				Steel	Plastic
Over 4½" and not over 5⅝"	Nominal Inside Diameter	\$ 6.60	\$ 6.35	\$ 4.95	\$
Over 5⅝" and not over 6⅝"	Nominal Inside Diameter	7.55	7.25	5.65	
Over 6⅝" and not over 8"	Nominal Inside Diameter	10.50	10.00	7.85	
-10"	Nominal Inside Diameter	14.05	13.20	10.55	
-12"	Nominal Inside Diameter	17.70	16.45	13.25	
-14"	Outside Diameter	21.40	19.70		
-16"	Outside Diameter	25.05	22.80		
-18"	Outside Diameter	29.00	25.80		
-20"	Outside Diameter	32.95	29.35		
-22"	Outside Diameter	36.90	32.45		
-24"	Outside Diameter	40.85	35.55		
-26"	Outside Diameter	44.80	38.55		
-28"	Outside Diameter	48.75	41.45		
-30"	Outside Diameter	52.65	44.25		
-32"	Outside Diameter	56.60	47.00		
-34"	Outside Diameter	60.55	49.65		
-36"	Outside Diameter	64.50	52.25		
-38"	Outside Diameter	68.45	54.75		
-40"	Outside Diameter	72.40			
-42"	Outside Diameter	76.35			

O. Reg. 316/83, Sched. 2.

## Schedule 3

## 1980 PIPE LINE RATES

## 1980 MARKET VALUE IN DOLLARS PER FOOT OF LENGTH

Size of Pipe		Gas Transmission Pipe Line	Oil Transmission Pipe Line	Field and Gathering Pipe Line	
				Steel	Plastic
- Not over 1"	Nominal Inside Diameter	\$ 3.25	\$	\$ 2.40	\$
Over 1" and not over 1½"	Nominal Inside Diameter	3.55	3.40	2.65	1.45
Over 1½" and not over 2½"	Nominal Inside Diameter	4.35	4.25	3.25	1.95
Over 2½" and not over 3¾"	Nominal Inside Diameter	5.55	5.35	4.15	2.90
Over 3¾" and not over 4½"	Nominal Inside Diameter	6.70	6.55	5.00	3.75
Over 4½" and not over 5⅝"	Nominal Inside Diameter	7.80	7.50	5.85	
Over 5⅝" and not over 6⅝"	Nominal Inside Diameter	8.90	8.55	6.65	
Over 6⅝" and not over 8"	Nominal Inside Diameter	12.40	11.80	9.25	
-10"	Nominal Inside Diameter	16.55	15.60	12.45	
-12"	Nominal Inside Diameter	20.90	19.40	15.65	
-14"	Outside Diameter	25.25	23.25		
-16"	Outside Diameter	29.55	26.90		
-18"	Outside Diameter	34.20	30.45		
-20"	Outside Diameter	38.90	34.65		
-22"	Outside Diameter	43.55	38.30		
-24"	Outside Diameter	48.20	41.95		
-26"	Outside Diameter	52.85	45.45		
-28"	Outside Diameter	57.50	48.90		
-30"	Outside Diameter	62.10	52.20		
-32"	Outside Diameter	66.80	55.45		
-34"	Outside Diameter	71.45	58.60		
-36"	Outside Diameter	76.10	61.65		
-38"	Outside Diameter	79.65	64.60		
-40"	Outside Diameter	85.45			
-42"	Outside Diameter	90.10			

O. Reg. 316/83, Sched. 3.

**REGULATION 37****PIPE LINE RATES**

1. The rates contained in the Schedule to this Regulation shall apply to the assessment for taxation of all pipe lines liable to assessment and taxation under section 25 of the Act and located in or on the boundary of any municipality or territory without municipal organization comprised in the locality named in this section, or in any part of a municipality situated in,

- (a) the Township of Eastnor in the County of Bruce;
- (b) the Town of Durham in the County of Grey;
- (c) the Town of Wasaga Beach in the County of Simcoe;
- (d) the Township of Hornepayne in the District of Algoma;
- (e) the Township of Machar in the District of Parry Sound; and
- (f) the District Municipality of Muskoka,
  - (i) in the towns of Bracebridge, Gravenhurst and Huntsville, and

(ii) in the townships of Georgian Bay, Lake of Bays and Muskoka Lakes. O. Reg. 34/87, s. 1.

2. For the purposes of clause 25 (18) (b) of the Act,

- (a) where two or more pipe lines occupy the same right of way, each pipe line occupying the right of way is a second and subsequent pipe line, except that which bears the highest assessed value computed by applying the rates in the Schedule without the reduction in rates for the second and subsequent pipe lines occupying the same right of way provided for in clause (b), but where two or more pipe lines occupying the same right of way have the same assessed value so computed and that assessed value is the highest assessed value or is the only assessed value for the pipe lines occupying that right of way, each of such pipe lines is designated as a second and subsequent pipe line except that one that was first in use as a pipe line; and
- (b) where a right of way occupied by a pipe line that is not designated to be a second or subsequent pipe line under clause (a) is also occupied by a pipe line that is designated to be a second or subsequent pipe line, each pipe line so designated shall be assessable and taxable at 75 per cent of the rate in the Schedule that is applicable to each pipe line so designated. O. Reg. 34/87, s. 2.

**Schedule****1984 PIPE LINE RATES****1984 MARKET VALUE IN DOLLARS PER FOOT OF LENGTH**

Size of Pipe		Gas	Oil	Field and Gathering	
		Transmission Pipe Line	Transmission Pipe Line	Steel	Plastic
¾" – 1"	Nominal Inside Diameter	\$ 3.30	\$ —	\$ 2.50	\$ —
1¼" – 1½"	Nominal Inside Diameter	3.65	3.45	2.75	1.65
2" – 2½"	Nominal Inside Diameter	4.50	4.25	3.20	2.40
3"	Nominal Inside Diameter	5.85	5.50	4.10	3.35
4" – 4½"	Nominal Inside Diameter	7.10	6.70	5.05	4.40
5" – 5¼"	Nominal Inside Diameter	8.35	8.00	6.00	5.20
6" – 6⅝"	Nominal Inside Diameter	9.60	9.20	6.90	5.95
8"	Nominal Inside Diameter	13.65	12.95	9.70	
10"	Nominal Inside Diameter	18.55	17.45	13.90	
12"	Nominal Inside Diameter	23.85	22.20	17.90	
14"	Outside Diameter	29.30	26.95		
16"	Outside Diameter	34.85	31.70		
18"	Outside Diameter	41.05	36.55		
20"	Outside Diameter	47.45	42.25		
22"	Outside Diameter	54.00	47.50		
24"	Outside Diameter	60.75	52.85		
26"	Outside Diameter	67.65	58.20		
28"	Outside Diameter	74.75	63.55		
30"	Outside Diameter	82.00	68.90		
32"	Outside Diameter	89.50	74.30		
34"	Outside Diameter	97.15	79.65		
36"	Outside Diameter	105.00	85.05		
38"	Outside Diameter	113.00	90.40		
40"	Outside Diameter	121.35			
42"	Outside Diameter	129.75			

O. Reg. 228/87, s. 1.

## REGULATION 38

### PIPE LINE RATES

1. The rates contained in the Schedule to this Regulation apply to the assessment for taxation of all pipe lines liable to assessment and taxation under section 25 of the Act and located in or on the boundary of any municipality or territory without municipal organization comprised in a locality named in this section, or in any part of a municipality situated in,

- (a) the County of Bruce,
  - (i) in the towns of Kincardine, Wiarton and Walkerton,
  - (ii) in the Village of Paisley, and
  - (iii) in the Township of Albermarle;
- (b) the Town of Hanover in the County of Grey;
- (c) the District of Algoma,
  - (i) in the Village of Iron Bridge, and
  - (ii) in the Township of Day and Bright Additional;
- (d) the District of Parry Sound,
  - (i) in the towns of Kearney, Parry Sound, Powassan and Trout Creek,
  - (ii) in the villages of Burk's Falls, Magnetawan, Rosseau, South River and Sundridge,
  - (iii) in the townships of Armour, Carling, Chapman,

Christie, Foley, Hagerman, Humphrey, Joly, McDougall, McMurrich, Nipissing, North Hims-worth, Perry, Ryerson, Strong and South Hims-worth, and

- (iv) in the localities of the East Parry Sound Board of Education, the West Parry Sound Board of Educa-tion, McMurrich TSA, Magnetawan TSA and South River TSA. O. Reg. 414/88, s. 1.

2. For the purposes of clause 25 (18) (b) of the Act,

- (a) where two or more pipe lines occupy the same right of way, each pipe line occupying the right of way is a second and subsequent pipe line, except that which bears the highest assessed value computed by applying the rates in the Sched-ule without the reduction in the rates for the second and subsequent pipe lines occupying the same right of way pro-vided for in clause (b), but where two or more pipe lines occupying the same right of way have the same assessed value so computed and that assessed value is the highest assessed value or is the only assessed value for the pipe lines occupying that right of way, each of such pipe lines is desig-nated as a second and subsequent pipe line except that one that was first in use as a pipe line; and
- (b) where the right of way occupied by a pipe line that is not designated to be a second or subsequent pipe line under clause (a) is also occupied by a pipe line that is designated to be a second or subsequent pipe line, each pipe line so designated shall be assessable and taxable at 75 per cent of the rate in the Schedule that is applicable to each pipe line so designated. O. Reg. 414/88, s. 2.

#### Schedule

#### 1984 PIPE LINE RATES

#### 1984 MARKET VALUE IN DOLLARS PER FOOT OF LENGTH

Size of Pipe		Gas Transmission Pipe Line	Oil Transmission Pipe Line	Field and Gathering Pipe Line	
				Steel	Plastic
¾" - 1"	Nominal Inside Diameter	\$ 3.30	\$ —	\$ 2.50	\$ —
1¼" - 1½"	Nominal Inside Diameter	3.65	3.45	2.75	1.65
2" - 2½"	Nominal Inside Diameter	4.50	4.25	3.20	2.40
3"	Nominal Inside Diameter	5.85	5.50	4.10	3.35
4" - 4½"	Nominal Inside Diameter	7.10	6.70	5.05	4.40
5" - 5⅝"	Nominal Inside Diameter	8.35	8.00	6.00	5.20
6" - 6⅝"	Nominal Inside Diameter	9.60	9.20	6.90	5.95
8"	Nominal Inside Diameter	13.65	12.95	9.70	
10"	Nominal Inside Diameter	18.55	17.45	13.90	
12"	Nominal Inside Diameter	23.85	22.20	17.90	
14"	Outside Diameter	29.30	26.95		
16"	Outside Diameter	34.85	31.70		
18"	Outside Diameter	41.05	36.55		
20"	Outside Diameter	47.45	42.25		
22"	Outside Diameter	54.00	47.50		
24"	Outside Diameter	60.75	52.85		
26"	Outside Diameter	67.65	58.20		
28"	Outside Diameter	74.75	63.55		
30"	Outside Diameter	82.00	68.90		
32"	Outside Diameter	89.50	74.30		
34"	Outside Diameter	97.15	79.65		
36"	Outside Diameter	105.00	85.05		
38"	Outside Diameter	113.00	90.40		
40"	Outside Diameter	121.35			
42"	Outside Diameter	129.75			

O. Reg. 414/88, Sched.

**REGULATION 39****PIPE LINE RATES**

1. The rates contained in the Schedule apply to the assessment for taxation of all pipe lines liable to assessment and taxation under section 25 of the Act that are located in or on the boundary of any municipality or territory without municipal organization comprised in a locality named in this section or in any part of a municipality situated in,

- (a) the District of Algoma,
  - (i) in the Town of Blind River,
  - (ii) in the townships of The North Shore, Shedden and Thompson, and
  - (iii) in the locality of the North Shore Board of Education;
- (b) in the District of Manitoulin,
  - (i) in the towns of Gore Bay and Little Current,
  - (ii) in the townships of Assignack, Barrie Island, Billings, Burpee, Carnarvon, Cockburn Island, Gordon, Howland, Rutherford and George Island, Sandfield and Tehkummah, and

(iii) in the locality of the Manitoulin Board of Education; or

(c) the Township of McKellar in the District of Parry Sound. O. Reg. 108/89, s. 1.

2. For the purposes of clause 25 (18) (b) of the Act,

- (a) if two or more pipe lines occupy the same right of way, each pipe line occupying the right of way is a second and subsequent pipe line, except that which bears the highest assessed value computed by applying the rates in the Schedule without the reduction in the rates for the second and subsequent pipe lines occupying the same right of way provided for in clause (b) but, if two or more pipe lines occupying the same right of way have the same assessed value so computed and that assessed value is the highest assessed value or is the only assessed value for the pipe lines occupying that right of way, each of such pipe lines is designated as a second and subsequent pipe line except that one that was first in use as a pipe line; and
- (b) if the right of way occupied by a pipe line that is not designated to be a second or subsequent pipe line under clause (a) is also occupied by a pipe line that is designated to be a second or subsequent pipe line, each pipe line so designated shall be assessable and taxable at 75 per cent of the rate in the Schedule that is applicable to each pipe line so designated. O. Reg. 108/89, s. 2.

**Schedule****1984 PIPE LINE RATES****1984 MARKET VALUE IN DOLLARS PER FOOT OF LENGTH**

Size of Pipe		Gas	Oil	Field and Gathering	
		Transmission Pipe Line	Transmission Pipe Line	Steel	Plastic
¾" - 1"	Nominal Inside Diameter	\$ 3.30	\$ —	\$ 2.50	\$ —
1¼" - 1½"	Nominal Inside Diameter	3.65	3.45	2.75	1.65
2" - 2½"	Nominal Inside Diameter	4.50	4.25	3.20	2.40
3"	Nominal Inside Diameter	5.85	5.50	4.10	3.35
4" - 4½"	Nominal Inside Diameter	7.10	6.70	5.05	4.40
5" - 5½"	Nominal Inside Diameter	8.35	8.00	6.00	5.20
6" - 6½"	Nominal Inside Diameter	9.60	9.20	6.90	5.95
8"	Nominal Inside Diameter	13.65	12.95	9.70	
10"	Nominal Inside Diameter	18.55	17.45	13.90	
12"	Nominal Inside Diameter	23.85	22.20	17.90	
14"	Outside Diameter	29.30	26.95		
16"	Outside Diameter	34.85	31.70		
18"	Outside Diameter	41.05	36.55		
20"	Outside Diameter	47.45	42.25		
22"	Outside Diameter	54.00	47.50		
24"	Outside Diameter	60.75	52.85		
26"	Outside Diameter	67.65	58.20		
28"	Outside Diameter	74.75	63.55		
30"	Outside Diameter	82.00	68.90		
32"	Outside Diameter	89.50	74.30		
34"	Outside Diameter	97.15	79.65		
36"	Outside Diameter	105.00	85.05		
38"	Outside Diameter	113.00	90.40		
40"	Outside Diameter	121.35			
42"	Outside Diameter	129.75			

O. Reg. 108/89, Sched.

**REGULATION 40****PIPE LINE RATES IN MUSKOKA  
AND PARRY SOUND**

1. In lieu of the rates contained in the Schedule to Regulation 35 of the Revised Regulations of Ontario, 1990, the rates contained in the Schedule to this Regulation shall apply to the assessment for taxation of all pipe lines liable to assessment and taxation under section 25 of the Act and located in or on the boundary of any municipality, or territory without municipal organization comprised in a locality, or in any part of a municipality situated within either The District Municipality of Muskoka or the District of Parry Sound. R.R.O. 1980, Reg. 72, s. 1.

2. For the purpose of clause 25 (16) (b) of the Act,

- (a) where two or more pipe lines occupy the same right of way, the second and subsequent pipe lines occupying that right of

way are designated to be each pipe line occupying that right of way, except that which bears the higher or highest assessed value computed by applying the rates in the Schedule to this Regulation without the reduction in rates for the second and subsequent pipe lines occupying the same right of way provided for in clause (b), and where two or more pipe lines occupying the same right of way have the same assessed value so computed and that assessed value is the higher or highest assessed value or is the only assessed value for the pipe lines occupying that right of way, each of such pipe lines is designated as a second and subsequent pipe line except that one that was first in use as a pipe line; and

- (b) where a right of way occupied by a pipe line that is not designated to be a second or subsequent pipe line under clause (a) is occupied by a pipe line that is so designated, each pipe line so designated shall be assessable and taxable at 75 per cent of the rate in the Schedule that is applicable to each pipe line so designated. R.R.O. 1980, Reg. 72, s. 2.

**Schedule****PIPE LINE RATES****ASSESSMENT IN DOLLARS PER FOOT OF LENGTH**

Size of Pipe		Gas Transmission Pipe Line	Oil Transmission Pipe Line	Field and Gathering Pipe Line
Not over 1"	Nominal Inside Diameter	\$ 2.75	\$ 2.75	\$ 2.05
Over 1" and not over 1½"	" "	3.00	2.90	2.25
Over 1½" and not over 2½"	" "	3.70	3.60	2.75
Over 2½" and not over 3¾"	" "	4.70	4.55	3.50
Over 3¾" and not over 4½"	" "	5.70	5.55	4.25
Over 4½" and not over 5⅝"	" "	6.60	6.35	4.95
Over 5⅝" and not over 6⅞"	" "	7.55	7.25	5.65
Over 6⅞" and not over 8"	" "	10.50	10.00	7.85
—10"	" "	14.05	13.20	10.55
—12"	" "	17.70	16.45	13.25
—14"	Outside Diameter	21.40	19.70	
—16"	" "	25.05	22.80	
—18"	" "	29.00	25.80	
—20"	" "	32.95	29.35	
—22"	" "	36.90	32.45	
—24"	" "	40.85	35.55	
—26"	" "	44.80	38.55	
—28"	" "	48.75	41.45	
—30"	" "	52.65	44.25	
—32"	" "	56.60	47.00	
—34"	" "	60.55	49.65	
—36"	" "	64.50	52.25	
—38"	" "	68.45	54.75	
—40"	" "	72.40		
—42"	" "	76.35		

R.R.O. 1980, Reg. 72, Sched.

**REGULATION 41****PIPE LINE RATES IN PART OF THE DISTRICT OF  
ALGOMA AND PART OF THE REGIONAL  
MUNICIPALITY OF OTTAWA-CARLETON**

1.—(1) In lieu of the rates contained in the Schedule to Regulation 35 of Revised Regulations of Ontario, 1990, the rates contained in the Schedule to this Regulation shall apply to the assessment for taxation of all pipe lines liable to assessment and taxation under section 25 of the Act and located in or on the boundary of the Township of West Carleton in The Regional Municipality of Ottawa-Carleton.

(2) In lieu of the rates contained in the Schedule to Regulation 35 of Revised Regulations of Ontario, 1990, the rates contained in the Schedule to this Regulation shall apply to the assessment for taxation of all pipe lines liable to assessment and taxation under section 25 of the Act and located in or on the boundary of the Town of Bruce Mines, the Town of Thessalon, the Village of Hilton Beach, the Township of Hilton, the Township of Jocelyn, the Township of Johnson, the Township of Laird, the Township of Macdonald, Meredith and Aberdeen Additional, the Township of Plummer Additional, the Township of St. Joseph, the Township of Tarbutt and Tarbutt Additional, the Township of Thessalon and the Locality of the Central Algoma Board of Education in the District of Algoma. O. Reg. 684/86, s. 1, revised.

2. For the purposes of clause 25 (16) (b) of the Act,

- (a) where two or more pipe lines occupy the same right of way, the second and subsequent pipe lines occupying that right of way are designated to be each pipe line occupying that right of way, except that which bears the higher or highest assessed value computed by applying the rates in the Schedule to this Regulation without the reduction in rates for the second and subsequent pipe lines occupying the same right of way provided for in clause (b), and where two or more pipe lines occupying the same right of way have the same assessed value so computed and that the assessed value is

the higher or highest assessed value or is the assessed value for the pipe lines occupying that right of way, each of such pipe lines is designated as a second and subsequent pipe line except that one that was first in use as a pipe line; and

- (b) where a right of way occupied by a pipe line that is not designated to be a second or subsequent pipe line under clause (a) is occupied by a pipe line that is so designated, each pipe line so designated shall be assessable and taxable at 75 per cent of the rate in the Schedule that is applicable to each pipe line so designated. O. Reg. 684/86, s. 2.

### Schedule

#### 1980 PIPE LINE RATES

##### 1980 MARKET VALUE IN DOLLARS PER FOOT OF LENGTH

Size of Pipe		Gas Transmission Pipe Line	Oil Transmission Pipe Line	Field and Gathering Pipe Line	
				Steel	Plastic
Not Over 1"	Nominal Inside Diameter	\$ 3.25	\$ —	\$ 2.40	\$ —
Over 1" and Not Over 1½"	Nominal Inside Diameter	3.55	3.40	2.65	1.45
Over 1½" and Not Over 2½"	Nominal Inside Diameter	4.35	4.25	3.25	1.95
Over 2½" and Not Over 3¾"	Nominal Inside Diameter	5.55	5.35	4.15	2.90
Over 3¾" and Not Over 4½"	Nominal Inside Diameter	6.70	6.55	5.00	3.75
Over 4½" and Not Over 5⅝"	Nominal Inside Diameter	7.80	7.50	5.85	
Over 5⅝" and Not Over 6⅞"	Nominal Inside Diameter	8.90	8.55	6.65	
Over 6⅞" and Not Over 8"	Nominal Inside Diameter	12.40	11.80	9.25	
10"	Nominal Inside Diameter	16.55	15.60	12.45	
12"	Nominal Inside Diameter	20.90	19.40	15.65	
14"	Outside Diameter	25.25	23.25		
16"	Outside Diameter	29.55	26.90		
18"	Outside Diameter	34.20	30.45		
20"	Outside Diameter	38.90	34.65		
22"	Outside Diameter	43.55	38.30		
24"	Outside Diameter	48.20	41.95		
26"	Outside Diameter	52.85	45.45		
28"	Outside Diameter	57.50	48.90		
30"	Outside Diameter	62.10	52.20		
32"	Outside Diameter	66.80	55.45		
34"	Outside Diameter	71.45	58.60		
36"	Outside Diameter	76.10	61.65		
38"	Outside Diameter	79.65	64.60		
40"	Outside Diameter	85.45			
42"	Outside Diameter	90.10			

O. Reg. 684/86, Sched.

### REGULATION 42

#### PIPE LINE RATES IN PARTS OF THE COUNTIES OF HASTINGS AND SIMCOE AND PARTS OF THE UNITED COUNTIES OF PRESCOTT AND RUSSELL AND STORMONT, DUNDAS AND GLENGARRY

1. In lieu of the rates contained in the Schedule to Regulation 35 of Revised Regulations of Ontario, 1990 (Pipe Line Rates), the rates contained in the Schedule to this Regulation shall apply to the assessment for taxation of all pipe lines liable to assessment and taxation under section 25 of the Act that are located in or on the boundary of,

- (a) the Township of Herschel in the County of Hastings;
- (b) the Township of Alfred in the United Counties of Prescott and Russell;
- (c) the townships of Oro and Tay, both in the County of Simcoe; and

- (d) the townships of Lochiel, Roxborough and Winchester, all in the United Counties of Stormont, Dundas and Glengarry. O. Reg. 193/89, s. 1, *revised*.

2. For the purposes of clause 25 (16) (b) of the Act,

- (a) if two or more pipe lines occupy the same right of way, each pipe line occupying the right of way is a second and subsequent pipe line, except that which bears the highest assessed value computed by applying the rates in the Schedule without the reduction in the rates for the second and subsequent pipe lines occupying the same right of way provided for in clause (b), but if two or more pipe lines occupying the same right of way have the same assessed value so computed and that assessed value is the highest assessed value or is the only assessed value for the pipe lines occupying that right of way, each of such pipe lines is designated as a second and subsequent pipe line except that one that was first in use as a pipe line; and
- (b) if the right of way occupied by a pipe line that is not designated to be a second or subsequent pipe line under clause



(a) is also occupied by a pipe line that is designated to be a second or subsequent pipe line, each pipe line so designated shall be assessable and taxable at 75 per cent of the rate in

the Schedule that is applicable to each pipe line so designated. O. Reg. 193/89, s. 2.

### Schedule

#### 1984 PIPE LINE RATES

##### 1984 MARKET VALUE IN DOLLARS PER FOOT OF LENGTH

Size of Pipe		Gas Transmission Pipe Line	Oil Transmission Pipe Line	Field and Gathering Pipe Line	
				Steel	Plastic
¾" - 1"	Nominal Inside Diameter	\$ 3.30	\$ —	\$ 2.50	\$ —
1¼" - 1½"	Nominal Inside Diameter	3.65	3.45	2.75	1.65
2" - 2½"	Nominal Inside Diameter	4.50	4.25	3.20	2.40
3"	Nominal Inside Diameter	5.85	5.50	4.10	3.35
4" - 4½"	Nominal Inside Diameter	7.10	6.70	5.05	4.40
5" - 5⅝"	Nominal Inside Diameter	8.35	8.00	6.00	5.20
6" - 6⅝"	Nominal Inside Diameter	9.60	9.20	6.90	5.95
8"	Nominal Inside Diameter	13.65	12.95	9.70	
10"	Nominal Inside Diameter	18.55	17.45	13.90	
12"	Nominal Inside Diameter	23.85	22.20	17.90	
14"	Outside Diameter	29.30	26.95		
16"	Outside Diameter	34.85	31.70		
18"	Outside Diameter	41.05	36.55		
20"	Outside Diameter	47.45	42.25		
22"	Outside Diameter	54.00	47.50		
24"	Outside Diameter	60.75	52.85		
26"	Outside Diameter	67.65	58.20		
28"	Outside Diameter	74.75	63.55		
30"	Outside Diameter	82.00	68.90		
32"	Outside Diameter	89.50	74.30		
34"	Outside Diameter	97.15	79.65		
36"	Outside Diameter	105.00	85.05		
38"	Outside Diameter	113.00	90.40		
40"	Outside Diameter	121.35			
42"	Outside Diameter	129.75			

O. Reg. 193/89, Sched.

### REGULATION 43

#### PIPE LINE RATES IN PARTS OF THE COUNTIES OF PETERBOROUGH, SIMCOE AND VICTORIA AND IN PARTS OF THE DISTRICTS OF SUDBURY AND ALGOMA

1. In lieu of the rates contained in the Schedule to Regulation 35 of Revised Regulations of Ontario, 1990, the rates contained in the Schedule to this Regulation shall apply to the assessment for taxation of all pipe lines liable to assessment and taxation under section 25 of the Act and located in or on the boundary of,

- the Township of Cavan in the County of Peterborough;
- the Township of Vespra in the County of Simcoe;
- the Township of Dalton in the County of Victoria;
- the Township of Baldwin in the District of Sudbury; and
- the Improvement District of Dubreuilville and the geographic townships of Esquega and Fiddler in the jurisdic-

tion of the Michipicoten Board of Education, all in the District of Algoma. O. Reg. 89/87, s. 1, revised.

2. For the purposes of clause 25 (16) (b) of the Act,

- where two or more pipe lines occupy the same right of way, each pipe line occupying the right of way is a second and subsequent pipe line, except that which bears the highest assessed value computed by applying the rates in the Schedule for the second and subsequent pipe lines occupying the same right of way provided for in clause (b), but where two or more pipe lines occupying the same right of way have the same assessed value so computed and that assessed value is the highest assessed value or is the only assessed value for the pipe lines occupying that right of way, each such pipe line is designated as a second and subsequent pipe line except that one that was first in use as a pipe line; and
- where a right of way occupied by a pipe line that is not designated to be a second or subsequent pipe line under clause (a) is also occupied by a pipe line that is designated to be a second or subsequent pipe line, each pipe line so designated shall be assessable and taxable at 75 per cent of the rate in the Schedule that is applicable to each pipe line so designated. O. Reg. 89/87, s. 2.

## Schedule

## 1984 PIPE LINE RATES

## 1984 MARKET VALUE IN DOLLARS PER FOOT OF LENGTH

Size of Pipe		Gas Transmission Pipe Line	Oil Transmission Pipe Line	Field and Gathering Pipe Line	
				Steel	Plastic
3/4" - 1"	Nominal Inside Diameter	\$ 3.30	\$ —	\$ 2.50	\$ —
1 1/4" - 1 1/2"	Nominal Inside Diameter	3.65	3.45	2.75	1.65
2" - 2 1/2"	Nominal Inside Diameter	4.50	4.25	3.20	2.40
3"	Nominal Inside Diameter	5.85	5.50	4.10	3.35
4" - 4 1/2"	Nominal Inside Diameter	7.10	6.70	5.05	4.40
5" - 5 5/8"	Nominal Inside Diameter	8.35	8.00	6.00	5.20
6" - 6 5/8"	Nominal Inside Diameter	9.60	9.20	6.90	5.95
8"	Nominal Inside Diameter	13.65	12.95	9.70	
10"	Nominal Inside Diameter	18.55	17.45	13.90	
12"	Nominal Inside Diameter	23.85	22.20	17.90	
14"	Outside Diameter	29.30	26.95		
16"	Outside Diameter	34.85	31.70		
18"	Outside Diameter	41.05	36.55		
20"	Outside Diameter	47.45	42.25		
22"	Outside Diameter	54.00	47.50		
24"	Outside Diameter	60.75	52.85		
26"	Outside Diameter	67.65	58.20		
28"	Outside Diameter	74.75	63.55		
30"	Outside Diameter	82.00	68.90		
32"	Outside Diameter	89.50	74.30		
34"	Outside Diameter	97.15	79.65		
36"	Outside Diameter	105.00	85.05		
38"	Outside Diameter	113.00	90.40		
40"	Outside Diameter	121.35			
42"	Outside Diameter	129.75			

O. Reg. 267/87, s. 1.

## REGULATION 44

**PIPE LINE RATES IN THE COUNTY OF HURON  
AND PARTS OF THE COUNTIES OF  
HALIBURTON, HASTINGS, PETERBOROUGH,  
SIMCOE AND VICTORIA AND PART OF THE  
DISTRICT OF TIMISKAMING**

1. In lieu of the rates contained in the Schedule to Regulation 35 of Revised Regulations of Ontario, 1990, the rates contained in the Schedule to this Regulation shall apply to the assessment for taxation of all pipe lines liable to assessment and taxation under section 25 of the Act and located in or on the boundary of,

- (a) the County of Huron;
- (b) the townships of Dungannon, Faraday, Marmora and Lake, and Monteaule, all in the County of Hastings;
- (c) the Township of Bicroft in the County of Haliburton;
- (d) the Township of Harvey in the County of Peterborough;
- (e) the Township of Carden in the County of Victoria;

(f) the City of Barrie and the villages of Beeton and Creemore in the County of Simcoe; and

(g) the Township of Hudson in the District of Timiskaming. O. Reg. 469/88, s. 1, *revised*.

2. For the purposes of clause 25 (16) (b) of the Act,

- (a) where two or more pipe lines occupy the same right of way, each pipe line occupying the right of way is a second and subsequent pipe line, except that which bears the highest assessed value computed by applying the rates in the Schedule for the second and subsequent pipe lines occupying the same right of way provided for in clause (b), but where two or more pipe lines occupying the same right of way have the same assessed value so computed and that assessed value is the highest assessed value or is the only assessed value for the pipe lines occupying that right of way, each of such pipe lines is designated as a second and subsequent pipe line except that one that was first in use as a pipe line; and
- (b) where the right of way occupied by a pipe line that is not designated to be a second or subsequent pipe line under clause (a) is also occupied by a pipe line that is designated to be a second or subsequent pipe line, each pipe line so designated shall be assessable and taxable at 75 per cent of the rate in the Schedule that is applicable to each pipe line so designated. O. Reg. 469/88, s. 2.

## Schedule

## 1984 PIPE LINE RATES

## 1984 MARKET VALUE IN DOLLARS PER FOOT OF LENGTH

Size of Pipe		Gas Transmission Pipe Line	Oil Transmission Pipe Line	Field and Gathering Pipe Line	
				Steel	Plastic
¾" - 1"	Nominal Inside Diameter	\$ 3.30	\$ —	\$ 2.50	\$ —
1¼" - 1½"	Nominal Inside Diameter	3.65	3.45	2.75	1.65
2" - 2½"	Nominal Inside Diameter	4.50	4.25	3.20	2.40
3"	Nominal Inside Diameter	5.85	5.50	4.10	3.35
4" - 4½"	Nominal Inside Diameter	7.10	6.70	5.05	4.40
5" - 5½"	Nominal Inside Diameter	8.35	8.00	6.00	5.20
6" - 6¾"	Nominal Inside Diameter	9.60	9.20	6.90	5.95
8"	Nominal Inside Diameter	13.65	12.95	9.70	
10"	Nominal Inside Diameter	18.55	17.45	13.90	
12"	Nominal Inside Diameter	23.85	22.20	17.90	
14"	Outside Diameter	29.30	26.95		
16"	Outside Diameter	34.85	31.70		
18"	Outside Diameter	41.05	36.55		
20"	Outside Diameter	47.45	42.25		
22"	Outside Diameter	54.00	47.50		
24"	Outside Diameter	60.75	52.85		
26"	Outside Diameter	67.65	58.20		
28"	Outside Diameter	74.75	63.55		
30"	Outside Diameter	82.00	68.90		
32"	Outside Diameter	89.50	74.30		
34"	Outside Diameter	97.15	79.65		
36"	Outside Diameter	105.00	85.05		
38"	Outside Diameter	113.00	90.40		
40"	Outside Diameter	121.35			
42"	Outside Diameter	129.75			

O. Reg. 469/88, Sched.

## REGULATION 45

PIPE LINE RATES IN THE  
REGIONAL MUNICIPALITY OF SUDBURY

1.—(1) The rates contained in Schedule 3 to Regulation 36 of the Revised Regulations of Ontario, 1990 apply to the assessment for taxation of all pipe lines liable to assessment and taxation under section 25 of the Act and located in or on the boundary of The Regional Municipality of Sudbury or any part of the Regional Municipality.

(2) For the purposes of clause 25 (17) (b) of the Act,

- (a) where two or more pipe lines occupy the same right of way, each pipe line occupying the right of way is a second and subsequent pipe line, except that which bears the highest assessed value computed by applying the rates in Schedule 3 to Regulation 36 of the Revised Regulations of Ontario, 1990 without the reduction in rates for the second and subsequent pipe lines occupying the same right of way provided for in clause (b), but where two or more pipe lines occupying the same right of way have the same assessed value so computed and that assessed value is the highest assessed value or is the only assessed value for the pipe lines occupying that right of way, each of such pipe lines is designated as a second and subsequent pipe line except that one that was first in use as a pipe line; and
- (b) where a right of way occupied by a pipe line that is not designated to be a second or subsequent pipe line under clause (a) is also occupied by a pipe line that is designated to be a second and subsequent pipe line, each pipe line so designated shall be assessable and taxable at 75 per cent of the rate in Schedule 3 to Regulation 36 of the Revised Regula-

tions of Ontario, 1990 that is applicable to each pipe line so designated. O. Reg. 375/86, s. 1.

## REGULATION 46

PIPE LINE RATES  
UNDER SUBSECTION 25 (16) OF THE ACT

1. This Regulation applies with respect to pipe lines located in or on the boundary of the following:

1. The County of Prince Edward.
2. The Village of L'Orignal and the townships of South Platenet and West Hawkesbury in the United Counties of Prescott and Russell.
3. The townships of Caldwell and Field in the District of Nipissing. O. Reg. 529/90, s. 1.

2. Beginning in 1990, the rates set out in columns 2 to 5 of the Schedule to this Regulation, opposite the size of pipe set out in Column 1, apply with respect to the assessment for taxation of all pipe lines liable under section 25 of the Act to assessment and taxation to which this Regulation applies. O. Reg. 529/90, s. 2.

3.—(1) This section applies if two or more pipe lines occupy the same right of way.

(2) The pipe line with the highest assessed value, as calculated using the rates set out in the applicable schedule to this Regulation, is considered to be the first pipe line.

(3) If two or more pipe lines have the same assessed value which is also the highest assessed value among the pipe lines in the right of way, the pipe line that was used first (among those with the highest assessed value) is considered to be the first pipe line.

(4) Each of the pipe lines, other than the first pipe line, is design-

ated as a second and subsequent pipe line for the purposes of subsection 25 (16) of the Act.

(5) Each pipe line designated as a second and subsequent pipe line is assessable and taxable at 75 per cent of the applicable rate set out in the Schedule to this Regulation. O. Reg. 529/90, s. 3.

### Schedule

#### 1984 PIPE LINE RATES

##### 1984 MARKET VALUE IN DOLLARS PER FOOT OF LENGTH

COLUMN 1		COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
Size of Pipe		Gas Transmission Pipe Line	Oil Transmission Pipe Line	Field and Gathering Pipe Line	
				Steel	Plastic
3/4" - 1"	Nominal Inside Diameter	\$ 3.30	\$ —	\$ 2.50	\$ —
1 1/4" - 1 1/2"	Nominal Inside Diameter	3.65	3.45	2.75	1.65
2" - 2 1/2"	Nominal Inside Diameter	4.50	4.25	3.20	2.40
3"	Nominal Inside Diameter	5.85	5.50	4.10	3.35
4" - 4 1/2"	Nominal Inside Diameter	7.10	6.70	5.05	4.40
5" - 5 3/8"	Nominal Inside Diameter	8.35	8.00	6.00	5.20
6" - 6 5/8"	Nominal Inside Diameter	9.60	9.20	6.90	5.95
8"	Nominal Inside Diameter	13.65	12.95	9.70	
10"	Nominal Inside Diameter	18.55	17.45	13.90	
12"	Nominal Inside Diameter	23.85	22.20	17.90	
14"	Outside Diameter	29.30	26.95		
16"	Outside Diameter	34.85	31.70		
18"	Outside Diameter	41.05	36.55		
20"	Outside Diameter	47.45	42.25		
22"	Outside Diameter	54.00	47.50		
24"	Outside Diameter	60.75	52.85		
26"	Outside Diameter	67.65	58.20		
28"	Outside Diameter	74.75	63.55		
30"	Outside Diameter	82.00	68.90		
32"	Outside Diameter	89.50	74.30		
34"	Outside Diameter	97.15	79.65		
36"	Outside Diameter	105.00	85.05		
38"	Outside Diameter	113.00	90.40		
40"	Outside Diameter	121.35			
42"	Outside Diameter	129.75			

O. Reg. 529/90, Sched.

### REGULATION 47

#### PIPE LINE RATES UNDER SUBSECTION 25 (17) OF THE ACT

1. Beginning in 1990, the rates set out in Columns 2 to 5 of the applicable schedule to this Regulation, opposite the size of pipe set out in Column 1, apply with respect to the assessment for taxation of all pipe lines liable under section 25 of the Act to assessment and taxation to which the schedule applies. O. Reg. 485/90, s. 1.

2.—(1) Schedule 1 to this Regulation applies with respect to pipe lines located in or on the boundary of the following:

1. The City of Chatham.
2. All municipalities in the County of Kent.
3. The towns of Amherstburg and Tecumseh and the Township of Tilbury North in the County of Essex.
4. The Village of Tweed in the County of Hastings.
5. The Township of Ernestown in the County of Lennox and Addington.

6. The Township of Longueuil in the United Counties of Prescott and Russell.
7. The townships of Osnabruck and Williamsburgh in the United Counties of Stormont, Dundas and Glengarry.
8. The Town of Cache Bay and the Township of Mattawan in the District of Nipissing.
9. The Township of Shuniah in the District of Thunder Bay.
10. The Township of Larder Lake in the District of Timiskaming.
11. The Dryden Board of Education in the District of Kenora.

(2) Schedule 2 to this Regulation applies with respect to pipe lines located in or on the boundary of The Regional Municipality of Sudbury. O. Reg. 485/90, s. 2.

3.—(1) This section applies if two or more pipe lines occupy the same right of way.

(2) The pipe line with the highest assessed value, as calculated using the rates set out in the applicable schedule to this Regulation, is considered to be the first pipe line.

(3) If two or more pipe lines have the same assessed value which is also the highest assessed value among the pipe lines in the right of way, the pipe line that was used first (among those with the highest assessed value) is considered to be the first pipe line.

(4) Each of the pipe lines, other than the first pipe line, is design-

ated as a second and subsequent pipe line for the purposes of subsection 25 (17) of the Act.

(5) Each pipe line designated as a second and subsequent pipe line is assessable and taxable at 75 per cent of the applicable rate set out in the applicable schedule to this Regulation. O. Reg. 485/90, s. 3.

### Schedule 1

#### 1984 PIPE LINE RATES

##### 1984 MARKET VALUE IN DOLLARS PER FOOT OF LENGTH

COLUMN 1		COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
Size of Pipe (inches)		Gas Transmission Pipe Line	Oil Transmission Pipe Line	Field and Gathering Pipe Line	
				Steel	Plastic
¾" - 1"	Nominal Inside Diameter	\$ 3.30	\$ —	\$ 2.50	\$ —
1¼" - 1½"	Nominal Inside Diameter	3.65	3.45	2.75	1.65
2" - 2½"	Nominal Inside Diameter	4.50	4.25	3.20	2.40
3"	Nominal Inside Diameter	\$ 5.85	\$ 5.50	\$ 4.10	\$3.35
4" - 4½"	Nominal Inside Diameter	7.10	6.70	5.05	4.40
5" - 5½"	Nominal Inside Diameter	8.35	8.00	6.00	5.20
6" - 6⅝"	Nominal Inside Diameter	9.60	9.20	6.90	5.95
8"	Nominal Inside Diameter	13.65	12.95	9.70	
10"	Nominal Inside Diameter	18.55	17.45	13.90	
12"	Nominal Inside Diameter	23.85	22.20	17.90	
14"	Outside Diameter	29.30	26.95		
16"	Outside Diameter	34.85	31.70		
18"	Outside Diameter	41.05	36.55		
20"	Outside Diameter	47.45	42.25		
22"	Outside Diameter	54.00	47.50		
24"	Outside Diameter	60.75	52.85		
26"	Outside Diameter	67.65	58.20		
28"	Outside Diameter	\$ 74.75	\$63.55		
30"	Outside Diameter	82.00	68.90		
32"	Outside Diameter	89.50	74.30		
34"	Outside Diameter	97.15	79.65		
36"	Outside Diameter	105.00	85.05		
38"	Outside Diameter	113.00	90.40		
40"	Outside Diameter	121.35			
42"	Outside Diameter	129.75			

O. Reg. 485/90, Sched. 1.

## Schedule 2

## 1988 PIPE LINE RATES

## 1988 MARKET VALUE IN DOLLARS PER FOOT OF LENGTH

COLUMN 1		COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
Size of Pipe (inches)		Gas Transmission Pipe Line	Oil Transmission Pipe Line	Field and Gathering Pipe Line	
				Steel	Plastic
¾" - 1"	Nominal Inside Diameter	\$ 3.30	\$ —	\$ 2.50	\$ —
1¼" - 1½"	Nominal Inside Diameter	3.65	3.55	2.75	1.60
2" - 2½"	Nominal Inside Diameter	4.50	4.40	3.40	2.20
3"	Nominal Inside Diameter	6.45	6.25	4.85	3.70
4" - 4½"	Nominal Inside Diameter	7.95	7.70	5.95	4.85
5" - 5½"	Nominal Inside Diameter	9.50	9.10	7.15	5.70
6" - 6¾"	Nominal Inside Diameter	11.10	10.65	8.35	6.55
8"	Nominal Inside Diameter	15.80	15.00	12.45	
10"	Nominal Inside Diameter	22.10	20.80	16.60	
12"	Nominal Inside Diameter	27.65	25.70	20.75	
14"	Outside Diameter	34.50	31.75		
16"	Outside Diameter	40.40	36.75		
18"	Outside Diameter	48.25	42.95		
20"	Outside Diameter	55.10	49.05		
22"	Outside Diameter	62.85	55.35		
24"	Outside Diameter	70.60	61.40		
26"	Outside Diameter	78.90	67.85		
28"	Outside Diameter	87.20	74.10		
30"	Outside Diameter	95.50	80.20		
32"	Outside Diameter	104.50	86.75		
34"	Outside Diameter	113.50	93.10		
36"	Outside Diameter	122.45	99.20		
38"	Outside Diameter	132.20	105.75		
40"	Outside Diameter	141.95			
42"	Outside Diameter	151.65			

O. Reg. 485/90, Sched. 2.

## REGULATION 48

## PROPERTY INCOME QUESTIONNAIRE

1. A property income questionnaire under subsection 10 (1) of the Act shall be in Form 1. R.R.O. 1980, Reg. 73, s. 1.

2. Despite section 1, a property income questionnaire under subsection 10 (1) of the Act for use in the assessment of hotels and motels shall be in Form 2. R.R.O. 1980, Reg. 73, s. 2.



Ministry of Revenue  
Property Assessment Program

Property Income Questionnaire  
The Assessment Act  
Form 1

INSTRUCTIONS

A. The provisions of the *Assessment Act*, R.S.O. 1990, c. A.31 require that the form be completed and returned within ten days after receipt of this form. The form must be returned to the Assessment Commissioner or Assessor at the address shown.

Name	
Mailing address	
-----	
Title	Telephone No

B. Please return with this completed form, a SCHEDULE OF OCCUPANTS as of the date of this form is received, showing the following information: name of tenant, locations of tenant within the building, total area occupied by tenant, date of lease, terms of lease including renewal options, rent, including parking, all additional income data relating to overages, escalator payments, common area maintenance charges and any other charges recovered from the tenant, location and area of vacant units.

C. PARTICULARS TO BE FURNISHED BY OWNER

Name of Owner	Assessment Roll No
Mailing Address	Property Address
-----	-----

1A.

What was the ACTUAL GROSS INCOME received from the property during the year ending in 19\_\_ , or if a corporation, during the fiscal year ending in 19\_\_ ?

TOTAL

1B.

What was the estimated loss in income due to VACANCY?

TOTAL

1C. PLEASE BREAK DOWN THE ACTUAL GROSS INCOME AS FOLLOWS (where applicable)

I Income received from rents	+	II Income from parking	+	III Income from gross receipts	+	IV Income from tax escalator clauses	+	V Income from other escalator clauses	=	TOTAL
<input type="text"/>		<input type="text"/>		<input type="text"/>		<input type="text"/>		<input type="text"/>		<input type="text"/>

1D. SERVICE INCOME RECEIVED FROM TENANTS:

a Hydro	+	b Water	+	c Air Conditioning	+	d Heating	=	TOTAL
<input type="text"/>		<input type="text"/>		<input type="text"/>		<input type="text"/>		<input type="text"/>

1E. OTHER INCOME (please specify)

-----

TOTAL

=

TOTAL

2.

What were the ACTUAL OPERATING EXPENSES for the above year OR fiscal year (excluding mortgage payments and capital cost allowance). TOTAL

PLEASE BREAK DOWN THE EXPENSES AS FOLLOWS:

<p>I Property taxes <input style="width: 100%;" type="text"/></p> <p>II Heating <input style="width: 100%;" type="text"/></p> <p>III Hydro <input style="width: 100%;" type="text"/></p> <p>IV Water <input style="width: 100%;" type="text"/></p> <p>V Janitor <input style="width: 100%;" type="text"/></p>	<p>VI Wages (other) <input style="width: 100%;" type="text"/></p> <p>VII Maintenance and Repairs <input style="width: 100%;" type="text"/></p> <p>VIII Decorating <input style="width: 100%;" type="text"/></p> <p>IX Property and Liability Insurance <input style="width: 100%;" type="text"/></p> <p>X Supplies <input style="width: 100%;" type="text"/></p>	<p>XI Snow Removal <input style="width: 100%;" type="text"/></p> <p>XII Legal and Audit Fees <input style="width: 100%;" type="text"/></p> <p>XIII Air Conditioning <input style="width: 100%;" type="text"/></p> <p>XIV Management <input style="width: 100%;" type="text"/></p> <p>XV Other Expenses (please specify) <input style="width: 100%;" type="text"/></p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

\_\_\_\_\_

Date Signature

R.R.O. 1980, Reg. 73, Form 1.

**Form 2**

*Assessment Act*

**HOTEL/MOTEL INFORMATION QUESTIONNAIRE**

**INSTRUCTIONS**

A. The provisions of the *Assessment Act*, R.S.O. 1990, c. A.31 require that the form be completed and returned within ten days after receipt of this form. The form must be returned to the Assessment Commissioner or Assessor at the address shown opposite.

Name	
Mailing Address	
Title	Telephone No.

B. Only to be answered if portion of premises occupied by business tenants. Please return with this completed form, a SCHEDULE OF OCCUPANTS as of the date this form is received, showing the following information: name of tenant, locations of tenant within the building, total area occupied by tenant, date of lease, terms of lease including renewal options, rent, including parking, all additional income data relating to overages, escalator payments, common area maintenance charges and any other charges recovered from the tenant, location and area of vacant units.

**C. PARTICULARS TO BE FURNISHED BY OWNER**

Name of Owner	Assessment Roll No.
Mailing Address	Property Address



**PART 1: DESCRIPTIVE DATA (Please check)**

Type(s) of Liquor Licence(s) Held:		Charges Incl./Not Incl. in Room Rates:	Recreational Facilities	Length of Hotel/Motel Season
Full Year	Dining Lounge	1. Telephone – Incl.	Pool	Full Year
Seasonal	Dining Room	Not Incl.	Gym	Seasonal
None	Lounge	Amount/Room \$	Sauna	
	Public Lounge	2. Parking – Incl.	Shuffle Bd.	
	Club	Not Incl.	Tennis	
		Amount/Day \$	Cinema	
			Other-Specify	

**PART 2: ROOM RATES (present Rack rates only) For Fiscal Year Ending 19.....**

ROOM TYPES	NO. OF EACH	SINGLE RATE	DOUBLE RATE	TOTAL NO. OF ROOMS
				Average Room Rate \$ _____
				No. of Days Open _____
				Average Occup. % _____
				Total Ann. Gross Room Sales \$ _____

**PART 3: FOOD/BEVERAGE SALES For Fiscal Year Ending 19.....**

Public Facilities	Days of Oper.	No. of Seats	Floor Area	Annual Food Sales	Food Sales Per Seat	Ann. Bev. Sales	Bev. Sale Per Seat
Coffee Shop							
Dining Room							
Dining Lounge							
Supper Club							
Lounge Bar							
Cafeteria							
Beverage Room							
Entertain. Lounge							
Banquet Facilities							
Room Service							
<b>TOTAL ANNUAL GROSS SALES FOR:</b>				<b>FOOD \$ _____</b>	<b>BEVERAGE \$ _____</b>		

The expenses are herein listed in the order set up for standard hotel accounting procedures, commencing with Departmental Expenses. These may be itemized or shown as a total for each department, as desired.

**PART 4: DEPARTMENTAL EXPENSES** For Fiscal Year Ending 19.....

COST OF ROOM SALES		COST OF FOOD SALES		COST OF BEVERAGE SALES	
ITEM	AMOUNT	ITEM	AMOUNT	ITEM	AMOUNT
Wages		Wages		Wages	
Supplies		Cost of Food		Wine & Liquor	
Linen		Supplies		Beer	
Laundry				Liquor Bd. Fees	
				Entertainment	
COLUMN TOTAL \$		COLUMN TOTAL \$		COLUMN TOTAL \$	
TOTAL DEPARTMENTAL EXPENSES \$					

**PART 5: OPERATING EXPENSES** For Fiscal Year Ending 19.....

ITEM	AMOUNT	ITEM	AMOUNT
Administrative		Maintenance	
Office Staff		Decorating	
Office Supplies		Supplies	
Advertising		Property and Liability Ins.	
Heat		Legal and Audit Fees	
Light		Air Conditioning	
Water		Elevators	
Repairs		Property Taxes	
COLUMN TOTAL	\$	COLUMN TOTAL	\$
		TOTAL OPERATING EXPENSES	\$

.....  
Date Completed

.....  
Signature

.....  
Title/Position

R.R.O. 1980, Reg. 73, Form 2.

**REGULATION 49**

**REVISION AND CERTIFICATION OF ASSESSMENT COMMISSIONER'S LIST**

1. For the purposes of preparing a collector's roll or rolls under section 400 of the *Municipal Act*, the clerk of a municipality shall follow the procedures set forth in this Regulation for revision and certification of the list supplied to the clerk by the assessment commissioner under section 16 of the Act. R.R.O. 1980, Reg. 679, s. 1.

- 2.—(1) Immediately upon receipt of the list, the clerk shall,
- (a) fix the places at which and the times when revision of the list will be commenced;

- (b) post one copy of the list in a conspicuous place in his or her office and one copy in each of the places determined under clause (a) for inspection during business hours; and

- (c) publish a notice in a newspaper having general circulation in the municipality, of the date of posting of the list, the last day for filing complaints and the places and times at which the revision of the list will be commenced and, where there is no such newspaper, display such notice in at least two conspicuous places in the municipality.

- (2) The day of posting copies of the list and of publishing the notice under subsection (1) shall be at least eight days before the last day for filing complaints.

- (3) The clerk shall attend at the revision of the list and shall con-

tinue to do so from day to day or as required until all complaints filed before the last day for filing complaints for revision of the list have been disposed of and the clerk may proceed to determine and dispose of such complaints as from time to time may be received, even though the time for filing complaints for revision of the list has not yet expired.

vided by the clerk who shall return to the applicant one copy of the completed application having endorsed thereon either the clerk's approval of the application or the reasons for its refusal and both copies shall, in any event, be signed and dated by the clerk. R.R.O. 1980, Reg. 679, s. 2.

(4) An application for alteration of the list with respect to a school support entry shall be made in duplicate on a form to be pro-

3. An application for alteration of a school support entry on the list shall be in Form 1. R.R.O. 1980, Reg. 679, s. 3.

Form 1

Assessment Act

APPLICATION FOR ALTERATION OF SCHOOL SUPPORT ENTRY

PLEASE PRINT

Canadian Citizen or other British Subject Alien

1. Applicant(s): (name(s) in full) [checkbox] [checkbox]

Please Check One: Tenants [checkbox] Joint Owners [checkbox] Sole Owner [checkbox] Sole Tenant [checkbox]

2. Mailing Address: Municipality:

3. Telephone Number:

4. Address of Property—Urban. (If different from Mailing Address): Municipality: Apt. No. State location of Apartment if not in Apartment Building (Which Floor, Rear, Upper, etc.):

5. Address of Property—Rural. Concession: Lot No.: Municipality:

6. Assessment Roll Number:

7. List other properties that you own or rent in the Municipality. (For School Support Information only):

8. What is shown on List now? Public School Support [checkbox] Separate School Support [checkbox]

9. I am/we are: a) Roman Catholic and wish to be shown as Separate School Supporter(s) [checkbox] b) Public School Supporter(s) [checkbox]

Date: Signature(s) of Applicant(s): Signature of authorized Agent:

DO NOT WRITE BELOW THIS LINE

The foregoing application is approved.

Dated at this day of 19.....

.....  
(signature of clerk)

The foregoing application is refused for the following reasons: .....

Dated at ..... this ..... day of ....., 19.....

.....  
(signature of clerk)

R.R.O. 1980, Reg. 679, Form 1.

\_\_\_\_\_

**Assessment Review Board Act**  
**Loi sur la Commission de révision de l'évaluation foncière**

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**REGULATION 50**

**PROCEDURE**

1. When a complaint or appeal has been filed with the Board under the *Assessment Act* the Board may, on fourteen days written notice, require the parties to the complaint or appeal to appear before the Board for the purpose of,

- (a) defining the matters at issue between the parties;
- (b) estimating the duration of the hearing;
- (c) fixing a date for the hearing;
- (d) determining whether a summons to a witness should be issued; and
- (e) determining any other matter that may aid in the disposition of the complaint or appeal. O. Reg. 419/84, s. 1.

2.—(1) Where a notice of hearing under the *Assessment Act* has been given to a complainant or appellant who,

- (a) fails to appear at the hearing; and
- (b) has not made a written submission to the Board, and there is not sufficient evidence to enable the Board to consider the matter on the merits, the Board may consider the appeal or complaint, as the case may be, abandoned.

(2) Where an appeal or complaint is considered to be abandoned under subsection (1) and the chair or vice-chair of the Board is satisfied on the party's motion that the party's failure to attend and to make written submissions to the Board is due to circumstances beyond the party's control, the chair or vice-chair may direct that the matter be brought on for a hearing. O. Reg. 419/84, s. 2

3. At the commencement of a hearing before the Board under the *Assessment Act*, the parties shall confirm,

- (a) the roll number;
- (b) the name of the assessed person;
- (c) the municipal address; and
- (d) the amount of the assessment,

of every property that is the subject of the complaint or appeal. O. Reg. 419/84, s. 3.

4.—(1) Where the regional registrar of the Board receives a complaint or appeal after the time prescribed by subsection 40 (2) of the *Assessment Act* and the complainant or appellant, on motion, satisfies the chair or vice-chair that the complaint or appeal was mailed within that time, the Board shall hear the matter.

(2) Where a person named in the assessment roll and entitled to receive a notice of assessment under the *Assessment Act*, on motion, satisfies the chair or vice-chair that the person did not receive a notice of assessment and had no knowledge of the assessment until the time prescribed by subsection 40 (2) of that Act had expired, the Board shall hear the person's complaint or appeal. O. Reg. 419/84, s. 4.

5. The Board may issue such directions as it considers necessary for the just disposition of any matter before it. O. Reg. 419/84, s. 5.

6. A proceeding before the Board shall not be defeated by a formal objection and the Board shall permit any amendment that is necessary for the just disposition of the real matter in dispute. O. Reg. 419/84, s. 6.

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## Athletics Control Act *Loi sur le contrôle des sports*

### REGULATION 51 AMOUNT OF TAX

1. The amount payable to the Minister under subsection 5 (1) of the Act is 2 per cent of the gross receipts of the contest or exhibition. R.R.O. 1980, Reg. 75, s. 1.

### REGULATION 52

#### GENERAL

##### DEFINITIONS

1. In this Regulation and in the Act,

“professional”, when used in respect of a natural person, means a person who at any time,

- (a) enters and competes in any athletic contest or exhibition for a staked bet, private or public money or gate receipts or receives any consideration for his or her services as an athlete, except merchandise or an order for merchandise not exceeding \$35 in value or reasonable travelling and living expenses actually incurred while going to, remaining at and returning from the place of contest or exhibition,
- (b) teaches, pursues or assists in the pursuit of any form of athletics as a means of livelihood,
- (c) sells or pledges any prize that he or she receives from a contest or exhibition, or
- (d) promotes or manages an athletic contest or exhibition for personal gain;

“professional”, when used in respect of a professional contest or exhibition, means,

- (a) that the participants or contestants represent or are members of an athletic association, club, corporation, league, team or unincorporated organization that is composed of professionals or is ordinarily recognized as being composed of professionals, or
- (b) that the participants or contestants are professionals. O. Reg. 544/85, s. 1.

2. In this Regulation,

“appearance forfeit” means the amount of money that a boxer, under a written contract to appear in a professional boxing contest or exhibition, agrees to pay in accordance with this Regulation upon failure to so appear;

“bout” means a contest or exhibition between two contestants;

“local municipality” means a city, town, village or township;

“ringside medical practitioner” means a legally qualified medical practitioner approved by the Commissioner;

“weight forfeit” means the amount of money that a boxer, under a written contract to take part in a professional boxing contest or

exhibition, agrees to pay an opponent upon failure to comply with the weight requirements under the contract. O. Reg. 544/85, s. 2.

#### LICENCES—GENERAL

3.—(1) The Commissioner shall not license any professional contest or exhibition where it is intended that male and female opponents are to be in the ring at the same time.

(2) The Commissioner may in his or her discretion suspend or cancel a licence at any time after the date of issuance where,

- (a) the past conduct of a person holding a licence affords reasonable grounds for belief that the person will not participate in the sport in accordance with law, integrity or honesty; or
- (b) the person holding the licence is carrying on activities that are or will be detrimental to the integrity of the sport.

(3) Every applicant for a licence to hold a professional boxing or wrestling contest or exhibition shall at the time of the making of the application fully disclose to the Commissioner the identity of all persons involved in holding, conducting or promoting the contest or exhibition. O. Reg. 544/85, s. 3 (1-3).

(4) Despite the repeal of Regulation 76 of Revised Regulations of Ontario, 1980, a licence or permit issued under that Regulation is valid until the date of its expiry or until it is suspended or cancelled, whichever occurs first. O. Reg. 544/85, s. 3 (4), *revised*.

4. Where a person holding a licence fails to comply with any provision of the Act or this Regulation, the Commissioner may fine the person an amount not exceeding \$50 or suspend the licence, or both. O. Reg. 544/85, s. 4.

### PART I PROFESSIONAL BOXING—GENERAL

5. This Part applies to professional contests or exhibitions of boxing in which blows may be struck by the fists alone or to professional contests or exhibitions of boxing in which blows may be struck by both the fists and the feet. O. Reg. 544/85, s. 5.

6. The weight classes in professional contests or exhibitions of boxing are,

- (a) up to and including 183 pounds with no more than eight pounds difference in weight between opponents; and
- (b) over 183 pounds. O. Reg. 544/85, s. 6.

7. No person who is seventeen years of age or under shall take part in a professional contest or exhibition of boxing except with the approval of the Commissioner. O. Reg. 544/85, s. 7.

8.—(1) No person shall,

- (a) hold;
- (b) act as a matchmaker at;
- (c) act as a second at;
- (d) take part in;

- (e) referee;
- (f) judge;
- (g) act as a timekeeper at; or
- (h) act as a ringside medical practitioner at,

a professional contest or exhibition of boxing except under the authority of a licence or, as the case may be, a permit issued by the Commissioner.

(2) No person shall manage a professional boxer except under the authority of a licence or permit issued by the Commissioner.

(3) An application by a person who is a resident of Ontario for a licence to engage in any of the acts referred to in clauses (1) (a) to (h) or subsection (2) shall be made in a form provided by the Commissioner and shall be accompanied by the appropriate application fee referred to in section 9.

(4) An application by a person who is not a resident of Ontario for a permit to engage in any of the acts referred to in clauses (1) (a) to (g) or subsection (2) shall be in a form provided by the Commissioner and shall be accompanied by the appropriate application fee referred to in section 9.

(5) A person who is not a resident of Ontario and who applies for a permit to take part in a professional contest or exhibition of boxing shall at the time of applying provide evidence satisfactory to the Commissioner that the person is the holder of a current valid licence to take part in professional contests or exhibitions of boxing in the jurisdiction in which he or she resides.

(6) Where a person intends to hold a professional contest or exhibition of boxing, the person shall apply to the Commissioner for a licence or permit, as the case may be, at least thirty days prior to the date on which the contest or exhibition is to take place.

(7) An application for a licence or permit to hold a professional contest or exhibition of boxing shall be accompanied by a written acknowledgment from the owner, occupier or manager of the premises intended to be used for the contest or exhibition that the premises will be available for the contest or exhibition on the date stated in the application.

(8) No person shall be granted a licence or permit to hold a professional contest or exhibition of boxing unless at the time of applying the person provides evidence satisfactory to the Commissioner that the person has obtained a general liability insurance policy with coverage of \$1,000,000 that insures against possible injury sustained by members of the public or officials or property damage occasioned in a professional contest or exhibition of boxing.

(9) No person shall be granted a licence or permit to take part in a professional contest or exhibition of boxing without first undergoing an electroencephalographic examination and being found fit to box.

(10) Where the Commissioner at any time is of the opinion that a boxer who intends to take part in a professional contest or exhibition of boxing is unfit to box because of any injury received by the boxer, the Commissioner may refuse to issue a licence or permit to the boxer or may suspend the boxer's licence or permit to take part in the contest or exhibition until such time as the boxer undergoes a medical examination that includes an electroencephalographic examination and is subsequently found fit to box.

(11) A licence to hold a professional contest or exhibition of boxing is valid only for the specific event for which it is issued.

(12) A licence to engage in any of the acts referred to in clauses (1) (b) to (h) or subsection (2) expires with the 31st day of December next following the date of its issue.

(13) A permit to engage in any of the acts referred to in clauses (1) (a) to (g) or subsection (2) is valid only for the specific event for which it is issued.

(14) The seating capacity at a professional contest or exhibition of boxing shall not exceed the seating capacity shown on the licence or permit.

(15) Despite the fact that a person is required to hold a licence or permit under this Part to act as a matchmaker, a person who is the holder of a licence or permit to hold a professional contest or exhibition of boxing may act as a matchmaker without being the holder of a matchmaker's licence.

(16) Despite the fact that a person is required to hold a licence or permit under this Part to act as a second, a person who is the holder of a licence or permit to manage a professional boxer may act as a second at any professional contest or exhibition of boxing in which a boxer managed by him or her takes part without being the holder of a second's licence.

(17) No person who is the holder of a licence or permit to hold a professional contest or exhibition of boxing shall be issued a licence or permit to manage a professional boxer.

(18) No person shall be issued a licence or permit to referee a professional contest or exhibition of boxing without first undergoing a medical examination conducted by a legally qualified medical practitioner approved by the Commissioner and being found to be fit to engage in duties as a referee.

(19) Despite the fact that a person is required to hold a licence or permit under this Part to act as a timekeeper, a person who is the holder of a licence or permit to act as a judge or referee at a professional contest or exhibition of boxing may act as a timekeeper without being the holder of a timekeeper's licence.

(20) Despite the fact that a person is required to hold a licence or permit under this Part to act as a judge, a person who is the holder of a licence or permit to act as a referee at a professional contest or exhibition of boxing may act as a judge without being the holder of a judge's licence. O. Reg. 544/85, s. 8.

9.—(1) The following fees are payable to the Treasurer of Ontario:

1. Upon an initial application in each calendar year by a person who is resident in Ontario for a licence to hold a professional contest or exhibition of boxing, based on the seating capacity stated in the application,
 

i. for less than 2,500 persons .....	\$ 50
ii. for 2,500 persons or more but less than 5,000 persons .....	100
iii. for 5,000 persons or more but less than 10,000 persons .....	150
iv. for 10,000 persons or more but less than 15,000 persons .....	200
v. for 15,000 persons or more but less than 25,000 persons .....	250
vi. for 25,000 persons or more .....	500
2. Upon a subsequent application in a calendar year by a person who is resident in Ontario for a licence to hold a professional contest or exhibition of boxing ..... no fee
3. Upon an application for a permit by a person who is not a resident of Ontario to hold a professional contest or exhibition of boxing, based on the seating capacity stated in the application,



i. for less than 2,500 persons .....	\$ 50	4. Timekeeper .....	\$50
ii. for 2,500 persons or more but less than 5,000 persons .....	100	5. Ringside Medical Practitioner .....	400
iii. for 5,000 persons or more but less than 10,000 persons .....	150		O. Reg. 544/85, s. 9.
iv. for 10,000 persons or more but less than 15,000 persons .....	200	10.—(1) A contract between a professional boxer and his or her manager shall be in a form provided by the Commissioner.	
v. for 15,000 persons or more but less than 25,000 persons .....	250	(2) A contract between a professional boxer and a person holding a professional contest or exhibition of boxing shall be in a form provided by the Commissioner. O. Reg. 544/85, s. 10.	
vi. for 25,000 persons or more .....	500	11.—(1) Every person who intends to hold a professional contest or exhibition of boxing shall,	
4. Upon an application for a licence by a person who is a resident of Ontario or upon an application for a permit by a person who is not a resident of Ontario to act as a matchmaker at a professional contest or exhibition of boxing .....	5	(a) at least twenty-one days before the date of the contest or exhibition, deposit with the Commissioner as security,	
5. Upon an application for a licence by a person who is a resident of Ontario or upon an application for a permit by a person who is not a resident of Ontario to act as a second at a professional contest or exhibition of boxing .....	2	(i) an amount equal to the total of the purses or other remuneration to be paid to the boxers and where one or more of the boxers is to be paid a percentage of the gross receipts, the estimated amount thereof,	
6. Upon an application for a licence by a person who is a resident of Ontario or upon an application for a permit by a person who is not a resident of Ontario to participate in a professional contest or exhibition of boxing .....	5	(ii) an amount equal to the total of the fees payable to officials appointed for the contest or exhibition,	
7. Upon an application for a licence by a person who is a resident of Ontario to act as a referee at a professional contest or exhibition of boxing .....	no fee	(iii) an amount equal to the cost of the examination and tests referred to in section 20,	
8. Upon an application for a permit by a person who is not a resident of Ontario to act as a referee at a professional contest or exhibition of boxing .....	5	(iv) where the ring is provided by the Commissioner, an amount equal to the costs of providing the ring, and	
9. Upon an application for a licence by a person who is a resident of Ontario to act as a judge at a professional contest or exhibition of boxing .....	no fee	(v) a deposit of \$2,000 to guarantee payment to the Minister of the tax payable under subsection 5 (1) of the Act;	
10. Upon an application for a permit by a person who is not a resident of Ontario to act as a judge at a professional contest or exhibition of boxing .....	5	(b) at least twenty-one days before the date of the contest or exhibition, deliver to the Commissioner contracts of the boxers in the main bout; and	
11. Upon an application for a licence by a person who is a resident of Ontario to act as a timekeeper at a professional contest or exhibition of boxing .....	no fee	(c) at least three days before the date of the contest or exhibition, deliver to the Commissioner contracts of the boxers in the bouts other than the main bout.	
12. Upon an application for a permit by a person who is not a resident of Ontario to act as a timekeeper at a professional contest or exhibition of boxing .....	5	(2) A person who is not a resident of Ontario who intends to hold a professional contest or exhibition of boxing shall, in addition to the security required under subsection (1), post a performance bond in an amount considered to be appropriate by the Commissioner having regard to any refund that may be due to the public in the event of non-performance of the contest or exhibition or non-payment of the tax payable under subsection 5 (1) of the Act.	
13. Upon an application for a licence by a person who is a resident of Ontario to act as a ringside medical practitioner at a professional contest or exhibition of boxing .....	no fee	(3) The security referred to in subsection (1) shall be in the form of,	
14. Upon an application for a licence by a person who is a resident of Ontario or upon an application for a permit by a person who is not a resident of Ontario to manage a professional boxer .....	5	(a) cash or a certified cheque, with respect to the amount referred to in subclauses (1) (a) (ii) and (iv); and	
(2) The following fees are payable by the Commissioner to the officials appointed for a professional contest or exhibition of boxing:		(b) with respect to the amount or deposit referred to in subclauses (1) (a) (i), (iii) and (v),	
1. Judge .....	\$ 50	(i) cash or a certified cheque,	
2. Referee .....	75	(ii) a bond issued or guaranteed by the Government of Canada or Ontario, payable to bearer, or	
3. Commissioner's Delegate .....	100	(iii) where the person is unable to provide security in a form referred to in subclause (i) or (ii), an irrevocable letter of credit from a Canadian bank.	
		(4) Where a person holds a professional contest or exhibition of boxing and does not within ten days of the contest or exhibition make the payments referred to in subclauses (1) (a) (i), (ii) or (iii), the security is forfeited.	

(5) Where a security is forfeited and is not in the form of money, the Commissioner shall sell the security within ten days of the forfeiture.

(6) Where a security is forfeited, the Commissioner shall use all or part of it to pay the tax owing under subsection 5 (1) of the Act, where the tax owing under that subsection of the Act has not been paid, and to make the payments referred to in subclauses (1) (a) (i), (ii), (iii) and (iv) and refund any balance to the holder of the licence.

(7) Where there is insufficient security to pay the tax owing under subsection 5 (1) of the Act and the amounts referred to in subclauses (1) (a) (i), (ii), (iii) and (iv), the amount owing as remuneration to boxers shall be paid first, the amount owing as fees to officials shall be paid second on a proportionate basis, the cost of the examination and test shall be paid third on a proportionate basis, where applicable the cost of providing the ring shall be paid fourth on a proportionate basis and the amount owing under subsection 5 (1) of the Act shall be paid fifth.

(8) Where a professional contest or exhibition of boxing has been held and all of the requirements of the Act and this Regulation have been complied with, the Commissioner may return the security referred to in this section if requested to do so.

(9) Every person who intends to participate in a professional contest or exhibition of boxing shall, before participating in a bout, pay to the Treasurer of Ontario a fee of \$25 to cover the costs of processing the examination and tests required under section 20. O. Reg. 544/85, s. 11.

12.—(1) Every person who holds a professional contest or exhibition of boxing shall,

- (a) furnish each boxer with a stool, bucket, a pair of boxing gloves and powdered resin for canvas;
- (b) provide facilities for making announcements that can be heard or seen clearly by the spectators;
- (c) provide a separate room for use only by the Commissioner, referees and judges;
- (d) furnish a stool for each of the seconds, sufficient tables and chairs for the presiding officials and provide at ringside a stretcher, a small oxygen tank and mask;
- (e) ensure that the contest or exhibition is begun at the time advertised and conducted throughout in an orderly manner and without unnecessary delay; and
- (f) make a report to the Commissioner in the form provided by the Commissioner, not later than three days, not including Saturday, Sunday and statutory holidays after the contest or exhibition is held, that shall include,
  - (i) a tally of the number of tickets sold and given away as complimentary and the amount of revenue received from the sale of tickets,
  - (ii) where there is no ticket agency and the person holding the professional contest or exhibition sells the person's own tickets, a tally of the number of unsold tickets, and
  - (iii) where the tickets are sold by a ticket agency, a report by the ticket agency regarding the number of tickets sold by the agency.

(2) A person who sells the person's own tickets shall return the unused tickets to the Commissioner at the time of making the report referred to in clause (1) (f).

(3) A person holding a professional contest or exhibition of boxing may pay a boxer his or her expenses before the commencement

of the contest or exhibition but shall not pay the boxer for his or her services until after the completion of the contest or exhibition. O. Reg. 544/85, s. 12.

13. Every person who holds a professional contest or exhibition of boxing shall ensure that there is a telephone available for emergencies only and that the telephone number for the local emergency ambulance service is prominently displayed where the telephone is located. O. Reg. 544/85, s. 13.

14.—(1) Where the Commissioner fines a boxer, the person holding the professional contest or exhibition of boxing shall,

- (a) retain the amount of the fine out of the purse or other remuneration of the boxer; and
- (b) be deemed to be a person who has received money for the Crown and for which the person is accountable within the meaning of the *Financial Administration Act*.

(2) A boxer who has been fined has no claim for the amount retained under subsection (1).

(3) The amount retained under subsection (1) shall be paid to the Treasurer of Ontario within three days of the holding of the contest or exhibition. O. Reg. 544/85, s. 14.

15. No person shall advertise a professional contest or exhibition of boxing without first receiving the approval of the Commissioner. O. Reg. 544/85, s. 15.

16.—(1) A boxer who is under contract to take part in a professional contest or exhibition of boxing shall weigh in on the day of the contest or exhibition at a time and place designated by the Commissioner.

(2) Where, after the weighing in, the contest or exhibition is postponed more than twenty-four hours, each boxer shall again weigh in on the day of the contest or exhibition. O. Reg. 544/85, s. 16 (1, 2).

(3) A boxer who is overweight shall be allowed an hour to make the weight required by his or her contract. O. Reg. 544/85, s. 16 (3), *revised*.

(4) Where a boxer remains overweight, the Commissioner shall direct the contest or exhibition to be held unless he or she considers the difference in weight between the boxers to be too great for a fair contest or proper exhibition. O. Reg. 544/85, s. 16 (4).

17.—(1) A boxer under contract to take part in a professional contest or exhibition of boxing shall undergo a medical examination on the day of the weighing in.

(2) Where the contest or exhibition is postponed more than twenty-four hours, each boxer shall undergo a medical examination on the day of the contest or exhibition.

(3) Where a boxer is found by the medical examination to be unfit to box or is under the influence of drugs or of liquor, as defined in the *Liquor Licence Act*, the boxer shall not take part in the contest or exhibition.

(4) A medical examination required by this section shall be conducted by a legally qualified medical practitioner appointed by the Commissioner.

(5) The medical practitioner conducting an examination under this section or a substitute appointed by the Commissioner shall be in attendance at the contest or exhibition.

(6) The medical practitioner may enter the ring at any time when in his or her opinion a boxer is injured.

(7) The medical practitioner shall sit next to the timekeeper who

shall on the advice of the medical practitioner sound the bell twice to stop a fight in order for the medical practitioner to enter the ring. O. Reg. 544/85, s. 17.

18. Where a boxer under contract to take part in a professional contest or exhibition of boxing does not make the weight required under the contract, the opponent is entitled to the weight forfeit set out in the contract. O. Reg. 544/85, s. 18.

19. Where a boxer under contract to take part in a professional contest or exhibition of boxing,

- (a) is found by a medical examination to be unfit to box;
- (b) does not appear for a bout; or
- (c) appears for the bout but, in the opinion of the ringside medical practitioner, is not in a proper physical or mental condition to take part therein,

the boxer is not entitled to any purse or other remuneration or expenses not already paid to him or her. O. Reg. 544/85, s. 19.

20.—(1) Where a boxer,

- (a) loses a bout by a knock-out or by a technical knock-out; or
- (b) in the opinion of either the referee or the ringside medical practitioner may have suffered a head injury in a bout in either a winning or losing cause,

the ringside medical practitioner shall inform the boxer that the boxer shall, within twenty-four hours of the end of the bout, report to a neurological testing centre designated by the Commissioner where the boxer shall be examined by a legally qualified medical practitioner who holds a fellowship in neurology or a fellowship in neurosurgery and who shall report the results of the examination to a legally qualified medical practitioner appointed by the Commissioner.

(2) The examination referred to in subsection (1) shall include,

- (a) an electroencephalogram examination;
- (b) a computerized axial tomography examination (Catscan); and
- (c) a psychometric evaluation.

(3) The cost of the examination referred to in clause (1) (b) shall be paid for by the person holding the professional contest or exhibition of boxing.

(4) A boxer who is not a resident of Ontario and who is required to undergo an examination under clause (1) (b), may with the approval of the Commissioner undergo the medical examination where he or she is resident and the boxer shall arrange for the results of the examination to be forwarded to the Commissioner within three days of his or her being required to undergo the examination.

(5) Where a boxer referred to in subsection (1) does not undergo the examination required under that subsection, the Commissioner shall suspend the boxer's licence and no further licence shall be issued to the boxer until the examination is conducted. O. Reg. 544/85, s. 20.

21. Where a boxer is required to undergo a medical examination in order to get a licence under this Part or is required to undergo a medical examination under clause 20 (1) (b), the boxer shall provide the legally qualified medical practitioner conducting the examination with a complete history of the boxer's fight record and any injuries sustained during a fight. O. Reg. 544/85, s. 21.

22.—(1) Where a boxer is unable or refuses to take part in a professional contest or exhibition of boxing in accordance with the terms

of his or her contract, the person holding the contest or exhibition shall notify the Commissioner forthwith.

(2) Where the Commissioner is requested to do so by the person holding the professional contest or exhibition of boxing, the Commissioner may permit another boxer to substitute for the boxer unable or refusing to take part.

(3) Where a boxer is unable or refuses to take part in a professional contest or exhibition of boxing and a substitute is permitted by the Commissioner, the opponent shall take part in the contest or exhibition of boxing.

(4) Any medical examination required to be taken by a substitute boxer shall be at the time and place determined by the Commissioner. O. Reg. 544/85, s. 22.

23.—(1) Where a boxer under contract to take part in a professional contest or exhibition of boxing fails to take part therein and no substitute is obtained, the opponent is entitled to,

- (a) the appearance forfeit; and
- (b) the opponent's expenses for travelling to and from the place of the proposed contest or exhibition and for training for the contest or exhibition.

(2) The expenses referred to in clause (1) (b) shall be paid for by the person holding the contest or exhibition of boxing.

(3) Where there is a dispute as to the expenses, the parties shall refer the matter to the Commissioner for settlement and his or her decision is final.

(4) Where a boxer under contract to take part in a professional contest or exhibition of boxing fails to take part in the contest or exhibition and a substitute is obtained,

- (a) the opponent is entitled to the purse or other remuneration specified in the contract that he or she would have received had the contest or exhibition taken place;
- (b) the person holding the contest or exhibition is entitled to the appearance forfeit of the boxer who failed to take part; and
- (c) the substitute is entitled to a fee agreed upon before the commencement of the bout between the substitute and the person holding the contest or exhibition of boxing. O. Reg. 544/85, s. 23.

24. Where,

- (a) a boxer is under contract to take part in a professional contest or exhibition of boxing and before the contest or exhibition is held the boxer takes part in another contest or exhibition; and
- (b) the Commissioner, after an investigation, is of the opinion that the boxer has because of the previous fight lessened his or her ability to participate in the contest or exhibition specified in the contract,

the Commissioner may render the contract void by endorsing thereon "This contract is void". O. Reg. 544/85, s. 24.

25.—(1) A boxer may have not more than three seconds.

(2) Where a boxer has two or more seconds, he or she shall designate one of them as chief second.

(3) The chief second is responsible for the conduct of any other second.

(4) A boxer is responsible for the conduct of his or her seconds.

(5) Only one second shall be permitted in the ring between rounds. O. Reg. 544/85, s. 25.

26. A second shall,

- (a) wear a clean jersey, sweater or shirt; and
- (b) during a round remain seated and silent outside the ropes and the apron but near the corner of his or her charge. O. Reg. 544/85, s. 26.

27.—(1) A second shall not enter the ring until the bell or gong indicates the end of a round.

(2) When the chief timekeeper's whistle sounds, the second shall leave the ring and take his or her bucket, stool and equipment. O. Reg. 544/85, s. 27.

28.—(1) Between rounds the chief second may request the referee to,

- (a) visit his or her corner to discuss any point relevant to the bout;
- (b) comment on any injury to his or her charge;
- (c) have the ringside medical practitioner in attendance examine his or her charge; or
- (d) stop the bout.

(2) Between rounds a second not permitted in the ring may attend his or her charge but in doing so the second shall remain outside the ropes on the apron of the ring. O. Reg. 544/85, s. 28.

29. During a round a second shall not,

- (a) interfere in any way with the progress of the bout;
- (b) give any advice, assistance or encouragement to his or her charge; or
- (c) throw anything into the ring.

and where a second does anything referred to in clause (a), (b) or (c) his or her charge may be warned or disqualified by the referee. O. Reg. 544/85, s. 29.

30. Where a second violates any provision of this Part, the referee or the Commissioner may order his or her removal from the ring or from the premises on which the bout is being held and may direct that the second cease to act as a second during that bout. O. Reg. 544/85, s. 30.

31.—(1) A boxer shall be on the premises at which the contest or exhibition is to be held at least one hour before the time scheduled for the commencement of the bout in which he or she is taking part. O. Reg. 544/85, s. 31 (1).

(2) The Commissioner may disqualify a boxer who does not comply with subsection (1). O. Reg. 544/85, s. 31 (2), *revised*.

32.—(1) Subject to subsection (2), no boxer shall use grease or vaseline or any slippery substance that might handicap or injure the opponent.

(2) A boxer may use a light application of grease or vaseline on the eyebrows and the bridge of the nose and behind the ears. O. Reg. 544/85, s. 32.

33.—(1) No boxer shall,

- (a) take part in more than one contest or exhibition on the same day; or

- (b) take part in a contest of ten or more three-minute rounds within four days of his or her last contest.

(2) A boxer who takes part in a contest or exhibition of fewer than ten three-minute rounds shall not take part in any other contest or exhibition for three days.

(3) In addition to the requirements of section 20, where a boxer,

- (a) loses a contest or exhibition by a knock-out or by a technical knock-out; or
- (b) in the opinion of either the referee or the ringside medical practitioner, suffers a serious beating in either a winning or losing cause,

the boxer shall forthwith be suspended from boxing for sixty days and the Commissioner shall notify the boxer forthwith in writing of the suspension.

(4) Where a boxer is declared the loser in four consecutive bouts, the Commissioner shall suspend his or her licence to participate in boxing contests or exhibitions.

(5) Where the Commissioner suspends a licence under subsection (4), he or she may reinstate the licence where the boxer satisfies the Commissioner that,

- (a) the boxer is medically fit to participate in a further contest or exhibition; and
- (b) the boxer has sufficient skills to participate in future contests or exhibitions without being exposed to undue risk or injury. O. Reg. 544/85, s. 33.

34.—(1) A boxer shall be deemed to be down when the boxer,

- (a) touches the floor of the ring with any part of the body other than the feet;
- (b) is hanging over the ropes in a helpless manner, and when the referee so indicates and begins the count; or
- (c) is rising from a down position.

(2) When a boxer is down, the opponent shall at once go to a neutral corner and thereupon the referee shall call aloud at one-second intervals "one", "two", "three", "four", "five", "six", "seven", "eight", "nine", "out", as the knock-down timekeeper indicates the seconds as they elapse.

(3) A boxer who is knocked down shall take a mandatory eight count.

(4) When calling "out", the referee shall raise his or her hands over his or her head and declare the boxer in the neutral corner to be the winner by a knock-out.

(5) Where a boxer is down and the opponent leaves the neutral corner while the referee is counting, the referee shall stop counting and resume where he or she left off only when the opponent is again in the neutral corner.

(6) Where a boxer who has been knocked down or through the ropes rises before the referee calls "out", but falls again before being hit by the opponent, the referee shall resume counting where he or she left off.

(7) Where both boxers go down at the same time, the referee shall continue to count until both of them get up or until he or she calls "out", whichever happens sooner.

(8) When the boxers are both counted out, the referee shall stop the bout and the decision shall be given in accordance with the points awarded before the count began.

(9) Where a boxer fails to resume boxing immediately after the interval between rounds, the referee shall count as if the boxer were down.

(10) Where a boxer is knocked down and while the referee is counting the bell or gong indicates the end of the round, the referee shall,

- (a) stop counting where the round is the last round of the bout; or
- (b) continue to count, where the round is not the last round of the bout, until the referee calls "out" or the boxer rises, whichever happens sooner.

(11) A boxer who is knocked through the ropes and out of the ring shall be given eighteen seconds to re-enter the ring. O. Reg. 544/85, s. 34.

35. A boxer who is down through accident shall rise immediately but a boxer who is knocked down shall take a mandatory eight count. O. Reg. 544/85, s. 35.

36. A boxer who,

- (a) touches the floor of the ring for ten seconds or more with any part of the body other than the feet;
- (b) hangs unconscious on the ropes; or
- (c) in the opinion of the referee, is at any time incapable of continuing or is outclassed,

shall be deemed to be knocked out. O. Reg. 544/85, s. 36.

37. Where, in the opinion of the referee, a boxer is incapable of continuing the bout because of a cut near the eye, the referee shall,

- (a) stop the bout; and
- (b) if the cut was,
  - (i) caused by a blow, award the decision to the boxer delivering the blow,
  - (ii) caused by an intentional butt, award the decision to the injured boxer after disqualifying the opponent, or
  - (iii) accidental, declare the bout a draw. O. Reg. 544/85, s. 37.

38.—(1) There shall be a chief timekeeper and a knock-down timekeeper, each equipped with a stopwatch.

(2) The chief timekeeper shall,

- (a) sit outside the ring close to a bell or gong;
- (b) have a whistle that can be heard clearly by the boxers;
- (c) ten seconds before the end of each interval between rounds, blow the whistle;
- (d) at the end of ten seconds, indicate the beginning of the round by ringing the bell or striking the gong but only where the seconds have left the ring and taken with them their buckets, stools and equipment; and
- (e) at the end of each round, ring the bell or strike the gong.

(3) Where a boxer is down, the knock-down timekeeper shall immediately stand up and upon the referee calling "one" indicate aloud and by waving one arm the additional seconds as they elapse according to his or her stopwatch.

(4) Where a boxer is knocked out, the timekeeper shall advise the master of ceremonies of the round in which the knock-out took place and the part of the round that has elapsed. O. Reg. 544/85, s. 38.

39. There shall be a master of ceremonies who shall,

- (a) ensure that equipment necessary for communicating with the spectators and the contestants in a contest or exhibition is available;
- (b) take such action as is necessary to have the boxers ready for the contest or exhibition in which they are to take part;
- (c) at the beginning of the contest or exhibition, introduce the boxers to the spectators, announce their names and weights and the length and other particulars of the contest or exhibition;
- (d) before a round begins, announce or otherwise indicate to the spectators the number of that round;
- (e) at the end of the bout,
  - (i) obtain first the slip of the referee and then the slip of the judges, and
  - (ii) announce the result of the bout;
- (f) make no other announcements except those authorized or directed by the Commissioner; and
- (g) transmit the slips referred to in clause (e) to the Commissioner forthwith. O. Reg. 544/85, s. 39.

40. There shall be three judges seated outside the ring, one on each of three sides of the ring and at least six feet from the spectators. O. Reg. 544/85, s. 40.

41. Before a bout begins, all officials shall be present and seated at ringside and the referee shall,

- (a) ascertain the names of the chief seconds; and
- (b) call the boxers and seconds to the centre of the ring and give instructions for the conduct of the contest or exhibition. O. Reg. 544/85, s. 41.

42.—(1) Except as provided in subsection 17 (6), the referee and boxers shall be the only persons in the ring during a round.

(2) Where a person who is connected with a boxer enters the ring during the conduct of a round, the referee may disqualify the boxer or order the person to leave the ring and allow the round to continue. O. Reg. 544/85, s. 42.

43. The referee shall,

- (a) stop a contest or exhibition if he or she considers the boxers so unevenly matched that the contest or exhibition is not a fair one and award the decision to the boxer who is leading; and
- (b) stop a contest or exhibition if he or she considers it advisable because of the condition of a boxer. O. Reg. 544/85, s. 43.

44. The referee may consult the judges as to whether a boxer has struck the other boxer below the belt. O. Reg. 544/85, s. 44.

45. Subject to subsection 59 (1) or 75 (1), as the case may be, the referee shall warn a boxer who commits a foul. O. Reg. 544/85, s. 45.

46.—(1) The referee may stop a contest or exhibition where he or she considers that,

- (a) one of the boxers is not trying to win; or
- (b) neither boxer is trying to win.

(2) Where a contest or exhibition is stopped under clause (1) (a), the referee shall award the decision to the other boxer.

(3) Where a contest or exhibition is stopped under clause (1) (b), the referee shall declare the bout no contest. O. Reg. 544/85, s. 46.

47. The referee shall not touch the boxers during a contest or exhibition unless they fail to separate upon the command "break". O. Reg. 544/85, s. 47.

48.—(1) The ring shall be at least eighteen feet square but not more than twenty-two feet square measured within the ropes and the ring platform shall extend beyond the ropes at least two feet three inches.

(2) The ring posts shall be at least eighteen inches from the ropes.

(3) The entire floor of the ring shall be padded with a one-inch layer of impact absorbing material placed over a one-inch base of building board mounted on a stressed frame.

(4) The padding shall be covered with canvas, duck or similar material tightly stretched and held securely in place by lacing under the ring apron floor.

(5) The ring floor shall be at least three feet but not more than four feet above the floor of the building and there shall be steps mounted diagonally at the opposite corners for use by contestants, officials and seconds, and in one neutral corner, adjacent to the timekeeper, for the use of the ringside medical practitioner.

(6) Ring posts shall be made to extend from the floor of the building to a height of fifty-eight inches above the ring floor and shall be wrapped in soft material sufficient to prevent injuries to the contestants.

(7) The colouring on the two opposite corners shall be red and blue and the colouring on the other two posts shall be white.

(8) The ring ropes shall be four in number and at least one inch in diameter.

(9) All ropes shall be wrapped securely in soft material.

(10) The lower rope shall be eighteen inches from the ring floor, the second rope thirty inches from the ring floor, the third rope forty-two inches from the ring floor and the fourth rope fifty-four inches from the ring floor.

(11) The rope shall be secured on all sides and in the middle by a cord of soft material so that the ropes cannot be separated farther apart at the middle than they are at the corner posts.

(12) Lighting shall be mounted not less than twenty feet above the ring floor and shall provide an intensity of at least 540 LUX over the total ring area.

(13) The area immediately surrounding the outside of the ring shall be secured in such a manner as to prevent spectators from having access to the ring.

(14) The area immediately surrounding the outside of the ring shall be sufficient to provide adequate space for the seating of licensed officials and their equipment. O. Reg. 544/85, s. 48.

49. There shall be a bell or gong of sufficient volume that when rung or sounded it can be heard distinctly by the boxers and officials. O. Reg. 544/85, s. 49.

50.—(1) A boxer may wrap on each hand not more than thirty feet of soft gauze, not more than two inches wide.

(2) The gauze referred to in subsection (1) may be held in place by surgeon's adhesive tape not more than one inch wide and not more than fifteen feet in length.

(3) The binding of surgeon's adhesive tape referred to in subsection (2) shall not be applied over the knuckles of a boxer's hand or directly to the hand prior to the bandaging but small pieces of adhesive tape not exceeding four inches long and one-half inch wide may be placed between the fingers of each hand after the bandaging is complete. O. Reg. 544/85, s. 50.

51. The trunks of opposing boxers shall be of contrasting colours. O. Reg. 544/85, s. 51.

## PART II PROFESSIONAL BOXING—WHERE BLOWS MAY BE STRUCK BY THE FISTS ALONE

52. This Part applies to professional contests or exhibitions of boxing in which blows may be struck by the fists alone. O. Reg. 544/85, s. 52.

53.—(1) A person who is eighteen years of age shall not take part in a professional contest or exhibition of boxing under this Part of more than eight three-minute rounds.

(2) Except with the approval of the Commissioner, a person who is nineteen years of age or over shall not take part in a professional contest or exhibition of boxing under this Part of more than ten three-minute rounds.

(3) There shall be a one-minute interval between rounds.

(4) With the exception of a Canadian championship event that shall consist of twelve scheduled three-minute rounds, a professional contest of boxing under this Part shall consist of a minimum of four scheduled three-minute rounds and a maximum of ten scheduled three-minute rounds. O. Reg. 544/85, s. 53.

54.—(1) The following are major fouls:

1. Hitting below the belt.
2. Hitting an opponent who is down or rising from a down or striking an opponent after the gong has signaled the end of the round.
3. Butting with the head or shoulder.
4. Kicking, tripping, hacking or gouging.
5. Striking on or over the kidneys or on the back of the neck.
6. Striking a pivot blow or half-pivot blow.
7. Any physical action, other than fair boxing, that might injure an opponent.
8. Disobeying the referee.

(2) The following are minor fouls:

1. Holding or maintaining a clinch.
2. Hitting while only one arm is free.
3. Hitting or scraping with the inside of the glove, wrist or elbow.
4. Hitting or flicking with an open glove.
5. Purposely going down without being hit.

6. Using abusive language. O. Reg. 544/85, s. 54.
55. One of the officials shall be designated by the Commissioner to be an examiner who shall,
- (a) superintend the putting on of bandages and stamp and sign each hand signifying approval before the putting on of gloves;
  - (b) superintend the putting on and lacing up of gloves in the dressing room;
  - (c) examine the protection cup of each boxer to ensure it is of the proper type; and
  - (d) ensure that the applicable equipment specified in section 62 is worn by each boxer. O. Reg. 544/85, s. 55.
- 56.—(1) A judge shall,
- (a) except where a boxer is knocked out or technically knocked out, determine the winner and loser of each round by a system of points scored in accordance with subsections 57 (1) and (2);
  - (b) record on a scoresheet points awarded boxers in each round;
  - (c) at the end of the contest, total the number of points awarded each boxer and on a slip of paper write,
    - (i) the name of the boxer awarded the greater number of points, or
    - (ii) the word "draw" where each boxer has been awarded the same number of points,
 and hand the slip to the master of ceremonies; and
  - (d) within twenty-four hours after the contest transmit the scoresheet to the Commissioner.
- (2) Where the judges are agreed upon a winner, their decision is final. O. Reg. 544/85, s. 56.
- 57.—(1) The winner of a round shall be awarded ten points and the loser the number of points to which he or she is entitled in accordance with subsections (3) and (4).
- (2) Where a round is even, each boxer shall be awarded ten points.
- (3) A boxer shall be given credit for,
- (a) clean, forceful blows on any part of the opponent's head or on the front of the opponent's body above the belt, according to the damaging effect of the blows;
  - (b) aggressiveness;
  - (c) forcing the fight with skillful attack;
  - (d) cleverness in avoiding or blocking blows;
  - (e) cleverness in preventing the opponent from landing a blow;
  - (f) ring generalship, including the ability to take advantage of opportunities to cope with situations as they arise, to foresee and neutralize the opponent's method of attack and to force the opponent to adopt a style at which he or she is not skillful or which is to his or her disadvantage;
  - (g) the art of boxing as distinct from mere fighting; and
  - (h) sportsmanship in the ring and refraining from taking any unfair advantage of the opponent.
- (4) A boxer shall have points deducted for,
- (a) persistently delaying a contest by clinching, holding or lacking in aggressiveness; and
  - (b) committing an intentional or unintentional foul not sufficiently serious to warrant disqualification. O. Reg. 544/85, s. 57.
58. The referee shall,
- (a) in a title fight or main event, superintend the putting on and lacing up of gloves in the ring in the presence of a delegated representative of each boxer; and
  - (b) inspect the gloves, faces and bodies of the boxers in the ring and, subject to subsection 32 (2), take precautions to prevent a boxer from using grease or other substance that might handicap the opponent or result in an unfair advantage. O. Reg. 544/85, s. 58.
- 59.—(1) Where a boxer commits a major foul, the referee shall stop the bout and disqualify the boxer if the referee is of the opinion that the other boxer, because of the foul, is unable to continue or is unable to resume the contest or exhibition after what the referee considers a reasonable length of time.
- (2) Where the boxer is disqualified under subsection (1), the referee shall award the decision to the other boxer. O. Reg. 544/85, s. 59.
60. Each boxer shall wear new gloves in a main bout. O. Reg. 544/85, s. 60.
- 61.—(1) Eight-ounce gloves shall be worn by each boxer who is under 147 pounds in weight.
- (2) Ten-ounce gloves shall be worn by each boxer who is 147 pounds or more in weight.
- (3) The laces of the gloves shall be tied on the outside of the back of the wrists of the gloves and covered by surgeon's adhesive tape. O. Reg. 544/85, s. 61.
- 62.—(1) Each boxer shall wear,
- (a) clean, neat trunks, other than tights, extending from a point not above the navel to a point not higher than half-way between the knees and the crotch;
  - (b) shoes of a soft material and without heels, cleats, spikes or hard soles;
  - (c) a properly fitted mouthpiece; and
  - (d) a protection cup, where applicable.
- (2) In addition to subsection (1) each female boxer shall,
- (a) wear a breast protector approved by the Commissioner;
  - (b) wear a clean body shirt; and
  - (c) safely secure her hair in a manner that will not interfere with the vision or safety of either boxer.
- (3) Except for the clothing required under subsections (1) and (2), no boxer shall wear any other outer clothing while participating in a contest or exhibition. O. Reg. 544/85, s. 62.

**PART III  
PROFESSIONAL BOXING—WHERE BLOWS MAY BE  
STRUCK BY BOTH THE FISTS AND THE FEET**

63. This Part applies to professional contests or exhibitions of boxing in which blows may be struck by both the fists and the feet. O. Reg. 544/85, s. 63.

64.—(1) A person who is eighteen years of age or over shall not take part in a professional contest or exhibition of boxing under this Part of more than ten two-minute rounds except with the approval of the Commissioner who may authorize the addition of one or two further rounds.

(2) There shall be a one-minute interval between rounds.

(3) With the exception of a Canadian championship event that shall consist of twelve scheduled two-minute rounds, a professional contest or exhibition of boxing under this Part shall consist of a minimum of three scheduled two-minute rounds and a maximum of ten scheduled two-minute rounds. O. Reg. 544/85, s. 64.

65.—(1) No person shall act as a scorekeeper or a minimum kick rule official at a professional contest or exhibition of boxing under this Part unless licensed to do so by the Commissioner.

(2) An application for a licence to act as a scorekeeper or a minimum kick rule official at a professional contest or exhibition of boxing under this Part shall be made in a form provided by the Commissioner and shall be accompanied by the appropriate application fee set out in section 66.

(3) A licence issued to a person who is a resident of Ontario to act as a scorekeeper or as a minimum kick rule official at a professional contest or exhibition of boxing under this Part expires with the 31st day of December next following the date of its issue.

(4) A licence issued to a person who is not a resident of Ontario to act as a scorekeeper or as a minimum kick rule official at a professional contest or exhibition of boxing under this Part is valid only for the specific event for which it is issued. O. Reg. 544/85, s. 65.

66.—(1) The following fees are payable to the Treasurer of Ontario:

- |                                                                                                                                                                                                     |        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| 1. Upon application by a person who is resident in Ontario to act as a scorekeeper or as a minimum kick rule official at a professional contest or exhibition of boxing under this Part .....       | no fee |
| 2. Upon application by a person who is not a resident of Ontario to act as a scorekeeper or as a minimum kick rule official at a professional contest or exhibition of boxing under this Part ..... | \$5    |

(2) The following fees to be determined by the Commissioner are payable by the Commissioner to the officials appointed for a professional contest or exhibition of boxing under this Part:

- |                                     |          |      |
|-------------------------------------|----------|------|
| 1. Minimum kick rule official ..... | at least | \$50 |
| 2. Scorekeeper .....                | at least | 50   |

O. Reg. 544/85, s. 66.

67.—(1) Fouls shall be classified as one point, three point or five point fouls.

(2) Subject to subsection (3), where a boxer commits a foul, the referee shall penalize the boxer by directing the judges to deduct either one, three or five points from the offending boxer's score, as may be considered appropriate by the referee.

(3) Where a boxer commits a foul, the referee may, where in his

or her opinion it is appropriate, warn the boxer in which case no points shall be deducted from the score.

(4) The following are fouls:

1. Striking a blow with an elbow or knee.
2. Butting with the head.
3. Striking a blow to the groin area.
4. Chopping to the back of the neck.
5. Striking the face with any part of the arm.
6. Spinning back fist.
7. Administering a kick to the leg.
8. Striking an opponent who is down.
9. Taking down an opponent by means other than a blow.
10. Pushing, shoving or wrestling an opponent out of the ring.
11. Sweeping above the ankle.
12. Striking an opponent on a break.
13. Striking an opponent after the gong has signaled the end of the round.
14. Holding and striking an opponent at the same time.
15. Taking down an opponent after grabbing or holding his or her foot or leg.
16. Administering a kick while holding on to the ropes.
17. Extending the leg for the purpose of preventing an opponent from kicking.
18. Intentionally using the knee as a block.
19. Going down intentionally.
20. Using abusive language.
21. Striking a blow with an open glove.
22. Intentionally evading contact.
23. Disobeying the referee. O. Reg. 544/85, s. 67.

68.—(1) Where a boxer is knocked out, the knockdown time-keeper shall advise the master of ceremonies of the round in which the knock-out took place and the part of the round that has elapsed.

(2) There shall be two minimum kick rule officials.

(3) A minimum kick rule official shall,

- (a) sit outside the ring;
- (b) be assigned to each boxer and sit opposite the boxer's corner; and
- (c) keep track of the kicks executed by the assigned boxer.

(4) There shall be two scorekeepers.

(5) A scorekeeper shall be assigned to each boxer and shall,

- (a) be responsible for keeping track of points awarded by judges;



- (b) deduct any points for fouls as determined by the referee;
- (c) deduct penalties assessed by the minimum kick rule official;
- (d) transmit the resultant scores to the master of ceremonies for announcement at the end of the bout; and
- (e) within twenty-four hours after the contest, transmit his or her scoresheet to the Commissioner. O. Reg. 544/85, s. 68.
- 69.** One of the officials shall be designated by the Commissioner to be an examiner who shall,
- (a) superintend the putting on of bandages and stamp and sign each hand and foot signifying approval before the putting on of gloves and footpads;
- (b) superintend the putting on and lacing up of gloves and the putting on of footpads in the dressing room;
- (c) examine the protection cup of each boxer to ensure it is the proper type; and
- (d) ensure that equipment specified in section 79 is worn by each boxer. O. Reg. 544/85, s. 69.
- 70.** A judge shall,
- (a) except where a boxer is knocked out or technically knocked out, determine the winner and loser of each round by a system of points scored in accordance with subsection 67 (1) and (2) and section 72; and
- (b) record on a separate scoresheet for each boxer points awarded in each round and give one copy to each scorekeeper. O. Reg. 544/85, s. 70.
- 71.—(1)** Each boxer who takes part in a contest or exhibition of boxing under this Part shall deliver a minimum of eight legal kicks to the opponent in each round.
- (2) For the purpose of this section, a legal kick shall be considered to include an attempt to land a hard kick on an opponent. O. Reg. 544/85, s. 71.
- 72.—(1)** The winner of a round shall be awarded ten points and the loser the number of points to which he or she is entitled in accordance with subsections (3) and (4).
- (2) Where a round is even, each participant shall be awarded ten points.
- (3) A boxer who fails to deliver the minimum number of legal kicks as referred to in subsection 71 (1) shall lose the round.
- (4) Where both boxers fail to deliver the minimum number of legal kicks, the round shall be scored even.
- (5) A boxer who fails to deliver the minimum number of legal kicks in any three rounds shall be disqualified and the decision shall be awarded to the opponent.
- (6) Where both fighters fail to deliver the minimum number of legal kicks, the contest shall be considered a technical draw. O. Reg. 544/85, s. 72.
- 73.** The referee shall,
- (a) in a title fight or main event, inspect,
- (i) the bandages on the hands of each boxer,
- (ii) the putting on and lacing up of gloves of each boxer,
- (iii) the footpads of each boxer, and
- (iv) the face and body of each boxer,
- in the presence of a designated representative of each boxer for the purpose of ensuring compliance with this Regulation; and
- (b) inspect the bandages, gloves, footpads, faces and bodies of the boxers in the ring and, subject to section 32 (2), take precautions to prevent a boxer from using grease or other substance that might handicap the opponent or result in an unfair advantage. O. Reg. 544/85, s. 73.
- 74.—(1)** Where a boxer commits a foul, the referee shall stop the bout and disqualify the boxer if the referee is of the opinion that the other boxer because of the foul is unable to continue or is unable to resume the contest or exhibition after a reasonable length of time has elapsed in the opinion of the referee.
- (2) Where the boxer is disqualified under subsection (1), the referee shall award the decision to the other boxer. O. Reg. 544/85, s. 74.
- 75.—(1)** A referee who stops a bout as a result of an accidental foul to a boxer may, where he or she determines that the boxer who has been fouled is not seriously injured, direct that the bout resume.
- (2) Where in the referee's opinion a bout should not continue because one of the boxers has been injured as a result of an accidental foul, the referee shall stop the bout and declare it a draw. O. Reg. 544/85, s. 75.
- 76.** Boxers in a main bout shall wear new gloves and footpads. O. Reg. 544/85, s. 76.
- 77.—(1)** Eight-ounce gloves shall be worn by each boxer who is under 158 pounds in weight.
- (2) Ten-ounce gloves shall be worn by each boxer who is 158 pounds or more in weight.
- (3) Laces of the gloves shall be tied on the outside of the back of the wrists of the gloves and covered by surgeon's adhesive tape.
- (4) Footpads shall be worn by boxers taking part in a professional contest or exhibition of boxing under this Part.
- (5) All gloves and footpads worn by boxers under this Part shall be approved by the Commissioner. O. Reg. 544/85, s. 77.
- 78.** The feet and ankles of a boxer shall be wrapped with not more than four windings of soft surgeon's bandages that shall in turn be secured by one wrapping of surgeon's adhesive tape. O. Reg. 544/85, s. 78.
- 79.—(1)** Each boxer under this Part shall wear,
- (a) clean, neat, ankle-length trousers;
- (b) a properly fitted mouthpiece; and
- (c) where applicable, a protection cup.
- (2) In addition to subsection (1), a female boxer under this Part shall,
- (a) wear a breast protector to be approved by the Commissioner;
- (b) wear a clean body shirt; and
- (c) safely secure her hair in a manner that shall not interfere with the vision or safety of either boxer.

(3) Except for the clothing required under subsections (1) and (2), no boxer shall wear any other outer clothing while participating in a contest or exhibition. O. Reg. 544/85, s. 79.

#### PART IV PROFESSIONAL WRESTLING

80. This Part applies to professional contests or exhibitions of wrestling. O. Reg. 544/85, s. 80.

81. In this Part, "fall" means the pinning of both shoulders of a wrestler to the floor of the ring for at least three seconds. O. Reg. 544/85, s. 81.

82.—(1) A professional wrestling match or contest shall be deemed to be an exhibition only.

(2) The word "exhibition" shall appear in the advertising of professional wrestling. O. Reg. 544/85, s. 82.

83.—(1) A professional contest or exhibition of wrestling shall only consist of,

- (a) a match of one fall;
- (b) a match of two falls out of three;
- (c) team or tag-team matches with not more than two wrestlers on each team, and decided by one fall or by two falls out of three; or
- (d) a match of not more than ten eight-minute rounds with an interval of one minute between rounds and decided by one fall or by two falls out of three.

(2) A contest or exhibition referred to in clause (1) (a), (b) or (c) shall not exceed one hour in length except where approved by the Commissioner. O. Reg. 544/85, s. 83.

84.—(1) No contest or exhibition, other than a contest or exhibition of team wrestling, in which more than two wrestlers are in the ring at the same time shall be held in Ontario.

(2) In team or tag-team wrestling there shall not be more than two teams. O. Reg. 544/85, s. 84.

85. No person shall hold a professional contest or exhibition of wrestling where male and female wrestlers are in the ring at the same time. O. Reg. 544/85, s. 85.

86.—(1) No person shall hold a professional contest or exhibition of wrestling except under the authority of a licence or permit issued by the Commissioner.

(2) Where a person intends to hold a professional contest or exhibition of wrestling, the person shall apply to the Commissioner for a licence or permit, as the case may be, at least thirty days prior to the date on which the contest or exhibition is to take place.

(3) An application by a person who is a resident of Ontario for a licence to hold a professional contest or exhibition of wrestling shall be made in a form provided by the Commissioner and shall be accompanied by an application fee payable to the Treasurer of Ontario of,

- (a) \$500, where the application is an initial application in a calendar year and the contest or exhibition is to be held in a local municipality where the population is 500,000 or greater;
- (b) \$5, where the application is an initial application in a calendar year and the contest or exhibition is to be held in a local municipality where the population is less than 500,000; or

(c) no fee, where the application is a subsequent application in a calendar year.

(4) An application by a person who is not a resident of Ontario for a permit to hold a professional contest or exhibition of wrestling shall be made in a form provided by the Commissioner and shall be accompanied by an application fee payable to the Treasurer of Ontario of,

- (a) \$500, where the contest or exhibition is to be held in a local municipality where the population is 500,000 or greater; or
- (b) \$5, where the contest or exhibition is to be held in a local municipality where the population is less than 500,000.

(5) An application for a licence or permit to hold a professional contest or exhibition of wrestling shall be accompanied by a written acknowledgment from the owner, occupier or manager of premises intended to be used for the contest or exhibition that the premises will be available for the contest or exhibition on the date stated in the application.

(6) No person shall be granted a licence or permit under this section unless at the time of the application the person provides evidence satisfactory to the Commissioner that the person has obtained a general liability insurance policy with coverage of \$1,000,000 that insures against possible injury sustained by members of the public or officials or property damage occasioned in a professional contest or exhibition of wrestling.

(7) A licence to hold a professional contest or exhibition of wrestling issued by the Commissioner expires with the 31st day of December next following the date of its issue.

(8) A permit to hold a professional contest or exhibition of wrestling is valid only for the specific event for which it is issued.

(9) The seating capacity at a professional contest or exhibition of wrestling shall not exceed the seating capacity shown on the licence or permit. O. Reg. 544/85, s. 86.

87.—(1) Every person who intends to hold a professional contest or exhibition of wrestling shall,

- (a) at least twenty-one days before the date of the contest or exhibition, deposit with the Commissioner as security,
  - (i) an amount equal to the total of the purses or other remuneration to be paid to the wrestlers and where one or more of the wrestlers is to be paid a percentage of the gross receipts, the estimated amount thereof,
  - (ii) an amount equal to the total of the fees payable to officials appointed for the contest or exhibition, and
  - (iii) a deposit of \$1,000 to guarantee payment to the Minister of the tax payable under subsection 5 (1) of the Act;
- (b) at least twenty-one days before the date of the contest or exhibition, deliver to the Commissioner contracts of the wrestlers in the main bout; and
- (c) at least three days before the date of the contest or exhibition, deliver to the Commissioner contracts of the wrestlers in the bouts other than the main bout.

(2) A person who is not a resident of Ontario who intends to hold a professional contest or exhibition of wrestling shall, in addition to the security required under subsection (1), post a performance bond in an amount considered to be appropriate by the Commissioner having regard to any refund that may be due to the public in the event of non-performance of the contest or exhibition or non-payment of the tax payable under subsection 5 (1) of the Act.

(3) The security referred to in subsection (1) shall be in the form of,

- (a) cash or a certified cheque, with respect to the amount referred to in subclause (1) (a) (ii); and
- (b) with respect to the amount or deposit referred to in subclauses (1) (a) (i) and (iii),
  - (i) cash or a certified cheque,
  - (ii) a bond issued or guaranteed by the Government of Canada or Ontario, payable to bearer, or
  - (iii) where the person is unable to provide security in a form referred to in subclause (i) or (ii), an irrevocable letter of credit from a Canadian chartered bank.

(4) Where a person holds a professional contest or exhibition of wrestling and does not within ten days of the contest or exhibition remit the deposits referred to in subclauses (1) (a) (i) and (ii), the security is forfeited.

(5) Where a security is forfeited and is not in the form of money, the Commissioner shall sell the security within ten days of the forfeiture.

(6) Where a security is forfeited, the Commissioner shall use all or part of it to make the payments referred to in subclauses (1) (a) (i) and (ii) and to pay the tax owing under subsection 5 (1) of the Act, where the tax owing under that subsection has not been paid, and refund any balance to the holder of the licence.

(7) Where there is insufficient security to pay the tax owing under subsection 5 (1) of the Act and the amounts referred to in subclauses (1) (a) (i) and (ii), the amounts owing to wrestlers shall be paid first on a proportionate basis, the amounts owing as fees to officials shall be paid second on a proportionate basis and the amounts owing under subsection 5 (1) of the Act shall be paid third.

(8) Where a professional contest or exhibition of wrestling has been held and all of the requirements of the Act and this Regulation have been complied with, the Commissioner may return the security referred to in this section if requested to do so. O. Reg. 544/85, s. 87.

**88.—(1)** No person shall take part in a professional contest or exhibition of wrestling unless licensed to do so by the Commissioner.

(2) An application for a licence to participate in a professional contest or exhibition of wrestling shall be made in a form provided by the Commissioner and shall be accompanied by an application fee of \$5 payable to the Treasurer of Ontario.

(3) A licence issued under this section expires with the 31st day of December next following the date of its issue. O. Reg. 544/85, s. 88.

**89.—(1)** No person shall referee a professional contest or exhibition of wrestling unless licensed to do so by the Commissioner.

(2) An application for a licence to referee a professional contest or exhibition of wrestling shall be made in a form provided by the Commissioner and shall be accompanied by an application fee payable to the Treasurer of Ontario of,

- (a) \$25, where the contest or exhibition is to be held in a local municipality where the population is 500,000 or greater; or
- (b) \$10, where the contest or exhibition is to be held in a local municipality where the population is less than 500,000.

(3) A licence issued under this section expires with the 31st day of December next following the date of its issue. O. Reg. 544/85, s. 89.

**90.—(1)** Every person who holds a professional contest or exhibition of wrestling shall,

- (a) furnish the equipment referred to in sections 100 to 104;
- (b) furnish each wrestler with a stool;
- (c) provide facilities for making announcements that can be heard or seen clearly by the spectators;
- (d) ensure that the contest or exhibition is begun at the time advertised and conducted throughout in an orderly manner and without unnecessary delay; and
- (e) make a report to the Commissioner in the form provided by the Commissioner, not later than three days, not including Saturday, Sunday and statutory holidays, after the contest or exhibition is held, that shall include,
  - (i) a tally of the number of tickets sold and given away as complimentary and the amount of revenue received from the sale of tickets,
  - (ii) where there is no ticket agency and the person holding the professional contest or exhibition sells the person's own tickets, a tally of the number of unsold tickets, and
  - (iii) where the tickets are sold by a ticket agency, a report by the ticket agency regarding the number of tickets sold by the agency.

(2) A person who sells the person's own tickets shall return the unused tickets to the Commissioner at the time of making the report referred to in clause (1) (e).

(3) A person holding a professional contest or exhibition of wrestling may pay a wrestler his or her expenses before the commencement of the contest or exhibition but shall not pay the wrestler for his or her services until after the completion of the contest or exhibition. O. Reg. 544/85, s. 90.

**91.** No person other than the referee and contestants shall enter the ring during a contest or exhibition. O. Reg. 544/85, s. 91.

**92.—(1)** A wrestler may have a second.

(2) The second shall,

- (a) wear a clean jersey, sweater or shirt; and
- (b) remain seated and silent outside the ring during a match but near the corner of his or her charge. O. Reg. 544/85, s. 92.

**93.** There shall be a timekeeper who shall,

- (a) sit outside the ring close to a bell or gong;
- (b) be equipped with a stopwatch;
- (c) indicate the beginning and end of a match by ringing the bell or striking the gong; and
- (d) when the match ends before the time limit, advise the master of ceremonies of the time of the match. O. Reg. 544/85, s. 93.

**94.** There shall be a master of ceremonies who shall,

- (a) ensure that equipment necessary for the contest or exhibition is available;
- (b) take such action as is necessary to have the wrestlers ready for the match in which they are to take part;

(c) at the beginning of the match introduce the wrestlers to the spectators, announce their names and weights and other particulars of the match; and

(d) announce the result of the match. O. Reg. 544/85, s. 94.

95. No wrestler shall,

(a) use grease or vaseline or any slippery substance that might handicap or injure an opponent;

(b) disobey the referee;

(c) push, strike, kick, interfere with or threaten the referee;

(d) apply a strangle hold to an opponent in any manner;

(e) tangle or hang the neck, arm, foot or leg of an opponent in the ropes;

(f) kick an opponent with a foot or knee;

(g) gouge, rub or apply pressure, perspiration or foreign matter to an opponent's eyes;

(h) scratch or bite an opponent;

(i) pull the hair of an opponent;

(j) bend the fingers of an opponent;

(k) apply or maintain a hold upon an opponent while any part of the opponent's body is outside the ropes;

(l) touch the ropes with any part of his or her body while applying or maintaining a hold upon an opponent;

(m) remove or interfere with an opponent's tights;

(n) throw an opponent out of the ring over the top rope;

(o) wrestle or fight with an opponent outside the ring;

(p) strike or apply pressure to or in the region of an opponent's scrotum;

(q) have in his or her possession or use any foreign matter during the match;

(r) continue to wrestle or fight after the match ends;

(s) make any gesture indicating that he or she is committing any action under clauses (c) to (r);

(t) do any act to unduly excite the spectators; or

(u) do any act not in keeping with decency and good taste. O. Reg. 544/85, s. 95.

96. Where a referee is injured during a match and is incapable of continuing to officiate, the wrestlers shall retire to their corners until a substitute referee enters the ring and directs the match to continue. O. Reg. 544/85, s. 96.

97. Where a wrestler,

(a) is unable to return to the ring after a fall that does not end the match; or

(b) in the opinion of the referee is in a condition that renders it inadvisable for the wrestler to continue the match,

the referee shall stop the match and award the decision to the other wrestler. O. Reg. 544/85, s. 97.

98. Where the referee declares a fall or awards a decision to a wrestler, the referee and wrestlers shall leave the ring immediately. O. Reg. 544/85, s. 98.

99. The referee shall warn a wrestler who violates a provision of this Regulation and may disqualify the wrestler. O. Reg. 544/85, s. 99.

#### EQUIPMENT

100.—(1) There shall be a ring at least eighteen feet square but not more than twenty feet square.

(2) The floor of the ring shall,

(a) extend beyond the ropes at least eighteen inches; and

(b) be padded with felt or other soft material at least one and one-half inches thick.

(3) The padding on the floor of the ring shall,

(a) extend at least one foot beyond the ropes; and

(b) be covered with canvas, duck or other similar material tightly stretched and laced to the floor of the ring. O. Reg. 544/85, s. 100.

101. The ring shall,

(a) be not more than four feet above the surrounding floor; and

(b) have steps leading thereto. O. Reg. 544/85, s. 101.

102. At each corner of the ring there shall be a post,

(a) at least eighteen inches from the ropes;

(b) made of metal not more than three inches in diameter; and

(c) extending from the floor of the ring to a height of fifty-eight inches. O. Reg. 544/85, s. 102.

103.—(1) There shall be three ropes each at least an inch in diameter.

(2) The ropes shall be,

(a) eighteen, thirty-five and fifty-two inches, respectively, above the floor of the ring; and

(b) wrapped with a soft material. O. Reg. 544/85, s. 103.

104.—(1) There shall be a bell or gong of sufficient volume that when rung or sounded it can be heard distinctly by the wrestlers and officials.

(2) Where a gong is used, it shall be attached securely to the ring or to some other suitable object close at hand. O. Reg. 544/85, s. 104.

105.—(1) A wrestler in a professional wrestling contest or exhibition shall,

(a) be dressed decently; and

(b) wear shoes of a soft material, without heels, cleats, spikes or hard soles.

(2) The clothing of opposing wrestlers shall be of contrasting colours. O. Reg. 544/85, s. 105.

**Bailiffs Act**  
**Loi sur les huissiers**

**REGULATION 53**

**GENERAL**

1. A fee of \$100 shall be paid to the Registrar at the time of application for appointment. O. Reg. 267/86, s. 1.

2. The bond required by section 14 of the Act shall be,

- (a) in Form 1, where the bond is a personal bond;
- (b) in Form 2, where the bond is a bond of a guarantee company approved under the *Guarantee Companies Securities Act*; and
- (c) in Form 3, where the bond is a bond of a guarantor, other than a guarantee company. R.R.O. 1980, Reg. 77, s. 2.

3.—(1) Subject to subsection (2), where the bailiff is a corporation or the owner or a partner of the business in which the person acts as bailiff, the amount of the bond shall be \$5,000.

(2) Where the bailiff is one to whom subsection (1) does not apply or where the bailiff is also appointed as a small claims court bailiff, the amount of the bond shall be \$1,000. R.R.O. 1980, Reg. 77, s. 3.

**Form 1**

*Bailiffs Act*

**PERSONAL BOND**

KNOW ALL PERSONS BY THESE PRESENTS,

THAT I, .....

(hereinafter called the Obligor) am firmly bound unto Her Majesty in right of Ontario (hereinafter called the Obligee) in the sum of

..... Dollars (\$ .....) of lawful money of Canada, to be paid unto the Obligee, her successors and assigns, for which payment well and truly to be made, I, the said

.....  
(name of Obligor)

bind myself, my heirs, executors, administrators and assigns and I,

the said .....

.....  
(name of Obligor)

deposit with the Obligee ..... as collateral security to this bond.

- 1. This bond may be cancelled by the obligor by giving to the Registrar of Collection Agencies at least two months notice in writing of intention to cancel and it shall be deemed to be cancelled on the date stated in the notice, which date shall be not less than two months after receipt of the notice by the Registrar of Collection Agencies.

- 2. For the purposes of every act or omission occurring during the period in which this bond is in force, this bond shall continue in force and the collateral security shall remain on deposit for a period of two years after the revocation of the

appointment of the obligor, as bailiff, or the cancellation of the bond, whichever occurs first.

SEALED with my Seal and dated this .....

day of ....., 19.....

NOW THE CONDITION of the above obligation is such that if the obligation does not by reason of any act, matter or thing at any time hereafter become or be forfeit under the Act, then the obligation shall be void, but otherwise shall be and remain in full force and effect.

Signed, Sealed and Delivered in the presence of

.....

(Obligor)

R.R.O. 1980, Reg. 77, Form 1, revised.

**Form 2**

*Bailiffs Act*

**GUARANTEE COMPANY BOND**

KNOW ALL PERSONS BY THESE PRESENTS,

THAT WE, .....

.....

(hereinafter called the Principal) as Principal, and

.....

(hereinafter called the Surety) as Surety, are held and firmly bound unto Her Majesty in right of Ontario (hereinafter called the Obligee)

in the sum of ..... Dollars (\$.....) of lawful money of Canada, to be paid unto the Obligee, her successors and assigns, for which payment well and truly to be made, I, the said

.....

(name of Principal)

bind myself, my heirs, executors, administrators and assigns and we,

the said .....

(name of Surety)

bind ourselves, our successors and assigns jointly and firmly by these presents.

- 1. This bond may be cancelled by the Surety by giving to the Registrar of Collection Agencies at least two months notice in writing of intention to cancel and it shall be deemed to be cancelled on the date stated in the notice, which date shall be not less than two months after receipt of the notice by the Registrar of Collection Agencies.

- 2. For the purposes of every act or omission occurring during the period in which this bond is in force, this bond shall continue in force and shall remain on deposit for a period of two years after the revocation of the appointment of the Principal, as bailiff, or the cancellation of the bond, whichever occurs first.

SEALED with our Seals and dated this ..... day of ..... 19.....

NOW THE CONDITION of the above obligation is such that if the obligation does not by reason of any act, matter or thing at any time hereafter become or be forfeit under the Act, then the obligation shall be void, but otherwise shall be and remain in full force and effect.

Signed, Sealed and Delivered in the presence of

..... Principal .....
..... Surety .....

R.R.O. 1980, Reg. 77, Form 2, revised.

Form 3

Bailiffs Act

BOND BY GUARANTOR OTHER THAN GUARANTEE COMPANY

KNOW ALL PERSONS BY THESE PRESENTS,

THAT WE, .....

(hereinafter called the Principal) as Principal, and

(hereinafter called the Guarantor) as Guarantor, are held and firmly bound unto Her Majesty in right of Ontario (hereinafter called the

Obligee) in the sum of ..... Dollars (\$ .....) of lawful money of Canada, to be paid unto the Obligee, her successors and assigns, for which payment well and truly to be made, I, the said

(name of Principal) bind myself, my heirs, executors and administrators and I, the said

..... (name of Guarantor)

guarantee the payment of the said sum of .....

Dollars (\$ .....) to the Obligee and I, the said

(name of Guarantor)

bind myself, my heirs, executors, administrators and assigns jointly and firmly by these presents and by depositing with the Obligee

..... as collateral security to this bond.

- 1. This bond may be cancelled by the Guarantor by giving to the Registrar of Collection Agencies at least two months notice in writing of intention to cancel and it shall be deemed to be cancelled on the date stated in the notice, which date shall be not less than two months after receipt of the notice by the Registrar of Collection Agencies.
2. For the purposes of every act or omission occurring during the period in which this bond is in force, this bond shall continue in force and the collateral security shall remain on deposit for a period of two years after the revocation of the appointment of the Principal, as bailiff, or the cancellation of the bond, whichever occurs first.

SEALED with our Seals and dated this .....

day of ..... 19.....

NOW THE CONDITION of the above obligation is such that if the obligation does not by reason of any act, matter or thing at any time hereafter become or be forfeit under the Act, then the obligation shall be void, but otherwise shall be and remain in full force and effect.

Signed, Sealed and Delivered in the presence of

..... Principal .....

..... Guarantor .....

R.R.O. 1980, Reg. 77, Form 3, revised.

## Beef Cattle Marketing Act

### *Loi sur la commercialisation des bovins de boucherie*

#### REGULATION 54

##### LICENCE FEES

###### DEFINITIONS

1. In this Regulation,

“plant operator” means a person operating a plant;

“public auction sale” means a sale or offering for sale of cattle by public auction;

“public auction sale operator” means a person engaged in the business of operating public auction sales. R.R.O. 1980, Reg. 79, s. 1.

###### ASSOCIATION

2. The Ontario Cattlemen's Association is designated as the association for the purposes of the Act, and regulations thereunder. R.R.O. 1980, Reg. 79, s. 2.

###### LICENCE FEES

3. The licence fees payable by a person who sells cattle shall be, in respect of each head of cattle sold, one-fifth of 1 per cent of the sale price. O. Reg. 555/88, s. 2.

4. Subject to section 5, every person who sells cattle shall pay the licence fees referred to in section 3 to the association. O. Reg. 555/88, s. 3.

5.—(1) Every plant operator and every public auction sale operator who receives cattle from a seller thereof shall deduct, from the money payable to the seller, the licence fees payable by the seller to the association respecting the cattle. R.R.O. 1980, Reg. 79, s. 6 (1).

(2) On or before the 15th day of each month, every plant operator and public auction sale operator shall forward to the association,

- (a) all licence fees deducted by the operator under subsection (1) during the preceding calendar month; and
- (b) a statement showing the number of head of cattle sold and the full name, address and postal code of each seller from whom licence fees were deducted during the preceding calendar month. O. Reg. 555/88, s. 4.

6. The association may recover licence fees owing to the association by suit in a court of competent jurisdiction. R.R.O. 1980, Reg. 79, s. 7.

###### CONFIDENTIALITY

7.—(1) Information provided to the association under clause 5 (2) (b) is confidential.

(2) Subsection (1) does not prevent the association from publishing a list of the names of sellers for the purpose of indicating membership in the association. O. Reg. 555/88, s. 5.

###### EXEMPTIONS

8.—(1) Cattle are exempt from this Regulation where,

- (a) the cattle are, to the time of sale thereof, owned by a person who does not reside in Ontario;
- (b) the cattle are sold through a public auction sale that is organized for the purpose of selling only cattle for the production of milk;
- (c) the cattle are sold through a public auction sale that is organized for the purpose of selling only cattle for breeding;
- (d) the cattle are sold through a public auction sale in which all of the cattle that are sold or offered for sale are owned by the person on whose premises the public auction sale is held; or
- (e) the cattle are sold neither through a public auction sale nor to a plant operator.

(2) Persons who sell cattle that are, for such sale, exempt under subsection (1), are in respect of those cattle so sold, exempt from this Regulation. R.R.O. 1980, Reg. 79, s. 9.

#### REGULATION 55

##### WEIGHING OF CARCASSES

1. In this Regulation,

“beef carcass” means the entire carcass of a head of cattle except,

- (a) the hide, that part of the head and neck forward of the first cervical joint, that part of the fore-shank below the knee joint, that part of the hind-shank below the hock joint, the respiratory, digestive, reproductive and urinary systems, the pillar of the diaphragm (hanging tender), spinal cord, internal fats that have been removed in accordance with good commercial practices, external cod fat and udder fat, and the tail posterior to the first coccygeal vertebrae, and
- (b) any part of the carcass the removal of which is required for pathological reasons under the *Meat Inspection Act* (Canada) or the *Meat Inspection Act (Ontario)* or any regulation made under either of them;

“carcass” means beef carcass or veal carcass;

“graded” means graded under the *Farm Products Grades and Sales Act* or the *Canada Agricultural Products Act*;

“grader” means a person appointed under the *Farm Products Grades and Sales Act* or the *Canada Agricultural Products Act* for the purpose of grading beef carcasses;

“head of cattle” means a head of beef cattle or a veal calf that has been sold by the producer thereof to an operator for a price calculated on the basis of the weight of the carcass thereof;

“operator” means a person operating a plant and includes the person's agent or employee;

“sale weight” means the hot weight of a beef carcass less any tare in respect thereof;

“tare” means an allowance for the weight of materials and equip-

ment that are weighed with the beef carcass but do not form part thereof;

“veal carcass” means the entire carcass of a head of cattle which has a carcass weight of less than 363.4 pounds or 165 kilograms with the hide on or less than 330.4 pounds or 150 kilograms with the hide off except,

- (a) that part of the head and neck forward of the first cervical joint, that part of the fore-shank below the knee joint, that part of the hind-shank below the hock joint, the respiratory, digestive, reproductive and urinary systems and the thoracic and abdominal organs except the kidneys, and
- (b) any part of the carcass the removal of which is required for pathological reasons under the *Meat Inspection Act* (Canada) or the *Meat Inspection Act* (Ontario) or any regulation made under either of them. R.R.O. 1980, Reg. 80, s. 1; O. Reg. 17/90, s. 2.

2.—(1) Where a carcass is weighed to determine its sale weight, the operator shall weigh the entire carcass without removing any portion thereof. R.R.O. 1980, Reg. 80, s. 2; O. Reg. 17/90, s. 3, *part*.

(2) Every operator of a plant in which carcasses are weighed for settlement on the basis of carcass weight shall,

- (a) equip the plant with a scale capable of weighing carcasses to the nearest pound or 0.5 kilogram; and
- (b) maintain every scale used for the weighing of such carcasses in sound working condition. O. Reg. 129/86, s. 1, *part*; O. Reg. 17/90, s. 3, *part*.

(3) Every operator of a plant in which a yearly average of fifty or more carcasses per week are weighed for settlement on the basis of carcass weight and grade shall equip the plant with rail scales having an automatic printing device and shall retain the scale tickets from the scales for at least thirty days. O. Reg. 129/86, s. 1, *part*; O. Reg. 17/90, s. 3, *part*.

3.—(1) No operator shall deduct any allowance in respect of shrinkage or any tare in calculating the sale weight of a carcass other than a tare respecting materials and equipment used for carrying or supporting the carcass while it is being weighed. R.R.O. 1980, Reg. 80, s. 3 (1); O. Reg. 17/90, s. 4, *part*.

(2) Where a tare is deducted from the weight of a carcass, the operator shall not, in respect of the carcass, deduct a total tare that exceeds the plant standard declared by the operator under clause 7 (f). R.R.O. 1980, Reg. 80, s. 3 (2); O. Reg. 17/90, s. 4, *part*.

4. An operator shall weigh a carcass to determine its sale weight to the nearest pound or 0.5 kilogram before the carcass is placed in a cooler and record the weight on a weight sheet in a form approved by the Commissioner. R.R.O. 1980, Reg. 80, s. 4; O. Reg. 129/86, s. 2; O. Reg. 17/90, s. 5.

5.—(1) Subject to subsection (4), every operator of a plant in which a carcass is weighed or graded shall deliver to the person from whom the operator purchased the head of cattle a copy of the grading certificate issued under the *Farm Products Grades and Sales Act* or the *Canada Agricultural Products Act*. R.R.O. 1980, Reg. 80, s. 5 (1); O. Reg. 17/90, s. 6 (1), *part*, s. 6 (2).

(2) Every operator of a plant shall designate one or more persons, satisfactory to an inspector assigned to the plant, to be scale operators for the plant. R.R.O. 1980, Reg. 80, s. 5 (2).

(3) After the weighing of each lot of carcasses, the scale operator shall, upon the request of an inspector or otherwise at the next interruption of the kill, provide an inspector who has been designated by the Minister to supervise weights,

- (a) with a signed copy of the weight sheet; and

- (b) where rail scales having an automatic printing device were used, with the scale ticket,

upon which the weight of each carcass is recorded. O. Reg. 129/86, s. 3; O. Reg. 17/90, s. 6 (1), *part*.

(4) This section does not apply where the carcass that was weighed or graded was sold to the operator on the basis of its live weight. R.R.O. 1980, Reg. 80, s. 5 (4); O. Reg. 17/90, s. 6 (1), *part*.

6. Every inspector who has been designated by the Minister to supervise weights shall, with respect to the plant to which the inspector is assigned,

- (a) check the accuracy of the weighing mechanism and the accuracy of the tare adjustment at least twice each day on days when carcasses are weighed for settlement on the basis of carcass weight;
- (b) check every scale used for the weighing of carcasses at least daily, on days when carcasses are weighed for settlement on the basis of carcass weight to verify whether or not the scale is maintained in sound working order;
- (c) check the weight of items comprising the tare allowance on a random basis in order to verify whether or not,
  - (i) there is uniformity of tare for all carcasses, and
  - (ii) the operator of the plant is conforming, within plus or minus one-half pound or, where the plant is using metric weights within plus or minus 225 grams, to the plant standard referred to in clause 7 (f);
- (d) mark and set aside any tare items that in the inspector's opinion do not comply with clause 7 (f) and, where he or she is satisfied such tare items subsequently comply, release the tare items for use in the plant;
- (e) post a notice on every scale, signed by himself or herself, indicating the plant standard tare weight;
- (f) report any malfunction of scales or any other irregularity affecting weight or sale price to the Commissioner within twenty-four hours;
- (g) submit to the Commissioner reports on tare weights after each inspection of tare items and a log of scale inspection reports on forms provided by the Commissioner;
- (h) promptly advise the operator of any action necessary to achieve compliance with the Act or this Regulation;
- (i) record on the log of scale inspection a record of action taken by an operator to achieve compliance with the Act or this Regulation and conduct such inspection as is necessary to confirm the efficacy of such action;
- (j) order the operator to reweigh any carcasses that, in the inspector's opinion, may not have been weighed or recorded properly; and
- (k) prior to grading, provide to the grader assigned to the plant, the weight sheet referred to in subsection 5 (3) and the manifest referred to in clause 7 (g). R.R.O. 1980, Reg. 80, s. 6; O. Reg. 341/82, s. 2; O. Reg. 17/90, s. 7.

7. An operator shall,

- (a) subject to clause (b), supply, for the use of inspectors, adequate test weights for checking scales and arrange for annual certification of such weights under the *Weights and Measures Act* (Canada);



- (b) in the case of an operator slaughtering fewer than 50 cattle per week and where the Commissioner has given his or her approval in writing, in lieu of supplying the test weights referred to in clause (a), maintain and use a scale in determining sale weight that is certified annually under the *Weights and Measures Act* (Canada);
  - (c) supply for the use of inspectors in weighing tare items a suitable small scale certified under the *Weights and Measures Act* (Canada);
  - (d) provide all necessary assistance in handling weights to an inspector performing his or her duties under section 6;
  - (e) provide adequate storage for weights supplied under clause (a) and maintain the weights in a clean condition;
  - (f) establish and declare to the inspector a plant standard for tare deduction and conform to such standard within plus or minus one-half pound per carcass, or where the plant is using metric weights, within plus or minus 225 grams per carcass; and
  - (g) provide, prior to slaughter, to the inspector designated to supervise weights, a manifest indicating the name and address of the person from whom the operator purchased the animals, the number and sex of the animals and identification to be used to identify the lot of animals and carcasses. R.R.O. 1980, Reg. 80, s. 7; O. Reg. 17/90, s. 8.
- (a) maintain every scale so used in sound working order;
  - (b) designate one or more persons, satisfactory to an inspector, to be scale operators for that scale;
  - (c) retain the scale tickets from every scale for at least two weeks and, upon request, provide such scale tickets for the examination of the buyer or seller of the cattle;
  - (d) upon request therefor by an inspector, provide him or her with a signed copy of the scale ticket upon which the weight of each lot of cattle is recorded; and
  - (e) arrange for annual certification of such weights under the *Weights and Measures Act* (Canada). O. Reg. 340/82, s. 1; O. Reg. 128/86, s. 1.
2. Every inspector who has been designated by the Minister to supervise weights shall, with respect to scales inspected by him or her,
- (a) report any malfunction of scales or any other irregularity affecting weight or sale price to the Commissioner within twenty-four hours;
  - (b) promptly advise the person who owns or maintains the scale of any action necessary to achieve compliance with the Act or this Regulation;
  - (c) record on the log of scale inspection a record of action taken by the person who owns or maintains the scale to achieve compliance with the Act or this Regulation and conduct such inspection as is necessary to confirm the efficacy of such action; and
  - (d) order the person who owns or maintains the scale to reweigh any lot of cattle that, in his or her opinion, may not have been weighed or recorded properly. O. Reg. 340/82, s. 2.

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## REGULATION 56

### WEIGHING OF LIVE CATTLE

1. Every person who owns or maintains scales for the purpose of weighing live cattle where the weight is an element in ascertaining the price paid for the cattle shall,



## Bees Act *Loi sur l'apiculture*

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### REGULATION 57

#### GENERAL

##### REGISTRATION

1.—(1) Every beekeeper shall provide to the Provincial Apiarist, with the beekeeper's application for the issue or renewal of a certificate of registration, a return stating,

- (a) the beekeeper's name and address;
- (b) the location of each apiary of the beekeeper in Ontario;
- (c) the name, address and telephone number of the owner or tenant of the land where each apiary is located;
- (d) the municipal address or legal description of the land where each apiary is located together with sufficient detail to locate the apiary on the land; and
- (e) the number of hives maintained in each apiary.

(2) The Provincial Apiarist shall keep a register of all beekeepers in Ontario showing the information set out in subsection (1). O. Reg. 721/88, s. 1.

##### DISEASES

2. The following diseases are designated as a disease for the purposes of the Act:

1. Acarine disease, being the disease of bees caused by the tracheal mite known as *Acarapis woodi*.
2. Varroaosis, being the disease of bees caused by the external mite *Varroa jacobsoni*. O. Reg. 721/88, s. 2.

##### RECORDS

3.—(1) The records kept by every beekeeper shall include,

- (a) a copy of the beekeeper's application for the issue or renewal of a certificate of registration for the year of registration;
- (b) a copy of the return provided under section 1 to the Provincial Apiarist with such application; and
- (c) the period of time each apiary is at each location.

(2) The records kept by every person who sells bees shall include,

- (a) the name and address of every person to whom the seller sells bees;
- (b) the quantity of bees sold;
- (c) the date of shipment of the bees;
- (d) the place from which the bees were shipped;
- (e) the name and address of every person from whom the seller has purchased bees;
- (f) the quantity of bees purchased;
- (g) the date of receipt of each shipment of bees purchased; and
- (h) a copy of all permits issued by the Provincial Apiarist for any bees sold or received. O. Reg. 721/88, s. 3.

##### RETURNS BY BEEKEEPERS

4.—(1) Every person who sells bees shall make a return to the Provincial Apiarist in writing stating the name and address of the buyer, the quantities of bees or package bees sold and the date of shipment of each quantity.

(2) The return shall be made within thirty days of the date of sale of the bees or package bees. R.R.O. 1980, Reg. 81, s. 4.

##### REPORT OF INSPECTOR

5.—(1) Subject to subsection (3), each inspector shall report to the Provincial Apiarist within ten days of each inspection of an apiary. R.R.O. 1980, Reg. 81, s. 5 (1).

(2) An inspector who finds colonies of bees infected with American foul brood, acarine disease or varroaosis shall immediately notify in writing the Provincial Apiarist of the location and number of the colonies so infected and the name and address of the owner. O. Reg. 567/85, s. 2.

##### SIGNS

6. Each beekeeper shall post conspicuously within every apiary which the beekeeper owns a sign not less than 24 centimetres in height and 50 centimetres in width showing the beekeeper's name and address in letters and numbers large enough to be readily visible. O. Reg. 721/88, s. 5, *part*.

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**Blind Persons' Rights Act**  
***Loi sur les droits des aveugles***

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**REGULATION 58**

**GUIDE DOGS**

1. A dog that has successfully completed the training program at any of the following facilities is qualified as a guide dog:

1. Eye Dog Foundation for the Blind, Los Angeles, California.
2. The Seeing Eye, Inc., Morristown, New Jersey.
3. Guide Dogs for the Blind Inc., San Rafael, California.
4. International Guiding Eyes Inc., Hollywood, California.
5. Eye of the Pacific Guide Dogs Inc., Honolulu, Hawaii.
6. Leader Dogs for the Blind, Rochester, Michigan.
7. Guide Dog Foundation for the Blind Inc., Smithtown, New York.
8. Guiding Eyes for the Blind Inc., New York, New York.
9. Pilot Dogs Inc., Columbus, Ohio.
10. Guide Dogs for the Blind Association, Windsor, England.
11. Canadian Guide Dogs for the Blind, Ottawa, Ontario.
12. Canine Vision Canada, Oakville, Ontario.

R.R.O. 1980, Reg. 83, s. 1; O. Reg. 102/85, s. 1; O. Reg. 459/86, s. 1; O. Reg. 52/89, s. 1.

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**Boilers and Pressure Vessels Act**  
*Loi sur les chaudières et appareils sous pression*

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**REGULATION 59****GENERAL**

## DEFINITIONS

1. In this Regulation,

“air receiver” means a pressure vessel that contains, distributes or otherwise handles air under pressure;

“Canadian Registration Number” means the registration number given under section 10 to a boiler or pressure vessel;

“compressed-air plant” means a plant in which pressure vessels contain, distribute or otherwise handle air under a pressure of more than fifteen pounds;

“compressed-gas plant” means a plant in which pressure vessels may be used for compressed gas but does not include a refrigeration plant;

“cushion tank” means a pressure vessel designed for installation in a closed hot water heating system to provide an air cushion for the expansion of water;

“direct expansion coils” means the piping in which liquid refrigerant is vaporized to produce ice in a rink for hockey, skating or curling;

“head” means,

- (a) when used in respect of a fire-tube boiler, the plate into which the ends of the tubes are fitted,
- (b) when used in respect of a water-tube boiler, the plate closing the ends of the drum, and
- (c) when used in respect of a pressure vessel, the plate closing the part in which the gas, vapour or liquid is under pressure;

“heat exchanger” means a pressure vessel under pressure of more than fifteen pounds used exclusively for transferring heat from one substance to another;

“hot water storage tank” means a pressure vessel used for the storage of hot water;

“locomotive boiler” means a high pressure boiler that may be used to furnish motivating power for travelling on rails;

“miniature boiler” means a boiler having a shell,

- (a) with an inside diameter not greater than sixteen inches,
- (b) with an over-all length not greater than forty-two inches measured from outside to outside of the heads at their centres,
- (c) with a water-heating surface not more than twenty square feet, and
- (d) with a maximum working pressure not greater than one hundred pounds;

“oil-refining plant” means a plant in which the pressure vessels may be used for separating, evaporating, cracking, desalting, purifying or refining oil or any of its constituents;

“power boiler” means any high pressure boiler other than a locomotive boiler or a miniature boiler;

“power rating” means,

- (a) when used in respect of a compressed-air plant or compressed-gas plant, the total horse-power of the machinery units driving the compressors,
- (b) when used in respect of an electric boiler in a steam plant, the quotient obtained by dividing the total maximum capacity of the heating elements in kilowatts by ten, or
- (c) when used in respect of a boiler in a steam plant, other than an electric boiler, the quotient obtained by dividing the total heating surface of the boiler in square feet by ten;

“pressure piping” means piping in which a pressure of more than fifteen pounds is exerted internally;

“refrigerant vessel” means a pressure vessel that is a component part of a refrigeration system;

“steam plant” means a plant in which the boilers may be used for generating or utilizing steam and includes any pipe, fitting or other equipment that is attached to the boilers and constitutes one unit with them. R.R.O. 1980, Reg. 84, s. 1.

## CLASSIFICATION OF BOILERS, PLANTS AND REFRIGERANTS

2.—(1) High pressure boilers are classified as,

- (a) locomotive boilers;
- (b) miniature boilers; and
- (c) power boilers.

(2) Low pressure boilers are classified as,

- (a) hot-water-heating boilers;
- (b) hot-water-supply boilers; and
- (c) steam-heating boilers.

(3) Plants are classified as,

- (a) compressed-air plants;
- (b) compressed-gas plants;
- (c) oil-refining plants;
- (d) refrigeration plants; and
- (e) steam plants.

(4) Refrigerants, consisting of the chemical substances specified in Tables 1, 2 and 3, are classified respectively as,

- (a) Group 1 refrigerants;
- (b) Group 2 refrigerants; and
- (c) Group 3 refrigerants. R.R.O. 1980, Reg. 84, s. 2.

## CAPACITY

3.—(1) The capacity of a boiler or of a compressed-air plant or a compressed-gas plant shall be determined by its power rating.

- (2) The capacity of a refrigeration plant shall,
- (a) be determined by dividing the total horsepower of the machinery-units driving the compressors by 1½; and
  - (b) be expressed in tons. R.R.O. 1980, Reg. 84, s. 3.

## INSPECTORS

4.—(1) A person is qualified to be appointed an inspector or to make inspections under the Act when he or she,

- (a) is not under twenty-five years of age; and
- (b) subject to subsection (2), has had experience,
  - (i) in mechanical engineering in respect of designing, constructing, installing and operating boilers or pressure vessels,
  - (ii) in steam engineering,
  - (iii) in the inspection of high pressure boilers, or
  - (iv) in any combination of the matters referred to in sub-clauses (i), (ii) and (iii) or any two of them for a period of at least five years.

(2) Where a person holds a degree in any class of engineering from a Canadian university, the period of experience under clause (1) (b) shall be at least three years. R.R.O. 1980, Reg. 84, s. 4.

5. An application for a certificate of competency shall be,

- (a) in writing; and
- (b) subject to subsection 6 (1), accompanied by the fee prescribed by paragraph 1 of Table 4. R.R.O. 1980, Reg. 84, s. 5.

6.—(1) The Minister may issue a certificate of competency without examination to any person,

- (a) who is qualified to inspect boilers and pressure vessels in any other province of Canada or in any of the states of the United States of America; and
- (b) upon payment of the fee prescribed by subparagraph ii of paragraph 1 of Table 4.

(2) Where a person who is qualified under section 4 complies with section 5 and passes the examinations and tests required by the Minister, the Minister shall issue to the person a certificate of competency. R.R.O. 1980, Reg. 84, s. 6.

7. A certificate of competency issued to an inspector continues in force during the period of his or her appointment as an inspector. R.R.O. 1980, Reg. 84, s. 7.

8.—(1) Every certificate of competency issued to a person other than an inspector continues in force during the year in which it is issued and until the date of renewal prescribed under subsection (2).

(2) The renewal date under subsection (1) is the first Monday of March in each year.

(3) Where a person who may make inspections under the Act, other than an inspector, on or before the renewal date pays the renewal fee prescribed by subparagraph ii of paragraph 1 of Table 4, the Minister shall issue a renewal certificate to the person.

(4) Where the holder of a certificate does not apply for a renewal certificate on or before the renewal date prescribed in subsection (2),

no renewal certificate shall be issued until he or she has paid the late-application fee prescribed under subparagraph iii of paragraph 1 of Table 4 in addition to the renewal fee. R.R.O. 1980, Reg. 84, s. 8.

9. The Minister may suspend or cancel a certificate of competency if the person to whom the certificate is issued,

- (a) is found to be,
  - (i) untrustworthy, or
  - (ii) wilfully negligent in making inspections; or
- (b) is proved to have knowingly falsified an inspection report. R.R.O. 1980, Reg. 84, s. 9.

## REGISTRATION AND NUMBERING

10.—(1) The chief inspector shall maintain a register of the designs of all boilers, pressure vessels or plants registered under the Act.

- (2) The register shall contain,
- (a) in respect of the design of a boiler or pressure vessel,
    - (i) the name and address of the manufacturer submitting the design,
    - (ii) the classification of the boiler or pressure vessel,
    - (iii) the date the design was approved by the chief inspector,
    - (iv) the Canadian Registration Number, and
    - (v) such additional information as is necessary for departmental administration; and
  - (b) in respect of the design of a plant,
    - (i) the name and address of the person submitting the design,
    - (ii) the location of the plant,
    - (iii) the classification of the plant,
    - (iv) the date the design was approved by the chief inspector,
    - (v) the departmental serial number given to the design, and
    - (vi) such additional information as is necessary for departmental administration.

(3) The register shall be maintained in two sections, one of which shall be for registration of the designs of boilers and of pressure vessels and the other for registration of the designs of plants.

(4) In each section the designs shall be registered in the sequence in which they are approved.

(5) Where the design of a boiler or pressure vessel is approved in Ontario before it has been approved in another province, it shall be given a number,

- (a) in the sequence in which it is approved;
- (b) preceded by a capital letter of the alphabet; and
- (c) followed by a decimal point and the figure "5".

(6) Where the design of a boiler or pressure vessel that has been given a registration number in a province other than Ontario is approved in Ontario, the registration number given in that other



province shall be retained in Ontario and the figure "5" shall be added at the end thereof. R.R.O. 1980, Reg. 84, s. 10.

11.—(1) An application for registration of the design of a boiler, pressure vessel or plant shall be accompanied by three sets of drawings, calculations and specifications of the boiler, pressure vessel or plant.

(2) Where the person who submits a design of a boiler, pressure vessel or plant for registration desires more than one set of drawings and specifications to be returned to the person marked with the registration number, the person shall send to the chief inspector, with the application, the extra sets the person desires to be so marked. R.R.O. 1980, Reg. 84, s. 11.

12.—(1) When a design of a boiler, pressure vessel or plant is approved, the chief inspector shall,

- (a) register the design and number it in the manner prescribed in section 10; and
- (b) return to the person who submitted it one of the sets of drawings and specifications,
  - (i) marked "approved",
  - (ii) showing the date of approval, and
  - (iii) showing the registration number given to the design.

(2) When the chief inspector does not approve a design, the chief inspector shall return to the applicant one of the sets of drawings and specifications together with a memorandum of his or her reasons for withholding approval. R.R.O. 1980, Reg. 84, s. 12.

13.—(1) An approved and registered design may be revised by the owner of the design by submitting three sets of drawings and specifications of the proposed revised design to the chief inspector.

(2) The fees payable for registration of a revised design are the same as the fees prescribed by paragraphs 2, 3, 4 and 5, as the case may be, of Table 4 for an original registration. R.R.O. 1980, Reg. 84, s. 13.

#### IDENTIFICATION MARKINGS

14.—(1) Every high pressure boiler manufactured from a design registered under section 10 shall be identified and marked as required by Section 1 of the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers, 1989 Edition.

(2) Every low pressure boiler manufactured from a design registered under section 10 shall be identified and marked as required by Section IV of the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers, 1989 Edition.

(3) Every boiler shall be marked with its Canadian Registration Number issued under section 10. R.R.O. 1980, Reg. 84, s. 14, *revised*.

15.—(1) Every pressure vessel, other than those designated as "nuclear", manufactured from a design registered under section 10, shall be identified and marked as required by Section VIII of the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers, 1989 Edition.

(2) Every nuclear pressure vessel manufactured from a design registered under section 10 shall be identified and marked as required by Section III of the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers, 1989 Edition.

(3) Every pressure vessel shall be marked with its Canadian Registration Number issued under section 10. R.R.O. 1980, Reg. 84, s. 15, *revised*.

16. The markings under section 14 or 15 shall be in a conspicuous

place on the boiler or pressure vessel and shall be not less than three-eighths of an inch in height. R.R.O. 1980, Reg. 84, s. 16.

17.—(1) Subject to subsections (2) and (3), the markings under section 14 or 15 shall be stamped into the plate of the boiler or pressure vessel but not into the plate of the smoke-box of a boiler.

(2) The markings on a cast iron boiler shall be,

- (a) cast into the boiler; or
- (b) stamped upon a metal plate permanently attached to the boiler.

(3) Where the material of which the plate of a pressure vessel is manufactured is not suitable for the markings to be stamped into it, the chief inspector may permit that vessel to be identified by markings stamped upon a metal plate permanently attached to the vessel. R.R.O. 1980, Reg. 84, s. 17.

18.—(1) The area on which an identification is marked shall be painted and outlined in a contrasting colour with the words "this area not to be covered" clearly legible on the painted area.

(2) Subsection (1) does not apply where the identification on a fire-tube boiler is,

- (a) marked on the front head and exposed to the products of combustion; and
- (b) accessible through the smoke-box door. R.R.O. 1980, Reg. 84, s. 18.

19.—(1) Subject to subsection (2), no person shall cover or obliterate any identification markings on a boiler or pressure vessel.

(2) Where it is impracticable to comply with subsection (1), the markings shall be reproduced on a metal plate permanently attached to the boiler or pressure vessel so as to be readily accessible. R.R.O. 1980, Reg. 84, s. 19.

#### PLANT DESIGNS

20. The drawings and specifications accompanying an application for approval and registration of a design of a steam plant shall include,

- (a) drawings of the plan of the boiler room, showing the location of the boilers, pressure piping and safety devices installed in it;
- (b) drawings of the layout of the pressure piping, if any, installed outside the boiler room;
- (c) specifications of the pipes or fittings, if any, to be used in conjunction with the boilers; and
- (d) information in respect of the power rating of each boiler in the plant, and the aggregate power rating of the plant. R.R.O. 1980, Reg. 84, s. 20.

21. The drawings and specifications accompanying an application for approval and registration of a design of a compressed-air plant or a compressed-gas plant shall include,

- (a) drawings of a plan of the machinery room, showing the location of the compressors, pressure vessels, pressure piping and safety devices installed in it;
- (b) drawings of the layout of the pressure piping, if any, installed outside the machinery room;
- (c) specifications of any pipes or fittings, if any, to be used in conjunction with the pressure vessels; and
- (d) information in respect of the power rating of the plant. R.R.O. 1980, Reg. 84, s. 21.

22.—(1) The drawings and specifications accompanying an application for approval and registration of a design of a refrigeration plant shall include,

- (a) drawings of the plan of the machinery room, showing the location of the refrigerating equipment in it and the safety devices used in conjunction therewith;
- (b) drawings of the layout of the piping in the plant,
  - (i) showing relief connections or safety connections, and
  - (ii) indicating the type of occupancy of the plant;
- (c) the specifications required by subsections (2) and (3); and
- (d) information in respect of the construction of the floor, walls and ceilings of the machinery room, including materials, dimensions and strength.

(2) Attached to the drawing submitted under subsection (1) shall be a schedule setting forth,

- (a) in respect of each compressor,
  - (i) the name of the manufacturer,
  - (ii) the size,
  - (iii) the speed,
  - (iv) the number of cylinders and the internal diameter and displacement of each,
  - (v) the stroke of the pistons,
  - (vi) the name of the manufacturer of the relief valve,
  - (vii) the size of the relief valve,
  - (viii) the pressure at which the relief valve is to be set;
- (b) the total horse-power of the machinery units driving the compressors;
- (c) in respect of each receiver or condenser-receiver,
  - (i) the dimension and cubic content,
  - (ii) the size and number of safety valves or rupture-discs,
  - (iii) the name of the manufacturer of the safety valves or of the rupture-discs, and
  - (iv) the pressure at which the safety valves are to be set or at which the rupture-discs will rupture;
- (d) in respect of each evaporator,
  - (i) the dimensions and cubic content,
  - (ii) the size and number of safety valves or rupture-discs,
  - (iii) the name of the manufacturer of the safety valves or of the rupture-discs, and
  - (iv) the pressure at which the safety valves are to be set or at which the rupture-discs will rupture;
- (e) the dimensions and cubic content of all other pressure vessels to contain liquid refrigerant;
- (f) the refrigerant to be used in the plant; and
- (g) the maximum number of pounds of refrigerant the system will contain.

(3) Where, at the time of making the application, refrigerating

equipment is already installed in the machinery room, the same specifications as are required by subsection (2) shall be given in respect of that equipment. R.R.O. 1980, Reg. 84, s. 22.

23.—(1) In this section, "Class T machinery room" means a room in which,

- (a) machinery operating the system is permanently installed;
- (b) machinery but no flame-producing apparatus is permanently installed;
- (c) all doors through which fumes may penetrate a building are self-closing and tight-fitting;
- (d) all walls, doors, windows, floors and ceilings are tight and are so constructed as to resist fire for at least one hour;
- (e) an exit door provides means of escape to the outer air directly or through a vestibule exit that is equipped with self-closing and tight-fitting doors;
- (f) no exterior opening is located under,
  - (i) a fire escape,
  - (ii) an open stairway, or
  - (iii) open seating-accommodation;
- (g) every pipe piercing an interior wall, ceiling or floor is tightly sealed to the wall, ceiling or floor through which it passes;
- (h) emergency remote controls to stop the action of the refrigerant-compressor are located immediately outside the room;
- (i) mechanical means of ventilation is provided; and
- (j) emergency remote controls for the mechanical ventilation are located outside the room.

(2) Subject to subsection (3), any Group 1 or Group 2 refrigerant may be used in a rink for hockey, skating or curling.

(3) Where a Group 2 refrigerant is used under subsection (2), the following conditions govern its use in that refrigerant plant:

1. The liquid-receivers shall be of sufficient aggregate capacity to contain all the refrigerant to be used in the system.
2. Subject to subsection (4), all control valves and all parts of the system that contain the refrigerant, except expansion coils, shall be installed in a Class T machinery room that is hermetically sealed from the rink.
3. The expansion coils shall be provided with pipes and control valves installed outside the building in such a manner as to permit immediate discharge of the refrigerant to the atmosphere in case of emergency.
4. A point at which refrigerant is discharged to the atmosphere under paragraph 3 shall be located away from any opening for a door, window or air-inlet of the rink or of any adjacent building,
  - (a) so that the fumes of the refrigerant will not enter the rink or building, and
  - (b) not less than fifteen feet above any of those openings.
5. The expansion coils shall be protected by dual relief valves set to function at a pressure of seventy-five pounds.
6. Magnetically operated stop-valves that are energized and opened only when the motor driving the compressor is itself

energized shall be provided on the high pressure side of the compressor.

7. The expansion coils shall be supported on solid foundations throughout their length.
  8. Every circumferential joint in the expansion coils that is welded by electric arc shall be provided with a backing-ring at the time of welding.
  9. The refrigerant shall be completely withdrawn from the expansion coils while the rink is being used for any purpose other than hockey, skating or curling.
- (4) Paragraph 2 of subsection (3) does not apply to an outdoor rink. R.R.O. 1980, Reg. 84, s. 23.

#### PERIODIC INSPECTIONS

24.—(1) The owner of every low pressure boiler shall have it inspected, both internally and externally, at least once every twenty-four months.

(2) The owner of every cushion tank and hydropneumatic tank shall have it inspected at least once every twenty-four months.

(3) The owner of a pressure vessel, other than a pressure vessel referred to in subsection (2), or a vessel fitted with a quick-opening door, shall have the pressure vessel inspected at least once every thirty-six months. O. Reg. 179/82, s. 1, *part*.

25. The following are exempted from the Act and this Regulation:

1. Pressure piping forming part of a heating system where the heating medium is,
  - i. steam at a pressure not exceeding fifteen pounds, or
  - ii. water at a pressure not exceeding 160 pounds and a temperature not exceeding 250 degrees Fahrenheit.
2. Compressed air piping, up to and including  $\frac{3}{4}$ " nominal diameter connected together by means other than welding.
3. Hot oil piping, where the pressure is not greater than 100 pounds and the operating temperature is not less than 50 degrees Fahrenheit lower than the flash point of the oil.
4. Flexible hoses and portable air piping used in mines.
5. Gas and oil pipelines regulated under the *Energy Act*.
6. Cylinders used for the storage and transport of fluids and gases regulated under the *Transportation of Dangerous Goods Act* (Canada). O. Reg. 179/82, s. 1, *part*.

26. The following classes of pressure vessels are exempted from section 22 of the Act:

1. Refrigerant receivers, except where the refrigerant is ammonia.

2. Blowdown tanks.
3. Water to water heat exchangers.
4. Compressed air receivers, where the maximum allowable pressure is not greater than 250 pounds and the capacity is not greater than 23 cubic feet. O. Reg. 179/82, s. 1, *part*.

#### TERMS OF EXEMPTION

27. An application by the owner of a plant for an exemption under subsection 32 (3) of the Act shall be accompanied by a manual of the standard practices and procedures used in the inspection and repair of the plant. O. Reg. 451/85, s. 1.

#### EXPENSES

28.—(1) In this section,

“living expenses” means reasonable charges incurred by an inspector for,

- (a) sleeping accommodation, and
- (b) meals,

while on duty away from his or her home and includes reasonable customary tips incidental thereto;

“travelling expenses” means reasonable charges incurred by an inspector for transportation by the shortest route between,

- (a) the place where an inspection is made, and
- (b) the place where the next inspection is to be made or where the inspector's office is located, as the case may be,

and includes reasonable customary tips incidental thereto.

(2) Subject to subsection (3), the living expenses and travelling expenses incurred by an inspector shall be paid by,

- (a) the manufacturer, where the inspection is made during construction of a boiler or pressure vessel; or
- (b) the owner, where the inspection is made during or after installation of a plant.

(3) Subsection (2) applies only to inspections,

- (a) of used boilers or used pressure vessels;
- (b) made during or after the making of major repairs to a boiler or pressure vessel under section 32 of the Act;
- (c) of boilers or pressure vessels during installation when erected on permanent foundations; and
- (d) of boilers or pressure vessels installed in a mine within the meaning of the *Mining Act*. R.R.O. 1980, Reg. 84, s. 25.

29. The fees to be paid under the Act are those prescribed in Table 4. R.R.O. 1980, Reg. 84, s. 26.

**TABLE 1**  
GROUP 1 REFRIGERANTS

Refrigerant	Name	Chemical Formula
R-11	Trichlorofluoromethane	CCl <sub>3</sub> F
R-12	Dichlorodifluoromethane	CCl <sub>2</sub> F <sub>2</sub>
R-13	Chlorotrifluoromethane	CClF <sub>3</sub>
R-13B1	Bromotrifluoromethane	CBrF <sub>3</sub>
R-14	Tetrafluoromethane	CF <sub>4</sub>
R-21	Dichlorofluoromethane	CHCl <sub>2</sub> F
R-22	Chlorodifluoromethane	CHClF <sub>2</sub>
R-30	Dichloromethane (Methylene chloride)	CH <sub>2</sub> Cl <sub>2</sub>
R-113	Trichlorotrifluoroethane	CCl <sub>2</sub> FCClF <sub>2</sub>
R-114	Dichlorotetrafluoroethane	CClF <sub>2</sub> CClF <sub>2</sub>
R-115	Chloropentafluoroethane	CClF <sub>2</sub> CF <sub>3</sub>
R-C318	Octafluorocyclobutane	C <sub>4</sub> F <sub>8</sub>
R-500	Dichlorodifluoromethane, 73.8% and Ethylidene fluoride, 26.2%	CCl <sub>2</sub> F <sub>2</sub> /CH <sub>3</sub> CHF <sub>2</sub>
R-502	Chlorodifluoromethane, 48.8% and Chloropentafluoroethane, 51.2%	CHClF <sub>2</sub> /CClF <sub>2</sub> CF <sub>3</sub>
R-503	Trifluoromethane, 40.1% and Chlorotrifluoromethane, 59.9%	CHF <sub>3</sub> /CClF <sub>3</sub>
R-744	Carbon dioxide	CO <sub>2</sub>

R.R.O. 1980, Reg. 84, Table 1.

**TABLE 2**  
GROUP 2 REFRIGERANTS

Refrigerant	Name	Chemical Formula
R-40	Methyl chloride	CH <sub>3</sub> Cl
R-611	Methyl formate	HCOOCH <sub>3</sub>
R-717	Ammonia	NH <sub>3</sub>
R-764	Sulphur dioxide	SO <sub>2</sub>

R.R.O. 1980, Reg. 84, Table 2.

**TABLE 3**

GROUP 3 REFRIGERANTS

Refrigerant	Name	Chemical Formula
R-170	Ethane	C <sub>2</sub> H <sub>6</sub>
R-290	Propane	C <sub>3</sub> H <sub>8</sub>
R-600	Butane	C <sub>4</sub> H <sub>10</sub>
R-600(a)	Isobutane	CH(CH <sub>3</sub> ) <sub>3</sub>
R-1150	Ethylene	C <sub>2</sub> H <sub>4</sub>

R.R.O. 1980, Reg. 84, Table 3.

**TABLE 4**

TARIFF OF FEES

Item No.	Subject	Fee \$
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Certificate of Competency

1. For a certificate of competency, the fee is,
  - i. by an applicant for examination .... 50.00
  - ii. on the issue or renewal of a certificate ..... 35.00
  - iii. for late application ..... 50.00

Examination and Registration

2. On examination and registration of the

design of a boiler, pressure vessel or heat exchanger, except for pressure piping referred to in paragraph 4 or 5 ..... 100.00 per hour or part thereof

3. Where the boiler, pressure vessel or heat exchanger is classified as a nuclear vessel .... 100.00 per hour or part thereof, minimum charge is two hours

4. On examination and registration of any plant with respect to the layout of the pressure piping ..... 50.00 per half hour or part thereof

5. Where the plant referred to in paragraph 4 is classified as a nuclear plant ..... 100.00 per hour or part thereof, minimum charge is two hours

6. On the registration of the design of fittings, for each type, size and pressure, nuclear or conventional ..... 100.00 per hour or part thereof

7. For the collective registration of each category of fitting, nuclear or conventional ..... 100.00 per hour or part thereof, minimum charge is two hours

8. On examination and registration of a design of a refrigeration plant ..... 100.00 per hour or part thereof

9. On examination of revisions to a previously registered design ..... 50.00 per one-half hour or part thereof

10. For each set of a design marked "registered" ..... 30.00

11. For providing a copy of a manufacturer's data and inspection reports .....	25.00 per report	graphs 13, 14 and 15, on an inspection of a group of pressure vessels operating or used as a single machine or unit .....	75.00 per hour or part thereof
12. For search of files to provide design registration information .....	50.00 per one-half hour or part thereof	20. Except for inspections referred to in paragraphs 13, 14 and 15, on an inspection of a heat-exchanger, where the area of the heating surface is,	
Inspections			
13. On inspection during the construction of a boiler, pressure piping, a heat-exchanger, a pressure vessel or a refrigeration plant .....	75.00 per hour or part thereof	i. less than 500 square feet .....	35.00
14. On inspection during the installation of, or making repair to a boiler, pressure piping, a heat-exchanger, a vessel or a refrigeration plant .....	75.00 per hour or part thereof	ii. 500 or more square feet but less than 1,000 square feet .....	50.00
15. On an inspection of a used boiler or pressure vessel .....	75.00 per hour or part thereof	iii. 1,000 or more square feet but less than 2,000 square feet .....	65.00
16. On inspection during installation of the direct expansion coils in a hockey rink, skating rink or curling rink .....	75.00 per hour or part thereof	iv. 2,000 or more square feet but less than 3,000 square feet .....	75.00
17. Except for inspections referred to in paragraphs 13, 14 and 15, on an inspection of any boiler, where the area of the heating surface is,		v. 3,000 or more square feet .....	75.00 per hour or part thereof
i. less than 100 square feet .....	50.00	Certificates of Approval or Inspection	
ii. 100 or more square feet but less than 500 square feet .....	100.00	21. On the issue of,	
iii. 500 or more square feet but less than 1,000 square feet .....	130.00	i. a certificate of approval under section 16 of the Act .....	15.00
iv. 1,000 or more square feet but less than 2,000 square feet .....	150.00	ii. a certificate of inspection under an inspection made under subsection 29 (2), (3) or (4) of the Act .....	45.00
v. 2,000 or more square feet but less than 3,000 square feet .....	180.00	iii. a duplicate certificate of inspection or approval .....	25.00
vi. 3,000 or more square feet .....	75.00 per hour or part thereof, minimum charge is three hours	Welding	
18. Except for inspections referred to in paragraphs 13, 14 and 15 and for groups of pressure vessels referred to in paragraph 19, on an inspection of a pressure vessel, other than a heat-exchanger, where the product of the measurement in feet of the diameter or width of the pressure vessel multiplied by its length-over-heads is,		22. On the qualification testing of a welding operator .....	60.00
i. less than 10 .....	15.00	23. For the issue of a welding operator's identification card, where the test has not been witnessed by an inspector .....	20.00
ii. 10 or more but less than 30 .....	30.00	24. For the issue of a replacement identification card .....	17.00
iii. 30 or more but less than 50 .....	50.00	25. On the approval of procedures to be followed in the welding of boilers or pressure vessels, for each procedure .....	75.00
iv. 50 or more but less than 70 .....	75.00	Surveys, Audits and Consultation	
v. 70 or more .....	100.00	26. On any survey or audit of a manufacturer's facilities, where requested by the manufacturer or where required by regulation or code,	
19. Except for inspections referred to in para-		i. for a conventional facility .....	75.00 per person
		ii. for a nuclear facility .....	500.00 per person per day or part thereof
		27. On any consultation by request with Ministry staff for the purpose of discussing or reviewing quality assurance manuals or procedures or advising thereon, per person .....	75.00 per hour or part thereof



**Boundaries Act**  
**Loi sur le bornage**

**REGULATION 60**

**GENERAL**

- 1.—(1) An application under the Act shall be in Form 1.
- (2) Where the applicant is a corporation, other than a municipal corporation, the application shall be signed by the proper officers of the corporation and have the seal of the corporation embossed thereon. R.R.O. 1980, Reg. 85, s. 1.
- 2. Where an application is made by the council of a municipality, it shall be supported by a copy of the by-law that authorizes the application. R.R.O. 1980, Reg. 85, s. 2.
- 3. Where an application is made by an owner of an interest in a parcel, proof of such ownership shall be filed with the application. R.R.O. 1980, Reg. 85, s. 3.
- 4. An application shall be accompanied by,
  - (a) a copy of every existing plan of land that relates to the boundary or boundaries to be confirmed;
  - (b) a copy of the field notes, if available, in respect of every plan referred to in clause (a);
  - (c) a copy of the registered document under which title to every parcel adjoining the boundaries to be confirmed is held;
  - (d) a copy of any other documentary evidence available to the applicant that relates to the position of the boundaries to be confirmed; and
  - (e) a money order or cheque payable to the Treasurer of Ontario in the amount of the fees prescribed by subsection 13 (1). R.R.O. 1980, Reg. 85, s. 4.
- 5. When requested by the Director, the applicant shall submit a list of the names and addresses of the registered owners of all land adjoining the boundaries to be confirmed and sufficient copies of the plan of survey for the purpose of notice in accordance with section 7 of the Act. R.R.O. 1980, Reg. 85, s. 5.
- 6. A land registrar shall receive such material relating to an application under the Act as the Director furnishes and shall retain the material and, without payment of any fee, make it available for public inspection until the certified plan has been registered, or until otherwise directed by the Director. R.R.O. 1980, Reg. 85, s. 6.
- 7. A statement of objection filed under section 8 of the Act shall be supported by copies of all plans, field notes and documents on which the objector relies. R.R.O. 1980, Reg. 85, s. 7.
- 8. Any notice of hearing required under the Act may be served by personal service or registered mail addressed to the address for service, if any, or if none, addressed to the last known address of the party or person to be served. R.R.O. 1980, Reg. 85, s. 8.
- 9.—(1) No person is entitled to recover his, her or its costs or expenses except under an order of the Director. R.R.O. 1980, Reg. 85, s. 9 (1).
- (2) Where the Director orders costs to be paid by or to a party, the costs may be assessed by the Director or an assessment officer of

the Ontario Court (General Division) in accordance with the order. R.R.O. 1980, Reg. 85, s. 9 (2), *revised*.

10. Where, at the time of registration of a plan under the Act, the Director transmits to the land registrar an additional copy of the plan and so requests, the land registrar shall endorse the copy to show the particulars of registration of the plan and forward the copy to the clerk of the municipality in which the land affected by the plan is situate. R.R.O. 1980, Reg. 85, s. 10.

11. Sections 1 to 25 of Regulation 997 of Revised Regulations of Ontario, 1990 apply with necessary modifications to surveys and plans made for the purpose of the Act. R.R.O. 1980, Reg. 85, s. 11.

12.—(1) Any correction to a plan ordered by the Director under section 18 of the Act shall be carried out by the examiner of surveys appointed under section 14 of the *Land Titles Act*.

(2) The Director shall forward a copy of the order made under section 18 of the Act to the proper land registry office and the land registrar shall register the order and shall note on the plan or copy thereof registered under section 16 of the Act, "corrected under order registered as number ....".

(3) The examiner shall certify, in Form 2, his or her correction on the plan or copy thereof registered under section 16 of the Act. R.R.O. 1980, Reg. 85, s. 12.

13.—(1) The fee for an application for boundary confirmation is \$360, plus \$1 for each lot or parcel adjoining the boundary to be confirmed. O. Reg. 66/88, s. 1.

(2) The fee for each copy of the recording of evidence under subsection 9 (2) of the Act is \$25 plus \$25 for each hour of recording or part thereof. R.R.O. 1980, Reg. 85, s. 13 (2).

**Form 1**

*Boundaries Act*

**APPLICATION FOR BOUNDARY CONFIRMATION**

To the Director of Titles:

- 1. I/We, .....  
(full name (s) of applicant(s) )  
..... hereby apply to have the boundary (or boundaries) of the land described in the Schedule attached hereto confirmed under the *Boundaries Act*.
- 2. The address of the applicant(s) for the service of any notices or other documents is:  
.....  
.....
- 3. This application is made under subsection 3 (1) or (2) of the Act.
- 4. The applicant(s) is (or are): .....

- (insert the appropriate clause)
- (a) the owner(s) of an interest in the parcel;
  - (b) the council of the municipality in which the parcel is situate;
  - (c) a Minister of the Crown;
  - (d) the Surveyor General of Ontario;
  - (e) the Surveyor General of Canada;
  - (f) a surveyor who has the consent of the owner of an interest in the parcel to make this application;
  - (g) the Minister of Transportation; or
  - (h) the council of a municipality or an authority having jurisdiction over the public highway(s) described in the Schedule.

.....  
 .....  
 .....

Dated at ..... this ..... day of ....., 19.....

Signed .....  
(signature of applicant(s) )

R.R.O. 1980, Reg. 85, Form I.

**Form 2**

*Boundaries Act*

**CERTIFICATE OF CORRECTION**

Corrected by an Order of the Director of Titles registered as number

.....

(Date)

5. I am (We are) fully aware that I am (We are) liable, in the absence of evidence to the contrary, to pay all costs, charges and expenses of and incidental to this application.

6. Where the application is made under subsection 3 (1), state briefly the doubt that exists in respect of the location of the boundary (or boundaries)

.....  
Examiner of Surveys

R.R.O. 1980, Reg. 85, Form 2.

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## Building Code Act *Loi sur le code du bâtiment*

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### REGULATION 61

#### GENERAL

### Part 1

#### Scope and Definitions

Section 1.1	General
1.1.1.	Administration
1.1.2.	Scope
1.1.3.	Definitions of Words and Phrases
1.1.4.	Abbreviations

### Part 1

#### Scope and Definitions

##### Section 1.1 General

##### 1.1.1. Administration

1.1.1.1. This Code shall be administered in conformance with the Building Code Act.

##### 1.1.2. Scope

Reserved.

##### 1.1.3. Definitions of Words and Phrases

1.1.3.1. Definitions of words and phrases used in this Code that are not included in the list of definitions in this Part shall have the meanings which are commonly assigned to them in the context in which they are used in this Code, taking into account the specialized use of terms with the various trades and professions to which the terminology applies.

1.1.3.2. Except for the names of statutes, the words and terms in italics in this Code have the following meanings or the meanings as defined in the Act.

*Air conditioning* is the process of treating air to control simultaneously its temperature, humidity, cleanliness, and distribution to meet the comfort requirements of the occupants of the conditioned space.

*Access to exit* means that part of a *means of egress* within a *floor area* that provides access to an *exit* serving the *floor area*.

*Adfreezing* means the adhesion of *soil* to a *foundation unit* resulting from the freezing of *soil* water.

*Air-supported structure* means a structure consisting of a pliable membrane which achieves and maintains its shape and support by internal air pressure.

*Alarm signal* means an audible signal transmitted throughout a zone or zones or throughout a *building* to advise occupants that a fire emergency exists.

*Alert signal* means an audible signal to advise designated persons of a fire emergency.

*Allowable bearing pressure* means the maximum pressure that may be safely applied to a *soil* or *rock* by the *foundation unit* considered in design under expected loading and subsurface conditions.

*Allowable load* means the maximum load that may be safely applied to a *foundation unit* considered in design under expected loading and subsurface conditions.

*Appliance* means a device to convert fuel into energy and includes all components, controls, wiring and piping required to be part of the device by the applicable standard referred to in this Code.

*Artesian groundwater* means a confined body of water under pressure in the ground.

*Assembly occupancy* means the *occupancy* or the use of a *building*, or part thereof, by a gathering of persons for civic, political, travel, religious social, educational, recreational or like purposes, or for the consumption of food or drink.

*Attic or roof space* means the space between the roof and the ceiling of the top *storey* or between a dwarf wall and a sloping roof.

*Authority having jurisdiction* means the governmental body responsible for the enforcement of any part of this Code or the official or agency designated by that body to exercise such a function.

*Barrier-free* means that a building and its facilities can be approached, entered, and used by persons with physical or sensory disabilities.

*Basement* means a *storey* or *storeys* of a *building* located below the *first storey*.

*Bearing surface* means the contact surface between a *foundation unit* and the *soil* or *rock* upon which it bears.

*Boarding, lodging or rooming house* means a *building* where

- (a) *building height* does not exceed 3 *storeys* and *building area* does not exceed 600 m<sup>2</sup>,
- (b) lodging is provided for gain with or without meals for more than 4 persons, and
- (c) lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants.

*Boiler* means an *appliance* intended to supply hot water or steam for space heating, processing or power purposes.

*Breeching* means a *flue pipe* or chamber for receiving *flue* gases from 1 or more *flue* connections and for discharging these gases through a single *flue* connection.

*Building area* means the greatest horizontal area of a *building* above *grade* within the outside surface of exterior walls or within the outside surface of exterior walls and the centre line of *firewalls*.

*Building height* means the number of *storeys* contained between the roof and the floor of the *first storey*.

*Business and personal services occupancy* means the *occupancy* or use of a *building* or part thereof for the transaction of business or the rendering or receiving of professional or personal services.

*Camp for housing of workers* means a camp in which *buildings* or other structures or premises are used to accommodate 5 or more employees.

*Campground* means land or premises used as an overnight camping facility other than a *recreational camp*.

*Chimney* means a primarily vertical shaft enclosing at least 1 *flue* for conducting *flue* gases to the outdoors.

*Chimney liner* means a conduit containing a *chimney flue* used as a lining of a *masonry or concrete chimney*.

*Clean water* means water that has passed through a *recirculation system*.

*Closure* means a device or assembly for closing an opening through a *fire separation* or an exterior wall, such as a door, a shutter, wired glass or glass block, and includes all components such as hardware, closing devices, frames and anchors.

*Combustible* means that a material fails to meet the acceptance criteria of CAN4-S114, "Standard Method of Test for Determination of Non-Combustibility in Building Materials."

*Combustible construction* means that type of construction that does not meet the requirements for *noncombustible construction*.

*Contained use area* means a supervised area containing one or more rooms in which occupant movement is restricted to a single room by security measures not under the control of the occupant.

*Day camp* means a camp or resort that admits persons for a continuous period not exceeding twenty-four hours.

*Day nursery* means a day nursery as defined in the Day Nurseries Act.

*Dead load* means the weight of all permanent structural and non-structural components of a *building*.

*Deep foundation* means a *foundation unit* that provides support for a *building* by transferring loads either by end-bearing to a *soil* or *rock* at considerable depth below the *building*, or by adhesion or friction, or both, in the *soil* or *rock* in which it is placed. *Piles* are the most common type of *deep foundation*.

*Design bearing pressure* means the pressure applied by a *foundation unit* to a *soil* or *rock* and which is not greater than the *allowable bearing pressure*.

*Designer* means the person responsible for the design.

*Design load* means the load applied to a *foundation unit* and which is not greater than the *allowable load*.

*Diving board* means a flexible board.

*Diving platform* means a rigid platform that is not a *starting platform*.

*Dwelling unit* means a *suite* operated as a housekeeping unit, used or intended to be used as a domicile by 1 or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.

*Excavation* means the space created by the removal of *soil*, *rock* or *fill* for the purposes of construction.

*Exhaust duct* means a duct through which air is conveyed from a room or space to the outdoors.

*Exit* means that part of a *means of egress*, including doorways, that leads from the *floor area* it serves, to a separate *building*, an open public thoroughfare, or an exterior open space protected from fire exposure from the *building* and having access to an open public thoroughfare.

*Exit level* means the level of an enclosed *exit* stair in a *building* governed by Subsection 3.2.6. at which an exterior *exit* door or *exit* corridor leads to the exterior.

*Exit storey* means a *storey* having an exterior *exit* door in a *building* governed by Subsection 3.2.6.

*Exposing building face* means that part of the exterior wall of a *building* which faces one direction and is located between ground level and the ceiling of its top *storey*, or where a *building* is divided into *fire compartments*, the exterior wall of a *fire compartment* which faces one direction.

*Exterior cladding* means those components of a *building* which are exposed to the outdoor environment and are intended to provide protection against wind, water or vapour.

*Factory-built chimney* means a *chimney* consisting entirely of factory-made parts, each designed to be assembled with the other without requiring fabrication on site.

*Farm Building* means a *building* or part thereof which does not contain a *residential occupancy* and which is associated with and located on land devoted to the practice of farming and used essentially for the housing of equipment or livestock, or the production, storage or processing of agricultural and horticultural produce or feeds.

*Fill* means *soil*, *rock*, rubble, industrial waste such as slag, organic material or a combination of these that is transported and placed on the natural surface of a *soil* or *rock* or organic terrain. It may or may not be compacted.

*Fire compartment* means an enclosed space in a *building* that is separated from all other parts of the *building* by enclosing construction providing a *fire separation* that may be required to have a *fire-resistance rating*.

*Fire damper* means a *closure* which consists of a normally held open damper installed in an air distribution system or in a wall or floor assembly, and designed to close automatically in the event of a fire in order to maintain the integrity of the *fire separation*.

*Fire detector* means a device which detects a fire condition and automatically initiates an electrical signal to actuate an *alert signal* or *alarm signal* and includes *heat detectors* and *smoke detectors*.

*Fire load* means the *combustible* contents of a room or *floor area* expressed in terms of the average weight of *combustible* materials per unit area, from which the potential heat liberation may be calculated based on the calorific value of the materials, and includes the furnishings, finished floor, wall and ceiling finishes, trim and temporary and movable *partitions*.

*Fire-protection rating* means the time in hours or fraction thereof that a *closure* will withstand the passage of flame when exposed to fire under specified conditions of test and performance criteria, or as otherwise prescribed in this Code.

*Fire-resistance rating* means the time in hours or fraction thereof that a material or assembly of materials will withstand the passage of flame and the transmission of heat when exposed to fire under specified conditions of test and performance criteria, or as determined by extension or interpretation of information derived therefrom as prescribed in this Code.

*Fire-retardant treated wood* means wood or a wood product that has had its surface-burning characteristics, such as flame spread, rate of fuel contribution and density of smoke developed, reduced by impregnation with fire-retardant chemicals.

*Fire separation* means a construction assembly that acts as a barrier against the spread of fire.

*Fire stop flap* means a device intended for use in horizontal assem-

- blies required to have a *fire-resistance rating* and incorporating protective ceiling membranes, which operates to close off a duct opening through the membrane in the event of a fire.
- Firewall** means a type of *fire separation of noncombustible construction* which subdivides a *building* or separates adjoining *buildings* to resist the spread of fire and which has a *fire-resistance rating* as prescribed in this Code and has structural stability to remain intact under fire conditions for the required fire-rated time.
- First storey** means the *storey* with its floor closest to *grade* and having its ceiling more than 1.8 m above *grade*.
- Flame-spread rating** means an index or classification indicating the extent of spread-of-flame on the surface of a material or an assembly of materials as determined in a standard fire test as prescribed in this Code.
- Floor area** means the space on any *storey* of a *building* between exterior walls and required *firewalls* including the space occupied by interior walls and *partitions*, but not including *exits*, *vertical service spaces*, and their enclosing assemblies.
- Flue** means an enclosed passageway for conveying *flue* gases.
- Flue collar** means the portion of a fuel-fired *appliance* designed for the attachment of the *flue pipe* or *breeching*.
- Flue pipe** means the pipe connecting the *flue collar* of an *appliance* to a *chimney*.
- Forced-air furnace** means a *furnace* equipped with a fan that provides the primary means for the circulation of air.
- Foundation** means a system or arrangement of *foundation units* through which the loads from a *building* are transferred to supporting *soil* or *rock*.
- Foundation unit** means one of the structural members of the *foundation* of a *building* such as a footing, raft or *pile*.
- Frost action** means the phenomenon that occurs when water in *soil* is subjected to freezing which, because of the water ice phase change or ice lens growth, results in a total volume increase or the build-up of expansive forces under confined conditions or both, and the subsequent thawing that leads to loss of *soil* strength and increased compressibility.
- Furnace** means a *space-heating appliance* using warm air as the heating medium and usually having provision for the attachment of ducts.
- Gas vent** means that portion of a venting system designed to convey vent gases to the outdoors from the *vent connector* of a gas-fired *appliance* or directly from the *appliance* when a *vent connector* is not used.
- Grade** means the average level of proposed or finished ground adjoining a *building* at all exterior walls.
- Gross area** means the total area of all floors above *grade* measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of *firewalls* except that, in any other *occupancy* than a *residential occupancy*, where an access or a *building* service penetrates a *firewall*, measurements shall not be taken to the centre line of such *firewall*.
- Groundwater** means a free standing body of water in the ground.
- Groundwater level** means the top surface of a free standing body of water in the ground.
- Guard** means a protective barrier around openings in floors or at the open sides of stairs, landings, balconies, *mezzanines*, galleries, raised *walkways* or other locations to prevent accidental falls from one level to another. Such barrier may or may not have openings through it.
- Heat detector** means a *fire detector* designed to operate at a predetermined temperature or rate of temperature rise.
- Heavy timber construction** means that type of *combustible construction* in which a degree of fire safety is attained by placing limitations on the sizes of wood structural members and on thickness and composition of wood floors and roofs and by the avoidance of concealed spaces under floors and roofs.
- High hazard industrial occupancy** (Group F, Division 1) means an *industrial occupancy* containing sufficient quantities of highly *combustible* and flammable or explosive materials which, because of their inherent characteristics, constitute a special fire hazard.
- Home for special care** means a home for the care of persons requiring nursing, residential or sheltered care.
- Horizontal exit** means an *exit* from one *building* to another by means of a doorway, vestibule, *walkway*, bridge or balcony.
- Horizontal service space** means a space such as an attic, duct, ceiling, roof or crawl space oriented essentially in a horizontal plane, concealed and generally inaccessible, through which building service facilities such as pipes, ducts and wiring may pass.
- Hotel** means a *building*, or part of a *building*, which contains sleeping accommodation consisting of 4 or more *suites* or *dwelling units* under 1 roof, for the travelling public or for recreational purposes and includes, but is not limited to, *buildings* commonly known as hotels, motels, inns, resorts or apartment hotels.
- Impeded egress zone** means a supervised area in which occupants have free movement but require the release, by security personnel, of security doors at the boundary before they are able to leave the area, but does not include a *contained use area*.
- Indirect service water heater** means a *service water heater* that derives its heat from a heating medium such as warm air, steam or hot water.
- Indoor pool** means a *public pool* where the pool and *pool deck* are totally or partially covered by a roof.
- Industrial occupancy** means the *occupancy* or use of a *building* or part thereof for the assembling, fabricating, manufacturing, processing, repairing or storing of goods and materials.
- Institutional occupancy** means the *occupancy* or use of a *building* or part thereof by persons who require supervisory care, medical care or medical treatment or by persons who are under restraint for correctional purposes and are incapable of self preservation because of security measures not under their control.
- Interconnected floor space** means superimposed *floor areas* or parts of *floor areas* in which floor assemblies that are required to be *fire separations* are penetrated by openings that are not provided with *closures*.
- Limiting distance** means the distance from an *exposing building face* to a property line, the centre line of a *street*, lane or public thoroughfare, or to an imaginary line between 2 *buildings* or *fire compartments* on the same property, measured at right angles to the *exposing building face*.
- Listed** means equipment or materials included in a list published by a certification organization accredited by the Standards Council of Canada.
- Live load** means the load other than *dead load* to be assumed in the design of the structural members of a *building*. It includes loads resulting from snow, rain, wind, earthquake and those due to *occupancy*.

**Loadbearing** as applying to a *building* element means subjected to or designed to carry loads in addition to its own *dead load*, excepting a wall element subjected only to wind or earthquake loads in addition to its own *dead load*.

**Low hazard industrial occupancy** (Group F, Division 3) means an *industrial occupancy* in which the *combustible* content is not more than 50 kg/m<sup>2</sup> or 1200 MJ/m<sup>2</sup> of *floor area*.

**Major occupancy** means the principal *occupancy* for which a *building* or part thereof is used or intended to be used, and shall be deemed to include the subsidiary *occupancies* which are an integral part of the principal *occupancy*.

**Make-up water** means water added to a *public pool* from an external source.

**Masonry or concrete chimney** means a *chimney* of brick, stone, concrete or masonry units constructed on site.

**Means of egress** means a continuous path of travel provided for the escape of persons from any point in a *building* or contained open space to a separate *building*, an open public thoroughfare, or an exterior open space protected from fire exposure from the *building* and having access to an open public thoroughfare. *Means of egress* includes *exits* and *access to exits*.

**Medium hazard industrial occupancy** (Group F, Division 2) means an *industrial occupancy* in which the *combustible* content is more than 50 kg/m<sup>2</sup> or 1200 MJ/m<sup>2</sup> of *floor area* and not classified as *high hazard industrial occupancy*.

**Mercantile occupancy** means the *occupancy* or use of a *building* or part thereof for the displaying or selling of retail goods, wares or merchandise.

**Mezzanine** means an intermediate floor assembly between the floor and ceiling of any room or *storey* and includes an interior balcony.

**Modified pool** means a *public pool* that has a basin-shaped floor sloping downward and inward toward the interior from the rim.

**Noncombustible** means that a material meets the acceptance criteria of CAN4-S114, "Standard Method of Test for Determination of Non-Combustibility in Building Materials".

**Noncombustible construction** means that type of construction in which a degree of fire safety is attained by the use of *noncombustible* materials for structural members and other building assemblies.

**Occupancy** means the use or intended use of a *building* or part thereof for the shelter or support of persons, animals or property.

**Occupant load** means the number of persons for which a *building* or part thereof is designed.

**Open-air storey** means a *storey* in which at least 25 per cent of the total area of its perimeter walls is open to the outdoors in a manner that will provide cross ventilation to the entire *storey*.

**Outdoor pool** means a *public pool* that is not an *indoor pool*.

**Owner** means any person, firm or corporation controlling the property under consideration.

**Partition** means an interior wall 1 *storey* or part-*storey* in height that is not *loadbearing*.

**Party wall** means a wall jointly owned and jointly used by 2 parties under easement agreement or by right in law, and erected at or upon a line separating 2 parcels of land each of which is, or is capable of being, a separate real-estate entity.

**Perched groundwater** means a free standing body of water in the ground extending to a limited depth.

**Pharmacy** means a premises or the part of a premises in which prescriptions are compounded and dispensed for the public or in which drugs are sold by retail.

**Pile** means a slender *deep foundation unit*, made of materials such as wood, steel or concrete or combination thereof, which is either premanufactured and placed by driving, jacking, jetting or screwing, or cast-in-place in a hole formed by driving, excavating or boring.

**Plenum** means a chamber forming part of an air duct system.

**Plumbing system** means a drainage system, a venting system and a water system or parts thereof.

**Pool deck** means the area immediately surrounding a *public pool*.

**Post-disaster building** means a *building* essential to provide services in the event of a disaster, and includes hospitals, fire stations, police stations, radio stations, telephone exchanges, power stations, electrical substations, water and sewage pumping stations and fuel depot *buildings*.

**Potable water** means water that is fit for human consumption.

**Potable water system** means the plumbing that conveys *potable water*.

**Private sewage disposal system** means a privately owned plant for the treatment and disposal of sewage such as a septic tank with an absorption field.

**Public corridor** means a corridor that provides *access to exit* from more than 1 *suite*.

**Public pool** means a structure, basin, chamber or tank containing or intended to contain an artificial body of water for swimming, water sport, water recreation or entertainment but does not include

- (a) pools operated in conjunction with less than six *dwelling units, suites* or single family residences or any combination thereof,
- (b) pools that are used only for commercial display and demonstration purposes,
- (c) wading pools,
- (d) hydro-massage pools, or
- (e) pools that serve only as receiving basins for persons at the bottom of water slides.

**Public way** means a sidewalk, *street*, highway, square or other open space to which the public has access, as of right or by invitation, expressed or implied.

**Range** means a cooking *appliance* equipped with a cooking surface and 1 or more ovens.

**Recirculation system** means a system that maintains circulation of water through a *public pool* by pumps, and that provides continuous treatment that includes filtration and chlorination or bromination and any other process that may be necessary for the treatment of the water.

**Recreational camp** means a camp for recreational activities consisting of 1 or more *buildings* or other structures, established or maintained as living quarters with or without charge for 10 or more persons, for temporary occupancy of 5 or more days.

**Repair garage** means a *building* or part thereof where facilities are provided for the repair or servicing of motor vehicles.

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

**Return duct** means a duct for conveying air from a space being heated, ventilated or air-conditioned back to the heating, ventilating or *air-conditioning appliance*.

**Rock** means that portion of the earth's crust which is consolidated, coherent and relatively hard and is a naturally formed, solidly bonded, mass of mineral matter which cannot readily be broken by hand.

**Sanitary drainage system** means a drainage system that conducts sewage.

**Self-service storage building** means a *building* that is used to provide individual storage spaces to the public and that is open to the public only for those purposes.

**Service room** means a room provided in a *building* to contain equipment associated with *building services*.

**Service space** means space provided in a *building* to facilitate or conceal the installation of building service facilities such as chutes, ducts, pipes, shafts or wires.

**Service water heater** means a device for heating water for plumbing services.

**Shallow foundation** means a *foundation unit* which derives its support from *soil* or *rock* located close to the lowest part of the *building* which it supports.

**Smoke alarm** means a combined *smoke detector* and audible alarm device designed to sound an alarm within the room or *suite* in which it is located upon the detection of smoke within that room or *suite*.

**Smoke detector** means a *fire detector* designed to operate when the concentration of airborne combustion products exceeds a pre-determined level.

**Soil** means that portion of the earth's crust which is fragmentary, or such that some individual particles of a dried sample may be readily separated by agitation in water; it includes boulders, cobbles, gravel, sand, silt, clay and organic matter.

**Space heater** means a *space-heating appliance* for heating the room or space within which it is located, without the use of ducts.

**Space-heating appliance** means an *appliance* intended for the supplying of heat to a room or space directly, such as a *space heater*, fire-place or *unit heater*, or to rooms or spaces of a *building* through a heating system such as a central *furnace* or *boiler*.

**Sprinklered** means equipped with a system of automatic sprinklers.

**Stage** means a space designed primarily for theatrical performances with provision for quick change scenery and overhead lighting, including environmental control for a wide range of lighting and sound effects and which is traditionally, but not necessarily, separated from the audience by a proscenium wall and curtain opening.

**Starting platform** means a rigid platform located entirely on the *pool deck* consisting of a top which, if projected horizontally over the water surface, would be less than 1 m in vertical height above the surface and that is designed to be used by a swimmer to dive from at the start of a swimming race.

**Storage garage** means a *building* or part thereof intended for the storage or parking of motor vehicles and which contains no provision for the repair or servicing of such vehicles.

**Storage-type service water heater** means a *service water heater* with an integral hot water storage tank.

**Storey** means that portion of a *building* which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

**Stove** means an *appliance* intended for cooking and space heating.

**Street** means any highway, road, boulevard, square or other improved thoroughfare 9 m or more in width, which has been dedicated or deeded for public use, and is accessible to fire department vehicles and equipment.

**Subsurface investigation** means the appraisal of the general subsurface conditions at a *building* site by analysis of information gained by such methods as geological surveys, in situ testing, sampling, visual inspection, laboratory testing of samples of the subsurface materials and *groundwater* observations and measurements.

**Suite** means a single room or series of rooms of complementary use, operated under a single tenancy, and includes *dwelling units*, individual guest rooms in motels, hotels, boarding houses, rooming houses and dormitories as well as individual stores and individual or complementary rooms for *business and personal services occupancies*.

**Supply duct** means a duct for conveying air from a heating, ventilating or *air-conditioning appliance* to a space to be heated, ventilated or air-conditioned.

**Theatre** means a place of public assembly intended for the production and viewing of the performing arts or the screening and viewing of motion pictures, and consisting of an auditorium with permanently fixed seats intended solely for a viewing audience.

**Unit heater** means a suspended *space heater* with an integral air circulating fan.

**Unprotected opening** as applying to *exposing building face* means a doorway, window or opening other than one equipped with a *closure* having the required *fire-protection rating*, or any part of a wall forming part of the *exposing building face* that has a *fire-resistance rating* less than required for the *exposing building face*.

**Vent connector** as applying to heating or cooling systems means the part of a venting system that conducts the *flue* gases or vent gases from the *flue collar* of a *gas appliance* to the *chimney* or *gas vent*, and may include a draft control device.

**Vertical service space** means a shaft oriented essentially vertically that is provided in a *building* to facilitate the installation of building services including mechanical, electrical and plumbing installations and facilities such as elevators, refuse chutes and linen chutes.

**Walkway** means a covered or roofed pedestrian thoroughfare used to connect 2 or more *buildings* in which the least horizontal dimension of the thoroughfare is less than 9 m.

**Wave action pool** means a *public pool* equipped with a means for inducing wave motion in the water.

**X-ray equipment** includes x-ray imaging systems, processing equipment and equipment directly related to the production of images for diagnosis or directly related to irradiation with x-rays for therapy.

**X-ray machine** means an electrically-powered device producing x-rays for the irradiation of a human being for a therapeutic or diagnostic purpose.

**X-ray room** means a defined area in which 1 or more permanently-fixed *x-ray machines* and *x-ray equipment* are located.

**1.1.4. Abbreviations**

**1.1.4.1. Abbreviations of Proper Names.** The abbreviations of proper names in this Code shall have the meanings assigned to them in this Article. The appropriate addresses are shown in brackets following the name.

ACI ..... American Concrete Institute  
(P.O. Box 1090 Detroit, Michigan 48219 U.S.A.)

ACNBC ..... Associate Committee on the National Building Code  
(National Research Council of Canada, Ottawa, Ontario K1A 0R6)

ASHRAE ..... American Society of Heating, Refrigerating and Air-Conditioning Engineers  
(1791 Tullie Circle N.E., Atlanta, Georgia 30329 U.S.A.)

ASTM ..... American Society for Testing and Materials  
(1916 Race Street, Philadelphia, Pennsylvania 19103 U.S.A.)

BRMD ..... Bureau of Radiation and Medical Devices  
(Department of National Health and Welfare 775 Brookefield Road, Ottawa, Ontario, K1A 1C1)

CAN ..... National Standard of Canada designation  
(The number or name following the CAN designation represents the agency under whose auspices the standard is issued.  
CAN1 designates CGA,  
CAN2 designates CGSB,  
CAN3 designates CSA, and  
CAN4 designates ULC.)

CGA ..... Canadian Gas Association  
(55 Scarsdale Road, Don Mills, Ontario M3B 2R3)

CGSB ..... Canadian General Standards Board  
(Ottawa, Ontario K1A 1G6)

CLA ..... Canadian Lumbermen's Association  
(27 Goulburn Avenue, Ottawa, Ontario K1N 8C7)

CSA ..... Canadian Standards Association  
(178 Rexdale Boulevard, Rexdale, Ontario M9W 1R3)

DBR ..... Division of Building Research  
(now called the Institute for Research in Construction)  
National Research Council of Canada, Ottawa, Ontario K1A 0R6

FINA ..... Federation Internationale de Natation Amateur  
(208-3540 West 41st Avenue, Vancouver, British Columbia V6N 2G8)

HI ..... Hydronics Institute  
(35 Russo Place, Berkeley Heights, New Jersey 07922 U.S.A.)

HRAI ..... Heating, Refrigerating and Air-Conditioning Institute of Canada  
(5468 Dundas Street West, Islington, Ontario M9B 6E3)

HUD ..... U.S. Department of Housing and Urban Development  
(Office of the Assistant Secretary for Policy Development and Research, Washington, D.C. 20410 U.S.A.)

NBC ..... National Building Code of Canada  
(National Research Council of Canada, Ottawa, Ontario K1A 0R6)

NFPA ..... National Fire Protection Association  
(Battery March Park, Quincy, Massachusetts 02269 U.S.A.)

NLGA ..... National Lumber Grades Authority  
(1460-1055 West Hasting Street, Vancouver, British Columbia V6E 2G8)

SMACNA ..... Sheet Metal and Air Conditioning Contractors National Association Inc.  
(8224 Old Courthouse Road, Vienna, Virginia 22180 U.S.A.)

ULC ..... Underwriters' Laboratories of Canada  
(7 Crouse Road, Scarborough, Ontario M1R 3A9)

WCLIB ..... West Coast Lumber Inspection Bureau  
(6980 Southwest Varns Street, P.O. Box 23145, Portland, Oregon 97223 U.S.A.)

WWPA ..... Western Wood Products Association  
(1500 Yeon Building, Portland, Oregon 97204 U.S.A.)

**1.1.4.2. Symbols and Other Abbreviations.** The symbols and other abbreviations in this Code shall have the meanings assigned to them in this Article.

cm ..... centimetre(s)  
db ..... decibel(s)  
° ..... degree(s)  
°C ..... degree(s) Celsius  
diam ..... diameter  
g ..... gram(s)  
ga ..... gauge  
h ..... hour(s)  
Hz ..... hertz  
in ..... inch(es)  
Inc. ..... Incorporated  
J ..... joule(s)  
kg ..... kilogram(s)  
kN ..... kilonewton(s)  
kPa ..... kilopascal(s)  
kW ..... kilowatt(s)  
L ..... litre(s)  
L/s ..... litre(s) per second  
lx ..... lux  
m ..... metre(s)  
m/s ..... metre(s) per second  
max. ..... maximum  
mg/L ..... milligram(s) per litre  
min. ..... minimum  
min ..... minute(s)  
MJ ..... megajoule(s)  
mm ..... millimetre(s)  
MPa ..... megapascal(s)  
N ..... newton  
N/A ..... not applicable  
ng ..... nanogram(s)  
No. ..... number(s)  
nom. ..... nominal  
o.c. ..... on centre  
s ..... second(s)  
temp. ..... temperature  
T&G ..... tongue and groove  
W ..... watt(s)  
wt ..... weight

## Part 2

### General Requirements

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## Part 2

### General Requirements

#### Section 2.1 Application

##### 2.1.1. Buildings

2.1.1.1. Parts 1 and 2. Parts 1 and 2 apply to all *buildings*.

2.1.1.2. Parts 3, 4, 5, and 6

(1) Except as provided in Article 2.1.1.5., Sentence 2.1.1.6.(1) and Subsection 2.1.2., Parts 3, 4, 5 and 6 apply to

- (a) all *buildings* used for
  - (i) Group A, *assembly occupancies*,
  - (ii) Group B, *institutional occupancies*, or
  - (iii) Group F, Division 1, *high hazard industrial occupancies*, and
- (b) all *buildings* exceeding 600 m<sup>2</sup> in *building area* or exceeding 3 *storeys* in *building height* used for *major occupancies* classified as
  - (i) Group C, *residential occupancies*,
  - (ii) Group D, *business and personal services occupancies*,
  - (iii) Group E, *mercantile occupancies*, or

(iv) Group F, Division 2 and 3, *medium and low hazard industrial occupancies*.

2.1.1.3. Part 9. Except as provided in Sentence 2.1.1.4.(2), 2.1.1.6.(1) and Article 2.1.1.5., Part 9 applies to *buildings*

- (a) of 3 *storeys* or less in *building height*,
- (b) having a *building area* not exceeding 600 m<sup>2</sup>, and
- (c) used for:
  - (i) Group C, *residential occupancies*,
  - (ii) Group D, *business and personal services occupancies*,
  - (iii) Group E, *mercantile occupancies*, and
  - (iv) Group F, Division 2 and 3, *medium and low hazard industrial occupancies*.

##### 2.1.1.4. Site Assembled and Factory-Built Buildings

(1) Except as provided in Sentence (2), and Article 2.1.1.7., this Code applies to the design and *construction* of site assembled buildings and manufactured *buildings*.

(2) Except as provided in Sentence (3), a manufactured *building* intended for *residential occupancy* is deemed to comply with this Code if it is designed and constructed in compliance with

- (a) CSA Z240.2.1. "Structural Requirements for Mobile Homes" and CSA Z240.8.1. "Light Duty Windows", if the *building* is constructed in sections not wider than 4.88 m, or
- (b) CSA A-277 "Procedure for Certification of Factory-Built Houses".

(3) The requirements of this Code shall apply to

- (a) *building* components designed and constructed outside the place of manufacture, and
- (b) site installation of such *buildings*.

##### 2.1.1.5. Farm Buildings

(1) Except as provided in Sentences (2) and (3), *farm buildings* shall conform to the requirements in the ACNBC Canadian Farm Building Code 1990.

(2) Articles 1.1.1.2. and 3.1.8.1. in the Canadian Farm Building Code do not apply to *farm buildings*.

(3) In the Canadian Farm Building Code, references in Articles 1.1.1.3., 1.2.1.2., 2.2.2.2., 2.3.1.1., 2.3.2.1., 3.1.1.1., 3.1.2.1. and 3.1.6.1. to the National Building Code of Canada are deemed to refer to this Code.

##### 2.1.1.6. Existing Buildings

(1) Except as provided in Sentence (2), Part 11 applies to the design and *construction* of existing *buildings*, or parts of existing *buildings*, that have been in existence for at least five years.

(2) Where a *building* has been in existence for at least five years but includes an addition that has been in existence for less than five years, Part 11 applies to the entire *building*.

(3) Part 11 does not apply to a *building* regulated under the Hotel Fire Safety Act.

**2.1.1.7. Existing Buildings**

(1) Except as provided in Part 11, where an existing *building* is extended or subject to material alteration or repair, the Code is applicable only to the design and *construction* of the extensions and those parts of the *building* that are subject to the material alteration or repair.

(2) Where an existing previously occupied *building* is moved from the original location to be installed elsewhere, or is dismantled at the original location and moved to be reconstituted elsewhere, the Code applies only to changes to the design and *construction* of the *building* required as a result of moving the *building*.

**2.1.1.8. Radon.** In addition to all other requirements, a *building* in the following designated areas shall be designed and constructed so that the annual average concentration of radon 222 does not exceed 250 millibecquerels per litre of air and the annual average concentration of the short lived daughters of radon 222 does not exceed 0.02 working levels inside the *building*:

- (a) The Town of Elliot Lake in the Territorial District of Algoma,
- (b) The Township of Faraday in the County of Hastings, and
- (c) The geographic Township of Hyman in the Territorial District of Sudbury.

**2.1.2. Designated Structures****2.1.2.1. Part 4**

- (1) Part 4 applies to the following designated structures:
- (a) a retaining wall exceeding 1 m in exposed height adjacent to
    - (i) public property,
    - (ii) access to a building, or
    - (iii) private property to which the public is admitted,
  - (b) the structural requirements for signs regulated by Section 3.8,
  - (c) a communication tower exceeding 16.6 m above ground level,
  - (d) a pedestrian bridge,
  - (e) a crane runway,
  - (f) an exterior storage tank and its supporting structure which is not regulated by the Gasoline Handling Act or the Energy Act,
  - (g) a dish antenna or a solar collector that is mounted on a *building* and has a face area equal to or greater than 5 m<sup>2</sup>, and
  - (h) an *outdoor pool* that has a water depth greater than 3.5 m at any point.
- (2) *Public pools* are designated structures to which Section 3.11 applies.

**2.1.3. Building Size Determination**

**2.1.3.1. Building Divided by Firewalls.** Where a *firewall* divides a *building*, each portion of the *building* so divided shall be considered as a separate *building*, except for the purpose of

- (a) *gross area* determination in Section 2.3., or
- (b) a fire alarm and detection system in Sentence 3.2.4.2.(1) or Article 9.10.17.1.

**2.1.3.2. Building Divided by Vertical Fire Separations**

(1) Except as permitted in Sentence (2), where portions of a *building* are completely separated by a vertical *fire separation* that has a *fire-resistance rating* of at least 1 h and extends through all *storeys* and *service spaces* of the separate portions, each separated portion is permitted to be considered as a separate *building* for the purpose of determining *building height* provided

- (a) each separated portion is not more than 3 *storeys* in *building height* and is used only for *residential occupancies*, and
- (b) the unobstructed path of travel for the fire fighter from the nearest *street* to one entrance of each separated portion is not more than 45 m.

(2) The vertical *fire separation* in Sentence (1) may terminate at the floor assembly immediately above a *basement* provided the *basement* conforms to Article 3.2.1.2.

**Section 2.2 Materials, Appliances, Systems and Equipment****2.2.1. General**

**2.2.1.1. Characteristics of Materials, Appliances, Systems and Equipment.** All materials, *appliances*, systems and equipment installed to meet the requirements of this Code shall possess the necessary characteristics to perform their intended functions when installed in a *building*.

**2.2.1.2. Used Materials, Appliances and Equipment.** Unless otherwise specified, used materials, *appliances* and equipment may be reused when they meet the requirements of this Code for new materials and are satisfactory for the intended use.

**2.2.2. Building Materials Evaluation Commission**

**2.2.2.1. Application Fee.** The fee on an application to the Building Materials Evaluation Commission is \$500.00.

**Section 2.3 Design and General Review****2.3.1. Design****2.3.1.1. Architects and Professional Engineers**

(1) Except as permitted in Sentences (2) and (3), the *construction*, including, for greater certainty, enlargement or alteration, of every *building* or part thereof described in Table 2.3.1.A. and this Article shall be designed and reviewed by an *architect*, *professional engineer* or both.



**Table 2.3.1.A.<sup>(4)</sup>**  
Forming Part of Sentence 2.3.1.1.(1)

<i>Building Classification by Major Occupancy</i>	<i>Building Description</i>	<i>Design and General Review by:</i>
<i>Assembly occupancy only</i>	<i>Every building</i>	<i>Architect and professional engineer (1)</i>
<i>Assembly occupancy and any other major occupancy except industrial</i>	<i>Every building</i>	<i>Architect and professional engineer (1)</i>
<i>Institutional occupancy only</i>	<i>Every building</i>	<i>Architect and professional engineer (1)</i>
<i>Institutional occupancy and any other major occupancy except industrial</i>	<i>Every building</i>	<i>Architect and professional engineer (1)</i>
<i>Residential occupancy only</i>	<i>Every building that exceeds 3 storeys in building height</i>	<i>Architect and professional engineer (1)</i>
	<i>Every building that exceeds 600 m<sup>2</sup> in gross area and that contains a residential occupancy other than a dwelling unit or dwelling units</i>	<i>Architect (2)</i>
<i>Residential occupancy only</i>	<i>Every building that exceeds 600 m<sup>2</sup> in gross area and contains a dwelling unit above another dwelling unit</i>	<i>Architect (2)</i>
	<i>Every building that exceeds 600 m<sup>2</sup> in building area, contains 3 or more dwelling units and has no dwelling unit above another dwelling unit</i>	<i>Architect (2)</i>
<i>Residential occupancy and any other major occupancy except industrial, assembly or institutional occupancy</i>	<i>Every building that exceeds 600 m<sup>2</sup> in gross area or 3 storeys in building height</i>	<i>Architect and professional engineer (1)</i>
	<i>Every building that exceeds 600 m<sup>2</sup> in gross area or 3 storeys in building height</i>	<i>Architect and professional engineer (1)</i>
<i>Business and personal services occupancy only</i>	<i>Every building that exceeds 600 m<sup>2</sup> in gross area or 3 storeys in building height</i>	<i>Architect and professional engineer (1)</i>
<i>Business and personal services occupancy and any other major occupancy except industrial, assembly or institutional occupancy</i>	<i>Every building that exceeds 600 m<sup>2</sup> in gross area or 3 storeys in building height</i>	<i>Architect and professional engineer (1)</i>
<i>Mercantile occupancy only</i>	<i>Every building that exceeds 600 m<sup>2</sup> in gross area or 3 storeys in building height</i>	<i>Architect and professional engineer (1)</i>
<i>Mercantile occupancy and any other major occupancy except industrial, assembly or institutional occupancy</i>	<i>Every building that exceeds 600 m<sup>2</sup> in gross area or 3 storeys in building height</i>	<i>Architect and professional engineer (1)</i>
<i>Industrial occupancy only and where there are no subsidiary occupancies</i>	<i>Every building that exceeds 600 m<sup>2</sup> in gross area or 3 storeys in building height</i>	<i>Architect or professional engineer (3)</i>
<i>Industrial occupancy and one or more other major occupancies where the portion of the area occupied by one of the other major or subsidiary occupancies exceeds 600 m<sup>2</sup></i>	<i>The non-industrial portion of every building</i>	<i>Architect and professional engineer (1)</i>
	<i>The industrial portion of every building</i>	<i>Architect or professional engineer (3)</i>
<i>Industrial occupancy and one or more other major occupancies where no portion of the area occupied by one of the other major or subsidiary occupancies exceeds 600 m<sup>2</sup></i>	<i>Every building that exceeds 600 m<sup>2</sup> in gross area or 3 storeys in building height</i>	<i>Architect or professional engineer (3)</i>
Column 1	2	3

**Notes To Table 2.3.1.A.**

- (1) An *architect* shall provide services within the practice of architecture and a *professional engineer* shall provide the services within the practice of professional engineering.
- (2) An *architect* may engage a *professional engineer* to provide services within the practices of professional engineering.
- (3) Only a *professional engineer* may provide services within the practice of professional engineering.
- (4) Requirements for design and general review by an *architect* or *professional engineer* or a combination of both for the *construction*, enlargement or alteration of a *building* are set out in the Architects Act and the Professional Engineers Act.

(2) An *architect* may provide the services within the practice of professional engineering in any *building* described in Table 2.3.1.A., or a *professional engineer* may provide the services within the practice of architecture in any *building* described in Table 2.3.1.A. where to do so does not constitute a substantial part of the services provided by the other profession related to the *construction* of the *building* and is necessary

- (a) for the *construction* of the *building* and is incidental to the other services provided by the *architect* or *professional engineer*, or
- (b) for coordination purposes.

(3) The requirement for an *architect* does not apply to the preparation or provision of a design for interior space for a *building*, including finishes, fixed or loose furnishings, equipment, fixtures and partitioning of space, and related exterior elements such as signs, finishes and glazed openings used for display purposes, that does not affect or is not likely to affect,

- (a) the structural integrity,
- (b) a fire safety system or *fire separation*,
- (c) a main entrance or *public corridor* on a floor,
- (d) an *exit* to a public thoroughfare or to the exterior,
- (e) the *construction* or location of an exterior wall, or
- (f) the usable floor space through the addition of a *mezzanine*, *infill* or other similar element,

of the *building*.

(4) Where a *building* or part thereof described in Table 2.3.1.A. is designed by an *architect* or a *professional engineer* or a combination of both as required by this Article, all plans, sketches, drawings, graphic representations, specifications and other documents that are prepared by an *architect*, *professional engineer* or both and that form the basis for the issuance of a building permit or any changes thereto authorized by the *chief official* shall bear the signature and seal of the *architect*, *professional engineer* or both, as applicable.

(5) Where the *foundations* of a *building* are to be constructed below the level of the footings of an adjacent *building* and within the angle of repose of the *soil*, as drawn from the bottom of the footings, the *foundations* shall be designed by a *professional engineer*.

(6) The thermal design of a *building* in accordance with Section 9.38 shall be prepared and provided by an *architect* or *professional engineer* or a combination of both.

## 2.3.2. General Review

### 2.3.2.1. General Review by Architect or Professional Engineer

(1) Except as permitted in Sentence (2), a person who intends to *construct* or have constructed a *building* required to be designed by an *architect*, *professional engineer* or both, shall ensure that an *architect*, *professional engineer* or both are retained to undertake the general review of the *construction* of the *building* in accordance with the performance standards of the Ontario Association of Architects or the Association of Professional Engineers of Ontario, as applicable, to determine whether the *construction* is in general conformity with the plans, sketches, drawings, graphic representations, specifications and other documents that are prepared by an *architect*, *professional engineer* or both and that form the basis for the issuance of a *building* permit or any changes thereto authorized by the *chief official*; written reports arising out of the general review shall be forwarded to the *chief official* by such person.

(2) An *architect* or a *professional engineer* need not be retained to

undertake the general review of *construction* of a *building* where the *building* is designed in accordance with Section 9.38.

### 2.3.2.2. Restrictions

(1) Only an *architect* may carry out or provide the general review of the *construction* of a *building*

- (a) that is constructed in accordance with a design prepared or provided by an *architect*, or
- (b) in relation to services that are provided by an *architect* in connection with the design in accordance with which the *building* is constructed.

(2) Only a *professional engineer* may carry out or provide the general review of the *construction* of a *building*

- (a) that is constructed in accordance with a design prepared or provided by a *professional engineer*, or
- (b) in relation to services that are provided by a *professional engineer* in connection with the design in accordance with which the *building* is constructed.

### 2.3.2.3. Demolitions

(1) The applicant for a permit respecting the *demolition* of a *building* shall retain a *professional engineer* to undertake the general review of the project during *demolition*, where

- (a) the *building* exceeds 3 storeys in *building height* or 600 m<sup>2</sup> in *building area*,
- (b) the *building* structure includes pre-tensioned or post-tensioned members,
- (c) it is proposed that the *demolition* will extend below the level of the footings of any adjacent *building* and occur within the angle of repose of the *soil*, drawn from the bottom of such footings, or
- (d) explosives or a laser are to be used during the course of *demolition*.

## Section 2.4 Permits and Inspections

### 2.4.1. Permits

#### 2.4.1.1. Requirement for Permits

(1) A person is exempt from the requirement to obtain a permit under Section 5 of the Act

- (a) for the *demolition* of a *building* located on a farm, or
- (b) for the *construction* or *demolition* of a *building* in territory without municipal organization.

(2) Where a permit is required for the *demolition* of a *building* in Sentence 2.3.2.3.(1), descriptions of the structural design characteristics of the *building* and the method of *demolition* shall be included in the application for a permit to demolish the *building*.

(3) No person shall commence *demolition* of a *building* or any part of a *building* before the *building* has been vacated by the occupants except where the safety of the occupants is not affected.

### 2.4.2. Site Documents

2.4.2.1. Where a permit has been issued pursuant to the Act, the person to whom it is issued shall have the permit or a copy thereof posted at all times during *construction* or *demolition* in a conspicuous place on the property in respect of which the permit was issued.

**2.4.2.2.** The person in charge of the *construction* of the *building* shall keep and maintain on the site of the *construction*

- (a) at least one copy of drawings and specifications certified by the *chief official* or a person designated by the *chief official* to be a copy of those submitted with the application for the permit to *construct* the *building*, together with changes that are authorized by the *chief official* or a person designated by the *chief official*, and
- (b) authorization or facsimiles thereof received from the Building Materials Evaluation Commission, including specified terms and conditions.

### 2.4.3. Occupancy of Unfinished Building

#### 2.4.3.1. Completion

(1) Except as permitted in Sentence 2.4.3.2.(1), a person may occupy or permit to be occupied any *building* or part thereof that has not been fully completed at the date of occupation where the *chief official* or a person designated by the *chief official* has issued a permit authorizing occupation of the *building* or part thereof prior to its completion in accordance with Sentence (2).

(2) The *chief official* or a person designated by the *chief official* shall issue a permit authorizing occupation of a *building*, where

- (a) the structure of the *building* or part thereof is completed to the roof,
- (b) the enclosing walls of the *building* or part thereof are completed to the roof,
- (c) the walls enclosing the space to be occupied are completed, including balcony *guards*,
- (d) all required *fire separations* and *closures* are completed on all *storeys* to be occupied,
- (e) all required *exits* are completed and fire separated including all doors, door hardware, self-closing devices, balustrades and hand-rails from the uppermost floor to be occupied down to *grade* level and below if an *exit* connects with lower *storeys*,
- (f) all shafts including *closures* are completed to the floor-ceiling assembly above the *storey* to be occupied and have a temporary *fire separation* at such assembly,
- (g) measures have been taken to prevent access to parts of the building and site that are incomplete or still under *construction*,
- (h) floors, halls, lobbies and required *means of egress* are kept free of loose materials and other hazards,
- (i) if service rooms should be in operation, required *fire separations* are completed and all *closures* installed,
- (j) all *water*, *drainage* and *venting systems* are complete and tested as operational for the *storeys* to be occupied,
- (k) required lighting in corridors, stairways and *exits* is completed and operational up to and including all *storeys* to be occupied,
- (l) required standpipe, sprinkler and fire alarm systems are complete and operational up to and including all *storeys* to be occupied, together with required pumper connections for such standpipes and sprinklers,
- (m) required fire extinguishers have been installed on all *storeys* to be occupied,

(n) main garbage rooms, chutes and ancillary services thereto are completed to *storeys* to be occupied, and

(o) required fire fighting access routes have been provided and are accessible.

**2.4.3.2.** A person may occupy or permit to be occupied a *building* intended for *residential occupancy* that has not been fully completed at the date of occupation provided that

- (a) the *building*
  - (i) is not more than 3 *storeys* in *building height*,
  - (ii) has not more than 1 *dwelling unit* above another *dwelling unit*,
  - (iii) has not more than 2 *dwelling units* sharing a common *means of egress*, and
  - (iv) has no accommodation for tourists,
- (b) the following *building* components and systems are complete and operational:
  - (i) required *exits*, handrails and *guards*, fire alarm and detection systems, and *fire separations*, and
  - (ii) water supply, sewage disposal, lighting and heating systems, and
- (c) where applicable, the *building* conforms to Article 2.1.1.8.

**2.4.3.3.** Where a person has occupied or permitted the occupancy of a *building* under this Subsection, such person shall notify the *chief official* forthwith upon completion of the *building*.

#### 2.4.4. Fire Department Inspection

**2.4.4.1.** Where the council of a *municipality* assigns to an inspector who is the chief of the fire department of the municipality specific responsibility for the enforcement of any portion of this Code respecting fire safety matters, the *chief official* shall not issue a permit to *construct* a *building* unless the inspector approves as complying with such portion of this Code the drawings submitted with the application for the permit.

#### 2.4.5. Notices to Chief Official

**2.4.5.1.** Where the council of a *municipality* passes a by-law pursuant to Clause 5 (2) (e) of the Act, the person to whom a permit has been issued shall notify the *chief official*,

- (a) of the commencement of the *construction* of the *building*,
- (b) of the readiness to *construct* the footings,
- (c) of the substantial completion of the footings and foundations,
- (d) where the *building* is within the scope of Part 9, of the substantial completion of
  - (i) structural framing,
  - (ii) insulation and vapour barriers, and
  - (iii) ductwork and piping for heating and *air-conditioning* systems,
- (e) where the *building* is within the scope of parts of this Code other than Part 9, of the substantial completion of
  - (i) structural framing of each *storey*,

- (ii) insulation and vapour barriers, and
  - (iii) roughing-in of heating, ventilation, *air-conditioning* and air-contaminant extraction equipment,
- (f) of the commencement of the *construction* of
- (i) masonry fireplaces and *masonry chimneys*,
  - (ii) factory-built fireplaces and allied *chimneys*,
  - (iii) *stoves, ranges, space heaters* and add-on *furnaces* using solid fuels and allied *chimneys*,
- (g) of the substantial completion of all required *fire separations* and *closures* and all fire protection systems including stand-pipe, sprinkler, fire alarm and emergency lighting systems,

- (h) of the substantial completion of interior finishes and heating, ventilating, *air-conditioning* and air-contaminant extraction equipment,
- (i) of the substantial completion of exterior cladding, fire access routes and site grading, and
- (j) of the completion and availability of drawings of the *building* as constructed.

## Section 2.5 Climatic Data

### 2.5.1. Climatic and Seismic Values

**2.5.1.1.** The climatic and seismic values required for the design of *buildings* under this Code shall be in conformance with the values provided in Table 2.5.1.A.

TABLE 2.5.1.A.  
Forming part of Article 2.5.1.1.  
DESIGN DATA FOR SELECTED LOCATIONS IN ONTARIO

Location	Design Temperature				Degree Days Below 18°C	15 Min., Rain., mm	One Day Rain., mm	Ann. Tot. Pcpn., mm	Snow and Rain Loads				Hourly Wind Pressures			Seismic Data		
	January		July 2½%						Snow S <sub>s</sub> , kPa	Rain S <sub>r</sub> , kPa	Composite Load, kPa		1/10, kPa	1/30, kPa	1/100, kPa	Z <sub>a</sub>	Z <sub>v</sub>	Zonal velocity ratio, v
	2½%, °C	1%, °C	Dry, °C	Wet, °C							Part 9, 0.6', kPa	Part 9, 0.5', kPa						
Ailsa Craig	-17	-19	30	23	4 000	25	89	920	2.0	0.4	1.60	1.40	0.40	0.50	0.62	0	0	0.00
Ajax	-20	-22	30	23	4 080	23	76	800	0.9	0.4	0.94	0.85	0.43	0.52	0.64	1	1	0.05
Alexandria	-24	-26	30	23	4 700	28	76	940	2.2	0.4	1.72	1.50	0.30	0.37	0.45	4	2	0.10
Alliston	-23	-25	29	23	4 400	28	114	740	1.8	0.4	1.48	1.30	0.22	0.29	0.38	1	0	0.05
Almonte	-26	-28	30	23	4 774	25	76	736	2.3	0.4	1.78	1.55	0.30	0.37	0.46	4	2	0.10
Armstrong	-39	-42	28	21	6 991	23	99	738	2.5	0.4	1.90	1.65	0.21	0.25	0.29	0	0	0.00
Arnprior	-27	-29	30	23	4 791	23	76	746	2.3	0.4	1.78	1.55	0.27	0.34	0.42	4	2	0.10
Atikokan	-34	-37	29	22	6 209	25	93	724	2.2	0.3	1.62	1.40	0.21	0.25	0.29	0	0	0.00
Aurora	-21	-23	30	23	4 325	28	102	800	1.8	0.4	1.48	1.30	0.30	0.39	0.50	1	0	0.05
Bancroft	-27	-29	29	22	4 919	25	83	880	2.8	0.4	2.08	1.80	0.23	0.29	0.36	2	1	0.05
Barrie	-24	-26	29	22	4 575	28	127	950	2.3	0.4	1.78	1.55	0.21	0.29	0.39	1	1	0.05
Barrie/field	-22	-24	27	23	4 200	23	114	870	1.9	0.4	1.54	1.35	0.35	0.43	0.52	2	1	0.05
Beaverton	-24	-26	30	22	4 400	28	140	860	2.0	0.4	1.60	1.40	0.24	0.32	0.42	1	1	0.05
Belleville	-22	-24	29	23	4 129	23	106	855	1.6	0.4	1.36	1.20	0.32	0.39	0.48	1	1	0.05
Belmont	-17	-19	30	23	4 000	25	89	980	1.6	0.4	1.36	1.20	0.35	0.45	0.58	0	0	0.00
Big Trout Creek	-27	-29	28	21	5 300	28	89	940	2.9	0.2	1.94	1.65	0.24	0.29	0.36	2	1	0.05
Bordon CFB	-23	-25	29	22	4 550	28	114	810	2.0	0.4	1.60	1.40	0.21	0.29	0.39	1	0	0.05
Bracebridge	-26	-28	29	22	4 800	25	114	1 020	2.8	0.4	2.08	1.80	0.19	0.25	0.33	1	1	0.05
Bradford	-23	-25	30	23	4 241	28	114	716	1.9	0.4	1.54	1.35	0.24	0.32	0.42	1	0	0.05
Brampton	-19	-21	30	23	4 321	28	178	816	1.2	0.4	1.12	1.00	0.32	0.39	0.49	1	0	0.05
Brantford	-17	-19	30	23	3 922	23	103	746	1.2	0.4	1.12	1.00	0.31	0.37	0.44	1	0	0.05
Brighton	-21	-23	29	23	4 200	23	76	830	1.5	0.4	1.30	1.15	0.42	0.50	0.60	1	1	0.05
Brockville	-23	-25	29	23	4 550	25	89	974	2.0	0.4	1.60	1.40	0.32	0.39	0.49	3	1	0.05
Burks Falls	-26	-28	29	21	5 293	25	102	1 066	2.5	0.4	1.90	1.65	0.20	0.26	0.34	1	1	0.05
Burlington	-17	-19	31	23	3 818	23	77	777	0.8	0.4	0.88	0.80	0.36	0.43	0.51	1	0	0.05
Cambridge	-18	-20	29	23	4 100	25	108	899	1.5	0.4	1.30	1.15	0.26	0.32	0.39	1	0	0.05
Campbellford	-23	-26	30	23	4 400	25	111	811	1.6	0.4	1.36	1.20	0.29	0.37	0.47	1	1	0.05
Cannington	-24	-26	30	23	4 550	28	127	890	2.0	0.4	1.60	1.40	0.24	0.32	0.42	1	1	0.05
Carleton Place	-25	-27	30	23	4 700	25	69	787	2.3	0.4	1.78	1.55	0.30	0.37	0.46	4	2	0.10
Cavan	-22	-25	30	23	4 425	28	76	770	1.8	0.4	1.48	1.30	0.31	0.39	0.50	1	1	0.05
Centralia	-17	-19	30	23	4 041	25	80	1 033	2.1	0.4	1.66	1.45	0.37	0.48	0.60	0	0	0.00
Chapleau	-35	-38	27	21	6 214	23	104	834	3.7	0.4	2.62	2.25	0.19	0.25	0.31	0	0	0.00
Column 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

Notes:

1. The composite load is 60% of the ground snow load plus the rain load.
2. The composite load is 50% of the ground snow load plus the rain load.

**TABLE 2.5.1.A. (Continued)**  
Forming part of Article 2.5.1.1.

**DESIGN DATA FOR SELECTED LOCATIONS IN ONTARIO**

Location	Design Temperature				15 Min., Rain., mm	One Day Rain., mm	Ann. Tot. Peppn., mm	Snow and Rain Loads				Hourly Wind Pressures			Seismic Data		
	January		July 2½%					Snow S <sub>s</sub> , kPa	Rain S <sub>r</sub> , kPa	Composite Load, kPa		1/10, kPa	1/30, kPa	1/100, kPa	Z <sub>a</sub>	Z <sub>c</sub>	Zonal velocity ratio, v
	2½%, °C	1%, °C	Dry, °C	Wet, °C						Part 9, 0.61, kPa	Part 9, 0.52, kPa						
Chatham	-16	-18	31	24	28	107	808	0.9	0.4	0.94	0.85	0.32	0.39	0.48	0	0	0.00
Chesley	-19	-21	29	22	28	76	1120	2.6	0.4	1.96	1.70	0.33	0.43	0.55	1	0	0.05
Clinton	-17	-19	29	23	23	89	950	2.4	0.4	1.84	1.60	0.37	0.48	0.60	0	0	0.00
Coboconk	-25	-27	29	22	25	127	909	2.3	0.4	1.78	1.55	0.22	0.29	0.37	1	1	0.05
Cobourg	-21	-23	30	23	23	76	822	1.1	0.4	1.06	0.95	0.46	0.55	0.65	1	1	0.05
Cochrane	-34	-36	29	21	20	87	885	2.6	0.3	1.86	1.60	0.26	0.32	0.39	1	0	0.05
Colborne	-21	-23	29	23	23	76	830	1.5	0.4	1.30	1.15	0.44	0.52	0.62	1	1	0.05
Collingwood	-22	-24	29	22	28	128	858	2.5	0.4	1.90	1.65	0.35	0.34	0.45	1	0	0.05
Cornwall	-23	-25	30	23	28	71	928	2.0	0.4	1.60	1.40	0.30	0.37	0.46	4	2	0.10
Corunna	-16	-18	31	23	23	89	800	0.9	0.4	0.94	0.85	0.35	0.43	0.52	0	0	0.00
Deep River	-29	-32	30	22	23	89	790	2.3	0.4	1.78	1.55	0.20	0.24	0.28	4	2	0.10
Deseronto	-22	-24	28	23	23	89	870	1.7	0.4	1.42	1.25	0.32	0.39	0.48	1	1	0.05
Dorchester	-18	-20	30	23	28	89	890	1.7	0.4	1.42	1.25	0.33	0.43	0.55	0	0	0.00
Dorion	-33	-35	28	21	20	76	685	2.6	0.4	1.96	1.70	0.25	0.29	0.34	0	0	0.00
Dresden	-16	-18	31	24	28	76	765	0.9	0.4	0.94	0.85	0.32	0.39	0.48	0	0	0.00
Dryden	-34	-36	27	22	25	114	698	2.2	0.3	1.62	1.40	0.21	0.25	0.29	0	0	0.00
Dunnville	-15	-17	30	24	23	102	905	1.8	0.4	1.48	1.30	0.33	0.39	0.45	1	0	0.05
Durham	-20	-22	29	22	28	86	1040	2.6	0.4	1.96	1.70	0.31	0.39	0.50	1	0	0.05
Dutton	-16	-18	31	24	28	89	870	1.2	0.4	1.12	1.00	0.34	0.43	0.53	0	0	0.00
Earlton	-33	-36	30	21	23	99	822	2.4	0.4	1.84	1.60	0.32	0.40	0.51	1	1	0.05
Edison	-34	-36	28	22	25	89	680	2.2	0.3	1.62	1.40	0.20	0.24	0.28	0	0	0.00
Elmvale	-24	-26	29	22	28	127	900	2.4	0.4	1.84	1.60	0.24	0.32	0.42	1	1	0.05
Embro	-18	-20	29	23	28	89	890	1.8	0.4	1.48	1.30	0.33	0.43	0.54	0	0	0.00
Englehart	-33	-36	30	21	23	87	892	2.3	0.4	1.78	1.55	0.29	0.37	0.47	1	1	0.05
Espanola	-25	-27	28	21	23	89	840	2.1	0.4	1.66	1.45	0.28	0.37	0.48	1	0	0.05
Exeter	-17	-19	30	23	25	89	962	2.2	0.4	1.72	1.50	0.37	0.48	0.60	0	0	0.00
Fenelon Falls	-25	-27	30	23	25	133	859	2.1	0.4	1.66	1.45	0.25	0.32	0.41	1	1	0.05
Fergus	-20	-22	29	23	33	118	880	2.0	0.4	1.60	1.40	0.26	0.32	0.40	1	0	0.05
Column 1	2	3	4	5	7	8	9	10	11	12	13	14	15	16	17	18	19

**Notes:**

1. The composite load is 60% of the ground snow load plus the rain load.
2. The composite load is 50% of the ground snow load plus the rain load.

**TABLE 2.5.1.A. (Continued)**  
Forming part of Article 2.5.1.1.

**DESIGN DATA FOR SELECTED LOCATIONS IN ONTARIO**

Location	Design Temperature				Degree Days Below 18°C	15 Min. Rain., mm	One Day Rain., mm	Ann. Tot. Pcpn., mm	Snow and Rain Loads				Hourly Wind Pressures			Seismic Data		
	January		July 2½%						Ground Loads, kPa	Composite Load, kPa		1/10, kPa	1/30, kPa	1/100, kPa	Z <sub>a</sub>	Z <sub>v</sub>	Zonal velocity ratio, v	
	2½%, °C	1%, °C	Dry, °C	Wet, °C						Rain S <sub>s</sub> , kPa	Snow S <sub>s</sub> , kPa							Part 9, 0.6', kPa
Forest .....	-16	-18	31	23	3 839	23	87	834	1.8	0.4	1.48	1.30	0.39	0.48	0.58	0	0	0.00
Fort Erie .....	-15	-17	30	23	3 707	23	102	995	2.4	0.4	1.84	1.60	0.36	0.43	0.50	2	0	0.05
Fort Erie (Ridgeway) .....	-15	-17	30	24	3 650	28	102	990	2.3	0.4	1.78	1.55	0.37	0.43	0.50	2	0	0.05
Fort Frances .....	-33	-35	29	22	5 624	25	114	696	2.1	0.3	1.56	1.35	0.21	0.25	0.29	0	0	0.00
Gananoque .....	-22	-24	28	23	4 150	23	89	870	1.9	0.4	1.54	1.35	0.35	0.43	0.52	2	1	0.05
Geraldton .....	-35	-38	28	21	6 753	20	65	697	2.7	0.4	2.02	1.75	0.20	0.24	0.28	0	0	0.00
Glencoe .....	-16	-18	31	24	4 000	28	66	850	1.4	0.4	1.24	1.10	0.31	0.39	0.49	0	0	0.00
Goderich .....	-16	-18	29	23	3 900	23	84	910	2.2	0.4	1.72	1.50	0.40	0.50	0.62	0	0	0.00
Gore Bay .....	-23	-25	29	21	4 930	23	92	866	2.4	0.4	1.84	1.60	0.30	0.36	0.43	0	0	0.00
Graham .....	-37	-40	29	22	6 626	23	62	817	2.4	0.3	1.74	1.50	0.21	0.25	0.29	0	0	0.00
Gravenhurst .....	-26	-28	29	22	4 800	25	114	1 020	2.5	0.4	1.90	1.65	0.19	0.25	0.33	1	1	0.05
Gravenhurst (Muskoka Airport) .....	-26	-28	29	22	4 911	25	115	1 009	2.6	0.4	1.96	1.70	0.19	0.25	0.33	1	1	0.05
Grimby .....	-16	-18	30	23	3 618	23	123	876	0.8	0.4	0.88	0.80	0.36	0.43	0.50	1	0	0.05
Guelph .....	-19	-21	29	23	4 304	28	103	833	1.7	0.4	1.42	1.25	0.25	0.30	0.36	1	0	0.05
Guthrie .....	-24	-26	29	22	4 520	28	127	870	2.3	0.4	1.78	1.55	0.21	0.29	0.39	1	1	0.05
Haileybury .....	-32	-35	30	21	5 427	23	65	849	2.2	0.4	1.72	1.50	0.32	0.39	0.49	2	1	0.05
Haldimand (Caledonia) .....	-17	-19	30	23	3 850	23	104	913	1.1	0.4	1.06	0.95	0.31	0.37	0.44	1	0	0.05
Haldimand (Hagersville) .....	-16	-18	30	23	3 987	25	283	842	1.2	0.4	1.12	1.00	0.33	0.39	0.46	1	0	0.05
Haltiburton .....	-27	-29	29	22	4 993	25	103	971	2.7	0.4	2.02	1.75	0.19	0.25	0.31	1	1	0.05
Halton Hills (Georgetown) .....	-19	-21	30	23	4 355	28	128	837	1.3	0.4	1.18	1.05	0.27	0.34	0.42	1	0	0.05
Hamilton .....	-17	-19	31	23	3 827	23	117	799	0.8	0.4	0.88	0.80	0.36	0.43	0.50	1	0	0.05
Hanover .....	-19	-21	30	22	4 340	28	76	877	2.4	0.4	1.84	1.60	0.34	0.43	0.54	1	0	0.05
Hastings .....	-23	-26	30	23	4 400	28	89	790	1.8	0.4	1.48	1.30	0.29	0.37	0.47	1	1	0.05
Hawkesbury .....	-25	-27	30	23	4 800	23	89	961	2.1	0.4	1.66	1.45	0.31	0.37	0.45	4	2	0.10
Hearst .....	-34	-36	28	21	6 500	20	63	846	2.6	0.3	1.86	1.60	0.20	0.25	0.32	0	0	0.00
Column 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

**Notes:**

1. The composite load is 60% of the ground snow load plus the rain load.
2. The composite load is 50% of the ground snow load plus the rain load.

TABLE 2.5.1-A. (Continued)  
Forming part of Article 2.5.1.1.

DESIGN DATA FOR SELECTED LOCATIONS IN ONTARIO

Location	Design Temperature			Degree Days Below 18°C	15 Min., Rain., mm	One Day Rain., mm	Ann. Tot. Peprn., mm	Snow and Rain Loads				Hourly Wind Pressures			Seismic Data			
	January 2½%, °C	January 1%, °C	July 2½%					Snow S <sub>s</sub> , kPa	Rain S <sub>r</sub> , kPa	Composite Load, kPa		1/10, kPa	1/30, kPa	1/100, kPa	Z <sub>a</sub>	Z <sub>v</sub>	Zonal velocity ratio, v	
			Dry, °C							Wet, °C	Part 9, 0.6', kPa							Part 9, 0.5', kPa
Honey Harbour	-24	-26	29	22	4 400	23	127	950	2.5	0.4	1.90	1.65	0.25	0.34	0.45	1	1	0.05
Hornepayne	-37	-40	28	21	6 545	20	83	734	3.3	0.4	2.38	2.05	0.19	0.25	0.31	0	0	0.00
Huntsville	-26	-29	29	22	4 780	25	104	971	2.7	0.4	2.02	1.75	0.19	0.25	0.33	1	1	0.05
Ingersoll	-18	-20	30	23	4 000	28	89	890	1.6	0.4	1.36	1.20	0.33	0.43	0.54	0	0	0.00
Iroquois Falls	-33	-36	29	21	6 200	20	63	780	2.7	0.3	1.92	1.65	0.30	0.37	0.45	1	0	0.05
Jelicoe	-36	-39	29	21	6 600	20	76	710	2.5	0.4	1.90	1.65	0.21	0.25	0.29	0	0	0.00
Kapuskasing	-33	-35	28	21	6 438	20	80	858	2.6	0.3	1.86	1.60	0.23	0.28	0.34	0	0	0.00
Kemptville	-25	-27	30	23	4 622	25	73	867	2.1	0.4	1.66	1.45	0.30	0.37	0.46	4	2	0.10
Kenora	-33	-36	28	22	5 938	25	128	623	2.1	0.3	1.56	1.35	0.20	0.24	0.28	0	0	0.00
Killaloe	-28	-31	30	22	5 082	23	62	674	2.5	0.4	1.90	1.65	0.24	0.29	0.36	3	1	0.05
Kincardine	-17	-19	28	22	4 100	23	76	890	2.4	0.4	1.84	1.60	0.40	0.50	0.62	0	0	0.00
Kingston	-22	-24	27	23	4 251	23	119	870	1.9	0.4	1.54	1.35	0.35	0.43	0.52	2	1	0.05
Kimount	-26	-28	29	22	4 800	25	102	950	2.5	0.4	1.90	1.65	0.20	0.26	0.34	1	1	0.05
Kirkland Lake	-33	-36	30	21	6 113	20	97	856	2.7	0.3	1.92	1.65	0.29	0.37	0.46	1	1	0.05
Kitchener	-19	-21	29	23	4 146	28	175	897	1.8	0.4	1.48	1.30	0.27	0.34	0.42	1	0	0.05
Lakefield	-24	-26	30	23	4 550	28	89	770	2.0	0.4	1.60	1.40	0.27	0.34	0.43	1	1	0.05
Lansdowne House	-39	-41	28	21	7 199	18	78	666	2.7	0.2	1.82	1.55	0.24	0.29	0.35	0	0	0.00
Leamington	-15	-17	31	24	3 556	28	106	816	0.7	0.4	0.82	0.75	0.35	0.43	0.52	0	0	0.00
Lindsay	-24	-26	30	23	4 513	25	97	856	2.1	0.4	1.66	1.45	0.26	0.34	0.43	1	1	0.05
Lion's Head	-19	-21	27	22	4 490	25	76	890	2.5	0.4	1.90	1.65	0.33	0.43	0.54	1	0	0.05
Listowel	-19	-21	29	23	4 811	30	144	951	2.4	0.4	1.84	1.60	0.34	0.43	0.53	1	0	0.05
London	-18	-20	30	23	4 133	28	83	909	1.7	0.4	1.42	1.25	0.36	0.48	0.61	0	0	0.00
Lucan	-17	-19	30	23	4 150	25	118	927	2.1	0.4	1.66	1.45	0.39	0.50	0.63	0	0	0.00
Maitland	-23	-25	29	23	4 200	25	76	960	2.0	0.4	1.60	1.40	0.32	0.39	0.49	3	1	0.05
Markdale	-20	-22	29	22	4 700	28	76	1 030	3.1	0.4	2.26	1.95	0.29	0.37	0.47	1	0	0.05
Markham	-20	-22	31	24	4 245	25	79	802	1.2	0.4	1.12	1.00	0.39	0.48	0.59	1	0	0.05
Martin	-36	-39	29	22	6 248	25	114	751	2.4	0.3	1.74	1.50	0.21	0.25	0.29	0	0	0.00
Matheson	-33	-36	29	21	6 250	20	76	830	2.6	0.3	1.86	1.60	0.30	0.37	0.46	1	1	0.05
Mattawa	-29	-31	30	22	5 300	23	89	830	1.9	0.4	1.54	1.35	0.24	0.29	0.35	3	1	0.05
Midland	-23	-26	29	22	4 257	25	96	1 035	2.5	0.4	1.90	1.65	0.25	0.34	0.45	1	1	0.05
Milton	-18	-20	30	23	4 138	25	127	875	1.2	0.4	1.12	1.00	0.32	0.39	0.48	1	0	0.05
Column 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

Notes:

1. The composite load is 60% of the ground snow load plus the rain load.
2. The composite load is 50% of the ground snow load plus the rain load.



**TABLE 2.5.1.A. (Continued)**  
Forming part of Article 2.5.1.1.

**DESIGN DATA FOR SELECTED LOCATIONS IN ONTARIO**

Location	Design Temperature				Degree Days Below 18°C	15 Min. Rain., mm	One Day Rain., mm	Ann. Tot. Peppn., mm	Snow and Rain Loads				Hourly Wind Pressures			Seismic Data		
	January		July 2½%						Ground Loads, kPa	Composite Load, kPa		1/10, kPa	1/30, kPa	1/100, kPa	Z <sub>a</sub>	Z <sub>v</sub>	Zonal velocity ratio, v	
	2½%, °C	1%, °C	Dry, °C	Wet, °C						Snow S <sub>s</sub> , kPa	Rain S <sub>r</sub> , kPa							Part 9, 0.6', kPa
Milverton .....	-19	-21	29	23	4 550	30	76	980	2.2	0.4	1.72	1.50	0.31	0.39	0.49	1	0	0.05
Minden .....	-26	-29	29	22	4 967	25	94	971	2.5	0.4	1.90	1.65	0.19	0.25	0.31	1	1	0.05
Mississauga .....	-18	-20	30	23	4 000	25	140	760	1.0	0.4	1.00	0.90	0.37	0.45	0.55	1	0	0.05
Mississauga (Port Credit) .....	-18	-20	30	23	3 900	25	140	760	0.8	0.4	0.88	0.80	0.37	0.45	0.55	1	0	0.05
Mitchell .....	-18	-20	29	23	4 519	25	72	840	2.2	0.4	1.72	1.50	0.35	0.45	0.57	0	0	0.00
Moosonee .....	-36	-38	28	21	7 011	18	63	728	2.0	0.3	1.50	1.30	0.19	0.24	0.29	0	0	0.00
Morrisburg .....	-23	-25	30	23	4 550	25	114	928	2.1	0.4	1.66	1.45	0.30	0.37	0.46	4	2	0.10
Mount Forest .....	-21	-23	29	22	4 694	30	84	964	2.5	0.4	1.90	1.65	0.29	0.37	0.47	1	0	0.05
Nakina .....	-35	-37	28	21	6 816	20	70	811	2.6	0.4	1.96	1.70	0.20	0.24	0.28	0	0	0.00
Naticoke (Jarvis) .....	-16	-18	30	23	3 875	28	102	850	1.3	0.4	1.18	1.05	0.33	0.39	0.47	1	0	0.05
Naticoke (Port Dover) .....	-15	-17	30	24	3 881	25	102	948	1.1	0.4	1.06	0.95	0.36	0.43	0.51	1	0	0.05
Napanee .....	-22	-24	28	23	4 150	23	89	870	1.7	0.4	1.42	1.25	0.32	0.39	0.48	2	1	0.05
Newcastle .....	-20	-22	30	23	4 200	23	76	810	1.4	0.4	1.24	1.10	0.46	0.55	0.65	1	1	0.05
Newcastle (Bowmanville) .....	-20	-22	30	23	4 220	23	76	803	1.3	0.4	1.18	1.05	0.46	0.55	0.66	1	1	0.05
New Liskeard .....	-32	-35	30	21	5 664	23	82	749	2.1	0.4	1.66	1.45	0.31	0.39	0.49	2	1	0.05
Newmarket .....	-22	-24	30	23	4 395	28	102	797	1.8	0.4	1.48	1.30	0.26	0.34	0.44	1	1	0.05
Niagara Falls .....	-16	-18	30	23	3 662	23	95	942	1.8	0.4	1.48	1.30	0.33	0.39	0.47	2	0	0.05
North Bay .....	-28	-30	28	21	4 990	28	96	930	2.0	0.4	1.60	1.40	0.26	0.31	0.37	2	1	0.05
Norwood .....	-24	-26	30	23	4 531	28	89	785	1.9	0.4	1.54	1.35	0.29	0.37	0.47	1	1	0.05
Oakville .....	-18	-20	30	23	3 915	23	74	799	0.8	0.4	0.88	0.80	0.37	0.45	0.54	1	0	0.05
Orangeville .....	-21	-23	29	23	4 775	30	101	789	2.1	0.4	1.66	1.45	0.25	0.32	0.41	1	0	0.05
Orillia .....	-25	-27	29	22	4 690	25	147	907	2.2	0.4	1.72	1.50	0.19	0.26	0.35	1	1	0.05
Oshawa .....	-19	-21	30	23	3 968	23	76	864	1.3	0.4	1.18	1.05	0.43	0.52	0.64	1	1	0.05
Ottawa .....	-25	-27	30	23	4 634	23	93	846	2.2	0.4	1.72	1.50	0.30	0.37	0.46	4	2	0.10
Owen Sound .....	-19	-21	29	22	4 236	28	138	1 024	2.6	0.4	1.96	1.70	0.33	0.43	0.55	1	0	0.05
Pagwa River .....	-34	-36	28	21	6 595	20	80	902	2.2	0.4	1.72	1.50	0.19	0.25	0.31	0	0	0.00
Paris .....	-17	-19	30	23	4 025	23	89	860	1.3	0.4	1.18	1.05	0.31	0.37	0.45	1	0	0.05
Column 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

**Notes:**

1. The composite load is 60% of the ground snow load plus the rain load.
2. The composite load is 50% of the ground snow load plus the rain load.

**TABLE 2.5.1.A. (Continued)**  
Forming part of Article 2.5.1.1.1.  
**DESIGN DATA FOR SELECTED LOCATIONS IN ONTARIO**

Location	Design Temperature			Degree Days Below 18°C	15 Min., Rain., mm	One Day Rain., mm	Ann. Tot. Pcpn., mm	Snow and Rain Loads				Hourly Wind Pressures			Seismic Data			
	January 2½%, °C	January 1%, °C	July 2½%					Snow S <sub>s</sub> , kPa	Rain S <sub>r</sub> , kPa	Composite Load, kPa		1/10, kPa	1/30, kPa	1/100, kPa	Z <sub>a</sub>	Z <sub>v</sub>	Zonal velocity ratio, v	
			Dry, °C							Wet, °C	Part 9, 0.6 <sup>1</sup> , kPa							Part 9, 0.5 <sup>2</sup> , kPa
Parkhill .....	-16	-18	31	23	3 900	89	860	1.9	0.4	1.54	1.35	0.40	0.50	0.61	0	0	0.00	
Parry Sound .....	-24	-26	28	21	4 730	123	1 094	2.6	0.4	1.96	1.70	0.24	0.34	0.46	1	1	0.05	
Pelham .....																		
(Fonthill) .....	-15	-17	30	23	3 700	102	870	2.1	0.4	1.66	1.45	0.33	0.39	0.46	1	0	0.05	
Pembroke .....	-28	-31	30	22	4 873	103	770	2.3	0.4	1.78	1.55	0.22	0.26	0.32	4	2	0.10	
Penetanguishene .....	-23	-26	29	22	4 275	127	1 025	2.6	0.4	1.96	1.70	0.25	0.34	0.45	1	1	0.05	
Perth .....	-25	-27	30	23	4 650	76	920	2.1	0.4	1.66	1.45	0.29	0.37	0.46	3	1	0.05	
Petawawa .....	-29	-31	30	22	5 160	119	800	2.4	0.4	1.84	1.60	0.19	0.24	0.29	4	2	0.10	
Peterborough .....	-23	-25	30	23	4 411	87	793	1.8	0.4	1.48	1.30	0.29	0.37	0.47	1	1	0.05	
Petrolia .....	-16	-18	31	24	3 824	76	873	1.2	0.4	1.12	1.00	0.35	0.43	0.52	0	0	0.00	
Pickering .....																		
(Dunbarton) .....	-19	-21	30	23	4 250	102	780	0.9	0.4	0.94	0.85	0.43	0.52	0.64	1	1	0.05	
Picton .....	-21	-23	29	23	3 999	76	947	1.8	0.4	1.48	1.30	0.37	0.45	0.54	1	1	0.05	
Plattsville .....	-18	-20	29	23	4 150	28	920	1.7	0.4	1.42	1.25	0.30	0.37	0.46	1	0	0.05	
Point Alexander .....	-29	-32	30	22	5 150	89	790	2.3	0.4	1.78	1.55	0.20	0.24	0.28	4	2	0.10	
Port Burwell .....	-15	-17	30	24	4 050	102	940	1.1	0.4	1.06	0.95	0.34	0.43	0.53	0	0	0.00	
Port Colborne .....	-15	-17	30	24	3 707	102	985	2.1	0.4	1.66	1.45	0.37	0.43	0.50	1	0	0.05	
Port Elgin .....	-17	-19	28	22	4 240	76	860	2.6	0.4	1.96	1.70	0.40	0.50	0.62	1	0	0.05	
Port Hope .....	-21	-23	30	23	4 044	76	801	1.1	0.4	1.06	0.95	0.46	0.55	0.65	1	1	0.05	
Port Perry .....	-22	-24	30	23	4 250	89	800	2.2	0.4	1.72	1.50	0.31	0.39	0.50	1	1	0.05	
Port Stanley .....	-15	-17	31	24	4 075	25	84	1.1	0.4	1.06	0.95	0.34	0.43	0.53	0	0	0.00	
Prescott .....	-23	-25	29	23	4 200	76	970	2.0	0.4	1.60	1.40	0.32	0.39	0.49	3	2	0.10	
Princeton .....	-17	-19	29	23	4 000	89	860	1.4	0.4	1.24	1.10	0.30	0.37	0.46	1	0	0.05	
Raith .....	-35	-37	28	22	6 490	76	750	2.5	0.4	1.90	1.65	0.21	0.25	0.29	0	0	0.00	
Rayside-Balfour .....																		
(Chelmsford) .....	-28	-30	29	21	5 451	76	860	2.3	0.4	1.78	1.55	0.29	0.39	0.53	1	0	0.05	
Red Lake .....	-34	-36	28	22	6 350	110	589	2.2	0.3	1.62	1.40	0.22	0.26	0.31	0	0	0.00	
Renfrew .....	-27	-30	30	23	4 912	76	780	2.3	0.4	1.78	1.55	0.26	0.32	0.39	4	2	0.10	
Richmond Hill .....	-20	-22	31	24	4 427	25	88	1.4	0.4	1.24	1.10	0.39	0.48	0.59	1	0	0.05	
Rockland .....	-26	-28	30	23	4 800	89	900	2.2	0.4	1.72	1.50	0.30	0.37	0.45	4	2	0.10	
Column 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

**Notes:**

1. The composite load is 60% of the ground snow load plus the rain load.
2. The composite load is 50% of the ground snow load plus the rain load.

**TABLE 2.5.1.A. (Continued)**  
Forming part of Article 2.5.1.1.  
**DESIGN DATA FOR SELECTED LOCATIONS IN ONTARIO**

Location	Design Temperature				Degree Days Below 18°C	15 Min., Rain., mm	One Day Rain., mm	Ann. Tot. Pcpn., mm	Snow and Rain Loads				Hourly Wind Pressures			Seismic Data		
	January		July 2½%						Ground Loads, kPa	Composite Load, kPa		1/10, kPa	1/30, kPa	1/100, kPa	Z <sub>s</sub>	Z <sub>r</sub>	Zonal velocity ratio, v	
	2½%, °C	1%, °C	Dry, °C	Wet, °C						Snow S <sub>s</sub> , kPa	Rain S <sub>r</sub> , kPa							Part 9, 0.61, kPa
Sarnia .....	-16	-18	31	23	3 953	23	98	890	1.0	0.4	1.00	0.90	0.35	0.43	0.52	0	0	0.00
Sault Ste. Marie .....	-25	-28	29	21	4 943	25	117	973	2.8	0.4	2.08	1.80	0.32	0.37	0.43	0	0	0.00
Schreiber .....	-35	-38	27	21	6 129	20	93	860	3.0	0.4	2.20	1.90	0.25	0.29	0.34	0	0	0.00
Seaforth .....	-17	-19	30	23	4 300	25	89	910	2.3	0.4	1.78	1.55	0.37	0.48	0.60	0	0	0.00
Simcoe .....	-17	-19	30	23	3 926	28	115	934	1.2	0.4	1.12	1.00	0.33	0.39	0.47	1	0	0.05
Sioux Lookout .....	-34	-36	28	22	6 278	28	116	713	2.2	0.3	1.62	1.40	0.21	0.25	0.29	0	0	0.00
Smiths Falls .....	-25	-27	30	23	4 448	28	76	782	2.1	0.4	1.66	1.45	0.29	0.37	0.46	3	2	0.10
Smithville .....	-16	-18	30	23	3 750	23	114	900	1.4	0.4	1.24	1.10	0.33	0.39	0.46	1	0	0.05
Smooth Rock Falls .....	-34	-36	29	21	6 400	20	63	800	2.5	0.3	1.80	1.55	0.24	0.29	0.36	1	0	0.05
Southampton .....	-17	-19	28	22	4 236	23	88	866	2.5	0.4	1.90	1.65	0.38	0.48	0.59	1	0	0.05
South River .....	-27	-29	28	21	5 280	28	89	950	2.6	0.4	1.96	1.70	0.23	0.29	0.36	1	1	0.05
St. Catharines .....	-16	-18	30	23	3 664	23	77	807	0.9	0.4	0.94	0.85	0.36	0.43	0.50	1	0	0.05
St. Marys .....	-18	-20	30	23	4 200	28	89	970	2.0	0.4	1.60	1.40	0.35	0.45	0.58	0	0	0.00
St. Thomas .....	-16	-18	31	23	3 985	25	105	912	1.3	0.4	1.18	1.05	0.33	0.43	0.54	0	0	0.00
Stirling .....	-23	-25	30	23	4 464	25	86	783	1.6	0.4	1.36	1.20	0.28	0.36	0.46	1	1	0.05
Stratford .....	-18	-20	29	23	4 429	28	126	1 046	2.1	0.4	1.66	1.45	0.33	0.43	0.54	0	0	0.00
Strathroy .....	-17	-19	31	23	3 943	25	76	894	1.7	0.4	1.42	1.25	0.36	0.45	0.57	0	0	0.00
Strucong Falls .....	-27	-29	29	21	5 200	28	89	850	2.0	0.4	1.60	1.40	0.25	0.32	0.40	1	1	0.05
Sudbury .....	-28	-30	29	21	5 043	25	112	794	2.3	0.4	1.78	1.55	0.29	0.40	0.55	1	1	0.05
Sundridge .....	-27	-29	28	21	5 250	28	102	950	2.6	0.4	1.96	1.70	0.23	0.29	0.37	2	1	0.05
Tavistock .....	-18	-20	29	23	4 450	28	89	950	1.9	0.4	1.54	1.35	0.34	0.43	0.53	1	0	0.05
Temagami .....	-30	-33	30	21	5 300	25	89	870	2.4	0.4	1.84	1.60	0.27	0.34	0.42	2	1	0.05
Thamesford .....	-18	-20	30	23	4 200	28	89	975	1.7	0.4	1.42	1.25	0.33	0.43	0.55	0	0	0.00
Thedford .....	-16	-18	31	23	3 850	23	89	840	1.9	0.4	1.54	1.35	0.41	0.50	0.61	0	0	0.00
Thunder Bay .....	-31	-33	28	21	5 673	20	98	712	2.7	0.4	2.02	1.75	0.25	0.29	0.34	0	0	0.00
Tilsonburg .....	-17	-19	30	23	4 050	25	102	914	1.2	0.4	1.12	1.00	0.31	0.39	0.50	0	0	0.00
Timmins .....	-34	-36	30	21	6 225	18	133	862	2.8	0.3	1.98	1.70	0.25	0.32	0.40	1	0	0.05
Timmins (Porcupine) .....	-34	-36	30	21	6 049	18	76	836	2.7	0.3	1.92	1.65	0.27	0.34	0.42	1	0	0.05
Timmins (South Porcupine) .....	-34	-36	30	21	6 200	18	76	820	2.7	0.3	1.92	1.65	0.27	0.34	0.42	1	0	0.05
Column 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

**Notes:**

1. The composite load is 60% of the ground snow load plus the rain load.
2. The composite load is 50% of the ground snow load plus the rain load.

TABLE 2.5.1.A. (Continued)  
Forming part of Article 2.5.1.1.  
DESIGN DATA FOR SELECTED LOCATIONS IN ONTARIO

Location	Design Temperature				Degree Days Below 18°C	15 Min., Rain., mm	One Day Rain., mm	Ann. Tot. Pcpn., mm	Snow and Rain Loads			Hourly Wind Pressures			Seismic Data			
	January		July 2½%						Ground Loads, kPa	Rain S <sub>r</sub> , kPa	Composite Load, kPa		1/10, kPa	1/30, kPa	1/100, kPa	Z <sub>a</sub>	Z <sub>y</sub>	Zonal velocity ratio, v
	2½%, °C	1%, °C	Dry, °C	Wet, °C							Part 9, 0.61, kPa	Part 9, 0.52, kPa						
Toronto/Metropolitan	-20	-22	31	24	3 781	26	84	757	1.0	0.4	1.00	0.90	0.39	0.48	0.59	1	0	0.05
Etobicoke	-20	-22	31	24	3 999	25	82	782	1.1	0.4	1.06	0.95	0.39	0.48	0.59	1	0	0.05
North York	-20	-22	31	24	4 110	25	85	821	1.1	0.4	1.06	0.95	0.39	0.48	0.59	1	0	0.05
Scarborough	-18	-20	31	23	3 646	25	121	801	0.8	0.4	0.88	0.80	0.39	0.48	0.58	1	0	0.05
Toronto	-21	-23	29	23	4 102	23	97	855	1.5	0.4	1.30	1.15	0.35	0.43	0.52	1	1	0.05
Trenton	-38	-40	25	20	7 699	13	84	581	2.5	0.4	1.90	1.65	0.33	0.39	0.46	0	0	0.00
Trout Creek	-22	-24	30	23	4 483	25	83	800	2.2	0.4	1.72	1.50	0.29	0.37	0.48	1	1	0.05
Uxbridge	-20	-22	31	24	4 200	26	121	768	1.0	0.4	1.00	0.90	0.39	0.48	0.59	1	0	0.05
Vaughan	-15	-17	30	24	3 800	25	114	900	1.2	0.4	1.12	1.00	0.35	0.43	0.52	1	0	0.05
(Woodbridge)	-18	-20	30	22	4 310	28	125	962	2.5	0.4	1.90	1.65	0.35	0.45	0.57	1	0	0.05
Vittoria	-16	-18	31	24	3 658	28	100	760	0.8	0.4	0.88	0.80	0.32	0.39	0.48	0	0	0.00
Waterloo	-19	-21	29	23	4 146	28	102	895	1.8	0.4	1.48	1.30	0.27	0.34	0.42	1	0	0.05
Watford	-16	-18	31	24	3 850	25	76	880	1.7	0.4	1.42	1.25	0.34	0.43	0.53	0	0	0.00
Wawa	-35	-38	26	21	5 756	20	100	1 030	3.8	0.4	2.68	2.30	0.24	0.28	0.33	0	0	0.00
Welland	-15	-17	30	23	3 733	23	118	938	2.0	0.4	1.60	1.40	0.33	0.39	0.47	1	0	0.00
West Lorne	-16	-18	31	24	3 800	28	102	870	1.2	0.4	1.12	1.00	0.34	0.43	0.53	0	0	0.00
Whitby	-20	-22	30	23	4 080	23	76	840	1.1	0.4	1.06	0.95	0.43	0.52	0.64	1	1	0.05
(Brooklin)	-20	-22	30	23	4 250	23	76	840	1.7	0.4	1.42	1.25	0.38	0.48	0.59	1	1	0.05
White River	-39	-42	28	21	6 479	20	102	823	4.1	0.4	2.86	2.45	0.20	0.24	0.28	0	0	0.00
Warton	-18	-20	28	22	4 486	25	105	965	2.5	0.4	1.90	1.65	0.33	0.43	0.55	1	0	0.05
Windsor	-16	-18	31	24	3 622	28	78	849	0.7	0.4	0.82	0.75	0.29	0.36	0.44	0	0	0.00
Wingham	-18	-20	30	23	4 250	28	89	1 040	2.4	0.4	1.84	1.60	0.35	0.45	0.57	0	0	0.00
Woodstock	-18	-20	29	23	4 131	28	132	862	1.7	0.4	1.42	1.25	0.31	0.39	0.50	1	0	0.05
Wyoming	-16	-18	31	24	3 800	25	76	880	1.5	0.4	1.30	1.15	0.35	0.43	0.52	0	0	0.00
Column 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

Notes:

1. The composite load is 60% of the ground snow load plus the rain load.
2. The composite load is 50% of the ground snow load plus the rain load.

**Section 2.6 Referenced Documents****2.6.1. Application**

**2.6.1.1.** The provisions of referenced documents in this Code apply only to the extent that they relate to *buildings* or to structures designated in Subsection 2.1.2.

**2.6.2. Conflicting Requirements**

**2.6.2.1.** In the case of conflict between the provisions of this Code

and those of a referenced document, the provisions of this Code shall govern.

**2.6.3. Effective Date**

**2.6.3.1.** Unless otherwise specified herein, the documents referenced in this Code shall include all amendments, revisions and supplements effective to January 1, 1990.

**2.6.3.2.** Where documents are referenced in this Code, they shall be in the editions designated in Column 2 of Table 2.6.3.A.

**Table 2.6.3.A.**  
Forming Part of Article 2.6.3.2.

DOCUMENTS REFERENCED IN THE ONTARIO BUILDING CODE			
Issuing Agency	Document Number	Title of Document	Code Reference
ANSI	B36.10-1979	Welded and Seamless Wrought Steel Pipe	3.2.9.6.(1)
ASTM	A120-84	Pipe, Steel, Black and Hot-Dipped Zinc-Coated (Galvanized) Welded and Seamless, for Ordinary Uses	3.2.9.6.(1)
ASTM	A123-84	Specification for Zinc (Hot-Dip Galvanized) Coatings on Iron and Steel Products	Table 9.20.16.A.
ASTM	A153-82 (1987)	Specification for Zinc Coating (Hot-Dip) on Iron and Steel Hardware	Table 9.20.16.A.
ASTM	A252-82	Welded and Seamless Steel Pipe Piles	4.2.3.8.
ASTM	A283M-85	Low and Intermediate Tensile Strength Carbon Steel Plates, Shapes, and Bars	4.2.3.8.
ASTM	A525-86	Steel Sheet, Zinc-Coated (Galvanized) by the Hot-Dip Process	9.3.3.2.
ASTM	A570M/570M-88	Hot-Rolled Carbon Steel Sheet and Strip, Structural Quality	4.2.3.8.
ASTM	A611-85	Steel, Cold-Rolled Sheet, Carbon Structural	4.2.3.8.
ASTM	B75-84	Seamless Copper Tube	3.2.9.6.(1)
ASTM	B251-84	General Requirements for Wrought Seamless Copper and Copper-Alloy Tube	3.2.9.6.(1)
ASTM	C4-62 (1986)	Clay Drain Tile	9.14.3.1.
ASTM	C5-79 (1988)	Quicklime for Structural Purposes	9.20.3.1.(1)
ASTM	C27-84 (1988)	Classification for Fire Clay and High Alumina Refractory Brick	9.21.3.4.
ASTM	C126-86	Ceramic Glazed Structural Clay Facing Tile, Facing Brick, and Solid Masonry Units	9.20.2.1.(1)
ASTM	C207-79 (1988)	Hydrated Lime for Masonry Purposes	9.20.3.1.(1)
ASTM	C212-60 (1986)	Structural Clay Facing Tile	9.20.2.1.(1)
ASTM	C315-87 (1983)	Clay Flue Linings	9.21.3.3.
ASTM	C411-82 (1987)	Hot-Surface Performance of High-Temperature Thermal Insulation	6.2.3.6.(3) 6.2.9.2.(2)
ASTM	C412M-83 (1988)	Concrete Drain Tile	9.14.3.1.(1)
ASTM	C444M-87	Perforated Concrete Pipe	9.14.3.1.(1)
ASTM	C700-89 (1983)	Vitrified Clay Pipe, Extra Strength, Standard Strength and Perforated	9.14.3.1.(1)
ASTM	C1002-88	Steel Drill Screws for the Application of Gypsum Board or Metal Plaster Bases	9.24.1.4. 9.29.5.7.
Column 1	2	3	4

**Table 2.6.3.A. – Continued**  
Forming Part of Article 2.6.3.2.

<b>DOCUMENTS REFERENCED IN THE ONTARIO BUILDING CODE</b>			
<b>Issuing Agency</b>	<b>Document Number</b>	<b>Title of Document</b>	<b>Code Reference</b>
ASTM	D374-79	Thickness of Solid Electrical Insulation	3.8.4.1.(1)
ASTM	D568-77	Rate of Burning and/or Extent and Time of Burning of Flexible Plastics in a Vertical Position	3.8.4.1.(1)
ASTM	D635-81	Rate of Burning and/or Extent and Time of Burning of Self-Supporting Plastics in a Horizontal Position	3.8.4.1.(1)
ASTM	D2898-81 (1986)	Test Method for Accelerated Weathering of Fire-Retardant-Treated Wood for Fire Testing	3.1.5.5.(7) 3.1.5.5.(8)
ASTM	E90-87	Laboratory Measurement of Airborne Sound Transmission Loss of Building Partitions	9.11.1.1.
ASTM	E283-84	Standard Test Method for Rate of Air Leakage through Windows, Curtain Walls and Doors	9.6.4.4. 9.38.6.1.
ASTM	E336-84	Measurement of Airborne Sound Insulation in Buildings	9.11.1.1.
ASTM	E413-87	Classification for Rating Sound Insulation	9.11.1.1.
ASTM	F476-84	Standard Test Methods For Security of Swinging Door Assemblies	9.6.6.10.
AWS	Specification a5.8-76	Brazing Filler Metal	3.2.9.6.(2)
BRMD	Safety Code 20-A	X-ray equipment in Medical Diagnosis Part A: Recommended Safety Procedures for Installation and Use	3.6.5.3.(2)
CGSB	CAN/CGSB-7.1-M86	Cold Formed Steel Framing Components	9.24.1.2.
CGSB	CAN/CGSB-7.2-M86	Adjustable Metal Columns	9.17.3.4.
CGSB	10-GP-3Ma-1981	Refractory Mortar, Air Setting	9.21.3.4. 9.21.3.9.(1) 9.22.2.2.(1)
CGSB	CAN/CGSB-11.3-M87	Hardboard	9.27.10.1.(2) 9.29.7.1.(2) 9.30.2.2.(1)
CGSB	CAN/CGSB-11.5-M87	Hardboard, Precoated, Factory Finished, for Exterior Cladding	9.27.10.1.(1)
CGSB	CAN2-12.1-M79	Glass, Safety, Tempered or Laminated	3.3.1.18.(2) 3.4.6.14.(3) 9.6.5.2.(2) 9.7.3.1.(1)
CGSB	CAN2-12.2-M76	Glass, Sheet, Flat, Clear	9.7.3.1.(1)
CGSB	CAN2-12.3-M76	Glass, Polished Plate or Float, Flat, Clear	9.7.3.1.(1)
CGSB	CAN2-12.4-M76	Glass, Heat Absorbing	9.7.3.1.(1)
CGSB	CAN2-12.5-M86	Mirrors, Silvered	9.6.5.3.(2)
CGSB	CAN2-12.8-M76	Insulating Glass Units	9.7.3.1.(1)
CGSB	CAN2-12.10-M76	Glass, Light and Heat Reflecting	9.7.3.1.(1)
CGSB	CAN2-12.11-M76	Glass, Wired, Safety	3.3.1.18.(2) 3.4.6.14.(3) 9.6.5.2.(2) 9.7.3.1.(1)
CGSB	CAN/CGSB-12.20-M89	Structural Design of Glass for Buildings	4.3.6.1. 9.7.3.2.
CGSB	19-GP-5M-1976	Sealing Compound, One Component, Acrylic Base, Solvent Curing	9.27.4.2.(2)
Column 1	2	3	4

**Table 2.6.3.A. – Continued**  
Forming Part of Article 2.6.3.2.

<b>DOCUMENTS REFERENCED IN THE ONTARIO BUILDING CODE</b>			
<b>Issuing Agency</b>	<b>Document Number</b>	<b>Title of Document</b>	<b>Code Reference</b>
CGSB	CAN2-19.13-M87	Sealing Compound, One Component, Elastomeric, Chemical Curing	9.27.4.2.(2)
CGSB	19-GP-14M-1976	Sealing Compound, One Component, Butyl-Polyisobutylene Polymer Base, Solvent Curing	9.27.4.2.(2)
CGSB	19-GP-22M-1977	Sealing Compound, Mildew Resistant, for Tubs and Tile	9.29.10.5.
CGSB	CAN2-19.24-M80	Sealing Compound, Multi-Component, Chemical Curing	9.27.4.2.(2)
CGSB	24-GP-3a 1967	Code of Identification and Classification of Piping Systems	3.2.9.6.(14)
CGSB	CAN/CGSB-34.4-M89	Siding, Asbestos Cement, Shingles and Clapboards	9.27.8.1.(1)
CGSB	CAN/CGSB-34.5-M89	Sheets, Asbestos, Cement Corrugated	9.27.8.1.(1)
CGSB	CAN/CGSB-37.14-M87	Sheets, Asbestos, Cement Decorative	9.27.8.1.(1)
CGSB	CAN/CGSB 34.16-M89	Sheets, Asbestos-Cement, Flat, Fully Compressed	9.27.8.1.(1)
CGSB	CAN/CGSB-34.17-M89	Sheets, Asbestos-Cement, Flat Semicompressed	9.27.8.1.(1)
CGSB	CAN/CGSB-34.21-M89	Panels, Sandwich, Asbestos-Cement with Insulating Cores	9.27.8.1.(1)
CGSB	CAN/CGSB-34.22	Pipe, Asbestos-Cement, Drain	9.14.3.1.(1)
CGSB	CAN/CGSB-37.2-M88	Asphalt, Emulsified, Mineral Colloid Type, Unfilled, for Dampproofing and Waterproofing and for Roof Coatings	9.13.2.1.(1)
CGSB	37-GP-3M-1976	Application of Emulsified Asphalts for Dampproofing or Waterproofing	9.13.1.3.(1)
CGSB	CAN/CGSB-37.4-M89	Cement, Lap, Cutback Asphalt, Fibrated, for Asphalt Roofing	9.26.2.1.(1)
CGSB	CAN/CGSB-37.5-M89	Cement, Plastic, Cutback Asphalt	9.26.2.1.(1)
CGSB	37-GP-6Ma-1983	Asphalt, Cutback, Unfilled, for Dampproofing	9.13.2.1.(1)
CGSB	CAN/CGSB-37.8-M88	Asphalt, Cutback, Filled, for Roof Coating	9.26.2.1.(1)
CGSB	37-GP-9Ma-1983	Primer, Asphalt, Unfilled, for Asphalt Roofing, Dampproofing and Waterproofing	9.26.2.1.(1)
CGSB	37-GP-12Ma-1984	Application of Unfilled Cutback Asphalt for Dampproofing	9.13.1.3.(1)
CGSB	37-GP-16M-1976	Asphalt, Cutback, Filled, for Dampproofing and Waterproofing	9.13.2.1.(1)
CGSB	37-GP-18Ma-1985	Tar, Cutback, Unfilled, for Dampproofing	9.13.2.1.(1)
CGSB	37-GP-21M-1976	Tar, Cutback, Fibrated, for Roof Coating	9.26.2.1.(1)
CGSB	37-GP-22M-1976	Application of Unfilled Cutback Tar Foundation Coating for Dampproofing	9.13.1.3.(1)
CGSB	37-GP-50M-1978	Asphalt, Rubberized, Hot Applied, for Roofing and Waterproofing	9.26.2.1.(1)
CGSB	37-GP-51M-1979	Application of Rubberized Asphalt, Hot Applied, for Roofing and Waterproofing	9.26.15.1.
CGSB	37-GP-52M-1984	Roofing and Waterproofing Membrane, Sheet Applied, Elastomeric	9.26.2.1.(1)
CGSB	37-GP-54M-1979	Roofing and Waterproofing Membrane, Sheet Applied, Flexible, Polyvinyl Chloride	9.26.2.1.(1)
CGSB	37-GP-55M-1979	Application of Sheet Applied Flexible Polyvinyl Chloride Roofing Membrane	9.26.16.1.
CGSB	37-GP-56M-1980	Membrane, Modified, Bituminous, Prefabricated, and Reinforced for Roofing	9.26.2.1.(1)
Column 1	2	3	4

**Table 2.6.3.A. – Continued**  
Forming Part of Article 2.6.3.2.

<b>DOCUMENTS REFERENCED IN THE ONTARIO BUILDING CODE</b>			
<b>Issuing Agency</b>	<b>Document Number</b>	<b>Title of Document</b>	<b>Code Reference</b>
CGSB	41-GP-6M-1976	Sheets, Thermosetting Polyester Plastics, Glass Fiber Reinforced	9.26.2.1.(1)
CGSB	41-GP-24Ma-1983	Siding, Soffits and Fascia, Rigid Vinyl	9.27.13.1.
CGSB	41-GP-29Ma 1983	Tubing, Plastic, Corrugated, Drainage	9.14.3.1.(1)
CGSB	CAN/CGSB-51.20-M87	Thermal Insulation, Polystyrene Boards and Pipe Covering	Table 9.23.16.A. 9.25.3.1.(1) 9.25.3.3.
CGSB	51-GP-21M-1978	Thermal Insulation, Urethane and Isocyanurate, Unfaced	Table 9.23.16.A. 9.25.3.1.(1)
CGSB	CAN/CGSB-51.25-M87	Thermal Insulation, Phenolic, Faced	Table 9.23.16.A. 9.25.3.1.(1)
CGSB	CAN/CGSB-51.26-M86	Thermal Insulation, Urethane and Isocyanurate, Boards, Faced	Table 9.23.16.A. 9.25.3.1.(1)
CGSB	51-GP-27M-1979	Thermal Insulation, Polystyrene Loose Fill	9.25.3.1.(1)
CGSB	CAN2-51.32-M77	Sheathing, Membrane, Breather Type	9.20.13.10.(1) 9.23.17.1. 9.26.2.1.(1)
CGSB	CAN2-51.33-M80	Vapour Barrier, Sheet, for Use in Building Construction	9.25.3.5.(1)
CGSB	CAN/CGSB-51.34-M86	Vapour Barrier, Polyethylene Sheet for Use in Building Construction	9.13.2.1.(1) 9.25.3.4.(1) 9.25.3.5.(1)
CGSB	51-GP-60M-1979	Thermal Insulation, Cellulose Fibre, Loose Fill	9.25.3.1.(1)
CGSB	CAN/CGSB-63.14-M89	Plastic Skylights	9.7.7.1. 9.7.7.2.
CGSB	CAN/CGSB-82.1-M89	Sliding Doors	9.6.4.2.
CGSB	CAN/CGSB-82.5-M88	Insulated Steel Doors	9.6.4.3.
CGSB	CAN/CGSB-82.6-M86	Doors, Mirrored Glass, Sliding or Folding, Wardrobe	9.6.5.3.
CGSB	CAN/CGSB-93.1-M85	Sheet, Aluminum Alloy, Prefinished Residential	9.27.12.1.(4)
CGSB	93-GP-2Ma-1983	Siding, Soffits and Fascia, Aluminum, Prefinished, Residential	9.27.12.1.(3)
CGSB	93-GP-3M-1978	Sheet, Steel, Galvanized, Prefinished, Residential	9.27.12.1.(2)
CGSB	93-GP-4M-1978	Siding, Soffits and Fascia, Steel, Galvanized, Prefinished, Residential	9.27.12.1.(1)
CSA	CAN3 A5-M88	Portland Cements	9.3.1.2. 9.20.3.1.(1) 9.28.2.1.
CSA	CAN/CSA-A8-M88	Masonry Cement	9.20.3.1.(1)
CSA	CAN3-A23.1-M77	Concrete Materials and Methods of Concrete Construction	4.2.3.6. 4.2.3.9. 9.3.1.3.(1) 9.3.1.4.
CSA	CAN3-A23.2-M77	Methods of Test for Concrete	9.3.1.8.(1) Table 4.1.9.B.
CSA	CAN3-A23.3-M84	Design of Concrete Structures for Buildings	4.3.3.1.
CSA	CAN/CSA-A82.1-M87	Burned Clay Brick (Solid Masonry Units Made From Clay or Shale)	9.20.2.1.(1)
CSA	A82.3-M1978	Calcium Silicate (Sand-Lime) Building Brick	9.20.2.1.(1)
Column 1	2	3	4



**Table 2.6.3.A. — Continued**  
Forming Part of Article 2.6.3.2.

<b>DOCUMENTS REFERENCED IN THE ONTARIO BUILDING CODE</b>			
<b>Issuing Agency</b>	<b>Document Number</b>	<b>Title of Document</b>	<b>Code Reference</b>
CSA	A82.4-M1978	Structural Clay Load-Bearing Wall Tile	9.20.2.1.(1)
CSA	A82.5-M1978	Structural Clay Non-Load-Bearing Tile	9.20.2.1.(1)
CSA	A82.22-M1977	Gypsum Plasters	9.20.3.1.
CSA	A82.27-M1977	Gypsum Board Products	3.1.5.11.(4) Table 9.10.3.A. Table 9.10.3.B. Table 9.23.16.A. 9.29.5.2.
CSA	A82.30-M1980	Interior Furring, Lathing and Gypsum Plastering	9.29.4.1.
CSA	A82.31-M1980	Gypsum Board Application	9.29.5.1.(2)
CSA	A82.56-M1976	Aggregate for Masonry Mortar	9.20.3.1.(1)
CSA	CAN3-A93-M82	Natural Airflow Ventilators for Buildings	9.19.1.1.(4)
CSA	A101-M1983	Thermal Insulation, Mineral Fibre, for Buildings	9.25.3.1.(1) Table 9.25.16.A.
CSA	A123.1-M1979	Asphalt Shingles Surfaced with Mineral Granules	9.26.2.1.(1)
CSA	A123.17-1963	Asphalt-Saturated Felted Glass-Fibre Mat for Use in Construction of Built-Up Roofs	9.26.2.1.(1)
CSA	A123.2-M1979	Asphalt Coated Roofing Sheets	9.26.2.1.(1)
CSA	A123.3-M1979	Asphalt or Tar Saturated Roofing Felt	9.26.2.1.(1)
CSA	A123.4-M1979	Bitumen for Use in Construction of Built-Up Roof Coverings and Dampproofing and Waterproofing Systems	9.13.2.1.(1) 9.26.2.1.(1)
CSA	CAN3-A123.51-M85	Asphalt Shingle Application on Roof Slopes 1:3 and Steeper	9.26.1.2.
CSA	CAN3-A123.52-M85	Asphalt Shingle Application on Roof Slopes 1:6 to Less than 1:3	9.26.1.2.
CSA	CAN3-A165.1-M85	Concrete Masonry Units	9.15.2.2. 9.20.2.1.(1) 9.20.2.6.(1)
CSA	CAN3-A165.2-M85	Concrete Brick Masonry Units	9.20.2.1.(1)
CSA	CAN3-A165.3-M85	Prefaced Concrete Masonry Units	9.20.2.1.(1)
CSA	CAN3-A165.4-M85	Autoclaved Cellular Units	9.20.2.1.(1)
CSA	CAN/CSA-A247-M86	Insulating Fibreboard	9.23.15.6.(3) Table 9.23.16.A. 9.25.3.1. 9.29.8.1.
CSA	CAN3-A266.1-M78	Air-Entraining Admixtures for Concrete	9.3.1.9.
CSA	CAN3-A266.2-M78	Chemical Admixtures for Concrete	9.3.1.9.
CSA	CAN3-A277-M81	Procedures for Certification of Factory-Built Houses	2.1.1.4.(2)
CSA	CAN3-A371-M84	Masonry Construction for Buildings	9.20.15.2.
CSA	CAN/CSA A405-M87	Design and Construction of Masonry Fireplaces	9.21.3.5. 9.22.5.2.(2)
CSA	CAN3-A438-M84	Concrete Construction for Housing and Small Buildings	9.3.1.1.
Column 1	2	3	4

**Table 2.6.3.A. — Continued**  
Forming Part of Article 2.6.3.2.

<b>DOCUMENTS REFERENCED IN THE ONTARIO BUILDING CODE</b>			
<b>Issuing Agency</b>	<b>Document Number</b>	<b>Title of Document</b>	<b>Code Reference</b>
CSA	CAN3-A440-M84	Windows	3.6.2.2.(3) 9.7.2.1. 9.7.6.1.
CSA	CAN3-B44-M1985	Safety Code for Elevators, Dumbwaiters, Escalators, Moving Walks and Freight Platform Lifts	3.3.3.10. 3.7.3.5.(1) Table 4.1.10.A.
CSA	B52-M1983	Mechanical Refrigeration Code	6.2.2.4.(4)
CSA	B111-1974	Wire Nails, Spikes and Staples	9.23.3.1. 9.26.2.2.(1) 9.29.5.6.
CSA	CAN/CSA-B182.1-M87	Plastic Drain and Sewer Pipe and Pipe Fittings	9.14.3.1.(1)
CSA	CAN/CSA-B355-M86	Elevating Devices for the Handicapped	3.7.3.5.(2)
CSA	CAN/CSA B365-M87	Installation Code for Solid-Fuel Burning Appliances and Equipment	6.2.1.4.(1) 9.21.1.3.(2) 9.22.10.1.(1) 9.33.1.2.
CSA	B366.1-M1981	Solid Fuel Fired Appliances for Residential Use	6.2.1.4.(2)
CSA	CAN3-C22.2 No.0.3-M85	Test Methods for Electrical Wires and Cables	3.1.4.3.(1) 3.1.5.17. 3.1.5.19. 3.5.4.3.(1)
CSA	CAN3 C88-M79	Power Transformers and Reactors	3.5.2.9.(10)
CSA	C22.2 No.113-M1984	Fans and Ventilators	9.32.3.3.(2)
CSA	C22.2 No.141-M1985	Unit Equipment for Emergency Lighting	3.2.7.4.(2) 9.9.11.3:(6)
CSA	CAN/CSA-C282-M89	Emergency Electrical Power Supply for Buildings	3.2.7.5.
CSA	CAN/CSA-G40.21-M87	Structural Quality Steels	4.2.3.8. 9.23.4.2.(2)
CSA	CAN3-G401-M81	Corrugated Steel Pipe Products	9.14.3.1.(1)
CSA	CAN/CSA-O80-M89	Wood Preservation	3.1.4.4.(1) 4.2.3.2.(1)
CSA	CAN/CSA-O80.1-M89	Preservative Treatment of All Timber Products by Pressure Processes	9.3.2.9.(1)
CSA	CAN/CSA-O80.2-M89	Preservative Treatment of Lumber, Timber, Bridge Ties and Mine Ties by Pressure Processes	4.2.3.2.(1) 9.3.2.9.(1)
CSA	CAN/CSA-O80.3-M89	Preservative Treatment of Piles by Pressure Processes	4.2.3.2.(1)
CSA	CAN/CSA-O80.9-M89	Preservative Treatment of Plywood by Pressure Processes	9.3.2.9.(1)
CSA	CAN/CSA-O80.15-M89	Preservative Treatment of Wood for Building Foundation Systems, Basements and Crawl Spaces by Pressure Processes	4.2.3.2.(1) 9.3.2.9.(1)
CSA	CAN3-O86-M84	Engineering Design in Wood	4.3.1.1.
CSA	CAN/CSA-O86.1-M84	Engineering Design in Wood - Limit States Design	4.3.1.1. Table 4.1.9.B.
CSA	O115-M1982	Hardwood and Decorative Plywood	9.27.9.1. 9.30.2.2.(1)
CSA	O118.1-M88	Western Red Cedar Shingles and Shakes	9.26.2.1.(1) 9.27.7.1.
Column 1	2	3	4

**Table 2.6.3.A. — Continued**  
Forming Part of Article 2.6.3.2.

<b>DOCUMENTS REFERENCED IN THE ONTARIO BUILDING CODE</b>			
<b>Issuing Agency</b>	<b>Document Number</b>	<b>Title of Document</b>	<b>Code Reference</b>
CSA	O121-M1978	Douglas Fir Plywood	9.23.14.2.(1) 9.23.15.1.(1) Table 9.23.16.A. 9.27.9.1. 9.30.2.2.(1)
CSA	CAN/CSA-O122-M89	Structural Glued-Laminated Timber	9.23.4.3.(2) Table 9.23.4.B.
CSA	O132.2-M1977	Wood Doors	9.6.4.1.(1)
CSA	O141-1970	Softwood Lumber	3.1.4.6.(2) 9.3.2.6.
CSA	O151-M1978	Canadian Softwood Plywood	9.23.14.2.(1) 9.23.15.1.(1) Table 9.23.16.A. 9.27.9.1. 9.30.2.2.(1)
CSA	O153-M1980	Poplar Plywood	9.23.14.2.(1) 9.23.15.1.(1) Table 9.23.16.A. 9.27.9.1. 9.30.2.2.(1)
CSA	CAN/CSA-O177-M89	Qualification Code for Manufacturers of Structural Glued-Laminated Timber	4.3.1.2.
CSA	CAN3-O188.1-M78	Interior Mat-Formed Wood Particleboard	9.23.14.2.(3) 9.29.9.1.(1) 9.30.2.2.(1)
CSA	CAN/CSA-O325.0-88	Construction Sheathing	Table 9.23.14.B. 9.23.14.2.(1) 9.23.15.1.(1) Table 9.23.15.B. Table 9.23.16.B.
CSA	CAN3-O437.0-M85	Waferboard and Strandboard	9.23.14.2.(1) 9.23.15.1.(1) 9.23.15.2.(2) Table 9.23.16.A. 9.27.11.1. 9.29.9.1.(2) 9.30.2.2.(2)
CSA	CAN/CSA-S16.1-M89	Limit States Design of Steel Structures	Table 4.1.9.B. 4.3.4.1.
CSA	CAN3S37-M1981	Antennas, Towers and Antenna Supporting Structures	4.1.1.4.(2)
CSA	CAN/CSA-S136-M89	Cold Formed Steel Structural Members	4.3.4.2.
CSA	CAN3-S157-M83	Strength Design in Aluminum	4.3.5.1.
CSA	S269.1-1975	Falsework for Construction Purposes	4.1.1.3.(3)
CSA	CAN3-S304-M84	Masonry Design for Buildings	Table 4.1.9.B. 4.1.9.3.(6) 4.3.2.1.
CSA	S307-M1980	Load Test Procedure for Wood Roof Trusses for Houses and Small Buildings	9.23.13.11.(9)
CSA	CAN3-S367-M81	Air Supported Structures	4.4.1.1.
CSA	CAN3-S406-M83	Construction of Preserved Wood Foundations	9.15.1.3.(3)
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**Table 2.6.3.A. – Continued**  
Forming Part of Article 2.6.3.2.

DOCUMENTS REFERENCED IN THE ONTARIO BUILDING CODE			
Issuing Agency	Document Number	Title of Document	Code Reference
CSA	CAN/CSA-S413-M87	Parking Structures	4.4.2.1.
CSA	Z32.1-M1986	Safety in Anaesthetizing Locations	3.6.5.1.
CSA	CAN/CSA-Z32.4-M86	Essential Electrical Systems for Hospitals	3.2.7.6.
CSA	Z91-M1980	Safety Code for Window Cleaning Operations	4.1.10.7.(2)
CSA	Z240.2.1-1979	Structural Requirements for Mobile Homes	2.1.1.4. 9.7.2.1.(2)
CSA	Z240.8.1.-1978	Light Duty Windows	2.1.1.4.(2) 9.7.2.1.(2)
CSA	Z305.1-M1984	Non-Flammable Medical Gas Piping Systems	3.6.5.2.
FINA	1984	Rules and Laws Governing Swimming, Diving, Water Polo and Synchronized Swimming	3.11.4.1.(17)
NFPA	13-1989	Installation of Sprinkler Systems	3.2.4.16.(2) 3.2.5.13.(1) 3.2.5.13.(4) 3.2.8.4.(7) 3.3.2.13.(3)
NFPA	71-1987	Installation, Maintenance and Use of Central Station Signalling Systems	3.2.4.7.(3)
NFPA	72D-1986	Installation, Maintenance and Use of Proprietary Protective Signalling Systems	3.2.4.7.(3)
NFPA	80-1986	Fire Doors and Windows	3.1.8.5.(2) 3.1.8.10.(2) 3.1.8.12.(2) 3.1.8.12.(3) 3.1.8.14.(1) 9.10.13.1. 9.10.13.2.(3)
NFPA	82-1983	Incinerators, Waste and Linen Handling Systems and Equipment	6.2.6.1. 9.10.10.5.(2)
NFPA	96-1987	Installation of Equipment for the Removal of Smoke and Grease-Laden Vapours from Commercial Cooking Equipment	6.2.2.6.
NFPA	211-1988	Standard for Chimneys, Fireplaces, Vents and Solid Fuel-Burning Appliances	6.3.1.2. 6.3.1.3.
NFPA	214-1988	Water-Cooling Towers	6.2.3.15.(4)
NLGA	1987	Standard Grading Rules for Canadian Lumber	9.3.2.1. Table 9.3.2.A.
ULC	C199P-M1988	Guide for the Investigation of Combustible Piping for Sprinkler Systems	3.2.5.14.(2)
ULC	CAN4-S101-M82	Standard Methods of Fire Endurance Tests of Building Construction and Materials	3.1.5.11.(3) 3.1.5.11.(4) 3.1.5.11.(6) 3.1.7.1.(1) 3.1.11.7.(1) 3.2.3.7.(3) 3.2.6.9.(6) 3.2.6.14.(3)
ULC	CAN/ULC-S102-M88	Standard Method of Test for Surface Burning Characteristics of Building Materials and Assemblies	3.1.12.1.(1)
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**Table 2.6.3.A. – Continued**  
Forming Part of Article 2.6.3.2.

<b>DOCUMENTS REFERENCED IN THE ONTARIO BUILDING CODE</b>			
<b>Issuing Agency</b>	<b>Document Number</b>	<b>Title of Document</b>	<b>Code Reference</b>
ULC	CAN/ULC-S102.2-M88	Standard Method of Test for Surface Burning Characteristics of Flooring, Floor Covering, and Miscellaneous Materials and Assemblies	3.1.12.1.(2) 3.1.13.4.(1)
ULC	S102.3-M1982	Standard Method of Fire Test of Light Diffusers and Lenses	3.1.13.4.(1)
ULC	CAN4-S104-M80	Standard Method of Fire Tests of Door Assemblies	3.1.8.4.(1) 3.2.6.9.(3)
ULC	CAN4-S105-M85	Standard Specification for Fire Door Frames Meeting the Performance Required by CAN4-S104	9.10.13.6.
ULC	CAN4-S106-M80	Standard Method for Fire Tests of Window and Glass Block Assemblies	3.1.8.4.(1)
ULC	CAN/ULC-S107-M87	Standard Method of Fire Tests of Roof Coverings	3.1.15.1.
ULC	CAN/ULC-S109-M87	Standard for Flame Tests of Flame-Resistant Fabrics and Films	3.1.6.5. 6.2.3.4. 6.2.3.5.
ULC	CAN/ULC-S110-M1986	Standard for Air Ducts	6.2.3.2.(2) 6.2.3.2.(4)
ULC	CAN4-S111-M80	Standard Method of Fire Tests for Air Filter Units	6.2.3.14.(1)
ULC	CAN4-S112-M82	Standard Method of Fire Test of Fire-Damper Assemblies	3.1.8.4.(1)
ULC	CAN4-S112.2-M84	Standard Method of Fire Test of Ceiling Firestop Flap Assemblies	3.1.9.5.(2) 3.5.4.3.(2) 9.10.13.14.
ULC	CAN4-S113-79	Standard Specification for Wood Core Doors Meeting the Performance Required by CAN4-S104-77 for Twenty Minute Fire Rated Closure Assemblies	9.10.13.2.(1)
ULC	CAN4-S114-M80	Standard Method of Test for Determination of Non-Combustibility in Building Materials	1.3.2.
ULC	CAN4-S115-M85	Standard Method of Fire Tests for Firestop Systems	3.1.9.1.(1) 3.1.9.1.(2) 3.1.9.4.(4) 9.10.9.7.(3)
ULC	CAN4-S124-M85	Standard Method of Test for the Evaluation of Protective Coverings for Foamed Plastic	3.1.5.11.(2)
ULC	CAN/ULC S126-M86	Standard Method of Test for Fire Spread Under Roof-Deck Assemblies	3.1.14.1.(1) 3.1.14.2.(1)
ULC	S505-1974	Standard for Fusible Links for Fire Protection Service	3.1.8.9.(2)
ULC	S513-78	Standard for Threaded Couplings for 38 mm and 65 mm Fire Hose	3.2.9.2.(11)
ULC	CAN/ULC-S524-M86	Standard for the Installation of Fire Alarm Systems	3.2.4.5.(1)
ULC	CAN/ULC-S531-M87	Standard for Smoke Alarms	3.2.4.21.(1) 9.10.18.1.
ULC	CAN/ULC-S537-M86	Standard for the Verification of Fire Alarm Systems	3.2.4.5.(2)
ULC	S543-M1983	Standard for Internal Lug Quick Connect Couplings for Fire Hoses	3.2.9.2.(11)
ULC	CAN/ULC-S610-M87	Standard for Factory-Built Fireplaces	9.22.8.1.
ULC	CAN/ULC-S629-M87	Standard for 650°C Factory-Built Chimneys	9.21.1.2.
ULC	CAN/ULC-S639-M87	Standard for Steel Liner Assemblies for Solid Fuel-Burning Masonry Fireplaces	9.22.2.3.
Column 1	2	3	4

Table 2.6.3.A. — Continued  
Forming Part of Article 2.6.3.2.

DOCUMENTS REFERENCED IN THE ONTARIO BUILDING CODE			
Issuing Agency	Document Number	Title of Document	Code Reference
DBR	Technical Paper No. 194	Fire Endurance of Protected Steel Columns and Beams	11.2.3.1.
DBR	Technical Paper No. 207	Fire Endurance of Unit Masonry Miscellaneous Assemblies	11.2.3.1.
DBR	Technical Paper No. 222	Fire Endurance of Light Framed and Miscellaneous Assemblies	11.2.3.1.
HUD	Rehabilitation Guidelines No. 8-1980	Guideline on Fire Ratings of Archaic Materials and Assemblies	11.2.3.1.
Column 1	2	3	4

#### 2.6.4. Alternate Test Standards

2.6.4.1. The results of tests based on test standards other than as described in this Code may be used if the alternate test standards provide comparable results.

## Part 3

### Use and Occupancy

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3.1.3.	Multiple Occupancy Requirements
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3.1.5.	Noncombustible Construction
3.1.6.	Tents, Air-Supported Structures and Temporary Structures
3.1.7.	Fire-Resistance Ratings
3.1.8.	Fire Separations and Closures
3.1.9.	Building Services in Fire Separations and Fire Rated Assemblies
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3.8.5.	Location Restrictions
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3.11.2.	Designations of Public Pools
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**Table 3.1.2.A.**  
Forming Part of Sentence 3.1.2.1.(1)—Continued

Group	Division	Description of Major Occupancies
F	2	Medium hazard industrial occupancies
F	3	Low hazard industrial occupancies
Column 1	2	3

(2) A building intended for use by more than one major occupancy, shall be classified according to all major occupancies for which it is used or intended to be used.

**3.1.2.2. Occupancies of Same Classification.** Any building may be deemed to be occupied by a single major occupancy, notwithstanding its use for more than 1 major occupancy, provided that such occupancies are classified as belonging to the same Group classification or, where the Group is divided into Divisions, as belonging to the same Division classification in Table 3.1.2.A.

**3.1.2.3. Arena Type Buildings.** An arena type building intended for occasional use for trade shows and similar exhibition purposes shall be classified as Group A, Division 3 occupancy and, when the building area of such building is more than 1 500 m<sup>2</sup>, the building shall be sprinklered.

**3.1.2.4. Police Stations.** Police stations with detention quarters are permitted to be classified as Group B, Division 2 major occupancies provided such stations are not more than 1 storey in building height and 600 m<sup>2</sup> in building area.

**3.1.2.5. Convalescent and Children's Custodial Homes.** Convalescent homes and children's custodial homes are permitted to be classified as Group C major occupancies provided that occupants are ambulatory and live as a single housekeeping unit in a dwelling unit with sleeping accommodation for not more than 10 persons.

**3.1.2.6. Restaurants.** A restaurant is permitted to be classified as a Group E major occupancy provided such restaurant is designed to accommodate not more than 30 persons consuming food or drink.

### 3.1.3. Multiple Occupancy Requirements

#### 3.1.3.1. Buildings with Multiple Occupancies

(1) The requirements restricting fire spread and collapse for a building of a single major occupancy classification are provided in Subsection 3.2.2. according to building height and building area.

(2) Where a building contains more than one major occupancy (classified in more than one Group or Division), the requirements of Subsection 3.2.2. concerning building size and construction relative to occupancy, shall be applied according to Articles 3.1.3.2. to 3.1.3.5.

(3) Where an existing building contains more than one major occupancy, the requirements of Subsection 11.4.2. for the classification of multiple occupancy buildings shall be applied according to Articles 3.1.3.2. to 3.1.3.5.

**3.1.3.2. Applicable Building Height and Area.** In determining the fire safety requirements of a building in relation to each of the major occupancies contained therein, the building height and building area of the entire building shall be used.

**3.1.3.3. Construction Requirements.** Except as provided in Articles 3.1.3.4. and 3.1.3.5., in any building containing more than 1 major occupancy, the requirements of Subsection 3.2.2. for the most restricted major occupancy contained shall apply to the whole building.

#### 3.1.3.4. Superimposed Major Occupancies

(1) Except as permitted in Article 3.1.3.5., in any building in

## Part 3 Use and Occupancy

### Section 3.1 General

#### 3.1.1. Scope

**3.1.1.1. Scope.** The scope of this Part shall be as described in Section 2.1.

**3.1.1.2.** Reserved.

**3.1.1.3.** Reserved.

#### 3.1.2. Classification of Buildings or Parts of Buildings by Major Occupancy

##### 3.1.2.1. Classification of Buildings

(1) Except as provided in Articles 3.1.2.3. to 3.1.2.6., every building or part thereof shall be classified according to its major occupancy as belonging to one of the Groups or Divisions described in Table 3.1.2.A.

**Table 3.1.2.A.**  
Forming Part of Sentence 3.1.2.1.(1)

Group	Division	Description of Major Occupancies
A	1	Assembly occupancies intended for the production and viewing of the performing arts
A	2	Assembly occupancies not elsewhere classified in Group A
A	3	Assembly occupancies of the arena type
A	4	Assembly occupancies in which provision is made for the congregation or gathering of persons for the purpose of participating in or viewing open air activities
B	1	Institutional occupancies in which persons are under restraint or are incapable of self preservation because of security measures not under their control
B	2	Institutional occupancies in which persons require supervisory care, medical care or treatment
C	—	Residential occupancies
D	—	Business and personal services occupancies
E	—	Mercantile occupancies
F	1	High hazard industrial occupancies
Column 1	2	3

which one *major occupancy* is located entirely above another *major occupancy*, the requirements in Subsection 3.2.2. for each portion of the *building* containing a *major occupancy* shall apply to that portion as if the entire *building* was of that *major occupancy*.

(2) Where one *major occupancy* is located above another, the *fire-resistance rating* of the floor assembly between such *major occupancies* shall be determined on the basis of the requirements in Subsection 3.2.2. for the lower *major occupancy*.

### 3.1.3.5. Exceptions for Major Occupancies

(1) In a *building* where the aggregate area of all *major occupancies* in a particular Group or Division is not more than 10 per cent of the *floor area* of the *storey* on which they are located, these

*major occupancies* need not be considered as *major occupancies* for the purposes of Subsection 3.2.2. provided they are not classified as Group F, Division 1 or 2 *occupancies*.

(2) A helicopter landing area on the roof of a *building* need not be considered a *major occupancy* for purposes of Subsection 3.2.2. where such landing area is not more than 10 per cent of the area of the roof.

### 3.1.3.6. Separation of Major Occupancies

(1) Except as provided in Sentences (2) and (3), *major occupancies* shall be separated from adjoining *major occupancies* by *fire separations* having *fire-resistance ratings* conforming to Table 3.1.3.A.

**Table 3.1.3.A.**  
Forming Part of Sentence 3.1.3.6.(1)

Major Occupancy	Minimum Fire-Resistance Rating of Fire Separation, h <sup>(1)</sup>											
	Adjoining Major Occupancy											
	A-1	A-2	A-3	A-4	B-1	B-2	C	D	E	F-1	F-2	F-3
A-1	—	1	1	1	2	2	1	1	2	(2)	2	1
A-2	1	—	1	1	2	2	1	1	2	(2)	2	1
A-3	1	1	—	1	2	2	1	1	2	(2)	2	1
A-4	1	1	1	—	2	2	1	1	2	(2)	2	1
B-1	2	2	2	2	—	2	2	2	2	(2)	2	2
B-2	2	2	2	2	2	—	2	2	2	(2)	2	2
C	1	1	1	1	2	2	—	1	2 <sup>(3)</sup>	(2)	2 <sup>(4)</sup>	1
D	1	1	1	1	2	2	1	—	—	3	—	—
E	2	2	2	2	2	2	2 <sup>(3)</sup>	—	—	3	—	—
F-1	(2)	(2)	(2)	(2)	(2)	(2)	(2)	3	3	—	2	2
F-2	2	2	2	2	2	2	2 <sup>(4)</sup>	—	—	2	—	—
F-3	1	1	1	1	2	2	1	—	—	2	—	—
Column 1	2	3	4	5	6	7	8	9	10	11	12	13

#### Notes to Table 3.1.3.A.:

- (1) Section 3.3 contains requirements for the separation of occupancies and tenancies that are in addition to the requirements for the separation of *major occupancies*.  
 (2) See Sentence 3.1.3.7.(1).  
 (3) See Sentence 3.1.3.6.(2).  
 (4) See Sentence 3.1.3.7.(2).

(2) Where not more than 2 *dwelling units* are contained in a *building* with a Group E *major occupancy* not more than 3 *storeys* in *building height*, the *fire-resistance rating* of the *fire separation* between the 2 *major occupancies* need not be more than 1 h.

(3) The *fire separations* required between *major occupancies* in Sentence (1) are permitted to be penetrated by floor openings protected in conformance with Subsection 3.2.8., except for *fire separations* for Group F, Division 1 *major occupancies* and for *mezzanines* described in Sentence 3.2.8.2.(1).

### 3.1.3.7. Prohibition of Occupancy Combinations

(1) No *major occupancy* of Group F, Division 1 shall be contained within a *building* with any *occupancy* classified as Group A, B or C.

(2) Except as provided in Sentence 3.10.2.4.(9), not more than one *suite* of *residential occupancy* shall be contained within a *building* classified as a Group F, Division 2 *major occupancy*.

(3) A sleeping room or sleeping area shall not open directly into a room or area where food is intended to be stored, prepared, processed, distributed, served, sold or offered for sale.

### 3.1.4. Combustible Construction

**3.1.4.1. Combustible Materials Permitted.** Where a *building* is permitted to be of *combustible construction*, it is permitted to be constructed of *combustible* materials described in Part 9, with or without *noncombustible* components.

**3.1.4.2. Protection of Foamed Plastics.** Foamed plastics which form part of a wall or ceiling assembly in *combustible construction* shall be protected from adjacent spaces in the *building*, other than adjacent concealed spaces within *attic* or *roof spaces*, crawl spaces, and wall assemblies, by

- (a) one of the interior finishes described in Subsections 9.29.4. to 9.29.9.,  
 (b) sheet metal mechanically fastened to the supporting assembly independent of the insulation, not less than 0.38 mm thick and with a melting point not below 650°C provided the *building* does not contain a Group B or Group C *major occupancy*, or  
 (c) any thermal barrier that meets the requirements of Sentence 3.1.5.11.(2).



## 3.1.4.3. Electrical Wires and Cables

(1) Electrical wires and cables installed in *buildings* permitted to be of *combustible construction* shall

- (a) not convey flame or continue to burn for more than 1 min when tested in conformance with the Vertical Flame Test in Clause 4.11.1. of CSA C22.2 No. 0.3, "Test Methods for Electrical Wires and Cables" (FT1 Rating), or comply with the test requirements in Clause 3.1.5.17.(1)(a), (FT4 Rating), or in Subclause 3.5.4.3.(1)(a)(ii), (FT6 Rating), or
- (b) be located in
  - (i) totally enclosed *noncombustible* raceways,
  - (ii) concealed spaces in walls, or
  - (iii) concrete slabs.

(2) Service-entrance cables for communication and community antennae distribution systems need not conform to Sentence (1) provided

- (a) the service-entrance cables are located in a *building* permitted to be of *combustible construction* and are not more than 3 m in length from the point of entry into the *building* or from the point of leaving protection as required in Clause (1)(b), or
- (b) provided the service entrance cables enter into an electrical or telephone *service room* separated from the remainder of

the *building* by a *fire separation* having a *fire-resistance rating* of not less than 1 h.

3.1.4.4. **Fire-Retardant Treated Wood.** Where *fire-retardant treated wood* is specified in this Part, such wood shall

- (a) be pressure impregnated with fire-retardant chemicals in conformance with CAN/CSA-080-M, "Wood Preservation", and
- (b) have a *flame-spread rating* of not more than 25.

3.1.4.5. **Heavy Timber Construction Alternative.** Where *combustible construction* is permitted and is required to have a *fire-resistance rating* of not more than 45 min, *heavy timber construction* is permitted to be used provided the construction conforms to Article 3.1.4.6.

## 3.1.4.6. Heavy Timber Construction

(1) Wood elements in *heavy timber construction* shall be arranged in heavy solid masses and with essentially smooth flat surfaces to avoid thin sections and sharp projections.

(2) The actual dimensions of solid-sawn lumber used in *heavy timber construction* in this Article shall conform to CSA 0141, "Softwood Lumber."

(3) Except as provided in Sentences (4) to (6), the minimum dimensions of wood elements in *heavy timber construction* shall conform to Table 3.1.4.A.

**Table 3.1.4.A.**  
Forming Part of Sentence 3.1.4.6.(3)

Supported Assembly	Structural Element	Solid Sawn (width × depth), mm × mm	Glued-Laminated (width × depth), mm × mm	Round (diam), mm
Roofs only	Columns	140 × 191	130 × 190	180
	Arches supported on the tops of walls or abutments	89 × 140	80 × 152	—
	Beams, girders and trusses	89 × 140	80 × 152	—
	Arches supported at or near the floor line	140 × 140	130 × 152	—
Floors, floors plus roofs	Columns	191 × 191	175 × 190	200
	Beams, girders, trusses and arches	140 × 241	130 × 228	—
		191 × 191	175 × 190	—
Column 1	2	3	4	5

(4) Roof arches supported on the tops of walls or abutments, roof trusses, roof beams and roof girders shall be spliced where necessary with splice plates not less than 64 mm thick and be

- (a) not less than 64 mm thick where 2 or more spaced members are used for the construction, with intervening spaces blocked solidly throughout or tightly closed by a continuous wood cover plate not less than 38 mm thick secured to the underside of the members, or
- (b) not less than 64 mm thick when protected by automatic sprinklers under the roof deck.

(5) Floors shall be of glued-laminated or solid-sawn plank not less

than 64 mm thick, splined or tongued and grooved, or not less than 38 mm wide and 89 mm deep set on edge and well-spiked together

- (a) laid so that no continuous line of end joints will occur except at points of support, and covered with tongued and grooved flooring not less than 19 mm thick laid cross-wise or diagonally, or tongued and grooved phenolic-bonded plywood, strandboard or waferboard not less than 12.5 mm thick, and
- (b) laid not closer than 15 mm to the walls to provide for expansion, and the gap covered at the top or bottom.

(6) Roofs shall be of tongued and grooved phenolic-bonded ply-

wood not less than 28 mm thick, or glued-laminated or solid-sawn plank that is

- (a) not less than 38 mm thick, splined or tongued and grooved, or
- (b) not less than 38 mm wide and 64 mm deep set on edge and laid so that no continuous line of end joints will occur except at the points of support.

(7) Wood columns shall be continuous or superimposed throughout all storeys.

(8) Superimposed wood columns shall be connected by

- (a) reinforced concrete or metal caps with brackets,
- (b) steel or iron caps with pintles and base plates, or
- (c) timber splice plates fastened to the columns by metal connectors housed within the contact faces.

(9) Where beams and girders enter masonry, wall plates, boxes of the self-releasing type or hangers shall be used.

(10) Wood girders and beams shall be closely fitted around columns, and adjoining ends shall be connected by ties or caps to transfer horizontal loads across the joints.

(11) Intermediate wood beams used to support a floor shall be supported on top of the girders or on metal hangers into which the ends of the beams are closely fitted.

### 3.1.5. Noncombustible Construction

**3.1.5.1. Noncombustible Materials.** Except as permitted in Articles 3.1.5.2. to 3.1.5.21, 3.1.13.4. and 3.2.2.13., where a building or part of a building is required to be of *noncombustible construction*, the construction shall be made from *noncombustible materials*.

**3.1.5.2. Minor Noncombustible Components.** The following minor *combustible* components are permitted in a building required to be of *noncombustible construction*:

- (a) paint,
- (b) tightly adhering paper covering not more than 1 mm thick applied to a *noncombustible* backing provided the assembly has a *flame-spread rating* of 25 or less,
- (c) mastics and caulking materials applied to provide flexible seals between the major components of exterior wall construction,
- (d) fire stop materials conforming to Sentence 3.1.9.1.(1) and Article 3.1.11.7.,
- (e) tubing for pneumatic controls provided it has an outside diameter not more than 10 mm,
- (f) adhesives, vapour barriers and sheathing papers,
- (g) electrical outlet and junction boxes, and
- (h) similar minor components.

### 3.1.5.3. Combustible Roofing Materials

(1) *Combustible* roof covering which has an A, B or C classification determined in conformance with Subsection 3.1.15. is permitted on a building required to be of *noncombustible construction*.

(2) *Combustible* roof sheathing and roof sheathing supports installed above a concrete deck are permitted on a building required to be of *noncombustible construction* provided

- (a) the concrete deck is not less than 50 mm thick,
- (b) the height of the roof space above the deck is not more than 1 m,
- (c) the roof space is divided into compartments by fire stops in conformance with Article 3.1.11.5.,
- (d) openings through the concrete deck other than for *noncombustible* roof drains and plumbing piping are protected by masonry or concrete shafts constructed as *fire separations* having a *fire-resistance rating* of not less than 1 h and extending from the concrete deck to not less than 150 mm above the adjacent roof sheathing,
- (e) the perimeter of the roof is protected by a *noncombustible* parapet extending from the concrete deck to not less than 150 mm above the adjacent sheathing, and
- (f) except as permitted in Clause (d), the roof space does not contain any *building services*.

(3) *Combustible* cant strips, roof curbs, nailing strips and similar components used in the installation of roofing are permitted on a building required to be of *noncombustible construction*.

(4) Wood nailer facings to parapets, not more than 600 mm high, are permitted on a building required to be of *noncombustible construction*, if the facings and any roof membranes covering the facings are protected by sheet metal.

### 3.1.5.4. Combustible Glazing and Skylights

(1) *Combustible* skylight assemblies are permitted in a building required to be of *noncombustible construction* provided the assemblies have a *flame-spread rating* of not more than

- (a) 150 where the assemblies have an individual area not more than 9 m<sup>2</sup> and an aggregate horizontal projected area of the openings through the ceiling not more than 25 per cent of the area of the ceiling of the room or space in which they are located and are spaced not less than 2.5 m from adjacent assemblies and 1.2 m from required *fire separations*, or
- (b) 75 where the assemblies have an individual area not more than 27 m<sup>2</sup> and an aggregate horizontal projected area of the openings through the ceiling not more than 33 per cent of the area of the ceiling of the room or space in which they are located and are spaced not less than 1.2 m from adjacent assemblies and from required *fire separations*.

(2) *Combustible* vertical glazing installed no higher than the second storey is permitted in a building required to be of *noncombustible construction* provided the glazing has a *flame-spread rating* of not more than 75, except that the *flame-spread rating* is permitted to be not more than 150 where the aggregate area of the glazing is not more than 25 per cent of the wall area of the storey in which it is located, and

- (a) the glazing is installed in a building of 1 storey in building height, or
- (b) the glazing in the first storey is separated from the glazing in the second storey by apron walls, spandrel walls or canopies conforming to Article 3.2.3.17.

(3) *Combustible* window sash and frames are permitted in a building required to be of *noncombustible construction* provided

- (a) each window in an exterior wall face is an individual unit separated by *noncombustible* wall construction from every other opening in the wall,
- (b) windows in exterior walls in contiguous storeys are sepa-

rated by not less than 1 m of *noncombustible construction*, and

- (c) the aggregate area of openings in an exterior wall face of a *fire compartment* is not more than 40 per cent of the area of the wall face.

### 3.1.5.5. Combustible Cladding

(1) Except when *noncombustible* cladding is required by Subsection 3.2.3., an exterior *non-loadbearing* wall assembly that includes *combustible* cladding components is permitted to be used in a *building* required to be of *noncombustible construction* that is not more than 3 *storeys* in *building height*, if not *sprinklered*, and not more than 6 *storeys* in *building height*, if *sprinklered*, provided the interior surfaces of the wall assembly are protected by a thermal barrier conforming to Sentence 3.1.5.11.(3) and the wall assembly satisfies the criteria of Sentences (5) and (6) when subjected to testing in conformance with Sentences (2) to (4).

(2) The fire testing required by Sentence (1) shall be conducted on a wall assembly that

- (a) is not less than 5 m wide and not less than 10 m high with an opening  $2.5 \pm 0.1$  m wide by  $1.4 \pm 0.1$  m high, located in the middle of the assembly not more than 3 m above the lowest edge,
- (b) is representative of the exterior wall construction, except for the interior finish, and
- (c) incorporates horizontal and vertical joints not more than 3 m vertically above the opening.

(3) The wall assembly shall be exposed on its exterior face to a flame issuing from the opening that, on a *noncombustible* wall having a density of not less than  $700 \text{ kg/m}^3$  to a depth of 12 mm from the exposed surface, generates an average heat flux between

- (a) 42 and  $48 \text{ kW/m}^2$  measured 0.5 m above the opening, and
- (b) 25 and  $29 \text{ kW/m}^2$  measured 1.5 m above the opening.

(4) The duration of exposure to the flame specified in Sentence (3) shall be not less than 15 min following a 5 min gradual heat flux increase and preceding a 5 min gradual cooldown period after the flame exposure.

(5) Flaming on or in the wall assembly shall not spread more than 5 m above the opening during or following the flame exposure of 25 min.

(6) The heat flux during the flame exposure on a wall assembly shall be not more than  $35 \text{ kW/m}^2$  measured 3.5 m above the opening.

(7) A wall assembly permitted by Sentence (1) that includes *combustible* cladding of *fire-retardant treated wood* shall be tested for fire exposure after the cladding has been subjected to an accelerated weathering test as specified in ASTM D2898, "Test Method for Accelerated Weathering of Fire-Retardant-Treated Wood for Fire Testing."

(8) Wood decorative cladding is permitted to be used on exterior canopy fascias of a *building* required to be of *noncombustible construction* provided it is *fire-retardant treated wood* that has been, before testing, conditioned in conformance with ASTM D2898, "Test Method for Accelerated Weathering of Fire-Retardant-Treated Wood for Fire Testing", and the canopy is

- (a) a first floor canopy, or
- (b) not more than 6 m above ground level.

**3.1.5.6. Nailing Elements.** Wood nailing elements attached directly to or set into a continuous *noncombustible* backing for the attaching

of interior finishes, are permitted in a *building* required to be of *noncombustible construction* provided the concealed space created by the wood elements is not more than 50 mm thick.

**3.1.5.7. Combustible Millwork.** *Combustible* millwork including interior trim, doors and door frames, show windows together with their frames, aprons and backing, handrails, shelves, cabinets and counters are permitted in a *building* required to be of *noncombustible construction*.

### 3.1.5.8. Combustible Flooring Elements

(1) *Combustible stage* flooring supported on *noncombustible* structural members is permitted in a *building* required to be of *noncombustible construction*.

(2) Wood members more than 50 mm but not more than 300 mm high applied directly to or set into a *noncombustible* floor slab are permitted for the support of finished flooring in a *building* required to be of *noncombustible construction* provided the concealed spaces are fire stopped in conformance with Sentence 3.1.11.3.(2).

(3) *Combustible* finished flooring is permitted in a *building* required to be of *noncombustible construction*.

**3.1.5.9. Combustible Stairs in Dwelling Units.** *Combustible* stairs are permitted in a *dwelling unit* in a *building* required to be of *noncombustible construction*.

### 3.1.5.10. Combustible Interior Finish

(1) *Combustible* interior finish including paint, wallpaper and other interior finishes not more than 1 mm thick are permitted in a *building* required to be of *noncombustible construction*.

(2) *Combustible* interior wall finishes, other than foamed plastics, are permitted in a *building* required to be of *noncombustible construction* provided they

- (a) are not more than 25 mm thick, and
- (b) have a *flame-spread rating* of not more than 150 on any exposed surface, or any surface that would be exposed by cutting through the material in any direction.

(3) *Combustible* interior ceiling finishes, other than foamed plastics, are permitted in a *building* required to be of *noncombustible construction* provided they

- (a) are not more than 25 mm thick, except for exposed *fire-retardant treated wood* battens, and
- (b) have a *flame-spread rating* of not more than 25 on any exposed surface or on any surface that would be exposed by cutting through the material in any direction or are of *fire-retardant treated wood*, except that not more than 10 per cent of the ceiling area within each *fire compartment* is permitted to have a *flame-spread rating* of not more than 150.

### 3.1.5.11. Combustible Insulation and its Protection

(1) *Combustible* insulation, other than foamed plastics, is permitted in a *building* required to be of *noncombustible construction* provided that it has a *flame-spread rating* of not more than 25 on any exposed surface or any surface that would be exposed by cutting through the material in any direction, where the insulation is not protected as described in Sentences (2) to (4).

(2) Foamed plastic insulation having a *flame-spread rating* of not more than 25 on any exposed surface or any surface that would be exposed by cutting through the material in any direction, is permitted in a *building* required to be of *noncombustible construction* provided the insulation is protected from adjacent space in the *building*,

other than adjacent concealed spaces within *attic or roof spaces*, crawl spaces, and wall assemblies, by a thermal barrier consisting of

- (a) not less than 12.7 mm thick gypsum board mechanically fastened to a supporting assembly independent of the insulation,
- (b) lath and plaster, mechanically fastened to a supporting assembly independent of the insulation,
- (c) masonry,
- (d) concrete, or
- (e) any thermal barrier that meets the requirements of classification B when tested in conformance with CAN4-S124-M, "Standard Method of Test for the Evaluation of Protective Coverings for Foamed Plastic".

(3) *Combustible* insulation having a *flame-spread rating* of more than 25 but not more than 500 on any exposed surface or any surface that would be exposed by cutting through the material in any direction, is permitted in the exterior walls of a *building* required to be of *noncombustible construction* provided the insulation is protected from adjacent space in the *building*, other than adjacent concealed spaces within the *attic or roof spaces*, crawl spaces, and wall assemblies, by a thermal barrier as described in Sentence (2), except that in unsprinklered *buildings* more than 18 m high or in unsprinklered *buildings* regulated by the provisions of Subsection 3.2.6., the insulation is protected by a thermal barrier consisting of

- (a) gypsum board not less than 12.7 mm thick, mechanically fastened to a supporting assembly independent of the insulation and with all joints either braced or taped and filled,
- (b) lath and plaster, mechanically fastened to a supporting assembly independent of the insulation,
- (c) masonry or concrete not less than 25 mm thick, or
- (d) any thermal barrier that, when tested in conformance with CAN4-S101-M, "Standard Methods of Fire Endurance Tests of Building Construction and Materials", will not develop an average temperature rise of more than 140°C or a maximum temperature rise at any point of more than 180°C on its unexposed face within 10 min.

(4) *Combustible* insulation having a *flame-spread rating* of more than 25 but not more than 500 on any exposed surface or any surface that would be exposed by cutting through the material in any direction, is permitted in the interior walls of a *building* required to be of *noncombustible construction* provided the insulation is protected from adjacent space in the *building*, other than adjacent concealed spaces within *attic or roof spaces*, crawl spaces, and wall assemblies, by a thermal barrier as described in Sentence (2), except that in unsprinklered *buildings* more than 18 m high or in unsprinklered *buildings* regulated by the provisions of Subsection 3.2.6., the insulation is protected by a thermal barrier consisting of

- (a) Type X gypsum board not less than 15.9 mm thick conforming to CSA A82.27-M, "Gypsum Board Products", mechanically fastened to a supporting assembly independent of the insulation and with all joints either backed or taped and filled,
- (b) non-loadbearing masonry or concrete not less than 50 mm thick,
- (c) loadbearing masonry or concrete not less than 75 mm thick, or
- (d) any thermal barrier that, when tested in conformance with CAN4-S101-M, "Standard Methods of Fire Endurance Tests of Building Construction and Materials", will not develop an average temperature rise of more than 140°C or

a maximum temperature rise at any point of more than 180°C on its unexposed face within 20 min and will remain in place for not less than 40 min.

(5) *Combustible* insulation, including foamed plastics, installed above roof decks, outside of *foundation* walls below ground level and beneath concrete slabs-on-ground is permitted to be used in a *building* required to be of *noncombustible construction*.

(6) Thermosetting foamed plastic insulation having a *flame-spread rating* of not more than 500 which forms part of a factory-assembled exterior wall panel that does not incorporate an air space is permitted to be used in a *building* required to be of *noncombustible construction* provided

- (a) the foamed plastic is protected on both sides by sheet steel not less than 0.38 mm thick which will remain in place for not less than 10 min when the wall panel is tested in conformance with CAN4-S101-M, "Standard Methods of Fire Endurance Tests of Building Construction and Materials",
- (b) the *flame-spread rating* of the wall panel, determined by subjecting a sample including an assembled joint to the appropriate test described in Subsection 3.1.12., is not more than the *flame-spread rating* permitted for the room or space which it bounds,
- (c) the *building* does not contain a Group B or Group C *major occupancy*, and
- (d) the *building* is not more than 18 m high, measured between *grade* and the floor level of the uppermost *storey*.

3.1.5.12. **Combustible Elements in Partitions.** Solid lumber *partitions* not less than 38 mm thick and wood framing in *partitions*, located in *fire compartments* not more than 600 m<sup>2</sup> in area or in *sprinklered floor areas* are permitted to be used in a *building* required to be of *noncombustible construction* provided the *partitions*

- (a) are not required *fire separations*, and
- (b) are not located in Group B *occupancies*.

3.1.5.13. **Storage Lockers in Residential Buildings.** Storage lockers in storage rooms are permitted to be constructed of wood in *buildings of residential occupancy* required to be of *noncombustible construction*.

#### 3.1.5.14. Combustible Ducts

(1) Except as permitted by Sentence 3.5.4.3.(1), *combustible* ducts, including *plenums* and duct connectors, are permitted to be used in a *building* required to be of *noncombustible construction* provided such ducts and duct connectors

- (a) are used only in horizontal runs, and
- (b) are Class I conforming to Article 6.2.3.2.

(2) *Combustible* duct linings, duct coverings, duct insulation, vibration isolation connectors, duct tape, pipe insulation and pipe coverings are permitted to be used in *buildings* required to be of *noncombustible construction* provided they conform to the appropriate requirements in Section 6.2.

#### 3.1.5.15. Combustible Piping Materials

(1) Except as permitted in Clause 3.1.5.2.(1)(e) and Sentence (2), *combustible* totally enclosed raceways, piping and tubing and associated adhesives are permitted to be used in a *building* required to be of *noncombustible construction* provided they

- (a) have a *flame-spread rating* of not more than 25, except when concealed in a wall or a concrete floor slab, and

- (b) when used in *buildings* described in Subsection 3.2.6., have a smoke developed classification of not more than 50, except when concealed in a wall or a concrete floor slab.

(2) *Combustible* sprinkler piping is permitted to be used within a *sprinklered floor area* in a *building* required to be of *noncombustible construction*.

**3.1.5.16. Combustible Travelling Cables for Elevators.** *Combustible* travelling cables are permitted on elevating devices in *buildings* required to be of *noncombustible construction*.

**3.1.5.17. Electrical Wires and Cables**

(1) Except as permitted in Articles 3.1.5.16. and 3.1.5.19, electrical wires and cables with *combustible* insulation, jackets or sheathes are permitted in a *building* required to be of *noncombustible construction* provided

- (a) the wires and cables exhibit a vertical char of not more than 1.5 m when tested in conformance with the Vertical Flame Test - Cables in Cabletrough in Clause 4.11.4. of CSA C22.2 No. 0.3, "Test Methods for Electrical Wires and Cables", (FT4 Rating), or they comply with the test requirements in Subclause 3.5.4.3.(1) (a) (ii), (FT6 Rating), or
- (b) the wires and cables are located in
- (i) totally enclosed *noncombustible* raceways,
  - (ii) concealed spaces in walls,
  - (iii) concrete slabs, or
  - (iv) a *service room* separated from the remainder of the *building* by a *fire separation* having not less than a 1 h *fire-resistance rating*.

(2) Service-entrance cables for communication and community antennae distribution systems need not conform to Sentence (1) provided the service entrance cables enter into an electrical or telephone *service room* separated from the remainder of the *building* by a *fire separation* having a *fire-resistance rating* of not less than 1 h.

**3.1.5.18. Combustible Plumbing Fixtures.** *Combustible* plumbing fixtures, including wall and ceiling enclosures, shall be constructed of material having a *flame-spread rating* and smoked developed classification not more than that permitted for the wall surface of the room or space in which they are installed.

**3.1.5.19. Wires in Computer Room Floors.** Electrical communication wires and cables with *combustible*, insulation, jackets or sheathes, located in computer room floors, are permitted in a *building* required to be of *noncombustible construction* provided they do not convey flame or continue to burn for more than 1 min when tested in conformance with the Vertical Flame Test in Clause 4.11.1. of CSA C22.2 No. 0.3, "Test Methods for Electrical Wires and Cables", (FT1 Rating).

**3.1.5.20. Combustible Components in Public Pools.** *Combustible* fittings and components in a *public pool*, including main drains, skimmers, return inlets, steps, ladder rungs and liners are permitted in a *building* required to be of *noncombustible construction*.

**3.1.5.21. Combustible Marquees.** *Combustible* marquees not greater than 7.5 m from *grade* to the top of the marquee are permitted on a *building* required to be of *noncombustible construction* provided every opening in the exposed exterior wall of the *building* within 4.5 m horizontally and 9 m vertically above the marquee is protected with wired glass in accordance with Sentence 3.1.8.14.(2).

**3.1.6. Tents, Air-Supported Structures and Temporary Structures**

**3.1.6.1. Means of Egress.** Tents, *air-supported structures* and temporary structures shall conform to Sections 3.3 and 3.4.

**3.1.6.2. Application**

(1) Reserved.

(2) *Air-supported structures* shall not be used for Groups B, C or Group F, Division 1 *major occupancies* or for classrooms.

(3) *Air-supported structures* shall be designed primarily as open floor space without interior walls, *mezzanines*, intermediate floors or similar construction.

(4) A tent used for camping or personal use and not more than 30 m<sup>2</sup> in ground area is exempt from requiring a building permit and is exempt from compliance with this Code.

(5) For the purposes of this Subsection, a temporary structure means a *building* or structure intended to be erected and used for a period of not more than 12 months.

**3.1.6.3. Clearance to Other Structures**

(1) Except for tents used for camping and other personal uses and except as provided in Sentences (2), (3) and (4), every tent, *air-supported structure* and temporary structure shall conform to Subsection 3.2.3.

(2) Tents and *air-supported structures* shall not be erected closer than 3 m to other structures on the same property except as provided in Sentences (3) and (4), and shall be sufficiently distant from one another to provide an area to be used as a means of emergency egress.

(3) Tents and *air-supported structures* not occupied by the public need not be separated from one another, and are permitted to be erected less than 3 m from other structures on the same property where such closer spacing does not create a hazard to the public.

(4) Tents not more than 120 m<sup>2</sup> in ground area, located on fair grounds or similar open spaces, need not be separated from one another provided such closer spacing does not create a hazard to the public.

**3.1.6.4. Clearance to Flammable Material.** The ground enclosed by a tent or *air-supported structure* and for not less than 3 m outside of such structure shall be cleared of all flammable material or vegetation that will carry fire.

**3.1.6.5. Flame Resistance.** Every tent and all tarpaulins and decorative materials used in connection with tents and *air-supported structures* shall conform to CAN/ULC S-109-M, "Standard for Flame Tests of Flame-Resistant Fabrics and Films".

**3.1.6.6.** Reserved.

**3.1.6.7. Design of Framing and Support.** The supporting framing structure and anchorage system for all tents more than 225 m<sup>2</sup> in ground area shall be designed by a *professional engineer*.

**3.1.6.8. Design of Temporary Structures.** Except for tool sheds or similar structures, the structural components of a temporary structure shall be designed in conformance with

- (a) Subsection 4.1.6. for the intended use,
- (b) Subsection 4.1.7. for snow and rain, and
- (c) Subsection 4.1.8. for wind.

### 3.1.7. Fire-Resistance Ratings

#### 3.1.7.1. Determination of Ratings

(1) Except as provided in Sentence (2) and Article 3.1.7.2., where a material, assembly of materials or a structural member is required to have *fire-resistance rating*, the rating shall be determined on the basis of the results of tests conducted in conformance with CAN4-S101-M, "Standard Methods of Fire Endurance Tests of Building Construction and Materials."

(2) A material, assembly of materials or a structural member is permitted to be assigned a *fire-resistance rating* on the basis of Chapter 2, "Fire Performance Ratings" of the Supplement to the NBC 1990.

**3.1.7.2. Exception for Exterior Walls.** The limitation on the rise of temperature on the unexposed surface of an assembly as required by the tests in Sentence 3.1.7.1.(1) shall not apply to an exterior wall that has a *limiting distance* of 1.2 m or more provided correction is made for radiation from the unexposed surface in accordance with Article 3.2.3.12.

**3.1.7.3. Lay-in Ceiling Panels.** Where a ceiling construction has a suspended membrane ceiling with lay-in panels or tiles which contribute to the required *fire-resistance rating* of the assembly, hold down clips or other means shall be provided to prevent the lifting of such panels or tiles in the event of a fire.

#### 3.1.7.4. Exposure Conditions for Ratings

(1) Floor, roof and ceiling assemblies shall be rated for exposure to fire on the underside.

(2) *Firewalls* and interior vertical *fire separations* shall be rated for exposure to fire on each side.

(3) Exterior walls shall be rated for exposure to fire from inside the *building*.

**3.1.7.5. Minimum Fire-Resistance Rating.** The use of materials or assemblies of materials having a greater *fire-resistance rating* than required shall entail no obligation to exceed in whole or in part the minimum *fire-resistance ratings* required by this Part.

#### 3.1.7.6. Rating of Supporting Construction

(1) Except as provided in Sentence (2) and in Articles 3.2.2.16. to 3.2.2.62. for mixed types of construction, all *loadbearing* walls, columns and arches in the *storey* immediately below a floor or roof assembly required to have a *fire-resistance rating* shall have a *fire-resistance rating* not less than that of the supported floor or roof assembly.

(2) *Loadbearing* walls, columns and arches supporting a *service room* or *service space* need not conform to Sentence (1).

(3) Where an assembly is required to be of *noncombustible construction* and have a *fire-resistance rating*, it shall be supported by *noncombustible construction*.

### 3.1.8. Fire Separations and Closures

#### 3.1.8.1. General Requirements

(1) Any wall, *partition* or floor assembly required to be a *fire separation* shall

- (a) except as permitted in Sentence (2), be constructed as a continuous element, and
- (b) where required in this Part, have a *fire-resistance rating* as specified.

(2) Openings in *fire separations* shall be protected with *closures*,

shafts or other means in conformance with Articles 3.1.8.4. to 3.1.8.17. and with Subsections 3.1.9. and 3.2.8.

**3.1.8.2. Combustible Construction Support.** *Combustible construction* that abuts on or is supported by a *noncombustible fire separation* shall be constructed so that its collapse under fire conditions will not cause the collapse of the *fire separation*.

#### 3.1.8.3. Continuity of Fire Separations

(1) Except as provided in Sentence 3.5.4.2.(2), a *horizontal service space* or other concealed space located above a required vertical *fire separation*, including the walls of a vertical shaft, shall be divided at the *fire separation* by an equivalent *fire separation* within the *service space*, and the separation shall terminate so that a smoke-tight joint is provided at the point where it abuts on or intersects the floor and the roof slab or deck.

(2) Where a shaft, including *exit* enclosures, penetrates a *fire separation*, it shall extend through any *horizontal service space* or any other concealed space and shall terminate so that a smoke-tight joint is provided at the point where the shaft abuts on or intersects the floor and the roof slab or deck, except as provided in Subsection 3.5.3. where the shaft pierces through a roof assembly.

#### 3.1.8.4. Determination of Ratings

(1) Except as provided in Sentences (2) and 3.1.8.14.(2), where an opening in a *fire separation* is required to be protected with a *closure* having a *fire-protection rating*, the *fire-protection rating* shall be determined on the basis of the results of tests conducted in conformance with the appropriate provisions in CAN4-S106-M, "Standard Method for Fire Tests of Window and Glass Block Assemblies", CAN4-S104-M, "Standard Method for Fire Tests of Door Assemblies", or CAN4-S112-M, "Standard Method of Fire Test of Fire Damper Assemblies".

(2) Except as provided in Sentence 3.1.8.10.(1), the *fire-protection rating* of *closures* shall conform to Table 3.1.8.A. for the required grade of *fire separation*.

**Table 3.1.8.A.**  
Forming Part of Sentence 3.1.8.4.(2)

<i>Fire-Resistance Rating of Fire Separation</i>	<i>Required Fire-Protection Rating of Closure</i>
45 min	45 min
1 h	45 min
1.5 h	1 h
2 h	1.5 h
3 h	2 h
4 h	3 h
Column 1	2

#### 3.1.8.5. Installation of Closures

(1) Except where *fire dampers*, window assemblies and glass block are used as *closures*, *closures* of the same *fire-protection rating* installed on opposite sides of the same opening may be deemed to have a *fire-protection rating* equal to the sum of the *fire-protection ratings* of the *closures*.

(2) Except as otherwise specified in this Part, every fire door, window assembly or glass block used as a *closure* in a required *fire separation* shall

- (a) be installed in conformance with Chapters 2 to 14 of NFPA 80, "Fire Doors and Windows", and
- (b) where required to have a *fire-protection rating*, have labels or classification marks to identify the testing laboratory.

(3) Where a door is installed so that it may damage the integrity

of a *fire separation* if its swing is unrestricted, door stops shall be installed to prevent such damage.

### 3.1.8.6. Maximum Openings

(1) The size of an opening in an interior *fire separation* required to be protected with a *closure* shall be not more than 11 m<sup>2</sup>, with no dimension more than 3.7 m, when the *fire compartments* on both sides of the *fire separation* are not *sprinklered*.

(2) The size of an opening in an interior *fire separation* required to be protected with a *closure* shall be not more than 22 m<sup>2</sup>, with no dimension more than 6 m, when the *fire compartments* on both sides of the *fire separation* are *sprinklered*.

### 3.1.8.7. Fire Dampers

(1) Except as permitted in Article 3.1.8.8., a duct that connects 2 *fire compartments* or that penetrates an assembly required to be a *fire separation* shall be equipped with a *fire damper*.

(2) A *fire damper* required in Sentence (1) or a *fire damper* used as a *closure* in a *fire separation* shall have a *fire-protection rating* conforming to Sentence 3.1.8.4.(2).

### 3.1.8.8. Fire Dampers Waived

(1) *Fire dampers* need not be provided in *noncombustible* branch ducts that have a melting point above 760°C and that penetrate a required *fire separation* provided such ducts

- (a) serve only air-conditioning units or combined air-conditioning and heating units discharging air at not more than 1.2 m above the floor and have a cross-sectional area of not more than 130 cm<sup>2</sup>, or
- (b) are connected to *exhaust duct* risers that are under negative pressure and in which the air flow is upward as provided in Article 3.5.3.4. and are carried up inside the riser not less than 500 mm.

(2) A duct piercing a vertical *fire separation* not required to have a *fire-resistance rating* need not be equipped with a *fire damper* at the *fire separation*.

(3) A *noncombustible* duct piercing a horizontal *fire separation* not required to have a *fire-resistance rating* need not be equipped with a *fire damper* at the *fire separation*.

(4) *Noncombustible* ducts that penetrate a *fire separation* that separates a *vertical service space* from the remainder of the *building* need not be equipped with a *fire damper* at the *fire separation* provided the ducts have a melting point above 760°C and each individual duct exhausts directly to the outside at the top of the *vertical service space*.

(5) A continuous *noncombustible* duct having a melting point above 760°C that pierces a vertical *fire separation* required in Sentence 3.3.1.1.(1) between *suites* of other than *residential* or *institutional occupancy* need not be equipped with a *fire damper* at the *fire separation*.

(6) A duct serving commercial cooking equipment and piercing a required *fire separation* need not be equipped with a *fire damper* at the *fire separation*.

### 3.1.8.9. Installation of Fire Dampers

(1) *Fire dampers* shall conform to the requirements of this Article.

(2) *Fire dampers* shall be arranged to close automatically upon the operation of a fusible link conforming to ULC-S505, "Standard for Fusible Links for Fire Protection Service" or other heat- or smoke-actuated device.

(3) Heat-actuated devices in Sentence (2) shall be located where they are readily affected by an abnormal rise of temperature in the duct and shall have a temperature rating approximately 30°C above the maximum temperature that would exist in the system either with the system in operation or shut down.

(4) *Fire dampers* shall be installed in the plane of the *fire separation* so as to stay in place should the duct be dislodged during a fire.

(5) *Fire dampers* tested in the vertical or horizontal position shall be installed in the manner in which they were tested.

(6) A tightly fitted access door shall be installed for each *fire damper* to provide access for the inspection of the damper and the resetting of the release device.

### 3.1.8.10. Twenty-Minute Closures

(1) A door assembly having a *fire-protection rating* of not less than 20 min is permitted to be used as a *closure* in

- (a) a *fire separation* not required to have a *fire-resistance rating* more than 1 h and located between
  - (i) a *public corridor* and a *suite*,
  - (ii) a corridor and adjacent sleeping rooms, or
  - (iii) a corridor and adjacent classrooms, offices and libraries in Group A, Division 2 *major occupancies*, and
- (b) a *fire separation* not required to have a *fire-resistance rating* more than 45 min, located in a *building* not more than 3 storeys in *building height*.

(2) The requirements for *noncombustible* sills and *combustible* floor coverings in NFPA 80, "Fire Doors and Windows" do not apply to doors described in Sentence (1).

(3) Doors described in Sentence (1) shall have a clearance of not more than 6 mm at the bottom and not more than 3 mm at the sides and top.

### 3.1.8.11. Self-Closing Devices

(1) Except as provided in Sentence (2), every door in a *fire separation* other than doors to freight elevators and dumbwaiters shall be equipped with a self-closing device designed to return the door to the closed position after each use.

(2) Self-closing devices need not be provided on doors that are located between

- (a) a corridor providing *access to exit* from classrooms and the adjacent classrooms in a *building* that is not more than 3 storeys in *building height*,
- (b) a *public corridor* and adjacent rooms of Group D occupancy in a *building* that is not more than 3 storeys in *building height* and the doors are not located in a dead-end portion of the corridor, or
- (c) sleeping rooms or a corridor and adjacent sleeping rooms where the doors are within a *fire compartment* described in Sentence 3.3.3.7.(2).

### 3.1.8.12. Hold-Open Devices

(1) *Listed* hold-open devices are permitted on doors in required *fire separations*, other than *exit* doors in a *building* more than 3 storeys in *building height* and doors in vestibules required in Article 3.3.5.8., provided they are designed to release the door in conformance with Sentences (2) to (4).



(2) Except as provided in Sentences (3) and (4), hold-open devices permitted in Sentence (1) shall be designed to release

(a) upon a signal from a smoke detector located as described in Appendix A of NFPA 80, "Fire Doors and Windows", or from a *smoke detector* as required in Sentence 3.2.4.12.(1) for sleeping rooms in Group B *occupancies*, except that hold-open devices on doors other than *exit* doors, doors opening into a *public corridor* and egress doors referred to in Sentence 3.4.2.4.(2) are permitted to be released by a sprinkler system or a heat-actuated device provided the door does not serve a Group A, Group B or Group C *occupancy* and is not required to function as part of a smoke control system, and

(b) upon a signal from the *building fire alarm system* where a fire alarm system is provided, except that this requirement does not apply to a hold-open device that is designed to release by a heat-actuated device in conformance with Clause (a).

(3) In Group F, Division 2 and 3 *occupancies*, the hold-open devices in Sentence (1) are permitted to be designed to release upon a signal from a *smoke detector* located as described in Appendix A of NFPA 80, "Fire Doors and Windows".

(4) In hospitals and nursing homes, a hold open-device on a door located between a corridor used by the public and an adjacent sleeping room shall be designed to release the door upon a signal from the fire alarm system when an *alert signal* is initiated within the same zone in Sentence 3.3.3.6.(6) or the same *fire compartment* in Sentence 3.3.3.7.(2).

**3.1.8.13. Door Latches.** Except as permitted in Subsection 3.3.3., every swing-type door in a *fire separation* shall be equipped with a positive latching mechanism designed to hold the door in the closed position after each use.

**3.1.8.14. Wired Glass and Glass Block**

(1) Except as provided in Articles 3.1.8.15. to 3.1.8.17. for the separation of *exits*, an opening or openings in a *fire separation* having a *fire-resistance rating* of not more than 1 h may be protected with fixed wired glass assemblies or glass blocks installed in conformance with NFPA 80, "Fire Doors and Windows".

(2) Wired glass assemblies in Sentence (1), which are used in vertical *fire separations*, need not be tested in conformance with Sentence 3.1.8.4.(1) provided that the wired glass is

(a) not less than 6 mm thick,

(b) reinforced by a steel wire mesh in the form of diamonds, squares or hexagons having dimensions of approximately 25 mm across the flats, using wire of not less than 0.45 mm diam, or approximately 13 mm across the flats, using wire of not less than 0.40 mm diam, the wire to be centrally embedded during manufacture and welded or intertwined at each intersection,

(c) set in fixed steel frames having a minimum metal thickness of 1.35 mm and providing a glazing stop of not less than 20 mm on each side of the glass, and

(d) limited in area so that

(i) individual panes are not more than 0.84 m<sup>2</sup>, with neither height nor width more than 1.4 m, and

(ii) the area not structurally supported by mullions is not more than 7.5 m<sup>2</sup>.

(3) Where glass blocks are permitted in Sentence (1), they shall be installed in accordance with Subsection 4.3.2. and reinforced with steel reinforcement in each horizontal joint.

**3.1.8.15. Temperature Rise Limit for Doors.** Except as provided in Article 3.1.8.17., the maximum temperature rise on the opaque portion of the unexposed side of a door used as a *closure* in a *fire separation*, when tested in conformance with Sentence 3.1.8.4.(1), shall conform to Table 3.1.8.B. when used in the locations shown in the Table.

**3.1.8.16. Area Limits for Wired Glass or Glass Block.** Except as provided in Article 3.1.8.17., the maximum area of wired glass in a door and the maximum area of wired glass panels or glass block not in a door shall conform to Table 3.1.8.B. when used in the locations shown in the Table.

**3.1.8.17. Temperature Rise and Area Limits Waived.** The temperature rise limits and glass area limits required in Articles 3.1.8.15. and 3.1.8.16. are waived for *closures* between an *exit* enclosure and an enclosed vestibule or corridor provided

(a) the vestibule or corridor is separated from the remainder of the *floor area* by a *fire separation* having a *fire-resistance rating* of not less than 45 min,

(b) the separation in Clause (a) contains no wired glass or glass block within 3 m of the *closure* into the *exit* enclosure, and

(c) the vestibule or corridor contains no *occupancy*.

**Table 3.1.8.B.**  
Forming Part of Articles of 3.1.8.15. and 3.1.8.16.

Location	Minimum Required Fire-Protection Rating of Door	Maximum Temperature Rise on Unexposed Side of Door, °C	Maximum Area of Wired Glass in Door, cm <sup>2</sup>	Maximum Aggregate Area of Wired Glass Panels and Glass Block not in Door, cm <sup>2</sup>
Between a dead-end corridor and an adjacent <i>occupancy</i> where the corridor provides the only <i>access to exit</i> and is required to have a <i>fire-resistance rating</i>	Less than 45 min	No limit	No limit	No limit
Between an <i>exit</i> enclosure and the remainder of the <i>floor area</i> in <i>buildings</i> not more than 3 <i>storeys</i> in <i>building height</i>	All ratings	No limit	8 000	8 000
Column 1	2	3	4	5



**Table 3.1.8.B.**  
Forming Part of Articles of 3.1.8.15. and 3.1.8.16.—*Continued*

Location	Minimum Required Fire-Protection Rating of Door	Maximum Temperature Rise on Unexposed Side of Door, °C	Maximum Area of Wired Glass in Door, cm <sup>2</sup>	Maximum Aggregate Area of Wired Glass Panels and Glass Block not in Door, cm <sup>2</sup>
Between an <i>exit</i> enclosure and the remainder of the <i>floor area</i> except as permitted above	45 min	250 after 30 min	645	645
	1.5 h	250 after 1 h	645	645
	2 h	250 after 1 h	645	645
In a <i>firewall</i>	1.5 h	250 after 30 min	645	0
	3 h	250 after 1 h	0	0
Column 1	2	3	4	5

### 3.1.9. Building Services in Fire Separations and Fire Rated Assemblies

#### 3.1.9.1. Fire Stopping of Service Penetrations

(1) Piping, tubing, ducts, *chimneys*, electrical wires and cables, totally enclosed *noncombustible* raceways, electrical outlet boxes and other similar *building services* that penetrate a membrane forming part of an assembly required to have a *fire-resistance rating*, or a *fire separation* shall be

- (a) tightly fitted, or
- (b) sealed by a firestop system that, when subjected to the fire test method in CAN4-S115-M, "Standard Method of Fire Tests of Firestop Systems", has an F rating not less than the *fire-protection rating* required for *closures* in the *fire separation*.

(2) Piping, tubing, ducts, *chimneys*, electrical wires and cables, totally enclosed *noncombustible* raceways, electrical outlet boxes and other similar *building services* that penetrate a *firewall* or a horizontal *fire separation* that is required to have a *fire-resistance rating* in conformance with Article 3.2.1.2., shall be sealed at the penetration by a firestop system that, when subjected to the fire test method in CAN4-S115-M, "Standard Method of Fire Tests of Firestop Systems", has an FT rating not less than the *fire-resistance rating* for the *fire separation*.

**3.1.9.2. Combustibility of Service Penetrations.** Except as permitted in Articles 3.1.9.3. and 3.1.9.4., pipes, ducts, electrical outlet boxes, totally enclosed raceways or other similar service equipment that partly or wholly penetrate an assembly required to have a *fire-resistance rating* shall be *noncombustible* unless the assembly has been tested incorporating such equipment.

#### 3.1.9.3. Penetration by Wires, Cables and Outlet Boxes

(1) Electrical or similar wiring in totally enclosed *noncombustible* raceways is permitted to partly or wholly penetrate an assembly required to have a *fire-resistance rating* without being incorporated in the assembly at the time of testing as required in Article 3.1.9.2.

(2) Except as permitted by Sentence (3), electrical wires or cables, single or grouped, with *combustible* insulation, jackets or sheaths that conform to the requirements of Clause 3.1.5.17.(1)(a) and that are not installed in totally enclosed *noncombustible* raceways are permitted to partly or wholly penetrate an assembly required to have a *fire-resistance rating* without being incorporated in the assembly at the time of testing as required in Article 3.1.9.2. provided the overall diameter of the single or grouped wires or cables is not more than 25 mm.

(3) Single conductor metal sheathed cables that are not grouped,

have *combustible* jacketing and are more than 25 mm in overall diameter are permitted to penetrate a *fire separation* required to have a *fire-resistance rating* without being incorporated in the assembly at the time of testing as required in Article 3.1.9.2.

(4) *Combustible* totally enclosed raceways which are embedded in a concrete floor slab are permitted in an assembly required to have a *fire-resistance rating* without being incorporated in the assembly at the time of testing as required in Article 3.1.9.2., where the concrete provides not less than 50 mm of cover between the conduit and the bottom of the slab.

(5) *Combustible* outlet boxes are permitted in an assembly required to have a *fire-resistance rating* without being incorporated in the assembly at the time of testing as required in Article 3.1.9.2. provided the opening through the membrane into the box is not more than 160 cm<sup>2</sup>.

(6) Outlet boxes that penetrate opposite sides of a wall assembly shall be offset where necessary to maintain the integrity of the *fire separation*.

#### 3.1.9.4. Combustible Piping Penetrations

(1) *Combustible* sprinkler piping is permitted to penetrate a *fire separation* provided the *fire compartments* on each side of the *fire separation* are *sprinklered*.

(2) Reserved.

(3) Except as permitted in Sentences (4) to (8), *combustible* piping shall not be used where any part of the piping system partly or wholly penetrates a *fire separation* required to have a *fire-resistance rating* or penetrates a membrane that forms part of an assembly required to have a *fire-resistance rating*.

(4) *Combustible* piping is permitted to penetrate a *fire separation* required to have a *fire-resistance rating* or a membrane that forms part of an assembly required to have a *fire-resistance rating* provided

(a) the piping is sealed at the penetration by a firestop system that has an F rating not less than the *fire-resistance rating* required for the *fire separation* when subjected to the fire test method in CAN4-S115-M, "Standard Method of Fire Tests of Firestop Systems", with a pressure differential of 50 Pa between the exposed and unexposed sides, with the higher pressure on the exposed side, and

(b) the piping is not located in a vertical shaft.

(5) *Combustible* drain piping is permitted to penetrate a horizontal *fire separation* provided it leads directly from a *noncombustible* water closet through a concrete floor slab.

(6) *Combustible* piping is permitted on one side of a vertical *fire separation* provided it is not located in a vertical shaft.

(7) *Combustible* piping is permitted to penetrate a vertical or horizontal *fire separation* provided the *fire compartments* on each side of the *fire separation* are *sprinklered*.

(8) *Combustible* piping not more than 25 mm in diameter containing chlorine gas is permitted to penetrate a *fire separation* between a chlorine gas *service room* built in conjunction with a *public pool*, and the remainder of the *building*.

### 3.1.9.5. Openings through Membrane Ceilings

(1) A membrane ceiling forming a part of an assembly assigned a *fire-resistance rating* on the basis of Chapter 2, "Fire Performance Ratings" of the Supplement to the NBC 1990 is permitted to be pierced by openings leading into ducts within the ceiling space provided the ducts are sheet steel and the amount of openings and their protection conform to the requirements of Chapter 2, "Fire Performance Ratings".

(2) Fire stop flaps in ceiling membranes required in Sentence (1) shall conform to CAN4-S112.2-M, "Standard Method of Fire Test of Ceiling Firestop Flap Assemblies".

3.1.9.6. **Plenums.** A ceiling assembly used as a *plenum* shall conform to Article 3.5.4.3.

### 3.1.10. Firewalls

#### 3.1.10.1. Prevention of Firewall Collapse

(1) Except as permitted in Sentence (2), where structural framing members are connected to or supported on a *firewall* and such members have *fire-resistance ratings* less than that required for the *firewall*, the connections and supports for such members shall be designed so that the collapse of the framing members during a fire will not cause the collapse of the *firewall*.

(2) Sentence (1) does not apply when a *firewall* consists of two separate wall assemblies each tied to its respective *building* frame but not to each other provided each wall assembly is constructed as a *fire separation* having one half of the *fire-resistance rating* required for the *firewall* in Sentences 3.1.10.2.(1) and (2) and designed so that the collapse of one wall assembly will not cause collapse of the other.

(3) A *firewall* is permitted to be supported on the structural frame of the *building* in *buildings* of *noncombustible construction* provided such supporting frame has a *fire-resistance rating* not less than that required for the *firewall*.

(4) Piping, ducts and totally enclosed *noncombustible* raceways shall be installed so that the collapse of such piping, ducts and conduit will not cause collapse of the *firewall*.

#### 3.1.10.2 Rating of Firewalls

(1) Every required *firewall* which separates a *building* or *buildings* with *floor areas* containing a Group E or a Group F, Division 1 or 2 *major occupancy* shall be constructed as a *fire separation* of *noncombustible construction* having a *fire-resistance rating* of not less than 4 h, except that where the upper portion of a *firewall* separates *floor areas* containing other than Group E or Group F, Division 1 or 2 *major occupancies*, the *fire-resistance rating* of the upper portion of the *firewall* is permitted to be not less than 2 h.

(2) Every required *firewall* which separates a *building* or *buildings* with *floor areas* containing *major occupancies* other than Group E or Group F, Division 1 or 2 shall be constructed as a *fire separation* of *noncombustible construction* having a *fire-resistance rating* of not less than 2 h.

(3) Except for *closures*, the required *fire-resistance rating* of every *firewall* shall be provided by masonry or concrete.

### 3.1.10.3. Continuity of Firewalls

(1) Every *firewall* shall extend from the ground continuously through all *storeys* of a *building* or *buildings* so separated, except that where a *firewall* is located above a *basement storage garage* conforming to Article 3.2.1.2., the *firewall* is permitted to terminate at the floor assembly immediately above the *storage garage*.

(2) A *firewall* is permitted to terminate on the underside of a reinforced concrete roof slab provided

(a) the roof slab on both sides of the *firewall* has a

(i) *fire-resistance rating* of not less than 1 h if the *firewall* is required to have a *fire-resistance rating* of not less than 2 h, or

(ii) *fire-resistance rating* of not less than 2 h if the *firewall* is required to have a *fire-resistance rating* of not less than 4 h, and

(b) there are no concealed spaces within the roof slab in that portion immediately above the *firewall*.

### 3.1.10.4. Parapets

(1) Except as provided in Sentences (2) and 3.1.10.3.(2), every *firewall* shall extend above the roof surface to form a parapet not less than

(a) 150 mm high for a *firewall* required to have a *fire-resistance rating* of not less than 2 h, and

(b) 900 mm high for a *firewall* required to have a *fire-resistance rating* of not less than 4 h.

(2) Where a *firewall* separates 2 *buildings* with roofs at different elevations, the *firewall* need not extend above the upper roof surface to form a parapet where the difference in elevation between the roofs so separated is more than 3 m.

3.1.10.5. **Maximum Openings.** Openings in a *firewall* shall conform to the size limits described in Article 3.1.8.6. and the aggregate width of openings shall be not more than 25 per cent of the entire length of the *firewall*.

3.1.10.6. **Exposure Protection for Adjacent Walls.** Where the external walls of 2 *buildings* meet at a *firewall* at an angle of less than 135°, the requirements of Article 3.2.3.14. shall apply.

### 3.1.10.7. Combustible Projections

(1) *Combustible* material shall not extend across the end of a *firewall* but is permitted to extend across a roof above a *firewall* that is terminated in conformance with Sentence 3.1.10.3.(2).

(2) When *buildings* are separated by a *firewall*, *combustible* projections on the exterior of one *building*, such as balconies, platforms, canopies, eave projections and stairs, that extend outward beyond the end of the *firewall*, shall not be permitted within 2.4 m of *combustible* projections and window or door openings of the adjoining *building*.

### 3.1.11. Fire Stops in Concealed Spaces

3.1.11.1. **Separation of Concealed Spaces.** Concealed spaces in interior wall, ceiling and crawl spaces shall be separated from concealed spaces in exterior walls and *attic* or *roof spaces* by fire stops conforming to Article 3.1.11.7.

#### 3.1.11.2. Fire Stopping in Wall Assemblies

(1) Except as permitted in Sentence (2), fire stops conforming to Article 3.1.11.7. shall be provided to block off concealed spaces within a wall assembly

- (a) at every floor level,
  - (b) at every ceiling level where the ceiling forms part of an assembly required to have a *fire-resistance rating*, and
  - (c) so that the maximum horizontal dimension is not more than 20 m and the maximum vertical dimension is not more than 3 m.
- (2) Fire stops conforming to Sentence (1) are not required provided
- (a) the wall space is filled with insulation,
  - (b) the exposed construction materials and any insulation within the wall space are *noncombustible*, or
  - (c) the exposed construction materials and any insulation within the wall space have a *flame-spread rating* of not more than 25 on any exposed surface or on any surface that would be exposed by cutting through the material in any direction and fire stops are installed so that the vertical distance between them does not exceed 10 m.

### 3.1.11.3. Fire Stopping between Nailing and Supporting Elements

(1) In *buildings* required to be of *noncombustible construction*, where the ceiling finish exposed within a concealed space has a *flame-spread rating* of more than 25, fire stops conforming to Article 3.1.11.7. shall be provided between wood nailing elements so that the maximum area of the concealed space is not more than 2 m<sup>2</sup>.

(2) In *buildings* required to be of *noncombustible construction*, fire stops conforming to Article 3.1.11.7. shall be provided in the concealed spaces created by the wood members permitted in Sentence 3.1.5.8.(2) so that the maximum area of a concealed space is not more than 10 m<sup>2</sup>.

### 3.1.11.4. Fire Stopping between Vertical and Horizontal Spaces.

Fire stops conforming to Article 3.1.11.7. shall be provided

- (a) at all interconnections between concealed vertical and horizontal spaces in interior coved ceilings, drop ceilings and soffits in which the exposed construction materials within the space have a *flame-spread rating* of more than 25, and
- (b) at the end of each run and at each floor level in concealed spaces between stair stringers in which the exposed construction materials within the space have a *flame-spread rating* of more than 25.

### 3.1.11.5. Fire Stopping of Roof Spaces, Balconies and Canopies

(1) Every unsprinklered concealed space within a ceiling or roof assembly of *combustible construction*, including attic spaces, shall be separated by construction conforming to Article 3.1.11.7. into compartments not more than

- (a) 600 m<sup>2</sup> in area with no dimension more than 60 m where the exposed construction materials within the space have a *flame-spread rating* of not more than 25, and
- (b) 300 m<sup>2</sup> in area with no dimension more than 20 m where the exposed construction materials within the space have a *flame-spread rating* of more than 25.

(2) Every concealed space in exterior cornices, mansard style roofs, balconies and canopies in which the exposed construction materials within the space have a *flame-spread rating* of more than 25 shall be separated by construction conforming to Article 3.1.11.7.

- (a) at the points where such concealed spaces extend across the ends of required vertical *fire separations*, and
- (b) so that the maximum dimension in any concealed space is not more than 20 m.

**3.1.11.6. Fire Stopping of Crawl Spaces.** Every unsprinklered crawl space not considered as a *basement* in Article 3.2.2.5. shall be separated by construction conforming to Article 3.1.11.7. into compartments not more than 600 m<sup>2</sup> in area with no dimension more than 30 m.

### 3.1.11.7. Fire Stop Materials

(1) Except as provided in Sentences (2) to (4), materials used to separate concealed spaces into compartments shall remain in place and prevent the passage of flames for a period of not less than 15 min when subjected to the standard fire exposure in CAN4-S101-M, "Standard Methods of Fire Endurance Tests of Building Construction and Materials".

(2) Gypsum wallboard not less than 12.7 mm thick and sheet steel not less than 0.38 mm thick need not be tested in conformance with Sentence (1) provided all joints have continuous support.

(3) In *buildings* required to be of *noncombustible construction*, wood nailing elements described in Article 3.1.5.6. need not be tested in conformance with Sentence (1).

(4) In *buildings* permitted to be of *combustible construction* and in *combustible* roof systems permitted by Sentence 3.1.5.3.(2), materials used to separate concealed spaces into compartments are permitted to be

- (a) solid lumber not less than 38 mm thick,
- (b) phenolic bonded plywood, waferboard, or strandboard not less than 12.5 mm thick with joints supported, or
- (c) 2 thicknesses of lumber each not less than 19 mm thick with joints staggered, where the width or height of the concealed space is such that more than one piece of lumber not less than 38 mm thick is necessary to block off the space.

(5) Openings through materials referred to in Sentences (1) to (4) shall be protected to maintain the integrity of the construction.

(6) Where materials referred to in Sentences (1) to (4) are penetrated by construction elements or by service equipment, fire stop materials shall be used to seal the penetration.

### 3.1.12. Flame-Spread Rating and Smoke Developed Classification

#### 3.1.12.1. Determination of Ratings

(1) Except as provided in Sentences (2) and (3), the *flame-spread rating* and smoke developed classification of a material, assembly of materials or structural member shall be determined on the basis of not less than 3 tests conducted in conformance with CAN/ULC-S102-M, "Standard Method of Test for Surface Burning Characteristics of Building Materials and Assemblies".

(2) The *flame-spread rating* and smoke developed classification of a material or assembly of materials shall be determined on the basis of not less than 3 tests conducted in conformance with CAN/ULC-S102.2-M, "Standard Method of Test for Surface Burning Characteristics of Flooring, Floor Covering, and Miscellaneous Materials and Assemblies", where the material or assembly of materials

- (a) is designed for use in a relatively horizontal position with only its top surface exposed to air,
- (b) cannot be tested in conformance with Sentence (1) without the use of supporting material that is not representative of the intended installation, or
- (c) is thermoplastic.

(3) A material, assembly of materials or a structural member is permitted to be assigned a *flame-spread rating* and smoke developed

classification on the basis of Chapter 2, "Fire Performance Ratings" of the Supplement to the NBC 1990.

### 3.1.13. Interior Finish

**3.1.13.1. Interior Finish Description.** Interior finish material shall include any material that forms part of the interior surface of a floor, wall, *partition* or ceiling, such as

- (a) interior cladding of plaster, wood or tile,
- (b) surfacing of fabric, paint, plastic, veneer or wallpaper,
- (c) doors, windows and trim,
- (d) lighting elements such as light diffusers and lenses forming part of the finished surface of the ceiling, and
- (e) carpet material that overlies a floor, when such floor is not intended as the finished floor.

### 3.1.13.2. Flame-Spread Rating

(1) Except as otherwise provided in this Subsection, the *flame-spread rating* of interior wall and ceiling finishes, including glazing and skylights, shall be not more than 150 and shall conform to Table 3.1.13.A.

**Table 3.1.13.A**  
Forming Part of Sentence 3.1.13.2.(1)

Occupancy, Location or Element	Maximum Flame-Spread Rating for Walls and Ceilings	
	Sprinklered	Unsprinklered
Group A, Division 1 occupancies, including doors, skylights, glazing and light diffusers and lenses	150	75
Group B occupancies	150	75
Exits <sup>(1)</sup>	25	25
Lobbies described in Sentence 3.4.4.2.(2)	25	25
Covered vehicular passageways, except for roof assemblies of heavy timber construction in such passageways	25	25
Vertical service spaces	25	25
Column 1	2	3

**Note to Table 3.1.13.A.:**

(1) See Articles 3.1.13.8. and 3.1.13.10.

(2) Except as permitted in Sentence (3), doors, other than those in Group A, Division 1 occupancies, need not conform to Sentence (1) provided they have a *flame-spread rating* of not more than 200.

(3) Doors within *dwelling units* need not conform to Sentences (1) and (2).

(4) Where a wall or ceiling finish is required to have a *flame-spread rating* of less than 150 in Sentence (1), up to 10 per cent of the total wall area and 10 per cent of the total ceiling area is permitted to have a *flame-spread rating* of not more than 150, except that up to 25 per cent of the total wall area of lobbies described in

Sentence 3.4.4.2.(2) is permitted to have a *flame-spread rating* of not more than 150.

(5) Except in the case of Group A, Division 1 occupancies, *combustible* doors, skylights, glazing and light diffusers and lenses shall not be considered in the calculation of wall and ceiling areas in Sentence (4).

**3.1.13.3. Bathrooms in Residential Suites.** The *flame-spread rating* of interior wall and ceiling finishes for bathrooms within *suites* of Group C occupancy shall be not more than 200.

**3.1.13.4. Light Diffusers and Lenses.** The *flame-spread rating* of *combustible* light diffusers and lenses in all occupancies other than Group A, Division 1 occupancies is permitted to be more than the *flame-spread rating* limits required elsewhere in this Subsection provided the light diffusers and lenses

- (a) have a *flame-spread rating* of not more than 250 and a smoke developed classification of not more than 600 when tested in conformance with CAN/ULC-S102.2-M, "Standard Method of Test for Surface Burning Characteristics of Flooring, Floor Covering, and Miscellaneous Materials and Assemblies",
- (b) fall to the bottom of the test apparatus before igniting when tested in conformance with ULC-S102.3-M, "Standard Method of Fire Test of Light Diffusers and Lenses",
- (c) are not prevented from falling from the ceiling by construction located beneath the elements, and
- (d) are not used in corridors that are required to be separated from the remainder of the *building* by a *fire separation* or in *exit* shafts unless individual diffusers or lenses are not more than 1 m<sup>2</sup> in area and are not less than 1.2 m apart.

**3.1.13.5. Skylights.** Individual *combustible* skylights in corridors that are required to be separated from the remainder of the *building* by a *fire separation* shall be not more than 1 m<sup>2</sup> in area and not less than 1.2 m apart.

### 3.1.13.6. Corridors

(1) Except where the *building* is *sprinklered*, the interior wall finish of *public corridors*, corridors used by the public in *assembly* and *institutional occupancies* and corridors serving classrooms or sleeping rooms in *institutional occupancies*, including occupancies in such corridors, shall have a maximum *flame-spread rating* of not more than

- (a) 75, or
- (b) 25 on the upper half of the wall and 150 on the lower half of the wall.

(2) Except where the *building* is *sprinklered*, the interior ceiling finish of corridors and occupancies in Sentence (1) shall have a *flame-spread rating* of not more than 25.

### 3.1.13.7. High Buildings

(1) Except as permitted in Sentences (2) and (3), and except for *combustible* plumbing fixtures including wall and ceiling enclosures and for light diffusers and lenses conforming to Sentence 3.1.13.4.(1), the interior wall, ceiling and floor finishes in a *building* regulated by the provisions of Subsection 3.2.6. shall conform to the *flame-spread rating* requirements in Article 3.1.13.2. and to the *flame-spread rating* and smoke developed classification values in Table 3.1.13.B.

**Table 3.1.13.B.**  
Forming Part of Sentence 3.1.13.7.(1)

Location or Element	Maximum Flame-Spread Rating			Maximum Smoke Developed Classification		
	Wall Surface	Ceiling Surface <sup>(1)</sup>	Floor Surface	Wall Surface	Ceiling Surface <sup>(1)</sup>	Floor Surface
Exit stairways, vestibules to exit stairs and lobbies described in Sentence 3.4.4.2.(1)	25	25	25	50	50	50
Corridors not within <i>suites</i>	–	–	300	100	50	500
Elevator cars and vestibules	25	25	300	100	100	300
Service spaces and service rooms	25	25	25	50	50	50
Other locations and elements	–	–	No limit	300	50	No limit
Column 1	2	3	4	5	6	7

**Note to Table 3.1.13.B:**

(1) See Sentence 3.1.13.4.(1) for lighting elements.

(2) Except for buildings of Group B major occupancy and elevator cars, the *flame-spread rating* and smoke developed classification of interior wall, floor and ceiling finishes need not conform to the values in Table 3.1.13.B. provided the building is sprinklered and the sprinkler system is electrically supervised in conformance with Sentence 3.2.6.4.(1).

(3) Trim, millwork and doors in exit stairways, vestibules to exit stairs, lobbies described in Sentence 3.4.4.2.(2) and corridors not within *suites* need not conform to the *flame-spread rating* and smoke developed classification requirements in Sentence (1) provided

- (a) they have a *flame-spread rating* of not more than 150 and a smoke developed classification of not more than 300, and
- (b) their aggregate area is not more than 10 per cent of the area of the wall or ceiling on which they occur.
- (4) Reserved.

**3.1.13.8. Noncombustible Construction.** In buildings required to be of noncombustible construction,

- (a) the *flame-spread ratings* in Subsection 3.1.5. shall apply in addition to the requirements in this Subsection, and
- (b) the *flame-spread ratings* for exits in this Subsection shall also apply to any surface in the exit that would be exposed by cutting through the material in any direction, except that this requirement does not apply to doors, heavy timber construction in sprinklered buildings and fire-retardant treated wood.

**3.1.13.9. Underground Walkways.** Except for paint, the interior wall and ceiling finishes of an underground walkway shall be of noncombustible materials.

**3.1.13.10. Exterior Exit Passageway.** Where an exterior exit passageway provides the only means of egress from the rooms or suites it serves, the wall and ceiling finishes of that passageway, including the soffit beneath and the guard on the passageway, shall have a *flame-spread rating* of not more than 25, except that a *flame-spread rating* of not more than 150 is permitted for up to 10 per cent of the total wall area and for up to 10 per cent of the total ceiling area.

**3.1.14. Roof Assemblies**

**3.1.14.1. Fire-Retardant Treated Wood Roof System**

(1) Where a fire-retardant treated wood roof system is used to comply with the requirements of Subsection 3.2.2., the roof deck assembly shall meet the conditions of acceptance of CAN/ULC-

S126-M, "Standard Method of Test for Fire Spread Under Roof Deck Assemblies".

(2) Supports for the roof deck assembly referred to in Sentence (1) shall consist of

- (a) fire-retardant treated wood,
- (b) heavy timber construction,
- (c) noncombustible construction, or
- (d) a combination thereof.

**3.1.14.2. Metal Roof Deck Assemblies**

(1) Except as permitted in Sentence (2), a metal roof deck assembly shall meet the conditions of acceptance of CAN/ULC-S126-M, "Standard Method of Test for Fire Spread under Roof Deck Assemblies" if

- (a) it supports a combustible material above the deck that could propagate a fire beneath the roof deck assembly, and
- (b) the deck is used to comply with the requirements for noncombustible construction in Sentences 3.2.2.16.(2), 3.2.2.17.(2), 3.2.2.21.(2), 3.2.2.25.(2), 3.2.2.31.(2), 3.2.2.40.(2), 3.2.2.41.(2), 3.2.2.42.(2), 3.2.2.44.(2), 3.2.2.52.(2), 3.2.2.57.(2), 3.2.2.58.(2) and 3.2.2.59.(2).

(2) The requirements of Sentence (1) are waived provided

- (a) the combustible material above the roof deck is protected by a thermal barrier conforming to Clause 3.1.5.11.(2)(e) that is located
  - (i) on its underside, or
  - (ii) beneath the roof deck,
- (b) the building is sprinklered in accordance with Sentence 3.2.2.12.(1), or
- (c) the roof assembly has a fire-resistance rating of not less than 45 min.

**3.1.15. Roof Covering**

**3.1.15.1. Roof Covering Classification.** Where a roof covering is required to be a Class A, B or C roof covering, such classification shall be determined in conformance with CAN/ULC-S107-M, "Stan-

Standard Method of Test for Fire Resistance of Roof Covering Materials”.

**3.1.16. Occupant Load**

**3.1.16.1. Occupant Load Determination**

(1) The *occupant load* of a *floor area* or part of a *floor area*, or of a *building* or part of a *building* not having a *floor area*, shall be based on

- (a) the number of seats in *assembly occupancies* having fixed seats,
- (b) 2 persons per sleeping room or sleeping area in a *dwelling unit* or *suite*, and
- (c) the number of persons
  - (i) for which the area is designed, or
  - (ii) determined from Table 3.1.16.A. for *occupancies* other than those described in Clauses (a) and (b).

**Table 3.1.16.A.**  
Forming Part of Article 3.1.16.1.

Type of Use of <i>Building</i> or <i>Floor Area</i> or Part Thereof	Area per Person, m <sup>2</sup>
<b>Assembly uses</b>	
space with fixed seats	See Clause (1)(a)
space with nonfixed seats	0.75
stages for theatrical performances	0.75
space with nonfixed seats and tables	0.95
standing space	0.40
stadia and grandstands	0.60
bowling alleys, pool and billiard rooms	9.30
classrooms	1.85
school shops and vocational rooms	9.30
reading or writing rooms or lounges	1.85
dining, alcoholic beverage and cafeteria space	1.20
laboratories in schools	4.60
exhibition halls other than those classified in Group E	2.80
<b>Institutional uses</b>	
treatment and sleeping room areas	10.00
detention quarters	11.60
<b>Residential uses</b>	
<i>dwelling units</i>	See Clause (1)(b)
dormitories	4.60
<b>Business and personal services uses</b>	
personal service shops	4.60
offices	9.30
<b>Mercantile uses</b>	
<i>basements</i> and <i>first storeys</i>	3.70
<i>second storeys</i> having a principal entrance from a pedestrian thoroughfare or a parking area	3.70
<i>other storeys</i>	5.60
<b>Industrial uses</b>	
manufacturing or process rooms	4.60
<i>storage garages</i>	46.00
storage spaces (warehouse)	28.00
aircraft hangars	46.00
<b>Other uses</b>	
cleaning and repair goods	4.60
kitchens	9.30
Column 1	2

**Table 3.1.16.A.—Continued**  
Forming Part of Article 3.1.16.1.

Type of Use of <i>Building</i> or <i>Floor Area</i> or Part Thereof	Area per Person, m <sup>2</sup>
storage	46.00
<i>public corridors</i> intended for <i>occupancies</i> in addition to pedestrian travel	3.70
Column 1	2

(2) Where a *floor area* or part thereof has been designed for an *occupant load* other than that determined from Table 3.1.16.A., a permanent sign indicating that *occupant load* shall be posted in a conspicuous location.

(3) For the purposes of this Article, *mezzanines*, tiers and balconies shall be regarded as part of the *floor area*.

(4) Where a room or group of rooms is intended for 2 or more *occupancies* at different times, the value to be used from Table 3.1.16.A. shall be the value which gives the greatest number of persons for the *occupancies* concerned.

**3.1.16.2. Dance Floor.** The *occupant load* of a room in which a dance floor is situated shall be calculated in respect of that portion of the room that is not occupied by the dance floor.

**3.1.16.3. Public Pools**

(1) The *occupant load* of a *public pool*, except a *wave action pool*, shall be determined by the following formula:

$$occupant\ load = \frac{D}{2.5} + \frac{S}{1.4}$$

where D = the water surface area in square metres of the part of the pool that is deeper than 1.35 m; and

where S = the water surface area in square metres of the part of the pool that is 1.35 m in depth or less.

(2) The *occupant load* of a *wave action pool* shall be determined by the following formula:

$$occupant\ load = \frac{D}{2.5} + \frac{S}{1.1}$$

where D = the water surface area in square metres of the part of the pool where the still water depth is greater than 1 m; and

where S = the water surface area in square metres of the part of the pool where the still water depth is 1 m or less.

**3.1.17. Drainage and Grades**

**3.1.17.1. Drainage.** The *building* shall be located and the *building* site graded so that water will not accumulate at or near the *building* and will not adversely affect any adjacent properties.

**3.1.18. Above Ground Electrical Conductors**

**3.1.18.1. Clearance to Buildings**

(1) Where a *building* is to be *constructed* in proximity to existing above ground electrical conductors of a voltage not less than 2.5 kV and not more than 46 kV,

- (a) the *building* shall not be located beneath the conductors, and
- (b) the horizontal distance between the *building* and the conductors shall not be less than 3 m.

(2) Where a *building* is to be *constructed* in proximity to existing above ground electrical conductors of a voltage more than 46 kV, the clearances between the *building* and the conductors shall conform to the requirements of CAN/CSA-C22.3 No.1, "Overhead Systems".

**3.1.18.2. Exception.** Article 3.1.18.1. does not apply to electrical equipment and electrical installations used exclusively in the generation, transformation or transmission of electrical power or energy intended for sale or distribution to the public.

## Section 3.2 Size and Occupancy Requirements for Fire Safety

### 3.2.1. General

#### 3.2.1.1. Exceptions to Building Height in Storeys

(1) Roof-top enclosures provided for elevator machinery, stairways and *service rooms*, used for no purpose other than for service to the *building*, shall not be considered as a *storey* in calculating the *building height*.

(2) Space under tiers of seats in *buildings* of the arena type shall not be considered as adding to the *building height* provided such space is used only for a purpose incidental to the *major occupancy* of the *building*, such as for dressing rooms or concession stands.

(3) Except as provided in Sentences (4), (5) and (8), a *mezzanine* shall not be considered as a *storey* in calculating the *building height* provided

- (a) the aggregate area of the *mezzanine* floor is not more than 40 per cent of the area of the room or *storey* in which it is located,
- (b) it is used as an open *floor area* except as provided in Sentence 3.3.2.11.(2), and
- (c) the space above the *mezzanine* floor has no visual obstructions more than 1 070 mm above such floors.

(4) Except as provided in Sentence (5), a *mezzanine* shall not be required to be considered as a *storey* in calculating *building height* and need not conform to Sentence (3) where the aggregate area of the *mezzanine* floor does not exceed 10 per cent of the area of

- (a) the *suite* in which it is located, where there is more than one *suite* in the *storey*, or
- (b) the *storey* in which it is located, in all other cases.

(5) Except as provided in Sentence (8), where more than one level of *mezzanine* is provided in a room or *storey*, each level additional to the first shall be considered as a *storey* in calculating the *building height*.

(6) When a *mezzanine* is required to be considered as a *storey* in determining *building height*, its floor assembly shall be constructed in conformance with the *fire separation* requirements for *floor assemblies* in Articles 3.2.2.16. to 3.2.2.62.

(7) A *service space* in which facilities are included to permit a person to enter and to undertake maintenance and other operations pertaining to *building* services from within the *service space* need not be considered as a *storey* if it conforms to Articles 3.2.5.15. and 3.3.1.22., and Sentences 3.2.4.19.(2), 3.2.7.3.(2), 3.3.1.3.(7), 3.4.2.4.(3) and 3.4.4.4.(8).

(8) *Mezzanines*, elevated walkways and platforms in Group F, Division 2 or 3 *major occupancies* need not be considered as *storeys* in calculating *building height* provided

- (a) the *building* is of *noncombustible construction*,
- (b) except for Clause (c), the *mezzanines*, elevated walkways

and platforms are intended solely for periodic service and maintenance, and

- (c) where they are intended to be occupied, no *mezzanine*, elevated walkway or platform shall have an *occupant load* of more than 4 persons.

**3.2.1.2. Storage Garage Considered as a Separated Building.** Where a *basement* is used primarily as a *storage garage*, the *basement* is permitted to be considered as a separate *building* for the purposes of Subsection 3.2.2. provided the floor above the *basement* and the exterior walls of the *basement* above the adjoining ground level are constructed as *fire separations* of masonry or concrete having a *fire-resistance rating* of not less than 2 h.

**3.2.1.3. Roof Considered as a Wall.** For the purposes of this Section any part of a roof that is pitched at an angle of 60° or more to the horizontal and adjoins a space intended for *occupancy* within a *building* shall be considered as part of an external wall of the *building*.

#### 3.2.1.4. Floor Assembly over Basement

(1) A floor assembly immediately above a *basement* shall be constructed as a *fire separation* having a *fire-resistance rating* conforming to the requirements for floor assemblies in Articles 3.2.2.16. to 3.2.2.62., but not less than 45 min.

(2) All *loadbearing* walls, columns and arches supporting a floor assembly immediately above a *basement* shall have a *fire-resistance rating* not less than that required in Sentence (1) for the floor assembly.

#### 3.2.1.5. Fire Containment in Basements

(1) Except as provided in Sentences (2) and 3.2.2.11.(2), *basements* shall be *sprinklered* or shall be subdivided into *fire compartments* not more than 600 m<sup>2</sup> in area by a *fire separation* having a *fire-resistance rating* not less than that required for the floor assembly immediately above the *basement*.

- (2) An *open-air storey* need not conform to Sentence (1).

## 3.2.2. Building Size and Construction Relative to Occupancy

**3.2.2.1. Application.** Except as provided in Article 3.2.2.3., *buildings* shall be constructed in conformance with this Subsection to prevent fire spread and collapse caused by the effects of fire.

**3.2.2.2. Special and Unusual Structures.** Structures which cannot be identified with the descriptions of *buildings* in Articles 3.2.2.16. to 3.2.2.62. shall be protected against fire spread and collapse in conformance with good fire protection engineering practice, such as described in the NFPA Fire Protection Handbook, Sixteenth Edition.

**3.2.2.3. Exceptions to Structural Fire Protection.** Fire protection is not required for

- (a) steel lintels over openings not more than 2 m wide in *loadbearing* walls and not more than 3 m wide in *non-loadbearing* walls,
- (b) steel lintels over openings greater than those in Clause (a) provided such lintels are supported at intervals of not more than 2 m by structural members with the required *fire-resistance rating*,
- (c) the bottom flanges of shelf angles and plates that are not a part of the structural frame,
- (d) steel members for framework around elevator shaft doorways, steel for the support of elevator and dumbwaiter guides, counterweights and other such equipment, when



entirely enclosed in a shaft and not a part of the structural frame of a *building*,

- (e) steel members of stairways, including escalators, which are not a part of the structural frame of a *building*,
- (f) steel members of porches, exterior balconies, exterior stairways, fire escapes, cornices, marquees and other similar appurtenances provided they are outside an exterior wall of a *building*, and
- (g) *loadbearing* steel or concrete members wholly or partially outside of a *building* face in *buildings* not more than 4 storeys in *building height* and classified as Group A, B, C, D or F, Division 3 major occupancy provided such members are not less than 1 m away from any *unprotected opening* in an exterior wall, or shielded from heat radiation in the event of a fire within a *building* by construction that will provide the same degree of protection that would be necessary if the member was located inside the *building*, with the protection extending on either side of the member a distance equal to the projection of the member from the face of the wall.

**3.2.2.4. Lesser Restrictions.** When the *building height* or the *building area* could be regulated by more than one of Articles 3.2.2.16. to 3.2.2.62. for the same *occupancy* classification of the *building*, the least restrictive Article is permitted to be used.

#### 3.2.2.5. Crawl Spaces

(1) For the purposes of Articles 3.2.1.4. and 3.2.1.5., a crawl space shall be considered as a *basement* when it is more than 1.8 m high between the lowest part of the floor assembly and the ground or other surface below or it is used

- (a) for any *occupancy*,
- (b) for the passage of *flue pipes*, or
- (c) as a *plenum* in *combustible construction*.

(2) A floor assembly immediately above a crawl space is not required to be constructed as a *fire separation* and is not required to have a *fire-resistance rating* provided the crawl space is not considered as a *basement* in Sentence (1).

#### 3.2.2.6. Streets

(1) Every *building* shall face a *street* located in conformance with the requirements for access routes in Articles 3.2.5.5. and 3.2.5.6.

(2) For the purposes of Subsections 3.2.2. and 3.2.5. an access route conforming to Articles 3.2.5.5. and 3.2.5.6. is permitted to be considered as a *street*.

(3) A *building* is considered to face 2 *streets* when not less than 50 per cent of the *building* perimeter is located within 15 m of the *street* or *streets*.

(4) A *building* is considered to face 3 *streets* when not less than 75 per cent of the *building* perimeter is located within 15 m of the *street* or *streets*.

(5) Enclosed spaces, tunnels, bridges and similar structures even though used for vehicular or pedestrian traffic are not considered as *streets* for the purpose of this Part.

**3.2.2.7. Exterior Balconies.** Exterior balconies shall be constructed in accordance with the type of construction required in Articles 3.2.2.16. to 3.2.2.62., as applicable to the *occupancy* classification of the *building*.

**3.2.2.8. Exterior Passageways.** Elevated exterior passageways used

as part of a *means of egress* shall conform to the requirements in Articles 3.2.2.16. to 3.2.2.62. for *mezzanines*.

**3.2.2.9. Occupancy on Roof.** Where a portion of a roof supports an *occupancy*, that portion shall be constructed in conformance with the *fire separation* requirements for floor assemblies in Articles 3.2.2.16. to 3.2.2.62.

#### 3.2.2.10. Roof-Top Enclosures

(1) Roof-top enclosures provided for elevator machinery and *service rooms*, used for no purpose other than for service to the *building*, shall be constructed in accordance with the type of construction required in Articles 3.2.2.16. to 3.2.2.62., except that where such enclosure is not more than 1 *storey*, it is not required to have a *fire-resistance rating*.

(2) Roof-top enclosures for stairways including *exit* stairways shall be constructed in conformance with Articles 3.2.2.16. to 3.2.2.62., except that such enclosures need not have a *fire-resistance rating* nor be constructed as a *fire separation*.

#### 3.2.2.11. Storeys Below Ground

(1) Where a *building* is erected entirely below the adjoining finished ground level and does not extend more than 1 *storey* below such ground level, the minimum precautions against fire spread and collapse shall be the same as are required for *basements* under a *building* of 1 *storey* in *building height* having the same *occupancy* and *building area*.

(2) Where a *building* or portion thereof is erected entirely below the adjoining finished ground level and extends more than 1 *storey* below such ground level, the following minimum precautions against fire spread and collapse shall be taken:

- (a) except as provided in Sentence (3), *basements* shall be *sprinklered*,
- (b) floor assemblies below such ground level shall be constructed as a
  - (i) *fire separation* with a *fire-resistance rating* of not less than 3 h where the *basements* are occupied by Group E or Group F, Division 1 or 2 *occupancies*, and
  - (ii) *fire separation* with a *fire-resistance rating* of not less than 2 h where the *basements* are occupied by any other *occupancy*, and
- (c) all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the construction that they support.

(3) The *storey* immediately below the *first storey* need not be *sprinklered* as required by Clause (2) (a) where

- (a) it contains only *residential occupancies*, and
- (b) not less than one unobstructed access opening conforming to Sentence 3.2.5.1.(2) is installed on that *storey* for each 15 m of wall length in at least 1 wall required to face a *street* in Subsection 3.2.2.

**3.2.2.12. Sprinklers in Lieu of Roof Rating.** The requirements in Articles 3.2.2.16. to 3.2.2.62. for roof assemblies to have a *fire-resistance rating* are permitted to be waived provided

- (a) the *building* is *sprinklered*,
- (b) the sprinkler system in Clause (a) is electrically supervised in conformance with Sentence 3.2.4.16.(5), and
- (c) the operation of the sprinkler system in Clause (a) will



cause a signal to be transmitted to the fire department in conformance with Sentence 3.2.4.7.(3).

**3.2.2.13. Heavy Timber Roof Permitted.** For the purposes of Articles 3.2.2.16. to 3.2.2.62., roof assemblies in *buildings* up to 2 storeys in *building height* are permitted to be of *heavy timber construction* regardless of *building area* provided the *building* is *sprinklered* and the sprinkler system conforms to Clauses 3.2.2.12.(1) (b) and (c).

**3.2.2.14. Reserved.**

**3.2.2.15. Buildings Containing Impeded Egress Zone.** A *building*, containing an *impeded egress zone* and not more than 1 storey in *building height*, conforming to the appropriate requirements of Articles 3.2.2.16. to 3.2.2.62., is not required to conform to the requirements for a Group B, Division 1 *major occupancy* provided

- (a) the *building* is *sprinklered*,
- (b) the *building* does not include
  - (i) a *contained use area*,
  - (ii) sleeping accommodation,
  - (iii) a *high hazard industrial occupancy*, or
  - (iv) a *mercantile occupancy*,
- (c) the *building area* is not more than 6 400 m<sup>2</sup> if the *building* includes a *medium hazard industrial occupancy*,
- (d) the *impeded egress zone* does not extend beyond the boundaries of the *fire compartment* in which it is located, and
- (e) the *occupant load* of the *impeded egress zone* is not more than 100.

**3.2.2.16. Assembly Buildings, Division 1, 1 Storey**

(1) A *building* classified as Group A, Division 1 shall conform to Sentence (2) provided the *building*

- (a) is not more than 1 storey in *building height*,
- (b) has no part of the auditorium floor more than 5 m above or below *grade*,
- (c) has no *occupancy* above or below the auditorium other than one which serves it or is dependent on it, and
- (d) is one in which the *occupant load* of the auditorium floor does not exceed 300 persons.

(2) The *building* shall be of *combustible* or *noncombustible construction* used either singly or in combination, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 45 min,
- (b) *mezzanines* shall have, if of *combustible construction*, a *fire-resistance rating* of not less than 45 min,
- (c) roof assemblies shall have, if of *combustible construction*, a *fire-resistance rating* of not less than 45 min, and
- (d) all *loadbearing walls*, columns and arches supporting an assembly required to have a *fire-resistance rating* shall have a *fire-resistance rating* of not less than 45 min or shall be of *noncombustible construction*, except that such members and assemblies supporting a *fire separation* shall have a *fire-resistance rating* not less than that required for the supported assembly.

**3.2.2.17. Assembly Buildings, Division 1, 1 Storey**

(1) A *building* classified as Group A, Division 1 shall conform to Sentence (2) provided the *building*

- (a) is not more than 1 storey in *building height*,
- (b) has less than 40 per cent of the area of the *building* as 2 storeys for the purpose of
  - (i) development of productions including preparation of scenery and costumes and rehearsal of performers,
  - (ii) organization of performers, scenery and sound equipment before and during a performance,
  - (iii) preparation by performers for a performance,
  - (iv) managerial functions of policy making and administration, or
  - (v) public facilities such as toilets and rest rooms,
- (c) has no *occupancy* above or below the auditorium other than one which serves it or is dependent on it,
- (d) is not more than 600 m<sup>2</sup> in *building area*, and
- (e) is one in which the *occupant load* is not more than 600 persons.

(2) The *building* shall be of *heavy timber* or *noncombustible construction* used either singly or in combination, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 45 min, and
- (b) all *loadbearing walls*, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

**3.2.2.18. Assembly Buildings, Division 1, Any Height, Any Area**

(1) A *building* classified as Group A, Division 1 shall conform to Sentence (2) provided the *building*

- (a) is not limited in *building height*, and
- (b) is not limited in *building area*.

(2) The *building* shall be of *noncombustible construction*, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 2 h,
- (b) *mezzanines* shall have a *fire-resistance rating* of not less than 1 h,
- (c) roof assemblies shall have a *fire-resistance rating* of not less than 1 h, and
- (d) all *loadbearing walls*, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

**3.2.2.19. Assembly Buildings, Division 2, 1 Storey**

(1) A *building* classified as Group A, Division 2 shall conform to Sentences (2) and (3) provided the *building*

- (a) is not more than 1 storey in *building height*,
- (b) if unsprinklered, has *building area* not more than
  - (i) 400 m<sup>2</sup> if facing 1 *street*,

- (ii) 500 m<sup>2</sup> if facing 2 streets, or
- (iii) 600 m<sup>2</sup> if facing 3 streets, and

(c) if *sprinklered*, is not more than twice the area limits of Clause (b).

(2) The *building* shall be of *combustible* or *noncombustible construction* used either singly or in combination.

(3) In *buildings* without *basements* the limiting areas are permitted to be doubled provided a *fire separation* with a *fire-resistance rating* of not less than 1 h is used to separate the *building* into *fire compartments*, each one of which does not exceed the area limits of Clause (1) (b) or (1) (c).

### 3.2.2.20. Assembly Buildings, Division 2, 1 and 2 Storeys, Sprinklered

(1) A *building* classified as Group A, Division 2 shall conform to Sentence (2) provided the *building*

- (a) is not more than 2 storeys in *building height*,
- (b) is *sprinklered*, and
- (c) has *building area* not more than
  - (i) 400 m<sup>2</sup> if facing 1 street,
  - (ii) 500 m<sup>2</sup> if facing 2 streets, or
  - (iii) 600 m<sup>2</sup> if facing 3 streets.

(2) The *building* shall be of *combustible* or *noncombustible construction* used either singly or in combination.

### 3.2.2.21. Assembly Buildings, Division 2, 1 and 2 Storeys

(1) A *building* classified as Group A, Division 2 shall conform to Sentence (2) provided the *building*

- (a) is not more than 2 storeys in *building height*, and
- (b) if unsprinklered, has a *building area* not more than the value in Table 3.2.2.A., and
- (c) if *sprinklered*, is not more than twice the area limits of Clause (b).

**Table 3.2.2.A.**  
Forming Part of Sentence 3.2.2.21.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	1 600	2 000	2 400
2	800	1 000	1 200
Column 1	2	3	4

(2) The *building* shall be of *combustible* or *noncombustible construction* used either singly or in combination, and

- (a) floor assemblies shall be *fire separations* and, if of *combustible construction*, shall have a *fire-resistance rating* of not less than 45 min,
- (b) *mezzanines* shall have, if of *combustible construction*, a *fire-resistance rating* of not less 45 min,
- (c) roof assemblies shall have, if of *combustible construction*, a *fire-resistance rating* of not less than 45 min, except that in

*buildings* not more than 1 storey in *building height*, the *fire-resistance rating* is permitted be waived provided that the roof assembly is constructed as a *fire-retardant treated wood roof system* conforming to Article 3.1.14.1., and

- (i) if unsprinklered, the *building area* is not more than
  - 800 m<sup>2</sup> if facing 1 street,
  - 1000 m<sup>2</sup> if facing 2 streets, or
  - 1200 m<sup>2</sup> if facing 3 streets, and
- (ii) if *sprinklered*, the *building area* is not more than twice the area limits of Subclause (i), and
- (d) all *loadbearing walls*, columns and arches supporting an assembly required to have a *fire-resistance rating* shall have a *fire-resistance rating* of not less than 45 min or shall be of *noncombustible construction*.

### 3.2.2.22. Assembly Buildings, Division 2, up to 5 Storeys, Any Area

(1) A *building* classified as Group A, Division 2 shall conform to Sentences (2) or (3) provided the *building*

- (a) is not more than 5 storeys in *building height*, and
- (b) is not limited in *building area*.

(2) Except as provided in Sentence (3), the *building* shall be of *noncombustible construction*, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 1 h,
- (b) *mezzanines* shall have a *fire-resistance rating* of not less than 1 h,
- (c) except as provided in Sentences (3) and (4), roof assemblies shall have a *fire-resistance rating* of not less than 1 h, and
- (d) except as provided in Sentences (3) and (4), all *loadbearing walls*, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

(3) A *building* classified as Group A, Division 2 *occupancy* that is not more than 1 storey in *building height*, and in which the *building area* is not more than 3 200 m<sup>2</sup> if unsprinklered, or 6 400 m<sup>2</sup> if *sprinklered*, is permitted to be constructed with a roof of *heavy timber construction* and have columns of *heavy timber construction*.

(4) Roof assemblies over gymnasiums and swimming pools need not have a *fire-resistance rating* where every part of the roof assembly is 6 m or more above the main floor or balcony and carries no loads other than normal roof loads, including access walks and ventilating, sound or similar equipment.

### 3.2.2.23. Assembly Buildings, Division 2, Any Height, Any Area

(1) A *building* classified as Group A, Division 2 shall conform to Sentence (2) provided the *building*

- (a) is not limited in *building height*, and
- (b) is not limited in *building area*.

(2) The *building* shall be of *noncombustible construction*, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 2 h,
- (b) *mezzanines* shall have a *fire-resistance rating* of not less than 1 h,
- (c) except as provided in Sentence (3), roof assemblies shall have a *fire-resistance rating* of not less than 1 h, and

- (d) all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

(3) Roof assemblies over gymnasiums and swimming pools need not have a *fire-resistance rating* where every part of the roof assembly is 6 m or more above the main floor or balcony and carries no loads other than normal roof loads, including access walks and ventilating, sound or similar equipment.

### 3.2.2.24. Assembly Buildings, Division 3, 1 Storey

(1) A *building* classified as Group A, Division 3 shall conform to Sentence (2) provided the *building*

- (a) is not more than 1 *storey* in *building height*,
- (b) if *unsprinklered*, has a *building area* not more than
- (i) 1 000 m<sup>2</sup> if facing 1 *street*,
  - (ii) 1 250 m<sup>2</sup> if facing 2 *streets*, or
  - (iii) 1 500 m<sup>2</sup> if facing 3 *streets*, and
- (c) if *sprinklered*, is not more than twice the area limits of Clause (b).

(2) The *building* shall be of *combustible* or *noncombustible construction* used either singly or in combination.

### 3.2.2.25. Assembly Buildings, Division 3, 1 Storey

(1) A *building* classified as Group A, Division 3 shall conform to Sentence (2) provided the *building*

- (a) is not more than 1 *storey* in *building height*,
- (b) if *unsprinklered*, has a *building area* not more than
- (i) 2 400 m<sup>2</sup> if facing 1 *street*,
  - (ii) 3 000 m<sup>2</sup> if facing 2 *streets*, or
  - (iii) 3 600 m<sup>2</sup> if facing 3 *streets*, and
- (c) if *sprinklered*, is not more than twice the area limits of Clause (b).

(2) The *building* shall be of *combustible* or *noncombustible construction* used either singly or in combination, and

- (a) *mezzanines* shall have, if of *combustible construction*, a *fire-resistance rating* of not less than 45 min,
- (b) roof assemblies shall have, if of *combustible construction*, a *fire-resistance rating* of not less than 45 min, except that the *fire-resistance rating* is permitted to be waived provided that the roof assembly is constructed as a *fire-retardant treated wood* roof system conforming to Article 3.1.14.1., and
- (i) if *unsprinklered*, the *building area* is not more than 1 200 m<sup>2</sup> if facing 1 *street*, 1 500 m<sup>2</sup> if facing 2 *streets*, or 1 800 m<sup>2</sup> if facing 3 *streets*, and
  - (ii) if *sprinklered*, the *building area* is not more than twice the area limits of Subclause (i), and
- (c) all *loadbearing* walls, columns and arches supporting an assembly required to have a *fire-resistance rating* shall have a *fire-resistance rating* of not less than 45 min or shall be of *noncombustible construction*.

### 3.2.2.26. Assembly Buildings, Division 3, 1 and 2 Storeys

(1) A *building* classified as Group A, Division 3 shall conform to Sentence (2) provided the *building*

- (a) is not more than 2 *storeys* in *building height*,
- (b) if *unsprinklered*, has a *building area* not more than the value in Table 3.2.2.B., and
- (c) if *sprinklered*, is not more than twice the area limits of Clause (b).

Table 3.2.2.B.  
Forming Part of Sentence 3.2.2.26.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	4 000	5 000	6 000
2	2 000	2 500	3 000
Column 1	2	3	4

(2) Except as provided in Clauses (c) and (d), the *building* shall be of *noncombustible construction*, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 1 h,
- (b) *mezzanines* shall have a *fire-resistance rating* of not less than 1 h,
- (c) roof assemblies shall have a *fire-resistance rating* of not less than 45 min or be of *heavy timber construction*, and
- (d) all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly, except that arches may be of *heavy timber construction*.

### 3.2.2.27. Assembly Buildings, Division 3, Any Height, Any Area

(1) A *building* classified as Group A, Division 3 shall conform to Sentence (2) provided the *building*

- (a) is not limited in *building height*, and
- (b) is not limited in *building area*.

(2) The *building* shall be of *noncombustible construction*, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 2 h,
- (b) *mezzanines* shall have a *fire-resistance rating* of not less than 1 h,
- (c) roof assemblies shall have a *fire-resistance rating* of not less than 1 h, and
- (d) all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

### 3.2.2.28. Assembly Buildings, Division 4

(1) A *building* classified as Group A, Division 4 shall conform to Sentence (2).

(2) The *building* shall be of *noncombustible construction*, except that

- (a) the roof assemblies are permitted to be of *heavy timber construction*, and
- (b) the *building* is permitted to be of *combustible construction* provided
  - (i) the *occupant load* is less than 1 500 persons, and
  - (ii) the *building* has a *limiting distance* of not less than 6 m.

- (b) *mezzanines* shall have, if of *combustible construction*, a *fire-resistance rating* of not less than 45 min,
- (c) roof assemblies shall have, if of *combustible construction*, a *fire-resistance rating* of not less than 45 min, and
- (d) all *loadbearing walls*, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

**3.2.2.29. Institutional Buildings, Division 1**

- (1) A *building* classified as Group B, Division 1 shall conform to Sentence (2).
- (2) The *building* shall be of *noncombustible construction*, and
  - (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 2 h,
  - (b) *mezzanines* shall have a *fire-resistance rating* of not less than 1 h,
  - (c) roof assemblies shall have a *fire-resistance rating* of not less than 1 h, and
  - (d) all *loadbearing walls*, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

**3.2.2.32. Institutional Buildings, Division 2, up to 3 Storeys, Sprinklered**

- (1) A *building* classified as Group B, Division 2 shall conform to Sentence (2) provided the *building*
  - (a) is not more than 3 *storeys* in *building height*,
  - (b) is *sprinklered*, and
  - (c) is not greater in *building area* than the value in Table 3.2.2.D.

**3.2.2.30. Institutional Buildings, Division 2, 1 Storey**

- (1) A *building* classified as Group B, Division 2 shall conform to Sentence (2) provided the *building*
  - (a) is not more than 1 *storey* in *building height*,
  - (b) if unsprinklered, has a *building area* not more than 250 m<sup>2</sup>, and
  - (c) if *sprinklered*, is not more than 500 m<sup>2</sup>.
- (2) The *building* shall be of *combustible* or *noncombustible construction* used either singly or in combination.

**Table 3.2.2.D.**  
Forming Part of Sentence 3.2.2.32.(1)

No. of Storeys	<i>Sprinklered</i> Maximum Area, m <sup>2</sup>
1	unlimited
2	12 000
3	8 000
Column 1	2

**3.2.2.31. Institutional Buildings, Division 2, 1 and 2 Storeys**

- (1) A *building* classified as Group B, Division 2 shall conform to Sentence (2) provided the *building*
  - (a) is not more than 2 *storeys* in *building height*, and
  - (b) has a *building area* not more than the value in Table 3.2.2.C.

**Table 3.2.2.C.**  
Forming Part of Sentence 3.2.2.31.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>	<i>Sprinklered</i> Maximum Area, m <sup>2</sup>
1	1 000	2 400
2	500	1 600
Column 1	2	3

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

**3.2.2.33. Institutional Buildings, Division 2, Any Height, Any Area**

- (1) A *building* classified as Group B, Division 2 shall conform to Sentence (2) provided the *building*
  - (a) is not limited in *building height*, and
  - (b) is not limited in *building area*.
- (2) The *building* shall be of *noncombustible construction*, and
  - (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 2 h,
  - (b) *mezzanines* shall have a *fire-resistance rating* of not less than 1 h,
  - (c) roof assemblies shall have a *fire-resistance rating* of not less than 1 h, and
  - (d) all *loadbearing walls*, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

- (2) The *building* shall be of *combustible* or *noncombustible construction* used either singly or in combination, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 45 min,

**3.2.2.34. Residential Buildings, up to 3 Storeys**

(1) A *building* classified as Group C shall conform to Sentences (2), (3) and (4) provided the *building*

- (a) is not more than 3 storeys in *building height*,
- (b) if unsprinklered, has a *building area* not more than the value in Table 3.2.2.E., and
- (c) if *sprinklered*, is not more than twice the area limits of Clause (b).

**Table 3.2.2.E.**  
Forming Part of Sentence 3.2.2.34.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	1 800	2 250	2 700
2	900	1 125	1 350
3	600	750	900
Column 1	2	3	4

(2) The *building* shall be of *combustible* or *noncombustible construction* used either singly or in combination, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 45 min,
- (b) *mezzanines* shall have, if of *combustible construction*, a *fire-resistance rating* of not less than 45 min, and
- (c) all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

(3) When *buildings* contain *dwelling units* consisting of more than 1 storey, Sentences (1) and (2) shall apply, except that subject to Sentence 3.3.4.2.(2), the floor assemblies, including floors over *basements*, which are entirely contained within such *dwelling units*, shall have a *fire-resistance rating* of not less than 45 min and need not be constructed as *fire separations*.

(4) In a *building* where there is no *dwelling unit* above another, the *fire-resistance rating* for the floor assemblies within the *dwelling unit* is waived.

**3.2.2.35. Residential Buildings, up to 3 Storeys, Increased Area**

(1) A *building* classified as Group C shall conform to Sentences (2), (3) and (4) provided the *building*

- (a) is not more than 3 storeys in *building height*,
- (b) if unsprinklered, has a *building area* not more than the value in Table 3.2.2.F., and
- (c) if *sprinklered*, is not more than twice the area limits of Clause (b).

**Table 3.2.2.F.**  
Forming Part of Sentence 3.2.2.35.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	2 400	3 000	3 600
2	1 200	1 500	1 800
3	800	1 000	1 200
Column 1	2	3	4

(2) The *building* shall be of *combustible* or *noncombustible construction* used either singly or in combination, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 1 h,
- (b) *mezzanines* shall have a *fire-resistance rating* of not less than 1 h,
- (c) roof assemblies shall have a *fire-resistance rating* of not less than 1 h, and
- (d) all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

(3) In a *building* containing *dwelling units* consisting of more than 1 storey, the provisions of Sentences (1) and (2) shall apply, except that, subject to the provisions of Sentence 3.3.4.2.(2), floor assemblies that are entirely contained within these *dwelling units*, including a floor over a *basement*, shall have a *fire-resistance rating* of not less than 1 h but need not be constructed as *fire separations*.

(4) In a *building* in which there is no *dwelling unit* above another *dwelling unit*, the *fire-resistance rating* for floor assemblies entirely within the *dwelling unit* is waived provided collapse of these floor assemblies would not lead to the collapse of a *fire separation* to an adjacent *dwelling unit*.

**3.2.2.36. Residential Buildings, 4 Storeys, Sprinklered**

(1) A *building* classified as Group C shall conform to Sentences (2), (3) and (4) provided the *building*

- (a) is not more than 4 storeys in *building height*,
- (b) is *sprinklered*, and
- (c) has a *building area* not more than the value in Table 3.2.2.G.

**Table 3.2.2.G.**  
Forming Part of Sentence 3.2.2.36.(1)

No. of Storeys	Sprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
4	1 200	1 500	1 800
Column 1	2	3	4

(2) The *building* shall be of *combustible* or *noncombustible construction* used either singly or in combination, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 1 h,

- (b) *mezzanines* shall have a *fire-resistance rating* of not less than 1 h,
- (c) roof assemblies shall have a *fire-resistance rating* of not less than 1 h, and
- (d) all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

(3) In a *building* containing *dwelling units* consisting of more than 1 *storey*, the provisions of Sentences (1) and (2) shall apply, except that, subject to the provisions of Sentence 3.3.4.2.(2), floor assemblies that are entirely contained within these *dwelling units*, including a floor over a *basement*, shall have a *fire-resistance rating* of not less than 1 h but need not be constructed as *fire separations*.

(4) In a *building* in which there is no *dwelling unit* above another *dwelling unit*, the *fire-resistance rating* for floor assemblies entirely within the *dwelling unit* is waived provided collapse of these floor assemblies would not lead to the collapse of a *fire separation* to an adjacent *dwelling unit*.

**3.2.2.37. Residential Buildings, up to 6 Storeys**

- (1) A *building* classified as Group C shall conform to Sentences (2) and (3) provided the *building*
  - (a) is not more than 6 *storeys* in *building height*,
  - (b) if *unsprinklered*, has a *building area* not more than the value in Table 3.2.2.H., and
  - (c) if *sprinklered*, is not more than twice the area limits of Clause (b).

**Table 3.2.2.H.**  
Forming Part of Sentence 3.2.2.37.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	unlimited	unlimited	unlimited
2	6 000	unlimited	unlimited
3	4 000	5 000	6 000
4	3 000	3 750	4 500
5	2 400	3 000	3 600
6	2 000	2 500	3 000
Column 1	2	3	4

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

(3) In a *building* containing *dwelling units* consisting of more than 1 *storey*, the provisions of Sentences (1) and (2) shall apply, except that subject to the provision of Sentence 3.3.4.2.(2), the floor assemblies, that are entirely contained within these *dwelling units*, includ-

ing a floor over a *basement*, shall have a *fire-resistance rating* of not less than 1 h but need not be constructed as *fire separations*.

**3.2.2.38. Residential Buildings, Any Height, Any Area**

- (1) A *building* classified as Group C shall conform to Sentences (2) and (3) provided the *building*
  - (a) is not limited in *building height*, and
  - (b) is not limited in *building area*.
- (2) The *building* shall be of *noncombustible construction*, and
  - (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 2 h,
  - (b) *mezzanines* shall have a *fire-resistance rating* of not less than 1 h,
  - (c) roof assemblies shall have a *fire-resistance rating* of not less than 1 h, and
  - (d) all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

(3) In a *building* containing *dwelling units* consisting of more than 1 *storey*, the provisions of Sentences (1) and (2) shall apply, except that subject to the provision of Sentence 3.3.4.2.(2), floor assemblies, that are entirely contained within these *dwelling units*, including a floor over a *basement*, shall have a *fire-resistance rating* of not less than 1 h but need not be constructed as *fire separations*.

**3.2.2.39. Business and Personal Services Buildings, 1 and 2 Storeys**

- (1) A *building* classified as Group D shall conform to Sentence (2) provided the *building*
  - (a) is not more than 2 *storeys* in *building height*,
  - (b) if *unsprinklered*, has a *building area* not more than the value in Table 3.2.2.I., and
  - (c) if *sprinklered*, is not greater than twice the area limits of Clause (b).

**Table 3.2.2.I.**  
Forming Part of Sentence 3.2.2.39.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	1 000	1 250	1 500
2	800	1 000	1 200
Column 1	2	3	4

- (2) The *building* shall be of *combustible* or *noncombustible construction* used either singly or in combination, and
  - (a) floor assemblies shall be *fire separations* and, if of *combustible construction*, shall have a *fire-resistance rating* of not less than 45 min, and
  - (b) all *loadbearing* walls, columns and arches supporting an assembly required to have a *fire-resistance rating* shall have a *fire-resistance rating* of not less than 45 min or shall be of *noncombustible construction*.

**3.2.2.40. Business and Personal Services Buildings, up to 3 Storeys**

(1) A *building* classified as Group D shall conform to Sentence (2) provided the *building*

- (a) is not more than 3 *storeys* in *building height*,
- (b) if *unsprinklered*, has a *building area* not more than the value in Table 3.2.2.J., and
- (c) if *sprinklered*, is not more than twice the area limits of Clause (b).

**Table 3.2.2.J.**  
Forming Part of Sentence 3.2.2.40.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	4 800	6 000	7 200
2	2 400	3 000	3 600
3	1 600	2 000	2 400
Column 1	2	3	4

(2) The *building* shall be of *combustible* or *noncombustible construction* used either singly or in combination, and

- (a) floor assemblies shall be *fire separations* and, if of *combustible construction*, shall have a *fire-resistance rating* of not less than 45 min,
- (b) *mezzanines* shall have, if of *combustible construction*, a *fire-resistance rating* of not less than 45 min,
- (c) roof assemblies shall have, if of *combustible construction*, a *fire-resistance rating* of not less than 45 min, except that in *buildings* not more than 1 *storey* in *building height*, the *fire-resistance rating* is permitted to be waived provided that the roof assembly is constructed as a *fire-retardant treated wood* roof system conforming to Article 3.1.14.1. and,
  - (i) if *unsprinklered*, the *building area* is not more than 2 400 m<sup>2</sup> if facing 1 *street*, 3 000 m<sup>2</sup> if facing 2 *streets*, or 3 600 m<sup>2</sup> if facing 3 *streets*, and
  - (ii) if *sprinklered*, the *building area* is not more than twice the area limits of Subclause (i), and
- (d) all *loadbearing* walls, columns and arches supporting an assembly required to have a *fire-resistance rating* shall have a *fire-resistance rating* of not less than 45 min or shall be of *noncombustible construction*.

**3.2.2.41. Business and Personal Services Buildings, up to 6 Storeys**

(1) A *building* classified as Group D shall conform to Sentence (2) provided the *building*

- (a) is not more than 6 *storeys* in *building height*,
- (b) if *unsprinklered*, has a *building area* not more than the value in Table 3.2.2.K., and
- (c) if *sprinklered*, is not more than twice the area limits of Clause (b).

**Table 3.2.2.K.**  
Forming Part of Sentence 3.2.2.41.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	unlimited	unlimited	unlimited
2	7 200	unlimited	unlimited
3	4 800	6 000	7 200
4	3 600	4 500	5 400
5	2 800	3 600	4 320
6	2 400	3 000	3 600
Column 1	2	3	4

(2) The *building* shall be of *noncombustible construction*, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 1 h,
- (b) *mezzanines* shall have a *fire-resistance rating* of not less than 1 h,
- (c) roof assemblies shall have a *fire-resistance rating* of not less than 1 h, except that in *buildings* of 1 *storey* in *building height* this requirement is waived, and
- (d) all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

**3.2.2.42. Business and Personal Services Buildings, Any Height, Any Area**

(1) A *building* classified as Group D shall conform to Sentence (2) provided the *building*

- (a) is not limited in *building height*, and
- (b) is not limited in *building area*.

(2) The *building* shall be of *noncombustible construction*, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 2 h,
- (b) *mezzanines* shall have a *fire-resistance rating* of not less than 1 h,
- (c) roof assemblies shall have a *fire-resistance rating* of not less than 1 h, except that in *buildings* of 1 *storey* in *building height* this requirement is waived, and
- (d) all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

**3.2.2.43. Mercantile Buildings, 1 and 2 Storeys**

(1) A *building* classified as Group E shall conform to Sentence (2) provided the *building*

- (a) is not more than 2 *storeys* in *building height*,
- (b) if *unsprinklered*, has a *building area* not more than the value in Table 3.2.2.L., and
- (c) if *sprinklered*, is not more than twice the area limits of Clause (b).

**Table 3.2.2.L.**  
Forming Part of Sentence 3.2.2.43.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	1 000	1 250	1 500
2	600	750	900
Column 1	2	3	4

(2) The *building* shall be of *combustible* or *noncombustible construction* used either singly or in combination, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 45 min, and
- (b) all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

#### 3.2.2.44. Mercantile Buildings, up to 3 Storeys

(1) A *building* classified as Group E shall conform to Sentence (2) provided the *building*

- (a) is not more than 3 *storeys* in *building height*, and
- (b) has a *building area* not more than the value in Table 3.2.2.M.

**Table 3.2.2.M.**  
Forming Part of Sentence 3.2.2.44.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	1 500	1 500	1 500
2	1 200	1 500	1 500
3	800	1 000	1 200
Sprinklered Maximum Area, m <sup>2</sup>			
1	4 800	6 000	7 200
2	2 400	3 000	3 600
3	1 600	2 000	2 400
Column 1	2	3	4

(2) The *building* shall be of *combustible* or *noncombustible construction* used either singly or in combination, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 45 min,
- (b) *mezzanines* shall have, if of *combustible construction*, a *fire-resistance rating* of not less than 45 min,
- (c) roof assemblies shall have a *fire-resistance rating* of not less than 45 min, except that in *buildings* not more than 1 *storey* in *building height*, the *fire-resistance rating* is permitted to be waived provided the roof assembly is of *noncombustible construction* or is constructed as a *fire-retardant treated wood* roof system conforming to Article 3.1.14.1., and

- (i) if unsprinklered, the *building area* is not more than 1 500 m<sup>2</sup>, and

- (ii) if *sprinklered*, the *building area* is not more than 2 400 m<sup>2</sup> if facing 1 *street*, 3 000 m<sup>2</sup> if facing 2 *streets*, or 3 600 m<sup>2</sup> if facing 3 *streets*, and

- (d) all *loadbearing* walls, columns and arches supporting an assembly required to have a *fire-resistance rating* shall have a *fire-resistance rating* of not less than 45 min or shall be of *noncombustible construction*, except that such members and assemblies supporting a *fire separation* shall have a *fire-resistance rating* not less than that required for the supported assembly.

#### 3.2.2.45. Mercantile Buildings, up to 6 Storeys

(1) A *building* classified as Group E shall conform to Sentence (2) provided the *building*

- (a) if unsprinklered, is not more than 3 *storeys* in *building height* and has a *building area* not more than 1 500 m<sup>2</sup>, and
- (b) if *sprinklered*, is not more than 6 *storeys* in *building height* and has a *building area* not more than the value in Table 3.2.2.N.

**Table 3.2.2.N.**  
Forming Part of Sentence 3.2.2.45.(1)

No. of Storeys	Sprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	unlimited	unlimited	unlimited
2	7 500	unlimited	unlimited
3	5 000	6 250	7 500
4	3 750	4 688	5 625
5	3 000	3 750	4 500
6	2 500	3 125	3 750
Column 1	2	3	4

(2) The *building* shall be of *noncombustible construction*, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 2 h,
- (b) *mezzanines* shall have a *fire-resistance rating* of not less than 1 h,
- (c) roof assemblies shall have a *fire-resistance rating* of not less than 1 h, and
- (d) all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

#### 3.2.2.46. Mercantile Buildings, Any Height, Any Area, Sprinklered

(1) A *building* classified as Group E shall conform to Sentence (2) provided the *building*

- (a) is not limited in *building height*,
- (b) is *sprinklered*, and
- (c) is not limited in *building area*.

(2) The *building* shall be of *noncombustible construction*, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 3 h,



- (b) *mezzanines* shall have a *fire-resistance rating* of not less than 1.5 h,
- (c) roof assemblies shall have a *fire-resistance rating* of not less than 1.5 h, and
- (d) all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

### 3.2.2.47. Industrial Buildings, Division 1, 1 and 2 Storeys

(1) A *building* classified as Group F, Division 1 shall conform to Sentence (2) provided the *building*

- (a) is not more than 2 *storeys* in *building height*,
- (b) if *unsprinklered*, has a *building area* not more than the value in Table 3.2.2.O., and
- (c) if *sprinklered*, is not more than twice the area limits of Clause (b).

**Table 3.2.2.O.**  
Forming Part of Sentence 3.2.2.47.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	800	1 000	1 200
2	400	500	600
Column 1	2	3	4

(2) The *building* shall be of *combustible* or *noncombustible construction* used either singly or in combination, and

- (a) floor assemblies shall be *fire separations* and, if of *combustible construction*, shall have a *fire-resistance rating* of not less than 45 min, and
- (b) all *loadbearing* walls, columns and arches supporting an assembly required to have a *fire-resistance rating* shall have a *fire-resistance rating* of not less than 45 min or shall be of *noncombustible construction*.

### 3.2.2.48. Industrial Buildings, Division 1, up to 3 Storeys, Sprinklered

(1) A *building* classified as Group F, Division 1 shall conform to Sentence (2) provided the *building*

- (a) is not more than 3 *storeys* in *building height*,
- (b) is *sprinklered*, and
- (c) has a *building area* not more than the value in Table 3.2.2.P.

**Table 3.2.2.P.**  
Forming Part of Sentence 3.2.2.48.(1)

No. of Storeys	Sprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	2 400	3 000	3 600
2	1 200	1 500	1 800
3	800	1 000	1 200
Column 1	2	3	4

(2) The *building* shall be of *heavy timber* or *noncombustible construction* used either singly or in combination, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 45 min, and
- (b) all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

### 3.2.2.49. Industrial Buildings, Division 1, up to 4 Storeys

(1) A *building* classified as Group F, Division 1 shall conform to Sentence (2) provided the *building*

- (a) is not more than 4 *storeys* in *building height*,
- (b) if *unsprinklered*, has a *building area* not more than the value in Table 3.2.2.Q., and
- (c) if *sprinklered*, is not more than twice the area limits of Clause (b).

**Table 3.2.2.Q.**  
Forming Part of Sentence 3.2.2.49.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	2 400	3 000	3 600
2	1 200	1 500	1 800
3	800	1 000	1 200
4	600	750	900
Column 1	2	3	4

(2) The *building* shall be of *noncombustible construction*, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 2 h,
- (b) *mezzanines* shall have a *fire-resistance rating* of not less than 1 h,
- (c) roof assemblies shall have a *fire-resistance rating* of not less than 1 h, and
- (d) all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

### 3.2.2.50. Industrial Buildings, Division 1, up to 4 Storeys, Sprinklered

(1) A *building* classified as Group F, Division 1 shall conform to Sentence (2) provided the *building*

- (a) is not more than 4 *storeys* in *building height*,
- (b) is *sprinklered*, and
- (c) has a *building area* not more than the value in Table 3.2.2.R.

**Table 3.2.2.R.**  
Forming Part of Sentence 3.2.2.50.(1)

No. of Storeys	Sprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	6 000	7 500	9 000
2	3 000	3 750	4 500
3	2 000	2 500	3 000
4	1 500	1 875	2 250
Column 1	2	3	4

(2) The building shall be of *noncombustible construction*, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 3 h,
- (b) *mezzanines* shall have a *fire-resistance rating* of not less than 1.5 h,
- (c) roof assemblies shall have a *fire-resistance rating* of not less than 1.5 h, and
- (d) all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

### 3.2.2.51. Industrial Buildings, Division 2, 1 and 2 Storeys

(1) A building classified as Group F, Division 2 shall conform to Sentence (2) provided the building

- (a) is not more than 2 storeys in building height, and
- (b) has a building area not more than the value in Table 3.2.2.S.

**Table 3.2.2.S.**  
Forming Part of Sentence 3.2.2.51.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	1 000	1 250	1 500
2	600	750	900
Sprinklered Maximum Area, m <sup>2</sup>			
1	3 000	3 750	4 500
2	1 200	1 500	1 800
Column 1	2	3	4

(2) The building shall be of *combustible* or *noncombustible construction* used either singly or in combination, and

- (a) floor assemblies shall be *fire separations* and, if of *combustible construction*, shall have a *fire-resistance rating* of not less than 45 min, and
- (b) all *loadbearing* walls, columns and arches supporting an assembly required to have a *fire-resistance rating* shall have a *fire-resistance rating* of not less than 45 min or shall be of *noncombustible construction*.

### 3.2.2.52. Industrial Buildings, Division 2, up to 4 Storeys

(1) A building classified as Group F, Division 2 shall conform to Sentence (2) provided the building

- (a) is not more than 4 storeys in building height,
- (b) if unsprinklered, has a building area not more than the value in Table 3.2.2.T., and
- (c) if *sprinklered*, is not more than twice the area limits of Clause (b).

**Table 3.2.2.T.**  
Forming Part of Sentence 3.2.2.52.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	3 200	4 000	4 800
2	1 600	2 000	2 400
3	1 070	1 340	1 600
4	800	1 000	1 200
Column 1	2	3	4

(2) The building shall be of *combustible* or *noncombustible construction* used either singly or in combination, and

- (a) floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 45 min,
- (b) *mezzanines* shall have, if of *combustible construction*, a *fire-resistance rating* of not less than 45 min,
- (c) roof assemblies shall have, if of *combustible construction*, a *fire-resistance rating* of not less than 45 min, except that in buildings not more than 1 storey in building height, the *fire-resistance rating* is permitted to be waived provided that the roof assembly is constructed as a *fire-retardant treated wood* roof system conforming to Article 3.1.14.1., and

- (i) if unsprinklered, the building area is not more than 1 600 m<sup>2</sup> if facing 1 street, 2 000 m<sup>2</sup> if facing 2 streets, or 2 400 m<sup>2</sup> if facing 3 streets, and

- (ii) if *sprinklered*, the building area is not more than twice the area limits of Subclause (i), and

- (d) all *loadbearing* walls, columns and arches supporting an assembly required to have a *fire-resistance rating* shall have a *fire-resistance rating* of not less than 45 min or shall be of *noncombustible construction*, except that such members and assemblies supporting a *fire separation* shall have a *fire-resistance rating* not less than that required for the supported assembly.

### 3.2.2.53. Industrial Buildings, Division 2, up to 4 Storeys

(1) A building classified as Group F, Division 2 shall conform to Sentence (2) provided the building

- (a) is not more than 4 storeys in building height,
- (b) if unsprinklered, has a building area not more than the value in Table 3.2.2.U., and
- (c) if *sprinklered*, is not more than twice the area limits of Clause (b).

**Table 3.2.2.U.**  
Forming Part of Sentence 3.2.2.53.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	6 000	7 500	9 000
2	3 000	3 750	4 500
3	2 000	2 500	3 000
4	1 500	1 875	2 250
Column 1	2	3	4

- (2) The building shall be of *noncombustible construction*, and
- floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 1 h,
  - mezzanines* shall have a *fire-resistance rating* of not less than 1 h,
  - roof assemblies shall have a *fire-resistance rating* of not less than 1 h, and
  - all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

#### 3.2.2.54. Industrial Buildings, Division 2, up to 6 Storeys

- (1) A building classified as Group F, Division 2 shall conform to Sentence (2) provided the building
- is not more than 6 storeys in building height,
  - if unsprinklered, has a building area not more than the value in Table 3.2.2.V., and
  - if *sprinklered*, is not more than twice the area limits of Clause (b).

**Table 3.2.2.V.**  
Forming Part of Sentence 3.2.2.54.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	9 000	11 250	13 500
2	4 500	5 625	6 750
3	3 000	3 750	4 500
4	2 250	2 812	3 375
5	1 800	2 250	2 700
6	1 500	1 875	2 250
Column 1	2	3	4

- (2) The building shall be of *noncombustible construction*, and
- floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 2 h,
  - mezzanines* shall have a *fire-resistance rating* of not less than 1 h,
  - roof assemblies shall have a *fire-resistance rating* of not less than 1 h, and
  - all *loadbearing* walls, columns and arches shall have a

*fire-resistance rating* not less than that required for the supported assembly.

#### 3.2.2.55. Industrial Buildings, Division 2, Any Height, Any Area, Sprinklered

- (1) A building classified as Group F, Division 2 shall conform to Sentence (2) provided the building
- is not limited in building height,
  - is *sprinklered*, and
  - is not limited in building area.
- (2) The building shall be of *noncombustible construction*, and
- floor assemblies shall be *fire separations* with a *fire-resistance rating* of not less than 3 h,
  - mezzanines* shall have a *fire-resistance rating* of not less than 1.5 h,
  - roof assemblies shall have a *fire-resistance rating* of not less than 1.5 h, and
  - all *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

#### 3.2.2.56. Industrial Buildings, Division 3, 1 and 2 Storeys

- (1) A building classified as Group F, Division 3 shall conform to Sentence (2) provided the building
- is not more than 2 storeys in building height, and
  - has a building area not more than the value in Table 3.2.2.W.

**Table 3.2.2.W.**  
Forming Part of Sentence 3.2.2.56.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	1 600	2 000	2 400
2	800	1 000	1 200
<i>Sprinklered Maximum Area, m<sup>2</sup></i>			
1	4 800	6 000	7 200
2	1 600	2 000	2 400
Column 1	2	3	4

- (2) The building shall be of *combustible* or *noncombustible construction* used either singly or in combination, and
- floor assemblies shall be *fire separations* and, if of *combustible construction*, shall have a *fire-resistance rating* of not less than 45 min, and
  - all *loadbearing* walls, columns and arches supporting an assembly required to have a *fire-resistance rating* shall have a *fire-resistance rating* of not less than 45 min or shall be of *noncombustible construction*.

#### 3.2.2.57. Industrial Buildings, Division 3, up to 4 Storeys

- (1) A building classified as Group F, Division 3 shall conform to Sentence (2) provided the building
- is not more than 4 storeys in building height,

- (b) if unsprinklered, has a *building area* not more than the value in Table 3.2.2.X., and
- (c) if *sprinklered*, is not more than twice the area limits of Clause (b).

**Table 3.2.2.X.**  
Forming Part of Sentence 3.2.2.57.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	4 800	6 000	7 200
2	2 400	3 000	3 600
3	1 600	2 000	2 400
4	1 200	1 500	1 800
Column 1	2	3	4

(2) The *building* shall be of *combustible* or *noncombustible construction* used either singly or in combination, and

- (a) floor assemblies shall be *fire separations* and, if of *combustible construction*, shall have a *fire-resistance rating* of not less than 45 min,
- (b) *mezzanines* shall have, if of *combustible construction*, a *fire-resistance rating* of not less than 45 min,
- (c) roof assemblies shall have, if of *combustible construction*, a *fire-resistance rating* of not less than 45 min, except that in *buildings* not more than 1 storey in *building height*, the *fire-resistance rating* is permitted to be waived provided that the roof assembly is constructed as a *fire-retardant treated wood* roof system conforming to Article 3.1.14.1., and
- (i) if unsprinklered, the *building area* is not more than 2 400 m<sup>2</sup> if facing 1 street, 3 000 m<sup>2</sup> if facing 2 streets, or 3 600 m<sup>2</sup> if facing 3 streets, and
- (ii) if *sprinklered*, the *building area* is not more than twice the area limits of Subclause (i), and
- (d) all *loadbearing* walls, columns and arches supporting an assembly required to have a *fire-resistance rating* shall have a *fire-resistance rating* of not less than 45 min or shall be of *noncombustible construction*.

### 3.2.2.58. Industrial Buildings, Division 3, 1 Storey

(1) A *building* classified as Group F, Division 3 shall conform to Sentence (2) provided the *building*

- (a) is not more than 1 storey in *building height*,
- (b) if unsprinklered, has a *building area* not more than the value in Table 3.2.2.Y., and
- (c) if *sprinklered*, is not more than twice the area limits of Clause (b).

**Table 3.2.2.Y.**  
Forming Part of Sentence 3.2.2.58.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	5 600	7 000	8 400
Column 1	2	3	4

(2) The *building* shall be of *heavy timber* or *noncombustible construction* used either singly or in combination.

### 3.2.2.59. Industrial Buildings, Division 3, 1 Storey, Any Area, Low Fire Load Occupancy

(1) A *building* classified as Group F, Division 3 shall conform to Sentence (2) provided the *building*

- (a) is not more than 1 storey in *building height*,
- (b) is used solely for low *fire load occupancies* such as
- (i) power generating plants, or
- (ii) plants for the manufacture or storage of *noncombustible* materials such as asbestos, brick, cement, concrete or steel, and
- (c) is not limited in *building area*.

(2) The *building* shall be of *noncombustible construction*.

**3.2.2.60. Industrial Buildings, Division 3, Storage Garages up to 22 m High.** A *building* used as a *storage garage* with all storeys constructed as *open-air storeys* and having no other *occupancy* above it may have its floor, wall, ceiling and roof assemblies constructed without a *fire-resistance rating* provided the *building* is

- (a) of *noncombustible construction*,
- (b) not more than 22 m in height, measured between *grade* and the ceiling level of the top storey,
- (c) not more than 10 000 m<sup>2</sup> in *building area*, and
- (d) designed so that every portion of each *floor area* is within 60 m of an exterior wall opening.

### 3.2.2.61. Industrial Buildings, Division 3, up to 6 Storeys

(1) A *building* classified as Group F, Division 3 shall conform to Sentence (2) provided the *building*

- (a) is not more than 6 storeys in *building height*,
- (b) if unsprinklered, has a *building area* not more than the value in Table 3.2.2.Z., and
- (c) if *sprinklered*, is not more than twice the area limits of Clause (b).

**Table 3.2.2.Z.**  
Forming Part of Sentence 3.2.2.61.(1)

No. of Storeys	Unsprinklered Maximum Area, m <sup>2</sup>		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	unlimited	unlimited	unlimited
2	7 200	9 000	10 800
3	4 800	6 000	7 200
4	3 600	4 500	5 400
5	2 880	3 600	4 320
6	2 400	3 000	3 600
Column 1	2	3	4

(2) The building shall be of noncombustible construction, and

- (a) floor assemblies shall be fire separations with a fire-resistance rating of not less than 1 h,
- (b) mezzanines shall have a fire-resistance rating of not less than 1 h,
- (c) roof assemblies shall have a fire-resistance rating of not less than 1 h, and
- (d) all loadbearing walls, columns and arches shall have a fire-resistance rating not less than that required for the supported assembly.

### 3.2.2.62. Industrial Buildings, Division 3, Any Height, Any Area

(1) A building classified as Group F, Division 3 shall conform to Sentence (2) provided the building

(a) is not limited in building height, and

(b) is not limited in building area.

(2) The building shall be of noncombustible construction, and

- (a) floor assemblies shall be fire separations with a fire-resistance rating of not less than 2 h, except that such floor assemblies are permitted to be reduced to fire separations with a fire-resistance rating of not less than 1 h in a storage garage with all storeys constructed as open-air storeys,
- (b) mezzanines shall have a fire-resistance rating of not less than 1 h,
- (c) roof assemblies shall have a fire-resistance rating of not less than 1 h, and
- (d) all loadbearing walls, columns and arches shall have a fire-resistance rating not less than that required for the supported assembly.

### 3.2.3. Spatial Separation and Exposure Protection of Buildings

#### 3.2.3.1. Limiting Distance and Area of Unprotected Openings

(1) Except as provided in Articles 3.2.3.9. to 3.2.3.11, the area of unprotected openings shall not be more than that set forth in Tables 3.2.3.A. or 3.2.3.B. for the limiting distance applicable to the exposing building face under consideration.

(2) The area of the unprotected openings in an exposing building face shall be the aggregate area of unprotected openings expressed as a percentage of the area of the exposing building face in Tables 3.2.3.A. and 3.2.3.B.

**Table 3.2.3.A.**  
Forming Part of Subsection 3.2.3.

Exposing Building Face		Area of Unprotected Opening for Groups A, B, C, D and F, Division 3 Occupancies, Per Cent																									
Max. Area, m <sup>2</sup>	Ratio (L/H or H/L) <sup>(1)</sup>	Limiting Distance, m																									
		0	1.2	1.5	2.0	2.5	3	4	5	6	7	8	9	10	11	12	13	14	16	18	20	25	30	35	40	45	50
10	Less than 3 : 1	0	8	10	18	29	46	91	100																		
	3 : 1 to 10 : 1	0	8	12	21	33	55	96	100																		
	Over 10 : 1	0	11	18	32	48	68	100																			
15	Less than 3 : 1	0	7	9	14	22	33	63	100																		
	3 : 1 to 10 : 1	0	8	10	17	25	37	67	100																		
	Over 10 : 1	0	10	15	26	39	53	87	100																		
20	Less than 3 : 1	0	7	9	12	18	26	49	81	100																	
	3 : 1 to 10 : 1	0	8	10	15	21	30	53	85	100																	
	Over 10 : 1	0	9	14	23	33	45	72	100																		
25	Less than 3 : 1	0	7	8	11	16	23	41	66	98	100																
	3 : 1 to 10 : 1	0	8	9	13	19	26	45	70	100																	
	Over 10 : 1	0	9	13	21	30	39	62	90	100																	
30	Less than 3 : 1	0	7	8	11	15	20	35	56	83	100																
	3 : 1 to 10 : 1	0	7	9	12	17	23	39	61	88	100																
	Over 10 : 1	0	8	12	19	27	36	56	79	100																	
40	Less than 3 : 1	0	7	8	10	13	17	28	44	64	89	100															
	3 : 1 to 10 : 1	0	7	8	11	15	20	32	48	69	93	100															
	Over 10 : 1	0	8	11	17	24	31	47	66	88	100																
50	Less than 3 : 1	0	7	8	9	12	15	24	37	53	72	96	100														
	3 : 1 to 10 : 1	0	7	8	10	14	18	28	41	57	77	100															
	Over 10 : 1	0	8	10	15	21	28	41	57	76	97	100															
60	Less than 3 : 1	0	7	8	9	11	14	21	32	45	62	81	100														
	3 : 1 to 10 : 1	0	7	8	10	13	16	25	36	49	66	85	100														
	Over 10 : 1	0	8	10	14	20	25	38	51	67	85	100															
80	Less than 3 : 1	0	7	7	8	10	12	18	26	36	48	62	79	98	100												
	3 : 1 to 10 : 1	0	7	8	9	11	14	21	29	40	52	67	84	100													
	Over 10 : 1	0	8	9	13	17	22	32	44	56	70	86	100														
100	Less than 3 : 1	0	7	7	8	9	11	16	22	30	40	51	65	80	97	100											
	3 : 1 to 10 : 1	0	7	8	9	11	13	18	25	34	44	56	69	84	100												
	Over 10 : 1	0	7	9	12	16	20	29	39	49	61	74	89	100													
150	Less than 3 : 1	0	7	7	8	9	10	13	17	22	29	37	46	56	67	79	93	100									
	3 : 1 to 10 : 1	0	7	7	8	10	11	15	20	26	33	41	50	60	71	84	97	100									
	Over 10 : 1	0	7	8	11	13	17	24	31	39	48	57	68	79	91	100											
250	Less than 3 : 1	0	7	7	7	8	9	10	13	16	20	25	30	36	43	51	59	68	87	100							
	3 : 1 to 10 : 1	0	7	7	8	9	10	12	15	19	24	28	34	40	47	55	63	72	92	100							
	Over 10 : 1	0	7	8	9	11	14	19	24	30	36	43	50	57	65	73	82	92	100								
350	Less than 3 : 1	0	7	7	7	8	8	9	11	14	16	20	24	28	33	38	44	50	64	81	99	100					
	3 : 1 to 10 : 1	0	7	7	8	8	9	11	13	16	19	23	27	32	37	42	48	55	69	85	100						
	Over 10 : 1	0	7	8	9	10	12	16	21	25	30	36	41	47	53	59	66	73	88	100							
500	Less than 3 : 1	0	7	7	7	7	8	9	10	12	14	16	19	22	25	29	33	37	47	59	71	100					
	3 : 1 to 10 : 1	0	7	7	7	8	8	10	12	14	16	19	22	25	29	33	37	41	52	63	76	100					
	Over 10 : 1	0	7	7	8	9	11	14	18	22	25	30	34	38	43	48	53	58	70	82	96	100					
1 000	Less than 3 : 1	0	7	7	7	7	7	8	9	9	10	12	13	14	16	18	20	22	27	33	39	58	82	100			
	3 : 1 to 10 : 1	0	7	7	7	7	8	9	10	11	12	14	15	17	19	21	23	26	31	37	43	63	86	100			
	Over 10 : 1	0	7	7	8	8	9	11	13	16	19	21	24	27	30	33	36	39	46	53	60	82	100				
2 000	Less than 3 : 1	0	7	7	7	7	7	7	8	8	9	9	10	11	12	13	14	15	17	20	23	33	44	58	74	93	100
	3 : 1 to 10 : 1	0	7	7	7	7	7	8	8	9	10	11	12	13	14	15	16	17	20	23	27	37	49	63	79	97	100
	Over 10 : 1	0	7	7	7	8	8	9	11	12	14	16	18	19	21	23	25	27	32	36	40	53	66	82	99	100	

Note to Table 3.2.3.A.

- (1) L = Length of Exposing Building Face
- H = Height of Exposing Building Face
- (Apply whichever ratio is greater)



*building* measured from the finished ground level to the uppermost ceiling, except that where a *building* is divided by *fire separations* into *fire compartments*, the area of *exposing building face* is permitted to be calculated for each *fire compartment* provided such *fire separations*

- (a) in Group A, B, C, D or Group F, Division 3 *occupancy* have a *fire-resistance rating* not less than that required for the floor assembly, but shall not be less than 45 min and need not be more than 1 h, and
- (b) in Group E or Group F, Division 1 or 2 *occupancy* have a *fire-resistance rating* not less than that required for the floor assembly, but not less than 45 min.

(2) For the purposes of Sentence (1), where a horizontal *fire separation* is penetrated by openings that are not provided with *closures*, and the openings are in conformance with Article 3.2.8.2., the *fire separation* may be considered as enclosing construction for the purposes of determining *fire compartments*.

(3) For the purposes of Sentence (1), where an *interconnected floor space* is in conformance with Articles 3.2.8.3. to 3.2.8.11., each *storey* in the *interconnected floor space* may be considered to be a *fire compartment*.

**3.2.3.3. Wall Enclosing Attic or Roof Space.** Where an exterior wall enclosing an *attic or roof space* is located above an *exposing building face*, the wall shall be constructed in conformance with the requirements for the *exposing building face*.

**3.2.3.4. Party Wall.** Every wall that is a *party wall* shall be constructed as a *firewall*.

**3.2.3.5. Wall with Limiting Distance Less Than 1.2 m.** Openings in every wall that has a *limiting distance* of less than 1.2 m shall be protected by *closures*, of other than wired glass or glass block, whose *fire-protection rating* is in accordance with Table 3.1.8.A. for the *fire-resistance rating* required for the wall.

**3.2.3.6. Combustible Projection Restrictions.** Except for *buildings* containing 1 or 2 *dwelling units* only, *combustible* projections on the exterior of a wall that are more than 1 m above ground level, such as balconies, platforms, canopies, eave projections and stairs, and that could expose an adjacent *building* to fire spread, shall not be permitted within 1.2 m of a property line or the centreline of a *public way*, or within 2.4 m of a *combustible* projection on another *building* on the same property.

### 3.2.3.7. Construction of Exposing Building Face

(1) Except as permitted in Articles 3.2.3.9. and 3.2.3.10., where a *limiting distance* shown in Table 3.2.3.A. for a Group A, B, C, D or Group F, Division 3 *occupancy* classification is such as to permit an *exposing building face* to have *unprotected openings* of

- (a) not more than 10 per cent of the *exposing building face*, the *exposing building face* shall be of *noncombustible construction* having a *fire-resistance rating* of not less than 1 h and be clad with *noncombustible* cladding,
- (b) more than 10 per cent but not more than 25 per cent of the *exposing building face*, the *exposing building face* shall have a *fire-resistance rating* of not less than 1 h and be clad with *noncombustible* cladding, and
- (c) more than 25 per cent but less than 100 per cent of the *exposing building face*, the *exposing building face* shall have a *fire-resistance rating* of not less than 45 min.

(2) Except as permitted in Article 3.2.3.9., where a *limiting distance* shown in Table 3.2.3.B. for a Group E, or Group F, Division 1 or 2 *occupancy* classification is such as to permit an *exposing building face* to have *unprotected openings* of

- (a) not more than 10 per cent of the *exposing building face*, the *exposing building face* shall be of *noncombustible construction* having a *fire-resistance rating* of not less than 2 h and be clad with *noncombustible* cladding,
- (b) more than 10 per cent but not more than 25 per cent of the *exposing building face*, the *exposing building face* shall have a *fire-resistance rating* of not less than 2 h, and be clad with *noncombustible* cladding, and
- (c) more than 25 per cent but less than 100 per cent of the *exposing building face*, the *exposing building face* shall have a *fire-resistance rating* of not less than 1 h.

(3) In addition to the requirements of Sentences (1) and (2), foamed plastic insulation used in an exterior wall of a *building* more than 3 *storeys* in *building height* shall be protected on the exterior surface by

- (a) concrete or masonry not less than 25 mm thick,
- (b) material that is permitted for use in *noncombustible construction* in Article 3.1.5.5., or
- (c) *noncombustible* material that will remain in place for not less than 15 min when tested in conformance with CAN4-S101-M, "Standard Methods of Fire Endurance Tests of Building Construction and Materials".

### 3.2.3.8. Protection of Structural Members

(1) Structural members, such as beams, columns and arches placed wholly or partly outside an exterior face of a *building* and 3 m or more from the property line or centreline of a public thoroughfare need not be protected from exterior fires.

(2) Structural members in Sentence (1) that are less than 3 m from the property line or centreline of a public thoroughfare shall be protected from exterior fire by fire protection having a *fire-resistance rating* not less than that required for their protection from inside fires in conformance with Articles 3.2.2.16. to 3.2.2.62., or by fire protection having a *fire-resistance rating* of not less than 1 h, whichever is the greater.

(3) Structural members of *heavy timber construction* such as beams, columns and arches placed wholly or partly outside an exterior face of a *building* and 3 m or more from the property line or centreline of a public thoroughfare need not be covered with *noncombustible* cladding.

### 3.2.3.9. Unlimited Unprotected Openings

(1) An *exposing building face* of an *open-air storey* in a *storage garage* is permitted to have unlimited *unprotected openings* provided it has a *limiting distance* of not less than 3 m.

(2) The *exposing building face* of a *storey* that faces a *street* and is at the same level as the *street* is permitted to have unlimited *unprotected openings* if the *limiting distance* is not less than 9 m.

### 3.2.3.10. Low Fire Load, 1 Storey Building

(1) For any *building* of Group F, Division 3 *occupancy*, any non-loadbearing wall comprising an *exposing building face* is permitted to be of *noncombustible construction* without a *fire-resistance rating* provided the *building*

- (a) is not more than 1 *storey* in *building height*,
- (b) is used for low *fire load occupancies* such as described in Sentence 3.2.2.59.(1), and
- (c) is located so that the *limiting distance* is not less than 3 m.



**3.2.3.11. Increased Openings Permitted**

(1) The maximum area of *unprotected openings* in any *exposing building face* is permitted to be doubled where the *building* is *sprinklered*.

(2) The maximum area of *unprotected openings* in any *exposing building face* is permitted to be doubled where such openings are glazed with glass block or with wired glass conforming to the requirements of Article 3.1.8.14.

**3.2.3.12. Equivalent Opening Factor.** Where the surface temperature on the unexposed surface of a wall assembly exceeds the limitation of a standard fire test as permitted in Article 3.1.7.2., an allowance shall be made for the radiation from the hot unexposed wall surface by adding an equivalent area of *unprotected opening* to the area of actual openings as follows:

$$A_C = A + (A_F \times F_{EO})$$

where

$A_C$  = corrected area of *unprotected openings* including actual and equivalent openings,

$A$  = actual area of *unprotected openings*,

$A_F$  = area of exterior surface of the *exposing building face* exclusive of openings on which the temperature limitation of the standard test is exceeded, and

$F_{EO}$  = an equivalent opening factor derived from the following expression:

$$F_{EO} = \frac{(T_u + 273)^4}{(T_e + 273)^4}$$

where

$T_u$  = average temperature in degrees Celsius of the unexposed wall surface at the time the required *fire-resistance rating* is reached under test conditions, and

$T_e$  = 892°C for a *fire-resistance rating* of not less than 45 min, 927°C for a *fire-resistance rating* of not less than 1 h, and 1 010°C for a *fire-resistance rating* of not less than 2 h.

**3.2.3.13. Protection of Exit Facilities**

(1) Except as required in Sentence (3), where an *exit* enclosure has exterior walls that may be exposed to fire from openings in the exterior walls of the *building* it serves, the openings in either the exterior walls of the *exit* or the exterior walls of the *building* shall be protected with wired glass in fixed steel frames or glass block conforming to Article 3.1.8.14. where the openings in the exterior walls of the *building* are within 3 m horizontally and

- (a) less than 10 m below openings in the exterior walls of the *exit*, or
- (b) less than 2 m above openings in the exterior walls of the *exit*.

(2) Where an unenclosed exterior *exit* stair or ramp may be exposed to fire from openings in the exterior walls of the *building* it serves, the openings in the exterior walls of the building shall be protected with wired glass in fixed steel frames or glass block conforming to Article 3.1.8.14. where the openings in the exterior walls of the *building* are within 3 m horizontally and

- (a) less than 10 m below the *exit* stair or ramp, or
- (b) less than 5 m above the *exit* stair or ramp.

(3) Except as provided in Sentence 3.4.4.3.(1), where an exterior

*exit* door in one *fire compartment* is within 3 m horizontally of openings in another *fire compartment*, and the exterior walls containing such openings intersect at an exterior angle of less than 135°, the openings shall be protected with wired glass in fixed steel frames or glass block conforming to Article 3.1.8.14.

**3.2.3.14. Wall Exposed to Another Wall**

(1) Except as provided in Sentences 3.3.2.3.13.(1) and 3.2.3.20.(4), where an opening in an exterior wall of a *fire compartment* is exposed to an opening in the exterior wall of another *fire compartment*, and the planes of the 2 walls are parallel or at an angle of less than 135°, measured from the exterior of the *building*, the openings in the 2 *fire compartments* shall be separated by a distance at least equal to  $D_O$  where

$$D_O = 2D - \left(\frac{\theta}{90} \times D\right), \text{ but in no case less than 1 m}$$

where

$D_O$  = the greater required *limiting distance* for the *exposing building faces* of the 2 *fire compartments*, and

$\theta$  = the angle made by the intersecting planes of the *exposing building faces* of the 2 *fire compartments*, (in the case where the exterior walls are parallel and face each other,  $\theta = 0^\circ$ ).

(2) The exterior wall of each *fire compartment* in Sentence (1) within the distance,  $D_O$ , shall have a *fire-resistance rating* not less than that required for the interior vertical *fire separation* between the compartment and the remainder of the *building*.

**3.2.3.15. Wall Exposed to Adjoining Roof.** Except as permitted in Sentence 3.2.3.20.(4), where a wall in a *building* is exposed to a fire hazard from an adjoining roof of a separate unsprinklered *fire compartment* in the same *building*, and the exposed wall contains windows within 3 storeys vertically and 5 m horizontally of such roof, the roof shall contain no skylights within 5 m of the exposed wall.

**3.2.3.16. Protection of Soffits**

(1) Where there is a common *attic* or *roof space* above more than 2 *suites* of *residential occupancy* or above more than 2 patients' sleeping rooms, and the common *attic* or *roof space* projects beyond the exterior wall of the *building*, the soffit and any opening in the soffit or other surface of the projection located within 2.5 m of a window or door opening shall be protected by

- (a) *noncombustible* material not less than 0.38 mm thick and having a melting point not below 650°C,
- (b) plywood not less than 11 mm thick,
- (c) strandboard or waferboard not less than 12.5 mm thick, or
- (d) lumber not less than 11 mm thick.

(2) The soffit protection required in Sentence (1) shall extend the full width of the opening and to not less than 1.2 m on either side of it, with no *unprotected opening* into the soffit within this limit.

(3) Where an eave overhang is completely separated from the remainder of the *attic* or *roof space* by fire stopping, the requirements in Sentence (1) do not apply.

(4) Where an *attic* or *roof space*, including its adjoining eave overhangs, is separated by construction conforming to Article 3.1.11.7. into compartments such that the resulting spaces are not common to more than 2 *suites* of *residential occupancy* or 2 patients' sleeping rooms, the requirements in Sentence (1) do not apply.

**3.2.3.17. Apron, Canopy or Spandrel Protection for Vertically Separated Openings.** Where any storey of a building classified as a Group E or Group F, Division 1 or 2 major occupancy is required to be separated from the storey above or below by a fire separation, every opening in an exterior wall located vertically above another opening shall be separated by apron or spandrel walls not less than 1 m high or by a canopy not less than 1 m wide at each floor level and the apron, spandrel or canopy shall have a fire-resistance rating not less than that of the construction required for the floor assembly but need not be more than 1 h, except as required elsewhere in this Subsection.

**3.2.3.18. Roof Coverings**

(1) Except as provided in Sentence (2), every building shall have a Class A, B or C roof covering as described in Subsection 3.1.15.

(2) Roof coverings are not required to have a Class A, B or C rating for

- (a) tents and air-supported structures, and
- (b) buildings of Group A, Division 2 occupancy not more than 2 storeys in building height and not more than 1 000 m<sup>2</sup> in building area provided the roof covering is underlaid with noncombustible material.

**3.2.3.19. Covered Vehicular Passageway.** A covered vehicular passageway shall

- (a) be of noncombustible construction when constructed below grade, and
- (b) be separated from every building or part of a building adjoining it by a fire separation having a fire-resistance rating of not less than 1.5 h where it is designed as a receiving or shipping area.

**3.2.3.20. Walkway between Buildings**

(1) Except as provided in Sentence 3.2.3.21.(2), where buildings are connected by a walkway, each building shall be separated from the walkway by a fire separation with a fire-resistance rating of not less than 45 min.

(2) Except as provided in Sentence (3), a walkway connected to a building required to be of noncombustible construction shall also be of noncombustible construction.

(3) A walkway connected to a building required to be of noncombustible construction is permitted to be of heavy timber construction provided

- (a) not less than 50 per cent of the area of any enclosing perimeter walls is open to the outdoors, and
- (b) the walkway is at ground level.

(4) A walkway of noncombustible construction used only as a pedestrian thoroughfare and that is not required as an exit, need not conform to the requirements of Articles 3.2.3.14. and 3.2.3.15.

**3.2.3.21. Underground Walkway**

(1) An underground walkway shall not be designed for any purpose other than pedestrian travel unless such other purpose is permitted and any space in the walkway containing an occupancy is sprinklered.

(2) Buildings connected by an underground walkway shall be separated from the walkway by a fire separation with a fire-resistance rating of not less than 1 h.

(3) An underground walkway shall be of noncombustible construction suitable for underground location.

(4) Smoke barrier doors shall be installed in underground walkways at intervals of not more than 100 m, or the travel distance from the door of an adjacent room or space to the nearest exit shall not be more than one and a half times the least allowable travel distance for any of the adjacent occupancies as prescribed in Sentence 3.4.2.5.(1).

**3.2.4. Fire Alarm and Detection Systems**

**3.2.4.1. Determination of Requirement for a Fire Alarm System**

(1) Except as provided in Sentences (2) to (4), a fire alarm system shall be installed when the occupant load in Table 3.2.4.A. for any major occupancy is exceeded, and in buildings containing

- (a) a contained use area,
- (b) an impeded egress zone,
- (c) an interconnected floor space required to conform to Articles 3.2.8.3. to 3.2.8.11.,
- (d) more than 3 storeys, including storeys below grade,
- (e) a total occupant load of more than 300, other than in open air seating areas,
- (f) an occupant load of more than 150 above or below the first storey, other than in open air seating areas, or
- (g) a child care facility, including a day care facility, with an occupant load of more than 40.

**Table 3.2.4.A.**  
Forming Part of Sentence 3.2.4.1.(1)

Major Occupancy Classification	Occupant Load Above Which a Fire Alarm System is Required
Group A, Division 2 (licensed restaurants and beverage establishments only)	150
Group A, Division 2 (schools and colleges only)	40
Group A, Division 4	300 below the seating area
Group B, Division 2	10 receiving care or treatment
Group C	10 having sleeping accommodation
Group F, Division 1	25
Group F, Division 2 and 3	75 above or below the first storey
Column 1	2

(2) A fire alarm system is not required in apartment buildings where not more than 4 dwelling units share a common means of egress, or in buildings 3 storeys or less in building height where each dwelling unit is served by an exterior exit facility leading to ground level.

(3) A fire alarm system is not required in hotels 3 storeys or less in building height where each suite is served by an exterior exit facility leading to ground level.

(4) Except as required in Sentence 3.2.4.2.(1), a fire alarm system is not required in a storage garage conforming to Article 3.2.2.60. provided there are no other occupancies in the building.

**3.2.4.2. Continuity of Fire Alarm System**

(1) Where there are openings through a *firewall*, other than those for piping, tubing, wiring and totally enclosed *noncombustible* raceways, the requirements in this Subsection shall apply to the *floor areas* on both sides of the *firewall* as if they were in the same *building*.

(2) Except as provided in Sentence (4), where a *building* contains more than 1 *major occupancy* and a fire alarm system is required, a single system shall serve all *occupancies*.

(3) Except as provided in Sentence (4), where a fire alarm system is required in any portion of a *building*, it shall be installed throughout the *building*.

(4) Except as provided in Sentence (5), in a *building* not more than 3 *storeys* in *building height*, where a vertical *fire separation* having a *fire-resistance rating* of not less than 1 h separates a portion of the *building* from the remainder of the *building* and there are no openings through the *fire separation*, other than those for piping, tubing, wiring and totally enclosed *noncombustible* raceways, the requirements in this Subsection are permitted to be applied to each portion so separated as if it were a separate *building*.

(5) The permission in Sentence (4) to consider separated portions of a *building* as separate *buildings* does not apply to *service rooms* and storage rooms.

**3.2.4.3. Types of Fire Alarm Systems.** Fire alarm systems shall be

- (a) single stage systems in Group F, Division 1 *occupancies*,
- (b) 2 stage systems in Group B *occupancies* other than those described in Clause (c),
- (c) single or 2 stage systems in *buildings* 3 *storeys* or less in *building height* used for children's custodial homes, convalescent homes or orphanages, and
- (d) single or 2 stage systems in all other cases.

**3.2.4.4. Description of Fire Alarm Systems**

(1) A single stage fire alarm system shall, upon the operation of any manual pull station or *fire detector*, cause an *alarm signal* to sound on all audible signal appliances in the system.

(2) A 2 stage fire alarm system shall

- (a) cause an *alert signal* to sound upon the operation of any manual pull station or *fire detector*,
- (b) except for Group B, Division 2 *major occupancies*, automatically cause an *alarm signal* to sound if the *alert signal* is not acknowledged within 5 min of its initiation,
- (c) have each manual pull station equipped so that the use of a key or other similar device causes an *alarm signal* to sound and continue to sound upon the removal of the key or similar device from the manual pull station, and
- (d) in a *building* containing a *hotel*
  - (i) cause an *alarm signal* to sound in the initiating fire zone, and
  - (ii) cause an *alert signal* to sound throughout the *building* in accordance with the fire safety plan required for the *building* under the Ontario Fire Code made under the *Fire Marshals Act*.

(3) Fire alarm systems in Sentences (1) and (2) are permitted to be zone coded so that, upon the operation of any manual pull station or *fire detector*

(a) a coded *alarm signal* is sounded for a single stage system or a coded *alert signal* is sounded for a 2 stage system indicating the zone of alarm initiation,

(b) the coded *alert signal* or *alarm signal* is repeated in its entirety not less than 4 times, and

(c) a continuous *alert signal* or *alarm signal* is sounded upon completion of the coded signals in Clause (b) and Sentence (4).

(4) When a second manual pull station or *fire detector* is operated in a system in Sentence (3), in a zone other than that for which the first *alert signal* or *alarm signal* was sounded, the coded *alert signal* or *alarm signal* for the first zone shall be completed before the coded *alert signal* or *alarm signal* for the second zone is repeated not less than 4 times.

**3.2.4.5. Installation and Testing of Fire Alarm Systems**

(1) Fire alarm and voice communication systems shall be installed in conformance with CAN/ULC-S524-M, "Standard for the Installation of Fire Alarm Systems".

(2) Fire alarm systems shall be tested to ensure satisfactory operation in conformance with CAN/ULC-S537-M, "Standard for the Verification of Fire Alarm System Installations".

**3.2.4.6. Silencing of Alarm Signals**

(1) Required fire alarm systems shall be designed so that when an *alarm signal* is activated, it cannot be silenced automatically for at least

- (a) 5 min for *buildings* not required to be equipped with an annunciator,
- (b) 3 min for hospitals only, and
- (c) 20 min for all other *buildings*.

(2) Except as permitted in Sentences 3.2.4.22.(2) and (3), a required fire alarm system shall not incorporate manual silencing switches other than those installed inside the fire alarm control unit.

**3.2.4.7. Signals to Fire Department**

(1) Where 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 (3) that an *alarm signal* has been initiated in

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

(2) Where a fire alarm system is required to be installed and a 2 stage system is provided, the system shall be designed to notify the fire department in conformance with Sentence (3) that an *alert signal* has been initiated.

(3) Except as permitted in Sentence (4), signals to the fire department shall be by way of

- (a) the municipal fire alarm system,
- (b) an independent central station conforming to NFPA-71,

“Installation, Maintenance, and Use of Central Station Signaling Systems”, or

- (c) a proprietary control centre conforming to NFPA-72D, “Installation, Maintenance, and Use of Proprietary Protective Signaling Systems”.

(4) When the facilities in Sentence (3) are not available in the municipality in which the *building* is to be built, an independent system is permitted to be used to transmit signals to the fire department.

(5) Where a required fire alarm system has been installed with no provisions to transmit a signal to the fire department as indicated in Sentences (2), (3) and (4), a legible, permanently-mounted notice shall be posted at each manual pull station requesting that the fire department be notified and including the telephone number of that department.

#### 3.2.4.8. Annunciator and Zone Indication

(1) Except as permitted in Sentences (2) to (4), an annunciator shall be installed in a location that is readily accessible to firefighters entering the *building* and be in close proximity to a *building* entrance that faces a *street* or an access route for fire department vehicles that complies with Sentence 3.2.5.6.(1), and the annunciator shall have separate zone indicators of the actuation of the alarm initiating devices in each

- (a) *floor area* so that the coverage for each zone is not more than 2 000 m<sup>2</sup>,
- (b) *fire compartment* required to be separated by vertical *fire separations* having a *fire-resistance rating* of not less than 2 h, other than *dwelling units* described in Subsection 3.3.4.,
- (c) shaft required to be equipped with *fire detectors*,
- (d) air handling system required to be equipped with *smoke detectors*,
- (e) *contained use area*,
- (f) *impeded egress zone*,
- (g) zone required in Sentence 3.3.3.6.(6), and
- (h) *fire compartment* required in Sentence 3.3.3.7.(2).

(2) An annunciator need not be provided for a fire alarm system when not more than 1 zone indicator is required in Sentence (1).

(3) When an annunciator is not installed as part of a required fire alarm system in conformance with Sentence (1), a visual and audible trouble signal device shall be provided inside the main entrance of the *building* to indicate the status of the system.

(4) The requirements in Sentence (1) are waived in a *building* that has an aggregate area for all *storeys* of not more than 2 000 m<sup>2</sup> and is not more than 3 *storeys* in *building height*.

(5) Where a sprinkler system is used in lieu of *heat detectors* in conformance with Article 3.2.4.16., the requirements for zone indication in Clauses (1) (a) and (b) are waived provided the actuation of the alarm initiating devices is indicated on the annunciator in conformance with the zone indication requirements for the sprinkler system.

(6) In a *building* containing a *hotel* in which a trouble signal sounding device has a silencing switch, a trouble light shall be installed in the main reception area or other continually-supervised location.

(7) In a nursing home, a remote audiovisual fire alarm trouble signal shall be located at the main nursing station.

**3.2.4.9. Electrical Supervision.** Electrical supervision shall be provided for required fire alarm systems.

#### 3.2.4.10. Fire Detectors

(1) *Fire detectors* required in this Article shall be connected to the fire alarm system.

(2) Except as provided in Article 3.2.4.16., where a fire alarm system is required, *fire detectors* shall be installed in

- (a) storage rooms not within *dwelling units*,
- (b) *service rooms* not within *dwelling units*,
- (c) janitors' rooms,
- (d) elevator and dumbwaiter shafts, and
- (e) rooms where hazardous products are to be used or stored.

**3.2.4.11. Heat Detectors.** Except as provided in Article 3.2.4.16., where a fire alarm system is required, *heat detectors* shall be installed

- (a) in every room in portions of *buildings* classified as Group A, Division 1 or Group B *major occupancy* other than sleeping rooms,
- (b) except in a *hotel*, in every *suite*, and every room not located within a *suite*, in portions of *buildings* classified as Group C *major occupancy* and more than 3 *storeys* in *building height*, and
- (c) in a *hotel*, in every room in a *suite* and in every room not located within a *suite*, other than saunas, refrigerated areas and swimming pools.

**3.2.4.12. Smoke Detectors.** Where a fire alarm system is required, *smoke detectors* shall be installed in

- (a) every sleeping room and corridor in portions of *buildings* classified as Group B *major occupancy*,
- (b) every room in a *contained use area* and corridors serving those rooms,
- (c) every corridor in portions of *buildings* classified as Group A, Division 1 *major occupancy*,
- (d) every *public corridor* in portions of *buildings* classified as Group C *major occupancy*, and
- (e) every *exit* stair shaft.

**3.2.4.13. Prevention of Smoke Circulation.** Where a fire alarm system is required, every recirculating air handling system shall be designed to prevent the circulation of smoke upon a signal from a duct-type *smoke detector* where the air handling system

- (a) serves more than 1 *storey*,
- (b) serves more than 1 *suite* in a *storey*,
- (c) serves more than 1 zone required in Sentence 3.3.3.6.(6), or
- (d) serves more than 1 *fire compartment* required in Sentence 3.3.3.7.(2).

**3.2.4.14. Vacuum Cleaning Systems.** Central vacuum cleaning systems in *buildings* required to be equipped with a fire alarm system shall be designed to shut down automatically upon actuation of the fire alarm system.

**3.2.4.15. Elevator Emergency Return**

(1) Except as permitted in Sentence (3), in *buildings* having elevators that serve *storeys* above the *first storey* and that are equipped with an automatic emergency recall feature, *smoke detectors* shall be installed in the elevator lobbies on the recall level so that when actuated, the elevators will automatically return directly to an alternate floor level.

(2) *Smoke detectors* required in Sentence (1) shall be designed as part of the *building* fire alarm system.

(3) The alternate floor recall feature specified in Sentence (1) is not required if the *floor area* containing the recall level is *sprinklered*.

**3.2.4.16. Sprinklers in Lieu of Heat Detectors**

(1) *Heat detectors* in Articles 3.2.4.10. and 3.2.4.11. need not be provided where an automatic sprinkler system conforming to Sentences (2) to (5) and Article 3.2.5.13. is installed throughout the *floor area*.

(2) If an annunciator is required by Article 3.2.4.8., automatic sprinkler systems referred to in Sentence (1) shall be equipped with waterflow detecting devices so that each device serves

- (a) not more than one *storey*, and
- (b) an area on each *storey* that is not more than system area limits as specified in NFPA 13, "Installation of Sprinkler Systems".

(3) Waterflow detecting devices required by Sentence (2) shall be connected to initiate an *alert signal* or an *alarm signal* on the fire alarm system.

(4) The actuation of each waterflow detecting device required by Sentence (2) shall be indicated separately on the fire alarm system annunciator.

(5) The sprinkler system referred to in Sentence (1) shall be electrically supervised to indicate a trouble signal on the *building* fire alarm system annunciator for each of the following:

- (a) movement of a control valve handle,
- (b) loss of excess water pressure required to prevent false alarms in a wet pipe system,
- (c) loss of air pressure in a dry pipe system,
- (d) loss of air pressure in a pressure tank,
- (e) a significant change in water level in any water storage container used for fire fighting purposes,
- (f) loss of electrical power to any automatically starting electrical fire pump, and
- (g) a temperature approaching the freezing point in any dry pipe valve enclosure or water storage container used for fire fighting purposes.

**3.2.4.17. Manual Pull Stations**

(1) Except as permitted in Sentences (3) and (4), a manual pull station shall be installed on every *floor area* near every required *exit*.

(2) In a *building* containing a *hotel*, a manual pull station shall also be installed in the main reception area.

(3) In Group C apartment *buildings*, if a pull station is not installed on a *floor area* in accordance with Sentence (1),

- (a) a manual pull station shall be installed in every *dwelling unit*

in the *floor area* near each egress door leading from the *dwelling unit*,

- (b) *smoke detectors* shall be installed in the *floor area* in *public corridors* and stairwells, and
- (c) *fire detectors* shall be installed in the *floor area* in all common public areas and in rooms not located within *dwelling units*.

(4) In *floor areas* where the manual pull stations are located in *dwelling units*, a legible sign stating "Fire Alarm Pull Stations Located in Apartment Units" shall be posted near every *exit* in a *public corridor*.

**3.2.4.18. Alert and Alarm Signals**

(1) *Alert signals* and *alarm signals* shall be readily distinguishable from each other and from other signals which may be sounded in the *building*.

(2) In a 2 stage fire alarm system described in Sentence 3.2.4.4.(2), the same audible signal appliances are permitted to be used to sound the *alert signals* and the *alarm signals*.

(3) If audible signal appliances with voice reproduction capabilities are intended for paging and similar voice message use, other than during a fire emergency, they shall be installed so that *alert signals* and *alarm signals* take priority over all other signals.

(4) Audible signal appliances forming part of a fire alarm or voice communication system shall not be used for playing music or background noise.

(5) In a *building* or portion thereof intended for use primarily by persons with hearing impairments, visual signal appliances shall be installed in addition to audible signal appliances.

**3.2.4.19. Audibility of Alarm Signals**

(1) Audible signal appliances forming part of a required fire alarm system shall be installed in a *building* so that *alert signals*, *alarm signals* and voice messages can be heard intelligibly throughout the *floor area* in which they are installed.

(2) If a fire alarm system is required, audible signal appliances shall be located in a *service space* referred to in Sentence 3.2.1.1.(7) and shall be connected to the fire alarm system.

**3.2.4.20. Visual Signals**

(1) Visual signal appliances required in Sentence 3.2.4.18.(5) shall be installed in a *building* so that the signal from not less than one appliance is visible throughout the *floor area* or portion thereof in which they are installed.

(2) In addition to the requirements for fire alarm and detection systems in this Subsection, visual signals from *smoke detectors* required in sleeping rooms of Group B *occupancy* shall be provided so that staff serving those rooms can easily identify the room or location of fire alarm initiation.

**3.2.4.21. Smoke Alarms**

(1) *Smoke alarms* conforming to CAN/ULC-S531-M, "Standard for Smoke Alarms" shall be installed in each *dwelling unit* and, except for *institutional occupancies* required to have a fire alarm system, in each sleeping room not within a *dwelling unit*.

(2) *Smoke alarms* within *dwelling units* shall be installed between each area containing sleeping rooms and the remainder of the *dwelling unit*, and where the sleeping rooms are served by hallways, the *smoke alarms* shall be installed in the hallways.

- (3) *Smoke alarms* shall be installed on or near the ceiling.

(4) *Smoke alarms* shall be installed with permanent connections to an electrical circuit and shall have no disconnect switches between the overcurrent device and the *smoke alarm*.

(5) Where more than one *smoke alarm* is required in a *dwelling unit*, they shall be wired so that the actuation of one alarm will cause all alarms within the *dwelling unit* to sound.

### 3.2.4.22. Voice Communication System

(1) A voice communication system required in Subsection 3.2.6. shall consist of

- (a) a 2-way communication system in each *floor area*, with connections to the central alarm and control facility and to the mechanical control centre, and
- (b) loudspeakers operated from the central alarm and control facility which are designed and located so as to be heard in all parts of the *building*, except that this requirement does not apply to elevator cars.

(2) The voice communication system referred to in Sentence (1) shall include provision for silencing the *alarm signal* in a single stage fire alarm system when voice messages are being transmitted, but only after the *alarm signal* has sounded initially for not less than

- (a) 30 s in Group B, Division 2 *major occupancies*, and
- (b) 1 min in all other *occupancies*.

(3) The voice communication system referred to in Sentence (1) shall include provision for silencing the *alert signal* and the *alarm signal* in a 2 stage fire alarm system when voice messages are being transmitted, but only after the *alert signal* has sounded initially for not less than

- (a) 30 s in Group B, Division 2 *major occupancies*, and
- (b) 1 min in all other *occupancies*.

(4) The voice communication system referred to in Clause (1) (b) shall be designed so that voice instructions can be transmitted selectively to any zone or zones while maintaining an *alert signal* or *alarm signal* to the other zones in the *building*.

(5) The 2-way communication system referred to in Clause (1) (a) shall be installed so that emergency telephones are located in each *floor area* near *exit* stair shafts.

### 3.2.5. Provisions for Fire Fighting

#### 3.2.5.1. Access to Above Grade Storeys

(1) Except for *storeys* below the *first storey*, direct access for fire fighting shall be provided from the outdoors to every *storey* having its floor level less than 25 m above *grade* by not less than one unobstructed window or access panel for each 15 m of wall in each wall required to face a *street* in Subsection 3.2.2.

(2) An opening for access required in Sentence (1) shall be not less than 1 100 mm high by 550 mm wide, with a sill height of not more than 900 mm above the inside floor.

(3) Access panels above the *first storey* shall be readily openable from both inside and outside, or the opening shall be glazed with plain glass.

#### 3.2.5.2. Access to Basements

(1) Direct access from not less than one *street* shall be provided from the outdoors to each *basement* having a horizontal dimension more than 25 m.

(2) The access required by Sentence (1) is permitted to be pro-

vided by doors, windows or other means that provide an opening at least 1 100 mm high and 550 mm wide, the sill of which shall be not higher than 900 mm above the inside floor, or by an interior stairway immediately accessible from the outdoors.

**3.2.5.3. Waiver for Access to Sprinklered Storeys.** The requirements of Articles 3.2.5.1. and 3.2.5.2. need not apply to any *storey*, including *basements*, that is *sprinklered*.

#### 3.2.5.4. Roof Access

(1) On *buildings* more than 3 *storeys* in *building height* where the slope of the roof is less than 1 in 4, all main roof areas shall be provided with direct access from the *floor areas* immediately below, either by a stairway or by a hatch not less than 550 mm by 900 mm with a suitable fixed ladder.

(2) Clearance and access around roof signs or other obstructions shall provide

- (a) a passage not less than 900 mm wide by 1 800 mm high, clear of all obstructions except for necessary horizontal supports not more than 600 mm above the roof surface
  - (i) around every roof sign, and
  - (ii) through every roof sign at locations not more than 15 m apart, and
- (b) a clearance of not less than 1.2 m between any portion of a roof sign and any opening in the exterior wall face or roof of the *building* in which it is erected.

**3.2.5.5. Access Routes.** Every *building* which is more than 3 *storeys* in *building height* or more than 600 m<sup>2</sup> in *building area* shall be provided with access routes for fire department vehicles

- (a) to the principal entrance, and
- (b) to each *building* face having access openings for fire fighting as required in Articles 3.2.5.1. and 3.2.5.2.

#### 3.2.5.6. Location of Access Routes

(1) Access routes required by Article 3.2.5.5. shall be located so that the principal entrance and every access opening required by Articles 3.2.5.1. and 3.2.5.2. are located not less than 3 m and not more than 15 m from the closest portion of the access route required for fire department use, measured horizontally from the face of the *building*.

(2) Access routes shall be provided to every *building* so that

- (a) for *buildings* provided with a fire department connection, a fire department pumper vehicle can be located adjacent to the hydrants described in Article 3.2.5.16.,
- (b) for *buildings* not provided with a fire department connection, a fire department pumper vehicle can be located so that the length of the access route from a hydrant to the vehicle plus the unobstructed path of travel for the firefighter from the vehicle to the *building* is not more than 90 m, and
- (c) the unobstructed path of travel for the firefighter from the vehicle to the *building* is not more than 45 m.

(3) The unobstructed paths of travel for the firefighter required by Sentence (2) from the vehicle to the *building* shall be measured from the vehicle to the fire department connection provided for the *building*, except that where no such connection is provided, the paths of travel shall be measured to the principal entrance of the *building*.

(4) Where a portion of a *building* is completely cut off from the remainder of the *building* so that there is no access to the remainder

of the *building*, the access routes required by Sentence (2) shall be located so that the unobstructed path of travel from the vehicle to one entrance of each such portion is not more than 45 m.

**3.2.5.7. Access Route Design.** A portion of a roadway or yard provided as a required access route for fire department use shall

- (a) have a clear width of not less than 6 m, unless it can be shown that lesser widths are satisfactory,
- (b) have a centreline radius of not less than 12 m,
- (c) have an overhead clearance of not less than 5 m,
- (d) have a change of gradient of not more than 1 in 12.5 over a minimum distance of 15 m,
- (e) be designed to support the expected loads imposed by fire fighting equipment and be surfaced with concrete, asphalt or other material designed to permit accessibility under all climatic conditions,
- (f) have turnaround facilities for any dead end portion of the access route more than 90 m, and
- (g) be connected with a public thoroughfare.

**3.2.5.8. Water Supply**

(1) An adequate water supply for fire fighting shall be provided for every *building*.

(2) Hydrants shall be located within 90 m horizontally of any portion of a *building* perimeter which is required to face a *street* in Subsection 3.2.2.

**3.2.5.9. Reserved.**

**3.2.5.10. Reserved.**

**3.2.5.11. Reserved.**

**3.2.5.12. Reserved.**

**3.2.5.13. Automatic Sprinkler Systems**

(1) Except as provided in Sentences (2) and (3), where a sprinkler system is required, it shall be designed, constructed, installed and tested in conformance with NFPA 13, "Installation of Sprinkler Systems".

(2) Where a *building* contains fewer than 9 sprinklers, the water supply for such sprinklers is permitted to be supplied from the domestic water system for the *building* provided the required flow and pressure for the sprinklers can be met by the domestic system.

(3) Where a water supply serves both a sprinkler system and a system serving other equipment, control valves shall be provided so that either system can be shut off independently.

(4) Open grid and translucent ceilings located below sprinkler systems shall be installed in conformance with NFPA 13, "Installation of Sprinkler Systems", paragraphs 4-4.14 and 4-4.15.

(5) Where a sprinkler system has one or more electrically supervised control valves in order to meet the requirements of this Article, each valve shall be equipped with an electrically supervised switch for transmitting a signal for individual annunciation in the event of movement of the valve handle and the same annunciator panel may be utilized for supervision of valves in both the sprinkler and the standpipe systems.

**3.2.5.14. Combustible Sprinkler Piping**

(1) *Combustible* sprinkler piping shall be used only for wet systems in *residential occupancies* and other light hazard *occupancies*.

(2) *Combustible* sprinkler piping shall meet the requirements of ULC C199P-M, "Guide for the Investigation of Combustible Piping for Sprinkler Systems".

(3) Except as permitted in Sentence (4), *combustible* sprinkler piping shall be separated from the area served by the sprinkler system and from any other *fire compartment* by ceilings, walls, or soffits consisting of, as a minimum, lath and plaster, gypsum board not less than 9.5 mm thick, plywood not less than 13 mm thick, or a suspended membrane ceiling with lay-in panels or tiles and steel suspension grids, with the lay-in panels or tiles having a mass of not less than 1.7 kg/m<sup>2</sup>.

(4) Where *combustible* sprinkler piping is located above a ceiling, openings in the ceiling that are unprotected through the ceiling shall

- (a) have an individual area not more than 0.71 m<sup>2</sup>,
- (b) have no dimension greater than 1 200 mm, and
- (c) be located so that the distance between the edge of the opening and the nearest sprinkler head is not more than 300 mm.

**3.2.5.15. Sprinklered Service Space**

(1) An automatic sprinkler system shall be installed in a *service space* referred to in Sentence 3.2.1.1.(7) if flooring for access within the *service space* is other catwalks.

(2) The sprinkler system required by Sentence (1) shall be equipped with waterflow detecting devices with each device serving not more than one *storey*.

(3) The waterflow detecting devices required by Sentence (2) shall be connected to the fire alarm system, if required, to

- (a) initiate an *alert signal* or an *alarm signal*, and
- (b) indicate separately on the fire alarm system annunciator the actuation of each device.

(4) If a *building* is required to be *sprinklered*, sprinkler protection need not be provided in computer room floors

- (a) if the electrical communication wiring and cable sheathes do not convey flame or continue to burn for more than 1 min when tested in conformance with the Vertical Flame Test in Clause 4.11.1. of CSA C22.2 No. 0.3, "Test Methods for Electrical Wires and Cables" (FT1 Rating), or they comply with the test requirements in Clause 3.1.5.17.(1) (a), (FT4 Rating) or in Subclause 3.5.4.3.(1) (a) (ii), (FT6 Rating), and

- (b) in *noncombustible buildings*, if the *combustible* components are limited to those permitted in Subsection 3.1.5.

(5) Where a room, chute or bin is required to be *sprinklered* as indicated in Sentence 3.3.4.3.(1), Article 3.5.2.7. and Sentence 3.5.3.3.(6), the sprinklers may be supplied with water from the fire standpipe system provided that

- (a) except for a chute, not more than 8 sprinkler heads are required to protect any room or bin based on a maximum coverage of 12 m<sup>2</sup> per sprinkler head,
- (b) the standpipe riser is
  - (i) not less than 6 in. in diameter, or



- (ii) hydraulically designed to meet combined water supply as specified in Clause (c),
- (c) the water supply for a standpipe system, pumping capability and water storage facility, if required, is increased to supply 95 L/min for each sprinkler head over and above the requirements for the standpipe system up to maximum 760 L/min for sprinklers,
- (d) a waterflow detecting device shall be installed in the sprinkler main adjacent to the point of connection to the standpipe riser, and
- (e) the activation of each waterflow detecting device in Clause (d) shall be indicated separately on the fire alarm system annunciator.

### 3.2.5.16. Fire Department Connections

(1) Fire department connections for standpipe and hose systems shall conform to the requirements in Article 3.2.9.5.

(2) Fire department connections for sprinkler systems shall conform to the requirements for fire department connections for standpipe systems contained in Article 3.2.9.5., except that Sentence 3.2.9.5.(8), the sign shall display the word **SPRINKLER**.

### 3.2.5.17. Portable Fire Extinguishers

(1) Portable extinguishers shall be provided and installed in conformance with the provisions of the Ontario Fire Code made under the *Fire Marshals Act*.

(2) In a Group B, Division 1 *major occupancy*, portable fire extinguishers are permitted to be located in secure areas, or in lockable cabinets provided that

- (a) identical keys for all cabinets are located at all guard stations, or
- (b) electrical remote release devices are provided and are connected to an emergency power supply.

**3.2.5.18. Protection from Freezing.** Equipment forming part of a fire protection system that may be adversely affected by freezing temperatures and that is located in an unheated area shall be adequately protected from freezing.

### 3.2.6. Additional Requirements for High Buildings

**3.2.6.1. Application.** This Subsection applies to

- (a) every *building* of Group A, D, E or F *major occupancy* classification that is more than
  - (i) 36 m high, measured between *grade* and the floor level of the top *storey*, or
  - (ii) 18 m high, measured between *grade* and the floor level of the top *storey*, and in which the cumulative or total *occupant load* on or above any *storey* above *grade*, other than the *first storey*, divided by 1.8 times the width in metres of all *exit* stairs at that *storey*, exceeds 300 persons,
- (b) every *building* containing a Group B *major occupancy* in which the floor level of the highest *storey* of that *major occupancy* is more than 18 m above *grade* or every *building* containing a *floor area* or part of a *floor area* located above the third *storey* designed or intended as a Group B, Division 2 *occupancy*, and
- (c) every *building* containing a Group C *major occupancy* whose floor level is more than 18 m above *grade*.

### 3.2.6.2. Limits to Smoke Movement

(1) Except as permitted in Sentence 3.2.6.6.(2), every *building* shall be designed to limit the danger to occupants and firefighters from exposure to smoke in a *building* fire, as provided in Sentences (2) to (4) and Articles 3.2.6.3. to 3.2.6.7.

(2) Except as provided in Articles 3.2.6.4. to 3.2.6.6., every *building* shall be designed so that during a period of 2 h after the start of a fire all *floor areas* that are above the lowest *exit storey* will not contain more than 1 per cent by volume of contaminated air from the fire floor, assuming an outdoor temperature equal to the January design temperature on a 2.5 per cent basis determined in conformance with Subsection 2.5.1.

(3) Except as provided in Articles 3.2.6.4 and 3.2.6.6., every *building* shall be designed so that during a fire the limit described in Sentence (2) on the movement of contaminated air into other *floor areas* is not exceeded in

- (a) each *exit* stair serving *storeys* above the lowest *exit level*, and
- (b) each *exit* stair serving *storeys* below the lowest *exit level*.

(4) Except as provided in Articles 3.2.6.4. and 3.2.6.6., every *building* shall be designed so that during a fire the limit described in Sentence (2) on the movement of contaminated air into other *floor areas* is not exceeded in a shaft that contains an elevator for use by firefighters, as required by Article 3.2.6.9.

**3.2.6.3. Areas of Refuge.** Except in *buildings* of Group B *major occupancy* classification, the requirements of Sentence 3.2.6.2.(2) are waived in *buildings* where occupants above the *first storey* can enter and be safely accommodated in *floor areas* or parts of *floor areas* that

- (a) are designated as areas of refuge on the plans and are identified as such in the *building*,
- (b) are located on every fifth *storey*, except that in *buildings* of Group C *major occupancy* classification that are more than 75 m high, measured between *grade* and the floor level of the top *storey*, are located on every *storey*,
- (c) provide not less than 0.5 m<sup>2</sup> of floor space per ambulatory occupant and 1.5 m<sup>2</sup> of floor space per non-ambulatory occupant,
- (d) have access corridors and doors leading to each designated part of a *floor area* on the same *storey* sufficient to provide 3.67 mm of width for every person who may have to use these passages to reach the designated part of a *floor area*,
- (e) have access stairs from intervening *storeys* leading to each designated part of a *floor area* sufficient to provide 5.5 mm of width for every person who may have to use these stairs to reach the designated part of a *floor area*, and
- (f) during a period of 2 h after the start of a fire do not contain more than 1 per cent by volume of contaminated air from the fire floor, assuming an outdoor temperature equal to the January design temperature on a 2.5 per cent basis determined in conformance with Subsection 2.5.1.

**3.2.6.4. Sprinklered Buildings.** The requirements of Sentences 3.2.6.2.(2) and (4), and Clause 3.2.6.2.(3) (a) are waived when a *building* is *sprinklered*, and

- (a) the sprinkler system is equipped with a waterflow and supervisory signal system that will
  - (i) transmit automatically a waterflow signal directly to the fire department, or through an independent central station,



- (ii) transmit automatically other supervisory signals to a proprietary control centre or to an independent central station, and
  - (iii) actuate a signal at the central alarm and control facility described in Article 3.2.6.12.,
- (b) each stairway that serves *storeys* above the lowest *exit level* is vented to the outdoors at or near the bottom of the stair shaft,
  - (c) measures are taken to limit movement of smoke from a fire in a *floor area* below the lowest *exit storey* into upper *storeys*, and
  - (d) except for exhaust fans in kitchens, washrooms and bathrooms in *dwelling units*, and except for fans used for smoke venting in Article 3.2.6.10., air moving fans are designed and installed so that in the event of a fire such fans can be stopped by means of a manually operated switch at the central alarm and control facility where the system serves more than 2 *storeys*.

**3.2.6.5. Exception for Lower Buildings.** The requirements of Sentence 3.2.6.2.(2) are waived in a *building* of Group A, C, D, E or F *major occupancy* classification where

- (a) the *building* is not more than 75 m high measured between *grade* and the floor level of the top *storey*, and
- (b) the number of occupants of *storeys* above *grade* is not more than 3.6 times the area in square metres of treads and landings in the *exit* stairs serving these *storeys*.

#### 3.2.6.6. Residential Buildings

(1) The requirements of Sentences 3.2.6.2.(2) and (4) and Clause 3.2.6.2.(3) (a) are waived in a *building* of Group C *major occupancy* classification

- (a) where each *suite* above *grade* has direct access to an exterior balcony that
  - (i) is not less than 1.5 m deep from the outside face of the exterior wall to the inside edge of the balcony, and
  - (ii) provides not less than 0.5 m<sup>2</sup> of balcony space for each occupant of the *suite*,
- (b) where each stairway that serves *storeys* above the lowest *exit level* is vented to the outdoors at or near the bottom of the stair shaft,
- (c) where measures are taken to limit movement of smoke from a fire in a *floor area* below the lowest *exit storey* into upper *storeys*, and
- (d) where, except for exhaust fans in kitchens, washrooms and bathrooms in *dwelling units*, air moving fans are designed and installed so that in the event of a fire such fans can be stopped by means of a manually operated switch at the central alarm and control facility where the system serves more than 2 *storeys*.

(2) The requirements of Sentences 3.2.6.2.(2) and (3) are waived in a Group C *major occupancy* apartment *building*.

**3.2.6.7. Connected Buildings.** Where a *building* described in Sentence 3.2.6.1.(1) is connected to any other *building*, measures shall be taken to limit movement of contaminated air from one *building* into another during a fire.

#### 3.2.6.8. Emergency Operation of Elevators

(1) Manual emergency recall operation shall be provided for all elevators serving *storeys* above the *first storey*.

(2) Key-operated switches for emergency recall described in Sentence (1) shall be provided in a conspicuous location at each elevator lobby on the recall level and at the central alarm and control facility required in Article 3.2.6.12.

(3) In-car emergency service switches shall be provided in all elevator cars .

(4) Keys to operate the switches required by Sentences (2) and (3) shall be provided in a suitably identified box conspicuously located on the outside of an elevator shaft near the central alarm and control facility required by Article 3.2.6.12., and an additional key, or keys, shall be kept at the central alarm and control facility.

(5) Automatic emergency recall operation shall be provided for all elevators serving *storeys* above the *first storey* in un-sprinklered *buildings*.

(6) The automatic emergency recall feature in Sentence (5) shall be actuated by

- (a) *smoke detectors* installed in each elevator lobby on each *storey*, or
- (b) the *building* fire alarm system.

(7) *Smoke detectors* in Sentence (6) shall be designed as part of the *building* fire alarm system.

#### 3.2.6.9. Elevator for Use by Firefighters

(1) Not less than one elevator shall be provided for use by firefighters in conformance with Sentences (2) to (6).

(2) The elevator required in Sentence (1) shall have a usable platform area not less than 2.2 m<sup>2</sup> and shall be capable of carrying a load of 900 kg from a *street* floor landing to the top floor that it serves in 1 min, except that in every *building* which is a Group C *major occupancy* apartment *building*, the elevator shall be able to accommodate a stretcher in the horizontal position.

(3) Except when Measure K of Chapter 3, "Measures for Fire Safety in High Buildings" of the Supplement to the NBC 1990 is used, each elevator for use by firefighters shall

- (a) be provided with a *closure* at each shaft opening so that the interlock mechanism and associated wiring is operational for a period of at least 1 h when the assembly is subjected to the standard fire exposure described in CAN4-S104-M, "Standard Method for Fire Tests of Door Assemblies",
- (b) be protected with a vestibule containing no *occupancy*, and separated from the remainder of the *floor area* by a *fire separation* having a *fire-resistance rating* of not less than 45 min, or
- (c) be protected with a corridor containing no *occupancy* and separated from the remainder of the *building* by a *fire separation* having a *fire-resistance rating* of not less than 1 h.

(4) Except as provided in Sentence (5), an elevator required in Sentence (1) shall be capable of providing transportation from the *street* floor to every floor normally served by the elevator system that is above *grade* in the *building*.

(5) Where it is necessary to change elevators to reach any floor referred to in Sentence (4), the system shall be designed so that not more than one change of elevator is required when travelling from a *street* floor to any floor in the *building*.

(6) Electrical conductors for the operation of the elevator referred to in Sentence (1) shall be

- (a) installed in *service spaces* conforming to Section 3.5 that do not contain other *combustible* material, or
- (b) protected against exposure to fire from the service entrance of the emergency power supply, or the normal service entrance of the normal power supply to the equipment served, to ensure operation for a period of 1 h when subjected to the standard fire exposure described in CAN4-S101-M, "Standard Methods of Fire Endurance Tests of Building Construction and Materials".

### 3.2.6.10. Venting to Aid Fire Fighting

(1) Means of venting each *floor area* to the outdoors shall be provided by windows, wall panels or smoke shafts, except that in a *sprinklered floor area*, the *floor area* is permitted to be vented by the *building exhaust system*.

(2) Venting described in Sentence (1) shall conform to the requirements in Section 3 of Chapter 3, "Measures for Fire Safety in High Buildings" of the Supplement to the NBC 1990.

(3) Fixed glass windows shall not be used for venting described in Sentence (1) where the breaking of such windows may endanger pedestrians below.

(4) Openable windows used for venting described in Sentence (1) shall be permanently marked so that they are easily identifiable.

(5) Elevator shafts shall not be used for venting described in Sentence (1).

**3.2.6.11. Sprinklers.** Except for *open-air storeys* in a *storage garage*, the following spaces shall be *sprinklered*:

- (a) every *storey*, or part thereof, intended for a Group E or Group F, Division 1 or Division 2 *occupancy*,
- (b) every restaurant or licensed beverage establishment,
- (c) every *storey* or part thereof intended for the storage or handling of hazardous substances, and
- (d) every *floor area* more than 1 000 m<sup>2</sup>, except when the *floor area* is divided into *fire compartments* not more than 1 000 m<sup>2</sup> in area and separated from the remainder of the *floor area* by *fire separations* having *fire-resistance rating* of not less than 1 h.

### 3.2.6.12. Central Alarm and Control Facility

(1) On the *street* entrance, a central alarm and control facility shall be provided

- (a) in a location that is readily accessible to firefighters entering the *building*, and
- (b) that takes into account the effect of background noise likely to occur under fire emergency conditions, so that the facility can properly perform its required function under such condition.

(2) The central alarm and control facility required in Sentence (1) shall include

- (a) means to control the voice communication system required by Article 3.2.6.13., and provisions to enable messages to be sent to all loudspeakers simultaneously and to individual *floor areas* and *exit* stairwells,
- (b) means to indicate audibly and visually *alert signals* and *alarm signals* and a switch to

(i) silence the audible portion of these signals, and

(ii) indicate visually that the audible portion has been silenced,

(c) means to indicate visually that elevators are on emergency recall,

(d) an annunciator conforming to Article 3.2.4.8.,

(e) means to transmit *alert signals* and *alarm signals* to the fire department in conformance with Article 3.2.4.7.,

(f) means to release hold-open devices on doors to vestibules,

(g) means to manually actuate *alarm signals* in the *building* and to silence these signals in conformance with Sentences 3.2.4.22.(2) and (3), and

(h) means to actuate auxiliary equipment or means to communicate with a continually staffed auxiliary equipment control centre, as appropriate to the measure for fire safety provided in the *building*.

**3.2.6.13. Voice Communication System.** When the height of a *building*, measured between *grade* and the floor of the top *storey*, is more than 36 m, or in *buildings* containing a *floor area* or part of a *floor area* located above the third *storey* and designed or intended as a Group B, Division 2 *occupancy*, a voice communication system or systems conforming to Article 3.2.4.22. shall be provided.

### 3.2.6.14. Protection of Electrical Conductors

(1) Electrical conductors shall be protected against fire exposure in accordance with Sentence (3) if the electrical conductors

(a) are used in connection with fire alarm systems, voice communication systems, emergency lighting and equipment described in Articles 3.2.6.2. to 3.2.6.13., and

(b) are installed in *service spaces* or *service rooms* containing *combustible* material.

(2) Electrical conductors interconnecting a central alarm and control facility and a fire alarm control unit that are located in separate *fire compartments* or *buildings* shall be protected against fire exposure in accordance with Sentence (3).

(3) To ensure continued operation for a period of not less than 1 h, electrical conductors described in Sentences (1) and (2)

(a) shall be protected against fire exposure by a *fire separation* having a *fire-resistance rating*, or

(b) shall meet the fire endurance tests when tested in accordance with ULC-S101, "Standard Methods of Fire Endurance Tests of Building Construction and Materials".

**3.2.6.15. Testing.** The systems for control of smoke movement and mechanical venting required in Articles 3.2.6.2. and 3.2.6.10. shall be tested to ensure satisfactory operation in accordance with the procedures described in Appendix C to Chapter 3, "Measures for Fire Safety in High Buildings" of the Supplement to the NBC 1990.

### 3.2.7. Lighting and Emergency Power Systems

#### 3.2.7.1. Minimum Lighting Requirements

(1) Every *exit*, *public corridor*, corridor providing *access to exit* for the public, corridor serving classrooms, corridor serving patients, electrical equipment room, transformer vault and hoistway pit shall be equipped to provide illumination to an average level of not less than 50 lx at floor or tread level and at all points such as angles and intersections at changes of level where there are stairs or ramps.

(2) Rooms and spaces used by the public shall be illuminated as described in Article 9.34.2.7.

(3) Lighting outlets in a *building of residential occupancy* shall be provided in conformance with Subsection 9.34.2.

(4) Elevator machine rooms shall be equipped to provide illumination to an average level of not less than 100 lx at floor level.

(5) Every place of assembly intended for the viewing of motion pictures or the performing arts, shall be equipped to provide an average level of illumination at floor level in the aisles of not be less than 2 lx during the viewing.

(6) Every area where food is intended to be processed, prepared or manufactured and where equipment or utensils are intended to be cleaned shall be equipped to provide illumination to a level of not less than 500 lx measured at the floor level.

(7) Every storage room, dressing room, sanitary facility, service area and corridor serving the areas in Sentence (6) shall be equipped to provide illumination to a level of not less than 300 lx measured at the floor level.

**3.2.7.2. Recessed Lighting Fixtures.** Recessed lighting fixtures shall not be located in insulated ceilings unless the fixture is designed for such an installation.

### 3.2.7.3. Emergency Lighting

(1) Emergency lighting shall be provided to average levels of not less than 10 lx at floor or tread level in

- (a) *exits*,
- (b) principal routes providing *access to exit* in an open floor area,
- (c) corridors used by the public,
- (d) corridors serving patients' sleeping rooms,
- (e) corridors serving classrooms,
- (f) *underground walkways*,
- (g) *public corridors*,
- (h) *floor areas* or parts thereof where the public may congregate in
  - (i) Group A, Division 1 *occupancies*, and
  - (ii) Group A, Division 2 and 3 *occupancies* having an *occupant load* of 60 persons or more, and
- (i) all places of assembly with an *occupant load* greater than 60 persons in a *building* containing a *hotel*.

(2) Emergency lighting to provide an average level of illumination at floor or catwalk level of not less than 10 lx shall be included in a *service space* referred to in Sentence 3.2.1.1.(7).

### 3.2.7.4. Emergency Power for Lighting

(1) An emergency power supply shall be provided to maintain the emergency lighting required by this Subsection from a power source such as batteries or generators that will continue to supply power in the event that the regular power supply to the *building* is interrupted and be so designed and installed that upon failure of the regular power it will assume the electrical load automatically for a period of

- (a) 2 h for all *buildings* within the scope of Subsection 3.2.6.,

(b) 1 h for *buildings* of Group B *major occupancy* classification that are not within the scope of Subsection 3.2.6., and

(c) 30 min for *buildings* of all other *occupancies*.

(2) Where self-contained emergency lighting units are used, they shall conform to CSA C22.2 No. 141, "Unit Equipment for Emergency Lighting".

**3.2.7.5. Emergency Power Supply Installation.** Except as provided in Articles 3.2.7.6. and 3.2.7.7., emergency power systems shall be installed in conformance with CAN/CSA C282-M, "Emergency Electrical Power Supply for Buildings".

**3.2.7.6. Emergency Power for Hospitals and Nursing Homes.** Except as provided in Sentence 3.2.7.7.(1), emergency electrical power systems for emergency equipment required in this Part for hospitals and nursing homes shall be installed in conformance with CAN/CSA Z32.4, "Essential Electrical Systems for Hospitals".

### 3.2.7.7. Shut-off Valves and Exhaust Pipes

(1) Where a liquid or gas fuel-fired engine or turbine for an emergency electric power supply is dependent on a fuel supply from outside the *building*, such fuel supply shall be provided with a suitably-identified separate shut-off valve outside the *building*.

(2) Where pipes for exhaust gases from emergency power systems penetrate required *fire-separations*, they shall be enclosed in a separate *service space* having a *fire-resistance rating* equal to that of the penetrated floor assembly, but not less than 45 min.

### 3.2.7.8. Emergency Power Supply

(1) An emergency power supply conforming to Sentences (2), (3) and (4) shall be provided for required fire alarm systems.

(2) The emergency power supply required in Sentence (1) shall be from

- (a) a generator conforming to Article 3.2.7.4.,
- (b) batteries, or
- (c) a combination thereof.

(3) The emergency power supply required in Sentence (1) shall be capable of providing supervisory power for not less than 24 h and emergency power under full load for not less than

- (a) 2 h for *buildings* required to conform to Subsection 3.2.6.,
- (b) 1 h for *buildings* classified as Group B *major occupancy* that are not within the scope of Subsection 3.2.6.,
- (c) 5 min for *buildings* not required to be equipped with an annunciator, and
- (d) 30 min for all other *buildings*.

(4) The emergency power supply required in Sentence (1) shall be designed so that there will be automatic transfer to emergency power in the event of a failure of the normal power source.

(5) An emergency power supply shall be provided for the voice communication system required by Article 3.2.6.13. and shall be capable of maintaining operation of the system for not less than 2 h.

(6) The emergency power supply for the voice communication system required by Sentence (5) shall be capable of full operation immediately upon the failure of the normal source of power.

(7) If the emergency power supply required by Sentence (5) is provided by batteries, the batteries shall be sized to provide the total energy consumed by the maximum possible electrical supervision

current plus the trouble signal current for a period of 24 h followed by 30 min of continuous voice communication.

### 3.2.7.9. Emergency Power for Building Services

(1) An emergency power supply capable of operating under a full load for not less than 2 h shall be provided by emergency generator for

- (a) every elevator serving *storeys* above the *first storey* in a *building* that is more than 36 m in height measured between *grade* and the floor level of the top *storey* and every elevator for firefighters in conformance with Sentence (2),
- (b) water supply for fire fighting in conformance with Article 3.2.5.8., when the supply is dependent on electrical power supplied to the *building*,
- (c) fans and other electrical equipment that are installed to maintain the air quality specified in Article 3.2.6.2., and
- (d) fans required for venting in Article 3.2.6.10.

(2) Except as permitted in Sentence (3), the emergency power supply for elevators in Clause (1) (a) shall be capable of operating all elevators for firefighters plus one additional elevator simultaneously.

(3) Sentence (2) does not apply when the time to recall all elevators, each from its most remote *storey* to the *street* floor or transfer lobby, under emergency power supply, is not more than 5 min.

### 3.2.8. Mezzanines and Openings through Floor Assemblies

#### 3.2.8.1. Application

(1) Except as provided in Article 3.2.8.2. and Sentence 3.3.4.2.(2), the portions of a *floor area* or *mezzanine* that do not terminate at an exterior wall, a *firewall* or a vertical shaft shall

- (a) terminate at a vertical *fire separation* having a *fire-resistance rating* not less than that required for the floor assembly and extending from the floor assembly to the underside of the floor or roof assembly above, or
- (b) be protected in conformance with the requirements in Articles 3.2.8.3. to 3.2.8.11.

(2) The penetration of floor assemblies by *exits* or *vertical service spaces* shall conform to the requirements of Sections 3.4 and 3.5.

(3) Where a *building* containing a Group B *major occupancy* also contains an *interconnected floor space*, sleeping rooms forming part of a Group B *major occupancy* shall not be located within an *interconnected floor space*.

#### 3.2.8.2. Exceptions to Special Protection

(1) A *mezzanine* need not terminate at a vertical *fire separation* nor be protected in conformance with the requirements in Articles 3.2.8.3. to 3.2.8.11. where the *mezzanine*

- (a) serves a Group A, Division 1 *major occupancy*,
- (b) serves a Group A, Division 3 *major occupancy* in a *building* not more than 2 *storeys* in *building height*,
- (c) is not considered as a *storey* in Sentences 3.2.1.1.(3) or 3.2.1.1.(5) in calculating *building height* provided
  - (i) every point on the *mezzanine* is within 25 m of a point or points on the *mezzanine* perimeter from which, in the aggregate, an occupant may view 60 percent of the area of the room or *storey* in which the *mezzanine* is located, and

(ii) does not contain a Group B *occupancy*,

- (d) is not considered a *storey* in Sentence 3.2.1.1.(4) in calculating *building height* provided the *mezzanine* is not more than 500 m<sup>2</sup> in area and does not contain a Group B *occupancy*, or
- (e) is not considered a *storey* in calculating *building height* in Sentence 3.2.1.1.(8).

(2) Except for floors described in Sentence 3.1.10.3.(1) and Article 3.2.1.2., openings through horizontal *fire separations* for vehicular ramps in *storage garages* are not required to be protected with *closures* and need not conform to this Subsection.

(3) Where a *closure* in an opening in a *fire separation* would disrupt the nature of a manufacturing process, such as a continuous flow of material from *storey* to *storey*, the *closure* for the opening is permitted to be omitted provided precautions are taken to offset the resulting hazard.

(4) An *interconnected floor space* in a Group B, Division 1 *occupancy* need not conform to the requirements of Articles 3.2.8.3. to 3.2.8.11. provided the *interconnected floor space* does not interconnect more than 2 adjacent *storeys*.

(5) Except as provided in Sentence (6), openings for stairways, escalators and inclined moving walkways need not conform to the requirements in Articles 3.2.8.3. to 3.2.8.11. provided

- (a) the opening for each stairway, escalator or walkway does not exceed 10 m<sup>2</sup>,
- (b) the *building* is *sprinklered*, and
- (c) the *building* is classified as Group A, Division 1 or 2, Group D or Group E *major occupancy*.

(6) An *interconnected floor space* need not conform to the requirements of Articles 3.2.8.3. to 3.2.8.11. provided

- (a) the *interconnected floor space* consists of the *first storey*, and the *storey* next above or below it, but not both,
- (b) the *interconnected floor space* is *sprinklered*, and
- (c) the *interconnected floor space* contains only Group A, Division 1 or 2, Group D, Group E, or Group F, Division 3 *major occupancies*.

(7) Reserved.

#### 3.2.8.3. Configuration

(1) In *buildings* constructed in conformance with Articles 3.2.8.4. to 3.2.8.11., the unprotected openings through floor assemblies in an *interconnected floor space* shall be of sufficient size and shall be positioned relative to each other so as to be capable of containing, within the full height of the *interconnected floor space*, a cylinder conforming to Sentence (2).

(2) The cylinder referred to in Sentence (1) shall have a cross-section that, where taken at a right angle to the longitudinal axis of such cylinder, is

- (a) a circle at least 9 m in diameter, or
- (b) an ellipse at least 7 m wide along the minor axis and at least 65 m<sup>2</sup> in area.

#### 3.2.8.4. Exits

(1) A *building* that is more than 18 m in height, measured between *grade* and the floor level of the top *storey*, and that contains an *interconnected floor space*, shall be designed to limit the passage

of smoke from a fire into *exit* stairshafts opening into an *interconnected floor space* so that during a 2 h period after the start of a fire, such stairshafts will not contain more than 1 per cent by volume of contaminated air from the fire floor, assuming an outdoor temperature equal to the January design temperature on a 2.5 per cent basis.

(2) Where a *building* containing an *interconnected floor space* is more than 75 m in height, measured between *grade* and the floor level of the top *storey*, the *exit* stairshaft protection required in Sentence (1) shall be accomplished by the provision, between each *floor area* and each *exit* stairshaft, of a vestibule provided with a mechanical air supply or with a vent opening to the outdoors.

(3) Where a vestibule protecting an *exit* stairshaft is incorporated into the design of the *building* to meet the requirements of Sentences (1) or (2), such vestibule shall

- (a) be designed so that each doorway for a door opening into the vestibule is located at least 1.8 m from a door or doors opening outward from the vestibule,
- (b) be separated from the remainder of the *floor area* by a *fire separation* having a *fire-resistance rating* at least equal to that required for the *exit* which it serves except that the *fire-resistance rating* of a *fire separation* between the vestibule and a *public corridor* need not exceed 45 min, and
- (c) not have a door or doors opening into more than one *exit* stairshaft.

(4) Except where *exits* serving the *floor area* are at ground level, the increased travel distance to *exits* permitted by Clause 3.4.2.5.(1) (b) shall not apply to a *floor area* within an *interconnected floor space*.

(5) Where a portion of a *floor area* is not within an *interconnected floor space*, required *access to exit* from such portion of a *floor area* shall not lead through an *interconnected floor space*.

(6) Except as provided in Sentences (7) and (8), portions of an *interconnected floor space* that have floor levels more than 18 m above *grade* shall be served by *exits* that provide at least 0.3 m<sup>2</sup> of area of treads, landings and floor surface for each occupant of such portions of an *interconnected floor space*.

(7) The requirements of Sentence (6) need not be applied where a *floor area* that is a portion of an *interconnected floor space* and that has a floor level more than 18 m above *grade* is separated from the remainder of the *interconnected floor space* by a *fire separation* having a *fire-resistance rating* of at least 1 h, except that no *fire-resistance rating* is required for such *fire separation* where all of the *major occupancies* contained within the *interconnected floor space* may be classified as light hazard *occupancies* in conformance with Appendix A of NFPA 13, "Installation of Sprinkler Systems".

(8) The requirements of Sentence (6) need not be applied where the *exit* stairs that serve *interconnected floor spaces* are designed so that the required units of *exit* width are cumulative.

### 3.2.8.5. Elevators

(1) Except as provided in Sentence (2), where an elevator shaft opens into an *interconnected floor space* and into *storeys* that are above such space and that have floor levels more than 18 m above *grade*, either the elevator doors opening into the *interconnected floor space* or the elevator doors opening into the *storeys* above the *interconnected floor space* shall be protected by vestibules that

- (a) are designed to restrict the passage of contaminated air to the limit described in Sentence 3.2.8.4.(1), and
- (b) conform to the requirements of Sentence 3.2.8.4.(3).

(2) Where elevator doors opening into an *interconnected floor space* are protected by vestibules in conformance with Sentence (1),

the elevator doors opening into the lowest *storey* of the *interconnected floor space* need not be protected by such vestibules.

**3.2.8.6. Group B Sleeping Rooms.** Openings provided for access between an *interconnected floor space* and a *building* or a portion of a *building* containing Group B *major occupancy* sleeping rooms shall be provided with vestibules that are provided with a mechanical air supply and that are designed

- (a) to restrict the passage of smoke from the *interconnected floor space* into the area containing sleeping rooms in accordance with the limits described in Sentence 3.2.8.4.(1), and
- (b) in conformance with Clause 3.2.8.4.(3) (a).

### 3.2.8.7. Sprinklers

(1) In a *building* containing an *interconnected floor space*, *storeys* that are wholly or partially within an *interconnected floor space* and all *storeys* below an *interconnected floor space* shall be *sprinklered*.

(2) In a *building* containing an *interconnected floor space*

- (a) waterflow *alarm signals* from sprinkler systems shall be transmitted to the fire department in conformance with Sentence 3.2.4.7.(3), and
- (b) sprinkler systems shall be electrically supervised as required in Sentence 3.2.4.16.(5).

**3.2.8.8. Fire Alarm and Detection System.** A *building* containing an *interconnected floor space* shall be provided with

- (a) a fire alarm system and electrically supervised annunciator conforming to Subsection 3.2.4.,
- (b) a system of *smoke detectors* located
  - (i) on the ceiling of each *storey* in the vicinity of the openings through floor assemblies described in Article 3.2.8.3., except within *dwelling units*, *heat detectors* may be installed instead of *smoke detectors*, and
  - (ii) as required for the activation of the smoke control system described in Sentences 3.2.8.9.(5), (6) and (7), and
- (c) facilities for transmitting a signal to the fire department in conformance with Sentence 3.2.4.7.(3).

### 3.2.8.9. Smoke Control

(1) A smoke control system conforming to Sentences (2) to (8) shall be designed to control the movement of smoke within a *building* containing an *interconnected floor space*.

(2) The design of the smoke control system shall assume an outdoor temperature equal to the January design temperature on a 2.5 per cent basis.

(3) Upon activation of the sprinkler system or automatic detection of smoke by at least two *smoke detectors* in a single zone within an *interconnected floor space*, the system shall

- (a) stop air moving fans which provide for the normal exhausting or re-circulating of air in an *interconnected floor space*,
- (b) activate *exit* stairshaft protection required in Article 3.2.8.4.,
- (c) activate elevator protection required in Article 3.2.8.5., and

- (d) activate the vestibule air supply required in Sentence 3.2.8.6.(1).

(4) A building containing an interconnected floor space may be designed so that, in the event of a fire arising in a floor area or part of a floor area within the interconnected floor space, automatic detection of such fire will activate air handling equipment that

- (a) extracts air directly from such floor area or part of a floor area at the rate of at least 6 air changes per hour, and
- (b) supplies air in sufficient quantities and at appropriate locations to prevent smoke from passing out of such floor area into other portions of the interconnected floor space.

(5) For purposes of Sentences (6) and (7), the volume of an interconnected floor space need not include the aggregate volume of those floor areas or portions of floor areas designed to have zoned air extraction in accordance with Sentence (4).

(6) A mechanical exhaust shall be provided to remove air at the top of an interconnected floor space at the rate of at least 6 air changes per hour, except that where the volume of the interconnected floor space exceeds 17 000 m<sup>3</sup>, only 4 air changes per hour need be provided.

(7) Except where zoned mechanical exhaust described in Sentence (4) has been activated, upon automatic detection of smoke within the volume of the interconnected floor space, the mechanical exhaust described in Sentence (6) shall be automatically activated and supply air shall be provided in sufficient quantity and at appropriate locations to allow a consistent rate of removal of smoke throughout the volume of the interconnected floor space.

(8) Overriding manual controls for the smoke control system shall be provided for fire department use at an acceptable location in the vicinity of the fire alarm annunciator.

**3.2.8.10. Emergency Power Supply.** In a building that is more than 18 m in height, measured between grade and the floor level of the top storey, an emergency power supply capable of operating under a full load for at least 2 h shall be provided by an emergency generator or by a separate service not supplied by the same substation as the primary source for fans required for smoke control purposes in Articles 3.2.8.4., 3.2.8.5., 3.2.8.6., and 3.2.8.9.

**3.2.8.11.** The systems for smoke control and venting described in Articles 3.2.8.4., 3.2.8.5., 3.2.8.6. and 3.2.8.9. shall be tested to ensure satisfactory operation.

### 3.2.9. Standpipe and Hose Systems

#### 3.2.9.1. Standpipe and Hose Systems Required

(1) Except as provided in Sentence (3), a standpipe and hose system with 38 mm diameter hose connections shall be installed

- (a) in every building that is
- (i) more than 3 storeys in building height or more than 14 m in height measured between grade and the ceiling of the uppermost storey, or
- (ii) greater in building area than the area shown in Table 3.2.9.A. for the applicable building height shown in the Table where the building is not sprinklered and does not exceed 14 m in height measured between grade and the ceiling of the top storey, and
- (b) in every basement of a building that
- (i) requires a standpipe system above grade, or
- (ii) has more than one storey below grade, except for a

service room less than 50 m<sup>2</sup> in area located on the lowest storey.

**Table 3.2.9.A.**  
Forming Part of Sentence 3.2.9.1.(1)

Occupancy Classification	Building Area, m <sup>2</sup>		
	1 Storey	2 Storeys	3 Storeys
A	2 500	2 000	1 500
B (except hospitals without detention quarters)	2 000	1 500	1 000
Hospitals	500	500	500
C	2 000	1 500	1 000
D	4 000	3 000	2 000
F, Division 1	1 000	1 000	1 000
F, Division 2	2 000	1 500	1 000
F, Division 3	3 000	2 000	1 000
Column 1	2	3	4

(2) In addition to the requirements in Sentence (1), 65 mm diameter hose connections shall also be provided in buildings which

- (a) exceed 25 m in height, measured between grade and the ceiling level of the top storey, or
- (b) exceed 4 000 m<sup>2</sup> in building area.

(3) A standpipe need not be installed in a storage garage conforming to Article 3.2.2.60. provided the building is not more than 15 m in height.

(4) Pipes supplying a standpipe system shall be of a size conforming to Table 3.2.9.B. or be hydraulically designed to meet the requirements of Article 3.2.9.3.

**Table 3.2.9.B.**  
Forming Part of Sentence 3.2.9.1.(4)

Size of Building		Minimum Nominal Size of Piping, in.		
Height of Building <sup>(1)</sup>	Building Area	Standpipe Risers <sup>(3)</sup>	From Street Main and Fire Dept. Connect. to Standpipe Riser	Lateral Extensions <sup>(2)</sup>
Up to 25 m	Up to and including 4 000 m <sup>2</sup>	2	2	2
	More than 4 000 m <sup>2</sup>	4	4	4
Over 25 m Area	Unlimited	6	6	6
Column 1	2	3	4	5

#### Notes to Table 3.2.9.B.:

- (1) A mechanical penthouse that exceeds 50 m<sup>2</sup> in floor area shall be considered 3.7 m in height of building for the purpose of this Table.
- (2) Lateral extension means piping from the first riser to the intermediate or last riser.
- (3) Riser means vertical pipe supplying water to one or more hose stations.

(5) Pipe, connecting one or more hose stations containing 65 mm diameter hose connections to a riser or lateral extension in any single storey, shall be of a size conforming to Table 3.2.9.C. or be hydraulically designed to meet the requirements of Article 3.2.9.3.

**Table 3.2.9.C.**  
Forming Part of Sentence 3.2.9.1.(5)

Piping Runouts to Hose Stations Containing 65 mm Hose Connections		
Riser Size, in.	Number of Cabinets	Minimum Nominal Size of Piping, in.
4	1	3
	2 or more	4
6	1	3
	2 or 3	4
	4 or more	6
Column 1	2	3

### 3.2.9.2. Hose Stations

- (1) Hose stations shall be located
- so that every portion of the *building* can be reached by a hose stream and is within 3 m of a hose nozzle when 30 m of hose is extended,
  - not more than 5 m from every required *exit* serving a *floor area*, except
    - for the first *storey*, or
    - where additional hose stations are required to achieve full coverage of the *floor area*, and
  - in a conspicuous location where they are not likely to be obstructed.
- (2) Except as permitted in Sentence (12), hose stations shall be located so that it is not necessary to penetrate an *exit* stairwell to provide full design coverage.
- (3) A hose station located on one side of a *horizontal exit* or *firewall* shall be considered to serve only the *floor area* on that side of such *exit* or *firewall*.
- (4) Hose connections shall be provided with
- a sufficient clearance so that there is no interference with the prompt use of the hose valves, or standard fire department hose key and adapter, and
  - at least 25 mm clearance between any part of the cabinet and the handle of the valve.
- (5) Hose connections shall be within 750 mm to 1 500 mm from the floor.
- (6) Suitable means shall be provided to prevent the pressure on the hose from exceeding 620 kPa (gauge) when flowing.
- (7) Hose valves shall be provided with suitable connections installed so that leakage past the valve seat will be carried off.
- (8) Every hose station shall be equipped with a hose rack filled with not more than 30 m of 38 mm fire hose and the hose rack and fire hose shall be
- listed*, or
  - approved by the Factory Mutual Research Corporation.
- (9) The hose at hose stations shall be equipped with a shut-off type adjustable spray to straight stream nozzle.

(10) Where a 65 mm hose valve is provided in a hose station, it shall be equipped with a cap and chain for the use of a fire department.

(11) Couplings for hoses or other fittings used in connection with such couplings shall conform to ULC S513, "Standard for Threaded Couplings for 38 mm and 65 mm Fire Hose" or ULC S543, "Standard for Internal Lug Quick Connect Couplings for Fire Hose".

(12) Standpipes and hoses shall be installed for each roof enclosure exceeding 50 m<sup>2</sup> in *floor area*.

(13) Every hose cabinet shall be

- provided with a transparent viewing panel at least 5 mm thick constituting at least 70 per cent of the door area, or
- clearly and conspicuously labelled with the words FIRE HOSE CONNECTION, with letters at least 150 mm in height with 19 mm stroke.

(14) Hose rack, nozzle, fire hose and valves shall be in a hose cabinet except that in a Group F *occupancy*, a hose cabinet need not be provided.

(15) Hose cabinets shall be of sufficient size to contain the equipment in Sentence (14) and a *listed* fire extinguisher.

(16) Every hose cabinet shall be located so that its door, when fully opened, will not obstruct the required width of a *means of egress*, and when connected to a dry standpipe system it shall be clearly identified with the words DRY STANDPIPE SYSTEM.

(17) Hose stations in a Group B, Division 1 *major occupancy* are permitted to be located in secure areas, or in lockable cabinets provided that

- identical keys for all cabinets are located at all guard stations, or
- electrical remote release devices are provided and are connected to an emergency power supply.

### 3.2.9.3. Water Supply

(1) Except for Sentence (2), standpipe systems shall be wet and directly connected to an adequate source of water.

(2) Where freezing of piping may occur, a dry standpipe system may be provided and so arranged through the use of *listed* devices to automatically admit water to the system by opening of a hose valve and transmit a signal to an attended location.

(3) Where the standpipe system for a *building* requires 38 mm diam hose connections in conformance with Sentence 3.2.9.1.(1), the system shall

- be equipped with hose stations having one 38 mm diam hose valve, and
- have a water supply sufficient to provide a minimum flow of 380 L/min for at least 30 min at a pressure of at least 450 kPa (gauge) measured at the two highest and most remote hose valves or hose connections, provided that not less than 190 L/min can be supplied from each of the two outlets simultaneously, and where the water main pressure is not sufficient to maintain these pressure and flow requirements, pumping equipment shall be provided to ensure that the pressure and flow requirements are met.

(4) Where the standpipe system for a *building* less than 84 m in height, measured between *grade* and the ceiling level of the top *storey*, is required to have 65 mm diam hose connections, such standpipe system shall



- (a) be equipped with hose stations having one 38 mm and one 65 mm diam hose valve,
- (b) have pumping capacity sufficient to supply a minimum flow of 380 L/min for at least 30 min at a minimum discharge pressure of 450 kPa (gauge) to the two highest and most remote 38 mm hose valves, provided that not less than 190 L/min can be supplied from each of the two outlets simultaneously, and
- (c) have provision via the fire department connection to supply 1 890 L/min to the two highest and most remote 65 mm hose valves, provided that not less than 945 L/min can be supplied from each of the two outlets simultaneously.
- (5) The standpipe system for a *building* 84 m or more in height, measured between *grade* and the ceiling level of the top *storey*, shall
- (a) be equipped with hose stations having one 38 mm and one 65 mm diam hose valve,
- (b) have pumping capacity sufficient to provide a minimum flow of 1 890 L/min for at least 30 min at a minimum discharge pressure of 450 kPa (gauge) at the two highest and most remote 65 mm hose valves, provided that not less than 945 L/min can be supplied from each of the two outlets simultaneously, and
- (c) be served by at least two sources of water supply from a public water system.
- (6) The residual water pressure at the design flow rate at the topmost outlet of the standpipe and hose system that is required to be installed in a *building* is permitted to be less than 450 kPa provided that
- (a) the *building* is *sprinklered* in conformance with the requirements of Sentence 3.2.5.13.(1),
- (b) the water supply at the base of the sprinkler riser is capable of meeting the design flow rate and pressure demand of the sprinkler system, including the inside and outside hose allowances, and
- (c) fire protection equipment is available to deliver, by means of the fire department connection, the full demand rate at a residual water pressure of 450 kPa at the topmost outlet of the standpipe and hose system.
- (7) A mechanical penthouse that exceeds 50 m<sup>2</sup> in *floor area* shall be considered a *storey* or 3.7 m in height of *building* for the purposes of Sentences (4), (5), (11) and (12).
- (8) Pumping equipment for standpipe systems shall start automatically on pressure drop and stop manually.
- (9) Pumps required to have a discharge pressure greater than 280 kPa (gauge) and their controllers shall be *listed* and labelled.
- (10) To permit maintenance of every pump serving a standpipe system, each pump shall be provided with a bypass complete with check valve and check valve isolating control valve having the same size as the main feeding the standpipe system.
- (11) A *building* 84 m or more in height, measured between *grade* and the ceiling level of the top *storey*, shall be provided with a standby fire pump capable of delivering a water supply as required in Sentence (5).
- (12) A *building* 84 m or more in height, measured between *grade* and the ceiling level of the top *storey*, shall be equipped with water storage capacity at the top of the *building* to supply a minimum flow of 1 890 L/min for at least 30 min at a minimum discharge pressure of 450 kPa (gauge) to the two most remote hose valves or hose connections, provided that not less than 945 L/min can be supplied from each of the two outlets simultaneously.
- (13) A standpipe connection shall be upstream of any water meter.
- (14) Standpipe risers shall
- (a) be cross-connected at the bottom of each pressure zone, and
- (b) where supplied by gravity tanks or pressure tanks, they shall also be cross-connected at the top and a check valve shall, if necessary, be provided at the base of every riser to prevent circulation.
- (15) An indicating type control valve located inside a *building* or a post indicator valve located outside shall be provided for every water supply facility serving a standpipe system and shall be installed in an accessible location.
- (16) Check valves shall be installed to prevent water flow from a standpipe system through the fire department connection and every water supply system.
- (17) Except for Article 3.2.9.4., where a water supply serves both a standpipe system and a system serving other equipment, control valves shall be provided so that either system can be shut off independently.
- (18) Sufficient control valves shall be provided to permit shutting off every standpipe riser without interrupting the water supply to other risers.
- (19) Every valve controlling a water supply to a standpipe system shall be in its normal operating position and shall be clearly identified.
- (20) Each valve controlling water supplies in a standpipe system, except for hose valves, shall be equipped with an electrically supervised switch for transmitting a signal for individual annunciation in the event of movement of the valve handle.
- (21) Pressure gauges shall be
- (a) installed
- (i) at every water supply connection,
- (ii) at the highest point of every standpipe riser, and
- (iii) before and after all pumps,
- (b) connected by at least 6 mm diam pipe or tubing, and
- (c) equipped with a shut-off valve.
- (22) Each standpipe riser shall be provided with drain valves piped to open drain.
- (23) A drain required in Sentence (22) shall be designed to
- (a) be free from freezing,
- (b) allow complete draining of the system for repairs, and
- (c) allow conducting of operational tests.
- ### 3.2.9.4. Combined Systems
- (1) Where piping serves both automatic sprinkler and standpipe systems, the requirements in Sentences (2) to (6) shall apply.
- (2) Automatic sprinkler and standpipe connections shall be pro-



vided with independent electrically supervised control valves on each floor.

(3) The control valves in Sentence (2) shall be

- (a) of the same size as the riser connection, and
- (b) installed in a readily identifiable and accessible location not more than 3 m from the riser.

(4) Riser connections for hose stations and automatic sprinkler systems shall be located on the floor they serve.

(5) The required water demand for each floor shall be the required demand for the sprinkler system in Article 3.2.5.13. plus the demand required in Sentences 3.2.9.3.(3), (4) and (5).

(6) The minimum size of a riser shall be 6 in. or it shall be hydraulically designed to meet the requirements of Article 3.2.9.3.

### 3.2.9.5. Fire Department Connections

(1) A standpipe system shall be served by at least one fire department connection.

(2) Fire department connections for standpipe systems shall be located so that the distance from a fire department connection to a hydrant does not exceed 45 m and is unobstructed.

(3) Every fire department connection shall be

- (a) located on the outside of a *building* adjacent to a *street* or an access route, at least 300 mm and not more than 900 mm above ground level,
- (b) provided with two 65 mm hose connections with female swivel hose couplings having hose threads conforming to the requirements of Sentence 3.2.9.2.(11),
- (c) provided with sufficient clearance around the couplings to use a standard fire department hose key for tightening, and
- (d) equipped with a cap or plug to protect the threads and to exclude foreign matter.

(4) Check valves shall be provided in every fire department connection or a single check valve shall be provided to shut one outlet when the other is in use.

(5) Shut-off valves shall not be installed in the fire department connection.

(6) An automatic drain valve shall be provided in the fire department connection at its lowest point, between the connection and the check valve.

(7) The fire department connection shall be designated by a sign having raised letters, at least 25 mm in size, cast on a metal plate or fitting.

(8) Except as provided in Sentence (9), the sign for the fire department connection shall display the word **STANDPIPE**.

(9) Where automatic sprinkler and standpipe systems are served by the same fire department connection, the word **STANDPIPE** and the word **SPRINKLER** shall be displayed.

### 3.2.9.6. Piping and Fittings

(1) Pipe and tube used in a standpipe system shall

- (a) be designed to withstand a working pressure of not less than 1 210 kPa (gauge), and
- (b) conform to the following standards

- (i) ASTM A120, "Pipe, Steel, Black and Hot-Dipped Zinc-Coated (Galvanized) Welded and Seamless, for Ordinary Uses",
- (ii) ANSI Standard B36.10, "Welded and Seamless Wrought Steel Pipe",
- (iii) ASTM B75, "Seamless Copper Tube", or
- (iv) ASTM B251, "General Requirements for Wrought Seamless Copper and Copper-Alloy Tube".

(2) Brazing alloy for standpipe systems shall conform to AWS Classification BCUP-3 of American Welding Society Specification a5.8-76, "Brazing Filler Metal".

(3) The minimum wall thickness for ferrous piping for working pressures

(a) up to 2 070 kPa (gauge) shall be

- (i) at least Schedule 40 pipe, except that Schedule 30 pipe may be used for piping 8 in. and larger in size for threaded or cut groove connections, and
- (ii) Schedule 10 pipe for sizes up to 5 in. pipe, the minimum wall thickness shall be 3.4 mm for 6 in. pipe, 4.8 mm for 8 in. and 10 in. pipes for welded or rolled groove connections, and

(b) over 2 070 kPa (gauge), shall be at least Schedule 60 pipe or for sizes not subject to Schedule classification, at least "extra heavy" type.

(4) Standard fittings shall be at least "extra heavy" type when the pressures may exceed 1 210 kPa (gauge).

(5) All pipe connections shall be

- (a) made by means of threaded, flange or welding fittings, or
- (b) *listed* for this service.

(6) Where welded connections are used in a standpipe system, welding fittings shall be used.

(7) Hangers and supports shall be

- (a) of a *listed* type so arranged that they will sustain the loads and retain the piping securely in position, and
- (b) substantially supported from the *building* structure which must support the added load of the water-filled pipe plus a minimum of 115 kg applied at the point of hanging.

(8) Supports for standpipe risers

- (a) shall be attached directly to the risers,
- (b) shall be provided at
  - (i) the lowest level,
  - (ii) each alternate level above, and
  - (iii) the top of the risers, and

(c) above the lowest level, shall restrain the pipe to prevent movement by an upward thrust when flexible fittings are used.

(9) Lateral runs from the standpipe to the hose valve which are over 460 mm in length shall be provided with hangers.

(10) Horizontal standpipe runs shall be provided with hangers spaced at a maximum distance of 4.6 m.

(11) Valves shall be "standard weight" for pressures up to 1 210 kPa (gauge) and shall be "extra heavy" for pressures in excess of 1 210 kPa (gauge), and shall be *listed*.

(12) Hose valves shall be angle-type.

(13) Valves controlling water supplies to standpipe systems shall be indicating type control valves.

(14) When piping for standpipe systems is identified or colour coded, such identification shall conform to CGSB 24-GP-3a, "Code of Identification and Classification of Piping Systems".

### 3.2.9.7. Testing

(1) Standpipe systems, including yard piping, shall be tested hydrostatically at not less than 1 380 kPa (gauge) pressure for 2 h, or at 345 kPa (gauge) in excess of the normal pressure when the normal pressure is in excess of 1 035 kPa (gauge).

(2) A flow test shall be conducted at the hydraulically most remote outlets to assure that the flow requirements in Sentences 3.2.9.3.(3), (4) and (5) are met.

(3) Piping between the fire department connection and the check valve in the inlet pipe shall be flushed with a sufficient volume of water so as to remove all construction debris and trash.

## Section 3.3 Safety Requirements Within Floor Areas

### 3.3.1. Requirements Applying to All Floor Areas

#### 3.3.1.1. Separation of Suites

(1) Except as permitted by Sentence (2), each *suite* in other than *business and personal services occupancies* shall be separated from adjoining *suites* by a *fire separation* having a *fire-resistance rating* of not less than 1 h, except that a *fire-resistance rating* of not less than 45 min is permitted where the *fire-resistance rating* of the floor assembly is not required in Subsection 3.2.2. to be more than 45 min.

(2) In *sprinklered buildings*, *suites of business and personal services occupancy* and *mercantile occupancy* that are served by *public corridors* conforming with Clause 3.3.1.4.(1) (c) are not required to be separated from each other by *fire separations*.

#### 3.3.1.2. Hazardous Substances, Equipment and Processes

(1) Where hazardous substances are used in connection with the activities of any *occupancy* other than as provided in Subsection 3.3.5. for a Group F, Division 1 *occupancy*, the storage, handling and use of such substances shall be in conformance with the provisions of the Ontario Fire Code made under the *Fire Marshals Act*, or in the absence of requirements pertinent to specific substances in the Ontario Fire Code, with the provisions of the ACNBC National Fire Code of Canada 1990.

(2) In kitchens containing commercial cooking equipment used in processes producing grease-laden vapours, the equipment shall be designed and installed in conformance with Part 6.

(3) Fuel-fired *appliances* shall not be installed in any corridor serving as *access to exit*.

#### 3.3.1.3. Means of Egress

(1) An *access to exit* shall be provided from every roof which is intended for *occupancy*, and from every podium, terrace, platform or contained open space.

(2) *Access to exits* within *floor areas* shall conform to Subsections 3.3.2. to 3.3.5. in addition to the requirements of this Subsection.

(3) Where a roof is used or intended for an *occupant load* of more than 60 persons, at least 2 separate *means of egress* shall be provided from the roof to stairs, designed in conformance with the requirements for *exit* stairs, located so that the distance between such stairs conforms to the requirements in Article 3.4.2.3. for *exits*.

(4) Where a podium, terrace, platform or contained open space is provided, egress requirements shall conform to the appropriate requirements for rooms and *suites* in Sentence 3.3.1.5.(1).

(5) A roof top enclosure shall be provided with an *access to exit* that leads

(a) to an *exit* at the roof level, or

(b) to an *exit* on the *storey* immediately below the roof.

(6) A roof top enclosure which is more than 200 m<sup>2</sup> in area shall be provided with not less than 2 *means of egress*.

(7) Two points of egress shall be provided from a *service space* referred to in Sentence 3.2.1.1.(7) if the area of the *service space* is more than 200 m<sup>2</sup>, and the travel distance measured from any point in the *service space* to a point of egress is more than 25 m.

(8) Except as permitted in Sentences 3.3.4.4.(5) and (6), each *suite* in a *floor area* that contains more than 1 *suite* shall have an exterior *exit* doorway or a doorway into a *public corridor* or to an exterior passageway.

(9) Except as permitted in this Section and in Sentence 3.4.2.1.(2), at the point where a doorway in Sentence (8) opens to a *public corridor* or exterior passageway, it shall be possible to go in opposite directions to each of 2 separate *exits*.

(10) *Means of egress* for below ground *service rooms* which are not normally occupied may be provided by stairways or fixed ladders.

### 3.3.1.4. Public Corridor Separations

(1) Except as otherwise required in this Part, *public corridors* shall be separated from the remainder of the *building* by a *fire separation* having a *fire-resistance rating* of not less than 1 h except that

(a) the *fire-resistance rating* need not be more than 45 min when the *fire-resistance rating* of the floor assembly is not required to be more than 45 min,

(b) no *fire-resistance rating* is required when the *floor area* is *sprinklered* and the corridor does not serve an *institutional occupancy* or a *residential occupancy*,

(c) no *fire separation* is required in a *sprinklered floor area* where

(i) the corridor is more than 5 m in unobstructed width, and

(ii) the corridor does not serve an *institutional occupancy* or a *residential occupancy*,

(d) a floor assembly above a crawl space that is not considered a *basement* in Sentence 3.2.2.5.(2) is not required to be a *fire separation*, and

(e) no *fire separation* is required in a *sprinklered floor area* where an *occupancy* in the corridor conforms to the requirements of Sentence 3.3.1.9.(6).

(2) The sprinkler system in Clauses (1) (b) and (c) shall be electrically supervised in conformance with Sentence 3.2.4.16.(5) and, upon operation, shall cause a signal to be transmitted to the fire

department in conformance with Sentence 3.2.4.7.(3) when the corridor serves a Group E or Group F, Division 1 or 2 *occupancy*.

### 3.3.1.5. Egress Facilities

(1) Every room and every *suite* shall have 2 egress doorways placed in such a manner that one doorway could provide egress from the room or *suite* as required in Article 3.3.1.3. if the other doorway becomes inaccessible to the occupants due to a fire which might originate in the room or *suite*

- (a) where the *occupancy* is classified as Group F, Division 1,
- (b) which is intended for an *occupant load* of more than 60 persons, or
- (c) where the area of a room or *suite*, or the distance measured from any point within the room or *suite* to the nearest egress doorway is more than the values shown in Table 3.3.1.A.

**Table 3.3.1.A.**  
Forming Part of Sentence 3.3.1.5.(1)

<i>Occupancy of Room or Suite</i>	Maximum Area of Room or <i>Suite</i> , m <sup>2</sup>	Maximum Distance to Egress Doorway, m
Group A	150	15
Group B, Division 1	75	10
Group B, Division 2 sleeping rooms	75	10
Group B, Division 2 other than sleeping rooms	150	25
Group C dwelling units	Unlimited	25
Group C other than dwelling units	150	25
Group D	200	25
Group E	200	25
Group F, Division 2	200	25
Group F, Division 3	200	25
Column 1	2	3

(2) Except for a *mezzanine* within a *dwelling unit*, every *mezzanine* that is not required to terminate at a vertical *fire separation* in Article 3.2.8.2. shall have 2 egress facilities placed in such a manner that one facility could provide egress from the *mezzanine* if the other facility becomes inaccessible to the occupants of the *mezzanine* due to a fire which might originate in the room or *suite* in which the *mezzanine* is located where

- (a) the *occupancy* of the *mezzanine*, room or *suite* is classified as Group F, Division 1,
- (b) the *mezzanine* is intended for an *occupant load* of more than 60 persons,
- (c) the area of the *mezzanine* exceeds the area limits for rooms or *suites* in Table 3.3.1.A., or
- (d) the distance limits in Table 3.3.1.A. are exceeded when measured from any point on the *mezzanine* to
  - (i) the egress doorway from the room or *suite* in which the *mezzanine* is located where that room or *suite* has a single egress doorway, and

- (ii) an egress facility leading from the *mezzanine* where the room or *suite* in which the *mezzanine* is located has 2 egress doorways provided in conformance with this Subsection.

(3) Except for a *mezzanine* which is not considered as a *storey* in calculating *building height* in Sentence 3.2.1.1.(3), where the space below a *mezzanine* is enclosed, an egress facility from the *mezzanine* shall not lead into the enclosed space.

**3.3.1.6. Travel Distance.** Where more than one egress doorway is required from a room or *suite* in Sentence 3.3.1.5.(1), the travel distance within the room or *suite* to the nearest egress doorway shall not exceed the maximum travel distances described in Article 3.4.2.5. for *exits*.

### 3.3.1.7. Protection on Floor Areas with a Barrier-Free Path of Travel

(1) Except as provided in Sentences (2) and (3), where a *barrier-free* path of travel is provided above or below the *first storey* in a *building*, every *floor area* having access shall

- (a) be served by an elevator conforming to Sentences 3.2.6.9.(4) to (6), protected against fire in conformance with Clauses 3.2.6.9.(3) (b) or (c) and, in a *building* over 3 *storeys* in *building height*, protected against smoke movement in conformance with Sentence 3.2.6.2.(4), or
- (b) be divided into not less than 2 zones by *fire separations* conforming to Sentences 3.3.3.6.(8) and (9) so that
  - (i) persons with physical disabilities can be accommodated in each zone,
  - (ii) the travel distance from any point in one zone to a doorway leading to another zone shall be not more than the value for travel distance permitted by Sentence 3.4.2.5.(1) for the *occupancy* classification of the zone, and
  - (iii) a *barrier-free* path of travel is provided to an *exit*.

(2) The requirements of Sentence (1) are waived in the case of *residential occupancies* where, except on the *storey* containing the access entrance described in Article 3.7.1.2., balconies conforming to Sentence 3.2.6.6.(1) are provided.

(3) The requirements of Sentences (1) and (2) are waived when the *building* is *sprinklered*.

**3.3.1.8. Headroom Clearance.** Except within the *floor area* of a *storage garage*, the minimum headroom clearance in every *access to exit* shall conform to the requirements in Article 3.4.3.7. for *exits*.

### 3.3.1.9. Corridors

(1) The minimum width of every *public corridor* shall be 1 100 mm.

(2) Except as required in Sentence 3.3.3.3.(2), the minimum unobstructed width shall be 1 100 mm for every

- (a) corridor used by the public,
- (b) corridor serving classrooms, and
- (c) corridor in Group B, Division 2 *occupancies* where the corridor
  - (i) serves *service rooms*,
  - (ii) serves administrative areas,
  - (iii) will not be used by non-ambulatory outpatients, or

- (iv) is in a nursing home or home for the aged which will accommodate only ambulatory residents.

(3) Except as permitted in Sentence (4), obstructions located within 1 980 mm of the floor shall not project more than 100 mm horizontally into *exit* passageways, *public corridors*, corridors used by the public or corridors serving classrooms or patients' sleeping rooms in a manner that would create a hazard for visually impaired persons travelling adjacent to walls.

(4) The horizontal projection of an obstruction in Sentence (3) is permitted to be more than 100 mm where it extends to less than 680 mm above the floor.

(5) Where a *public corridor*, corridor used by the public or a corridor serving classrooms or patients' sleeping rooms contains an *occupancy*, such *occupancy* shall not reduce the unobstructed width of the corridor to less than its required width.

(6) If a *public corridor* conforming to Clause 3.4.2.5.(1) (d) contains an *occupancy*, the *occupancy* shall be located so that there is an unobstructed width for pedestrian travel of not less than 3 m adjacent and parallel to all rooms and *suites* that front onto the *public corridor* and the combined area of all *occupancies* in a *public corridor* shall be not more than 15 per cent of the area of the *public corridor*.

(7) Except as provided in Sentence 3.3.3.3.(1), dead end corridors shall conform to Sentences (8) to (14).

(8) A dead end corridor is permitted in an *assembly occupancy* where there is a second and separate egress doorway from each room or *suite* not leading into a dead end corridor.

(9) In a *residential occupancy*, except for corridors served by a single *exit* as described in Sentence 3.3.4.4.(6), a dead end *public corridor* is permitted provided it is not more than 6 m long.

(10) Dead end corridors in Sentence (9) shall serve not more than 4 *suites* and shall contain no door openings other than for *suites*, arranged so that it is not necessary to pass more than 2 doors in the dead end corridor in travelling to the nearest *exit*.

(11) A dead end *public corridor* is permitted in a *business and personal services occupancy* where

- (a) the dead end corridor
- (i) serves an *occupant load* of not more than 30 persons,
  - (ii) is not more than 9 m long, and
  - (iii) is provided with doors having self-closing devices, or

- (b) there is a second and separate egress doorway from each room or *suite* not leading into a dead end corridor.

(12) A dead end corridor is permitted in a *mercantile occupancy* where

- (a) the dead end corridor
- (i) serves an *occupant load* of not more than 30 persons,
  - (ii) is not more than 9 m long, and
  - (iii) is provided with doors having self-closing devices, or

- (b) there is a second and separate egress doorway from each room or *suite* not leading into a dead end corridor.

(13) A dead end corridor is permitted in a *low or medium hazard industrial occupancy* where

- (a) the dead end corridor

- (i) serves an *occupant load* of not more than 30 persons,
- (ii) is not more than 9 m long, and
- (iii) is provided with doors having self-closing devices, or

- (b) there is a second and separate egress doorway from each room or *suite* not leading into a dead end corridor.

(14) A dead end corridor is permitted in a *high hazard industrial occupancy* where there is a second and separate egress doorway from each room or *suite* not leading into a dead end corridor.

### 3.3.1.10. Door Swing

(1) Except as provided in Article 3.3.1.11., every door that opens into a corridor or other facility providing *access to exit* from a *suite* or room not located within a *suite* shall swing on a vertical axis, and where a room or *suite* is used or intended for an *occupant load* of more than 60 persons or for a Group F, Division 1 *occupancy*, the door shall swing in the direction of *exit* travel.

(2) Except as provided in Sentence (3), every door that divides a corridor where such corridor is required to be separated from the remainder of the *floor area* by a *fire separation* shall swing on a vertical axis in the direction of *exit* travel.

(3) Where the corridor in Sentence (2) is divided by paired doors which provide *access to exit* in opposite directions,

- (a) the doors shall swing on a vertical axis,
- (b) the doors shall swing in opposite directions, and
- (c) the right hand door shall swing in the direction of *exit* travel.

### 3.3.1.11. Sliding Doors

(1) Except as permitted in Sentence (2), a sliding door provided in the locations described in Sentence 3.3.1.10.(1) shall

- (a) be designed and installed to swing on the vertical axis in the direction of *exit* travel when pressure is applied, and
- (b) be identified as a swinging door by means of a label or decal affixed to it.

(2) In a Group B, Division 1 *occupancy*, or in an *impeded egress zone* in other *occupancies*, sliding doors used in an *access to exit* need not conform to Sentence (1) and Article 3.3.1.10.

(3) Movable *partitions* which are intended to be open during normal working hours and are used to separate a *public corridor* from an adjacent Group D or E *occupancy* need not conform to Sentences (1) and 3.3.1.10.(1).

### 3.3.1.12. Doors

(1) Every door that opens into or is located within a *public corridor* or other facility that provides *access to exit* from a *suite* shall

- (a) be not less than 800 mm wide where there is only one door leaf,
- (b) have no single leaf in any multiple leaf door less than 600 mm wide,
- (c) not open onto a step, and
- (d) be readily openable in travelling to an *exit* without requiring keys, special devices or specialized knowledge of the door opening mechanism, except as permitted in Sentences (2) and (3).

(2) Egress doors in an *access to exit* serving a *contained use area* or an *impeded egress zone* are permitted to be equipped with locking devices that can be released either locally or remotely provided

- (a) local locking devices are operable by a key from both sides of the door,
- (b) controls for the remote release of door locking devices are located in an area readily available to security personnel, and
- (c) electrical release devices are designed to operate on emergency power and are also manually operable by security personnel.

(3) Except for a door in a *building* containing a *hotel* or a door leading directly from a Group F, Division 1 *occupancy*, a door in an *access to exit* is permitted to be equipped with an electromagnetic locking device conforming to Sentence 3.4.6.15.(4).

(4) Except as required in Article 3.3.3.5., in a Group B, Division 2 *occupancy*, every door that opens into or is located within a corridor or other facility that provides *access to exit* shall comply with Sentence (1) where the door

- (a) serves *service rooms*,
- (b) serves administrative areas,
- (c) will not be used by non-ambulatory outpatients,
- (d) is located within a patients' or residents' sleeping room,
- (e) is in a nursing home or home for the aged which will accommodate only ambulatory residents.

### 3.3.1.13. Ramps, Stairways and Passages

(1) Except as provided in Sentence (2), Articles 3.3.4.8. and 3.3.1.14., ramps, stairways and passageways used by the public as *access to exit* shall conform with the requirements in Subsection 3.4.6.

(2) Ramps and stairways that do not conform to the requirements of Sentence (1) are permitted to serve *service rooms* and *service spaces* and are permitted in *industrial occupancies*, provided the ramps and stairways are intended only for occasional use for servicing equipment and machinery.

**3.3.1.14. Exterior Passageways.** Exterior passageways leading to a required *exit* shall conform to the requirements in Section 3.4 for exterior *exit* passageways.

**3.3.1.15. Curved or Spiral Stairs.** A curved or spiral stair having treads with a minimum run of not less than 150 mm, a minimum average run of not less than 200 mm and having risers in conformance with Sentence 3.4.6.7.(2) is permitted in a stairway not required as an *exit*.

### 3.3.1.16. Capacity of Access to Exit

(1) The capacity of an *access to exit* shall be based on the *occupant load* of the portion of the *floor area* served.

(2) In an *access to exit* the required width of ramps with a gradient of not more than 1 in 8, doorways, corridors and passageways shall be based on not less than 6.1 mm per person.

(3) In an *access to exit* the required width of a ramp with a gradient of more than 1 in 8 shall be based on not less than 9.2 mm per person.

(4) In an *access to exit* from a *floor area* used or intended to be used for patients in a Group B, Division 2 *occupancy* the required

width of corridors, doorways, passageways and ramps shall be based on not less than 18.4 mm per person.

(5) Stairs in an *access to exit* shall conform to the requirements for stairs in Article 3.4.3.5.

### 3.3.1.17. Guards

(1) A *guard* not less than 1 070 mm high shall be provided

- (a) around each roof to which access is provided for other than maintenance,
- (b) at openings into smoke shafts described in Subsection 3.2.6. that are less than 1 070 mm above the floor, and
- (c) at each raised floor, *mezzanine*, balcony, gallery and other locations where the difference in floor elevations is more than 600 mm.

(2) The height of *guards* on stairs used by the public but not forming part of a required *exit* shall be not less than 920 mm measured vertically to the top of the *guard* from a line drawn through the outside edges of the stair nosings and shall be not less 1 070 mm around landings.

(3) Except as provided in Sentence 3.3.2.8.(4), the size of any opening through a required *guard* serving a room, stairway or space to which the public is admitted or serving an exterior balcony shall be such as to prevent the passage of a spherical object having a diameter of 100 mm in *residential occupancies*, day care centres, nurseries or other similar type *occupancies* where children may be present and 200 mm in other *occupancies*, unless it can be shown that the location and size of openings that exceed these limits do not present a hazardous condition.

### 3.3.1.18. Transparent Doors and Panels

(1) Except for *dwelling units* and as provided in Sentence (4), every glass or transparent door shall be designed and constructed so that the existence and position of such door is readily apparent by attaching thereto non-transparent hardware, bars or other permanent fixtures.

(2) Glass doors shall be constructed of safety glass of the laminated or tempered type conforming to CAN2-12.1-M, "Glass, Safety, Tempered or Laminated" or wired glass conforming to CAN2-12.11-M, "Glass, Wired, Safety".

(3) Except as provided in Sentence (4), transparent panels used in an *access to exit* which because of their physical configuration or design could be mistaken as a *means of egress* shall be made inaccessible by barriers or railings.

(4) Sliding glass *partitions* which separate a *public corridor* or mall from an adjacent *occupancy* and which are intended to be open during normal working hours need not conform to Sentences (1) and (3), except that such *partitions* shall be suitably marked to indicate their existence and position.

(5) Glass in doors and side lights that could be mistaken for doors within or at the entrances to *dwelling units* and in public areas shall conform to the requirements in Article 9.6.5.2.

(6) Windows in public areas that extend to less than 1 m from the floor and are located above the second *storey* in *buildings of residential occupancy* shall be protected by barriers or railings to not less than 1 m above the floor, or the windows shall be non-openable and designed to withstand the lateral design loads for balcony *guards* in Article 4.1.10.1.

### 3.3.1.19. Exhaust Ventilation

(1) Every *building* or part of a *building* in which there may be or may develop, by reason of use or *occupancy*, dust, fumes, gases,

vapour or other various impurities or contaminants that may create a fire or explosion hazard, shall be provided with an exhaust ventilation system designed in conformance with the appropriate requirements of Part 6.

(2) When substances or conditions that may create an explosion hazard are present as a result of the principal use of a *building* space, such space shall be provided with explosion relief devices, vents or other protective measures in conformance with Subsection 6.2.2.

**3.3.1.20. Janitors' Rooms.** A room or space for the storage of janitorial supplies shall be separated from the remainder of the *building* by a *fire separation* having a *fire-resistance rating* not less than 1 h, except that the *fire-resistance rating* is permitted to be not less than 45 min if the *fire-resistance rating* of the floor assembly of the room or space is permitted to be less than 1 h.

**3.3.1.21. Posts or Turnstiles.** In a *mercantile occupancy* no obstructions such as posts or turnstiles shall be placed so as to restrict the width of a normal *means of egress* from a *floor area* or part of a *floor area* to less than 750 mm unless an alternative *means of egress* is provided adjacent to and is plainly visible from the restricted egress.

**3.3.1.22. Signs in Service Spaces.** Illuminated signs conforming to Sentences 3.4.5.1.(3) and (5) shall be provided to indicate the direction to egress points in a *service space* referred to in Sentence 3.2.1.1.(7).

### 3.3.2. Assembly Occupancy

**3.3.2.1. Scope.** This Subsection applies to *floor areas* or parts thereof used or intended for use as *assembly occupancies*.

#### 3.3.2.2. Fire Separations

(1) The seating area of a Group A, Division 1 *occupancy* shall be separated from adjacent *occupancies* by a *fire separation* having a *fire-resistance rating* of not less than 1 h where the *occupant load* in the seating area exceeds 200 persons, except that a *fire separation* having a *fire-resistance rating* of not less than 45 min is permitted to be used where the floor assembly is not required to have a *fire-resistance rating* of more than 45 min.

(2) Where usable space exists under tiers of seats in arena type *buildings*, a *fire-separation* with a *fire-resistance rating* of not less than 45 min shall be provided between such space and the seats or the space shall be *sprinklered*.

#### 3.3.2.3. Fixed Seats

(1) Except for bench-type seats as provided in Articles 3.3.2.7., 3.3.2.9. and 3.3.2.10., in places of assembly with fixed seats, such seats shall be

- (a) attached or secured to the floor, platform or platform riser,
- (b) provided with arms and back, and
- (c) arranged in rows having an unobstructed passage of not less than 400 mm measured horizontally between plumb lines from the backs of the seats in one row and the edges of the furthest forward projection of the seats in the next row in the unoccupied position.

(2) Except as provided in Sentence (3), aisles on the main floor and in balconies shall be located so that there are not more than 7 seats between any seat and the nearest aisle.

(3) The requirements of Sentence (2) do not apply where

- (a) egress doorways are provided to serve both ends of rows of seats,
- (b) each doorway in Clause (a) serves not more than 3 rows of seats, and

(c) each row contains not more than 100 seats.

(4) Seating arrangements that do not conform to the requirements of Sentences (2) or (3) may be permitted provided the standard of safety is not reduced and the time required for egress is not increased.

#### 3.3.2.4. Aisles

(1) Except as required in Articles 3.3.2.7., 3.3.2.9. and 3.3.2.10., aisles leading to *exits* shall be provided in places of assembly which contain fixed seats in conformance with Sentences (2) to (10).

(2) The minimum clear width of aisles shall be not less than 1 100 mm, except that the width is permitted to be reduced to not less than

- (a) 750 mm when serving not more than 60 seats, and
- (b) 900 mm when serving seats on 1 side only.

(3) Except in the case of bleacher seats, the minimum clear width of aisles referred to in Sentence (2) shall be measured at the point farthest from an *exit*, cross aisle or foyer and shall be increased in width 25 mm for each metre of distance toward the *exit*, cross aisle or foyer.

(4) Aisles shall terminate in a cross aisle, foyer or *exit*, and the width of such cross aisle, foyer or *exit* shall be not less than the required width of the widest aisle plus 50 per cent of the total required width of the remaining aisles that it serves.

(5) Dead end aisles shall be not more than 6 m in length.

(6) The length of travel to an *exit* door by any aisle shall not be more than 45 m.

(7) Side aisles shall be not less than 1 100 mm wide when seating is provided in conformance with Sentence 3.3.2.3.(3).

(8) The floor of every aisle shall have a gradient of not more than 1 in 8.

(9) Steps shall not be placed in any aisle unless the gradient is more than 1 in 8 and

- (a) the passageway between rows of seats is level at right angles to the line of travel,
- (b) the riser height is not less than 110 mm,
- (c) the riser height is not more than 200 mm,
- (d) where variations in riser height occur
  - (i) the heights of adjacent risers do not vary more than 6 mm, and
  - (ii) treads or any part of a platform extend not less than 430 mm,

(e) treads have a run of not less than 230 mm exclusive of nosing and a tread width of not less than 250 mm,

(f) aisle platforms that extend not less than 430 mm in the direction of *exit* travel slope not more than 1 in 50,

(g) an unobstructed platform not less than 800 mm square is provided adjacent to an aisle where a step is used at the entry to a row of seats,

(h) the location of every riser is made apparent from both directions of travel by strategically placed lighting or contrasting marking stripes,

- (i) the steps extend to the adjacent rows of seats in a manner that will not create a hazard from tripping, and
- (j) the finish of treads and platforms conforms to Sentence 3.4.6.1.(1).

(10) Except as provided in Sentence 3.3.2.3.(3), aisles shall be located so that there are not more than 7 seats with backs or 20 seats without backs between every seat and the nearest aisle.

**3.3.2.5. Corridors.** Corridors used by the public in *assembly occupancies* as *access to exits* shall be separated from the remainder of the *building* by a *fire separation* having a *fire-resistance rating* of not less than 1 h, except that

- (a) the *fire-resistance rating* need not be more than 45 min if the *fire-resistance rating* of the floor assembly is not required to be more than 45 min,
- (b) no *fire-resistance rating* is required if the *floor area* is *sprinklered*, and
- (c) no *fire separation* is required for corridors where the distance from any point in the *floor area* to an *exit* measured along the path of *exit* travel does not exceed the travel distances in Article 3.4.2.5.

**3.3.2.6. Doors.** Every door equipped with a latching mechanism in an *access to exit* from a room or *suite* of Group A *occupancy* containing an *occupant load* of more than 100 persons shall be equipped with a device that will release the latch and allow the door to swing wide open when a force of 90 N is applied to the device in the direction of travel to the *exit*.

#### 3.3.2.7. Fixed Bench-Type Seats without Arms

(1) Where fixed bench-type seats without arms are provided, the seat width per person shall be assumed to be 450 mm.

(2) The centre-to-centre spacing between rows of bench-type seats shall be not less than 760 mm where back rests are provided, and not less than 550 mm where back rests are not provided.

(3) There shall be a space of not less than 300 mm between the back of each seat and the front of the seat immediately behind it.

#### 3.3.2.8. Guards

(1) Except as required in Sentences (2) to (4) for bleacher seats, *guards* shall be installed in outdoor and indoor places of assembly with fixed seats so that

- (a) at the fascia of every box, balcony or gallery where the seats extend to the edge, the height of *guards* is not less than 760 mm in front of the seats and not less than 920 mm when located at the end of aisles or at the foot of steps,
- (b) the height of *guards* along every cross aisle other than those adjacent to the fascia of every box, balcony or gallery is not less than 660 mm, except that such *guards* need not be provided where the backs of the seats along the front side of the aisle are not less than 600 mm above the floor of the aisle, and
- (c) where the seating is arranged in successive tiers and the height of rise between platforms is more than 450 mm, the height of *guards* is not less than 660 mm along the entire row of seats at the edge of the platform.

(2) The backs and ends of bleacher seats more than 1.2 m above the ground or floor that are not adjacent to a wall shall be protected with a *guard*

- (a) not less than 1 070 mm high above an adjacent aisle surface or foot rest, and

- (b) not less than 920 mm high above the centre of an adjacent seat board.

(3) If the front of a bleacher is more than 600 mm above the ground or floor, it shall be protected with a *guard* not less than 840 mm high above the front foot rest.

(4) The size of any opening in a *guard* required in Sentences (2) and (3) shall be such as to prevent the passage of a spherical object more than 300 mm in size.

#### 3.3.2.9. Outdoor Places of Assembly

(1) Any Group A, Division 4 *occupancy* and each tier or balcony thereof that has a capacity of more than

- (a) 1 000 persons shall have not less than 3 separate *exits*, or
- (b) 4 000 persons shall have not less than 4 separate *exits*.

(2) In every Group A, Division 4 *occupancy*, every seat shall be located so that the travel distance is not more than 45 m measured along the path of travel from the seat to

- (a) the ground,
- (b) an *exit*,
- (c) an opening to a passageway leading from the seating area, or
- (d) an opening through the seating deck structure such as a portal or vomitory.

(3) *Exits* from outdoor stadia or grandstands shall be located not more than 25 m apart.

(4) The capacity of *means of egress* for Group A, Division 4 *occupancies* shall conform to the requirements of Sentence 3.4.3.5.(3).

(5) Aisles in Group A, Division 4 *occupancies*

- (a) shall be located so that there are not more than 20 seats between any seat and the nearest aisle,
- (b) shall be not less than 1 200 mm wide, except that an aisle serving less than 60 persons is permitted to be 750 mm wide, and
- (c) shall not have steps unless the gradient of the aisle exceeds 1 in 8.

(6) Except as provided in Sentences 3.3.2.10.(1) and (2), where steps are provided in aisles, such steps shall

- (a) extend the full width of the aisles,
- (b) have risers not more than 230 mm high, and
- (c) have treads with a run of not less than 250 mm.

#### 3.3.2.10. Bleachers

(1) Where steps are provided in aisles of bleachers of the telescopic type, such steps shall

- (a) have risers not more than 250 mm, and
- (b) have treads with a run of not less than 280 mm.

(2) When the vertical distance between seating platforms in bleachers is more than 280 mm, an intermediate step shall be provided the full width of the aisle and proportioned to provide 2 equal risers between platforms and, when the vertical distance between



seating platforms is more than 450 mm, 2 intermediate steps shall be provided the full width of the aisle so that there are 3 equal risers between platforms.

(3) Where the passageway between rows of seats is not a closed deck, footboards shall be provided so that

- (a) the total width of the footboards shall be not less than three quarters of the centre-to-centre spacing between rows of seats, and
- (b) the spacing between footboard members shall be not more than 25 mm.

### 3.3.2.11. Libraries

(1) Where a library book storage room, that is not normally accessible to the public, is more than 250 m<sup>2</sup> in area, or where the book stacks in such storage room are more than 10 m high or penetrate more than 1 storey

- (a) the book storage room shall be separated from the remainder of the *building* by a *fire separation* with a *fire-resistance rating* of not less than 2 h, or
- (b) the book storage room shall be *sprinklered*.

(2) Open book shelves are permitted above and below a *mezzanine* floor in a library *building* provided the height of such book shelves is not more than 2.1 m or 75 per cent of the floor-to-ceiling height of the space above or below the *mezzanine* floor assembly.

### 3.3.2.12. Bowling Alleys

(1) Any portion of a *building* in which 3 or more bowling lanes are located shall be separated from other *occupancies* by a *fire separation* with a *fire-resistance rating* of not less than 1 h.

(2) Subsidiary *occupancies* such as offices, cocktail lounges and lunch counters operated in connection with 3 or more bowling lanes shall be separated by a *fire separation* with a *fire-resistance rating* of not less than 1 h where the combined area of these subsidiary *occupancies* is more than 150 m<sup>2</sup>.

### 3.3.2.13. Stages for Theatrical Performances

(1) *Stages* for theatrical performances and ancillary spaces, such as workshops, dressing rooms and storage areas, shall be *sprinklered*.

(2) A *fire separation* with a *fire-resistance rating* of not less than 1 h shall be provided between every *stage* for theatrical performances and ancillary spaces, such as workshops, dressing rooms and storage areas.

(3) Every *stage* for theatrical performances and ancillary spaces, such as workshops, dressing rooms, and storage areas, shall be separated from the seating space by a *fire separation* having a *fire-resistance rating* of not less than 1 h, except for a proscenium opening which shall be protected with

- (a) a sprinkler deluge system conforming to the requirements of paragraph 4-4.20 of NFPA 13, "Standard for the Installation of Sprinkler Systems",
- (b) an unframed fire curtain when the opening is not more than 20 m wide, or
- (c) a semi-rigid fire curtain when the opening is more than 20 m wide.

(4) Every fire curtain as required by Sentence (3) shall be designed to close

- (a) automatically by heat-actuated devices,

(b) automatically upon the actuation of the sprinkler system,

(c) automatically upon actuation of the fire alarm system, and

(d) manually by remote control devices located at the curtain control panel and at each side of the *stage*.

(5) Not less than 2 vents for the purpose of venting fire and smoke to the outside of a *building* shall be provided above every *stage* designed for theatrical performances and shall

- (a) have an aggregate area of not less than one eighth of the area of the *stage* behind the proscenium opening, and
- (b) be arranged to open automatically by means of
  - (i) heat-actuated devices, or
  - (ii) actuation of the sprinkler system.

### 3.3.3. Institutional Occupancy

3.3.3.1. **Scope.** This Subsection applies to *floor areas* or parts thereof used or intended for use as *institutional occupancies*.

3.3.3.2. **Separations between Institutional Occupancies and Repair Garages.** The *fire separation* required between an *institutional occupancy* and a *repair garage* shall have no openings.

### 3.3.3.3. Corridors

(1) Corridors used by the public or serving patients shall have no dead end portions unless the area served by the dead end has a second and separate *means of egress*.

(2) Every corridor serving patients shall be at least 2 400 mm wide.

(3) Paired doors in corridors described in Sentence (2) shall

- (a) swing in opposite directions, the right hand door swinging in the direction of travel, and
- (b) be not less than 1 100 mm wide.

3.3.3.4. **Separation of Rooms.** Except as permitted in Sentence 3.3.3.6.(2) and Article 3.3.3.7., sleeping rooms shall be separated from adjacent rooms by a *fire separation* having a *fire-resistance rating* of not less than 1 h, except that the *fire-resistance rating* need not be more than 45 min where the floor assembly is not required to be more than 45 min.

3.3.3.5. **Doorway Width.** The minimum clear width of doorways serving patients shall be 1 050 mm.

### 3.3.3.6. Unsprinklered Hospitals and Nursing Homes

(1) Except as provided in Article 3.3.3.7., *floor areas* containing sleeping rooms in hospitals and nursing homes shall conform to Sentences (2) to (11).

(2) Where 2 or more intercommunicating rooms such as patients' sleeping rooms and adjacent bathrooms are provided, the *fire separation* required in Article 3.3.3.4. does not apply to the wall between the intercommunicating rooms provided the total number of patients served by the intercommunicating rooms is not more than 5.

(3) Corridors used by the public or serving patients' sleeping rooms in hospitals and nursing homes shall be separated from the adjacent rooms or spaces by a *fire separation* having a *fire-resistance rating* of not less than 1 h, except that the *fire-resistance rating* need not be more than 45 min where the floor assembly is not required to be more than 45 min.

(4) Corridors referred to in Sentence (3) shall contain no



occupancy other than for nursing stations and related spaces not normally used by patients.

(5) The requirement for labels in Sentence 3.1.8.5.(2) and latches in Article 3.1.8.13. is permitted to be waived for doors between patients' sleeping rooms and corridors provided the doors are equipped with roller latches.

(6) Except as provided in Sentence (7), every floor area used or intended to be used for patients in a hospital or nursing home shall be divided into 2 or more zones, separated by a fire separation, in such a manner that the occupants in every zone have access to 2 exits either directly or through adjacent zones.

(7) The floor area on either side of a horizontal exit conforming to Article 3.4.6.9. is permitted to be considered as a zone in applying the requirements of this Article.

(8) Fire separations between zones referred to in Sentence (6) shall have a fire-resistance rating of not less than 1 h, except that a fire separation with a fire-resistance rating of not less than 45 min is permitted where the fire-resistance rating of the floor assembly is not required to be more than 45 min.

(9) Doors acting as closures in fire separations between zones in Sentence (6) shall be weatherstripped or otherwise designed and installed to retard the passage of smoke.

(10) Every zone referred to in Sentence (6) shall accommodate, in addition to its own occupants, the occupants of the largest adjacent zone based on a clear floor space of 2.5 m<sup>2</sup> per patient in the adjacent zone.

(11) The travel distance from any point within each zone referred to in Sentence (6) to an adjacent zone shall not exceed 30 m.

### 3.3.3.7. Sprinklered Hospitals and Nursing Homes

(1) Floor areas containing patients' sleeping rooms in hospitals and nursing homes need not conform to Articles 3.3.3.4. and 3.3.3.6. provided the building is sprinklered and the floor areas conform to Sentences (2) to (10).

(2) Except as provided in Sentence (3), floor areas containing patients' sleeping rooms in hospitals and nursing homes shall be divided into not less than 2 fire compartments not more than 1 000 m<sup>2</sup> in area.

(3) The floor area on either side of a horizontal exit conforming to Article 3.4.6.9. is permitted to be considered as a fire compartment in applying the requirements of this Article.

(4) Fire separations separating fire compartments required in Sentence (2) shall have a fire-resistance rating of not less than 1 h, except that the fire-resistance rating need not be more than 45 min where the floor assembly is not required to be more than 45 min.

(5) Doors serving as closures in fire separations between fire compartments referred to in Sentence (2) shall be weatherstripped or otherwise designed and installed to retard the passage of smoke.

(6) The travel distance from any point within each fire compartment referred to in Sentence (2) to a door referred to in Sentence (5) shall be not more than 45 m.

(7) Each fire compartment referred to in Sentence (2) shall be capable of accommodating, in addition to its own occupants, the occupants of the largest adjacent fire compartment based on a clear floor space of 2.5 m<sup>2</sup> per patient in the adjacent fire compartment.

(8) Except as permitted in Sentence (9), walls between patients' sleeping rooms and adjacent rooms and walls between corridors serving patients' sleeping rooms and adjacent rooms within a fire compartment referred to in Sentence (2) shall be constructed as fire separations.

(9) Doors in fire separations required in Sentence (8) are permitted to be equipped with roller latches.

(10) Doors in fire separations required in Sentence (8) shall not contain any grilles, louvres or other openings.

**3.3.3.8. Areas of Refuge.** Compartments containing rooms such as operating rooms, recovery rooms, delivery rooms and intensive care units, from which it is impracticable to move patients in an emergency, shall be

- (a) separated from adjacent spaces by fire separations having a fire-resistance rating of not less than 1 h, and
- (b) provided with a mechanical air supply so that during a period of 2 h after the start of a fire in another space, such compartments will not contain more than 1 per cent by volume of contaminated air from the fire area.

### 3.3.3.9. Contained Use Areas

(1) A contained use area shall conform to Sentences (2) to (5).

(2) A contained use area shall be separated from the remainder of the building by a fire separation having a fire-resistance rating of not less than 1 h.

(3) Except as permitted in Sentence (5), a contained use area shall be sprinklered.

(4) The actuation of the sprinkler system required by Sentence (3) shall initiate an alert signal or an alarm signal on the fire alarm system.

(5) A contained use area is not required to be sprinklered as required by Sentence (3) if

- (a) the building is designed so that during a period of 2 h after the start of a fire in the contained use area, other fire compartments will not contain more than 1 per cent by volume of contaminated air from the contained use area,
- (b) the building is designed so that during a period of 2 h after the start of a fire in another part of the building, the contained use area will not contain more than 1 per cent by volume of contaminated air from the fire in the other part of the building,
- (c) all doors are designed to be remotely released in conformance with Sentence 3.3.1.12.(2), and
- (d) the contained use area does not contain any rooms lined with combustible padding.

**3.3.3.10. Elevator Required.** If patient sleeping rooms or patient services are provided on more than one floor level and the floor levels are not connected by ramps conforming to Article 3.7.3.4., such floor levels shall be served by at least one elevator that

- (a) is large enough to accommodate a stretcher in a horizontal position, and
- (b) conforms to Appendix E of CSA-B44 "Safety Code for Elevators, Escalators, Dumbwaiters, Moving Walks and Freight Platforms Lifts".

**3.3.3.11. Handrails.** Corridors and ramps used by residents in a nursing home shall be equipped with handrails on each side conforming to Sentences 3.4.6.4.(3), (4), (6), (7) and (8).

### 3.3.4. Residential Occupancy

**3.3.4.1. Scope.** This Subsection applies to floor areas or parts thereof used or intended for use as residential occupancies.

**3.3.4.2. Fire Separations**

(1) *Suites of residential occupancy* shall be separated from each other and the remainder of the *building* by a *fire separation* having a *fire-resistance rating* of not less than 1 h, except that

- (a) a *fire-resistance rating* of not less than 45 min is permitted where the *fire-resistance rating* of the floor assembly above the *floor area*, or the floor assembly below the *floor area* if there is no floor assembly above, is not required to be more than 45 min, and
- (b) no *fire separation* is required for a floor assembly conforming to Sentence 3.2.2.5.(2).

(2) Floor assemblies within a *dwelling unit* need not be constructed as *fire separations* provided the distance between the lowest floor level and the uppermost floor level within the *dwelling unit* is not more than 6 m and provided that the *dwelling unit* is separated from the remainder of the *building* by a *fire separation* having a *fire-resistance rating* of not less than

- (a) 45 min where the *building* is *sprinklered* and is not more than 3 *storeys* in *building height*,
- (b) 1 h where the *building* is *sprinklered* or is not more than 6 *storeys* in *building height*, and
- (c) 2 h where the *building* is not *sprinklered* and is more than 6 *storeys* in *building height*.

**3.3.4.3. Storage Rooms**

(1) Storage rooms not contained within a *suite*, for the use of tenants in *residential occupancies*, shall be *sprinklered* and separated from the remainder of the *building* by a *fire separation* having a *fire-resistance rating* of not less than 1 h, except that a *fire-resistance rating* of not less than 45 min is permitted where the *fire-resistance rating* of the floor assembly is not required to be more than 45 min.

(2) In a *building* containing a *hotel*, unsprinklered storage rooms and closets shall be separated, or shall be contained within a *suite* that is separated, from the remainder of the *building* by a *fire separation* having a *fire-resistance rating* of not less than 45 min.

**3.3.4.4. Egress from Dwelling Units**

(1) Single *storey dwelling units* in apartment *buildings* need not lead to a *public corridor* or exterior passageway on the same *storey* provided the *dwelling units* are served by private stairways leading directly to a *public access to exit* on the *storey*

- (a) immediately above, and
- (b) immediately below.

(2) Except as provided in Sentences (3) and (4), every *dwelling unit* containing more than 1 *storey* shall have an *exit door* or an egress door opening directly into a *public access to exit* from the uppermost *storey* and from the lowest *storey* of the *dwelling unit* so that the floor level of each such *storey* is served by an *exit* or egress door located not more than 1.5 m above or below the floor level.

(3) A single *exit* is permitted from a *dwelling unit* provided the *exit* is an exterior doorway not more than 1.5 m above adjacent ground level and

- (a) it is not necessary to travel up or down more than 1 *storey* to reach the *exit door*, or
- (b) the uppermost floor level opens to a balcony not more than 6 m above adjacent ground level.

(4) An egress door from either the uppermost *storey* or the lowest

*storey* in a *dwelling unit*, as required in Sentence (2), need not be provided

- (a) where that *storey* is served by a stairway that
  - (i) leads to a *public access to exit*,
  - (ii) has no direct access to any other *storey* in the *dwelling unit*, and
  - (iii) is separated from the other *storeys* in the *dwelling unit* by a *fire separation* having a *fire-resistance rating* of not less than 45 min, or
- (b) where a *smoke alarm* conforming to Article 3.2.4.21. is installed
  - (i) on the uppermost *storey* of a *dwelling unit* having not more than 2 *storeys* above the first *storey* of the *building*, or
  - (ii) on each *storey* of the *dwelling unit* provided it is not necessary to travel either more than 18 m, or more than 1 *storey* up or down to reach the egress door.

(5) In *buildings of residential occupancy* not more than 3 *storeys* in *building height*, a doorway from a *dwelling unit* is permitted to open directly into an *exit* stairway provided such *dwelling unit* has a second and separate *means of egress*.

(6) A doorway from a *dwelling unit* may open onto an interior corridor served by a single *exit*, or an exterior balcony served by a single *exit* stairway, or an exterior passageway served by a single *exit* stairway provided each *dwelling unit* has a second and separate *means of egress*.

**3.3.4.5. Automatic Locking Prohibition.** Except for *hotels*, a door opening onto a *public corridor* which provides *access to exit* from a *suite* shall be designed not to lock automatically.

**3.3.4.6. Sound Transmission.** *Dwelling units* shall be designed and constructed to restrict sound transmission in conformance with Article 9.11.2.1.

**3.3.4.7. Balcony Guards for Residential Occupancies.** *Guards* around exterior balconies in *buildings of residential occupancy* shall be designed so that no member, attachment or opening located between 100 mm and 900 mm above the balcony will facilitate climbing.

**3.3.4.8. Stairs, Handrails and Guards for Dwelling Units.** Stairs, handrails and *guards* within *dwelling units* shall be provided in conformance with the requirements in Section 9.8.

**3.3.5. Industrial Occupancy**

**3.3.5.1. Scope.** This Subsection applies to *floor areas* or parts thereof used or intended for use as *industrial occupancies*.

**3.3.5.2. Fire Extinguishing Systems.** In addition to other requirements in this Code for the installation of automatic fire extinguishing systems, in a Group F, Division 1 *major occupancy*, an appropriate automatic fire extinguishing system shall be installed in every *floor area* to provide protection against the nature of the risk in conformance with the Ontario Fire Code made under the *Fire Marshals Act*, or in the absence of requirements pertinent to the specific risk in the Ontario Fire Code, with the ACNBC National Fire Code of Canada 1990.

**3.3.5.3. Basements**

(1) *Basements* shall not be used for the storage, manufacture or handling of volatile solids, liquids or gases that generate explosive air-vapour mixtures or for processes that involve explosive dusts.

(2) Entrances and exits to basements and rooms containing building services in a building where the storage, manufacture or handling of volatile materials can generate explosive air-vapour mixtures or where processes that produce explosive dusts can occur, shall be separate from the remainder of the building.

(3) Basements and rooms referred to in Sentence (2) shall be separated from the remainder of the building with a vapour-tight separation.

**3.3.5.4. Cutting and Welding.** Where a room in other than a Group F major occupancy is used for cutting and welding operations, it shall be separated from the remainder of the building by a fire separation having a fire-resistance rating of not less than 1 h, except that this requirement does not apply to a room that is protected by an automatic fire extinguishing system.

#### 3.3.5.5. Repair and Storage Garages

(1) Where access is provided from a storage garage to a stair tower or elevator serving occupancies above the level of the storage garage, such access shall be through a vestibule conforming to Sentence 3.3.5.8.(3).

(2) Treads and landings in interior stairs that extend to the roof of a storage garage shall be designed to be free of accumulations of ice and snow.

(3) Mechanical storage garages of not more than 4 storeys in building height, where no persons other than parking attendants are permitted above the street floor level, need not have a fire separation between the exits and the remainder of the building.

(4) Every garage shall be provided with natural or mechanical ventilation in conformance with the requirements of Subsection 6.2.2. to prevent excessive accumulation of carbon monoxide, exhaust fumes or flammable and toxic vapours.

(5) The clear height in a storage garage shall be not less than 2 m.

(6) A continuous curb not less than 150 mm high and a guard not less than 1 070 mm high shall be provided at every garage floor opening and around the perimeter of every floor where the exterior walls are omitted.

(7) Only 2 exits located remote from each other need be provided in storage garages conforming to Article 3.2.2.60. provided persons other than parking attendants are not permitted above the street floor level.

(8) Except for open-air storeys, every storey of a storage garage or repair garage located below grade shall be sprinklered.

**3.3.5.6. Repair Garage Separation.** A repair garage or a repair garage and any ancillary spaces serving it, including waiting rooms, reception rooms, tool and parts storage areas and supervisory office space, shall be separated from other occupancies by a fire separation having a fire-resistance rating of not less than 2 h.

**3.3.5.7. Storage Garage Separation.** A storage garage shall be separated from other occupancies by a fire separation with a fire-resistance rating of not less than 1.5 h.

#### 3.3.5.8. Vestibules

(1) Where access is provided through a fire separation between a storage garage and a Group A, Division 1 or Group B occupancy, such access shall be through a vestibule conforming to Sentence (3).

(2) In buildings more than 3 storeys in building height, where access is provided through a fire separation between a storage garage and a Group A, Division 2, 3 or 4, or a Group C occupancy, such access shall be through a vestibule conforming to Sentence (3).

(3) Where access is provided through a vestibule, as required in Sentences (1), (2) and 3.3.5.5.(1), the vestibule shall

(a) be not less than 1.8 m long,

(b) be naturally ventilated to outside air by a vent that has an unobstructed area of not less than 0.1 m<sup>2</sup> for each door that opens into the vestibule but not less than 0.4 m<sup>2</sup>, or be mechanically ventilated at a rate of 14 m<sup>3</sup>/h for each square metre of vestibule floor surface area, and

(c) have the openings between the vestibule and an adjoining occupancy provided with self-closing doors having no hold-open devices.

#### 3.3.5.9.

(1) Reserved.

(2) Reserved.

**3.3.5.10. Toe-Boards Required.** Where tools or other objects could fall from the floor of an upper level to a lower level in a room or space intended for use as a Group F occupancy, the edge of the floor at the upper level shall be provided with a toe-board extending from the floor surface to a height at least 125 mm above the floor surface.

### Section 3.4 Requirements for Exits

#### 3.4.1. General Requirements

**3.4.1.1. Scope.** Exit facilities complying with this Section shall be provided from every floor area which is intended for occupancy.

#### 3.4.1.2. Separation of Exits

(1) Except as permitted by the requirements of Sentence (2), where more than 1 exit is required from a floor area, each exit shall be separate from every other exit leading from that floor area.

(2) Where more than 2 exits are provided from a floor area, exits are permitted to converge in conformance with Sentence 3.4.3.2.(2), provided the cumulative capacity of the converging exits does not contribute more than 50 per cent of the total required exit width for the floor area.

**3.4.1.3. Access to Exit.** Access to exits shall conform to Section 3.3.

**3.4.1.4. Types of Exit.** Subject to the requirements of this Section, an exit from any floor area shall be one of the following used singly or in combination

- (a) an exterior doorway,
- (b) an exterior passageway,
- (c) an exterior ramp,
- (d) an exterior stairway,
- (e) a fire escape (as described in Subsection 3.4.7.),
- (f) a horizontal exit,
- (g) an interior passageway,
- (h) an interior ramp, or
- (i) an interior stairway.

#### 3.4.1.5. Exterior Exit Passageways

(1) Access to exterior exit passageways from a floor area shall be through exit doors at floor level.

(2) Every exterior *exit* passageway which has a drop of more than 500 mm on any side shall have *guards* on the open sides not less than 1 070 mm high.

#### 3.4.1.6. Restricted Use of Horizontal Exits

(1) Except as provided in Sentence (2), *horizontal exits* shall not comprise more than one half of the required number of *exits* from any *floor area*.

(2) In a hospital or nursing home, *horizontal exits* serving patients' sleeping rooms shall not comprise more than two thirds of the required number of *exits* from any *floor area*.

3.4.1.7. **Slide Escapes.** A slide escape shall not be erected on any *building* as a required *exit*, but is permitted to be provided as an additional egress facility where unusual hazards may exist.

3.4.1.8. **Transparent Doors and Panels.** Glass and transparent panels in an *exit* shall conform to the appropriate requirements in Article 3.3.1.18. for glass and transparent panels in an *access to exit*.

3.4.1.9. **Mirrors near Exits.** No mirrors shall be placed in or adjacent to any *exit* in such a manner as to confuse the direction of *exit*.

3.4.1.10. **Exterior Stairway for Nursing Home.** No open exterior stairway shall serve as a *means of egress* for residents above the second floor of a nursing home.

### 3.4.2. Number and Location of Exits from Floor Areas

#### 3.4.2.1. Minimum Number of Exits

(1) Except as provided in Sentences (2) to (4), and (6), every *floor area* as regulated in Article 3.4.1.1. shall be served by not less than 2 *exits*.

(2) In *buildings* not more than 2 *storeys* in *building height*, a *floor area* is permitted to be served by one *exit* provided the *floor area* and travel distance requirements conform to Table 3.4.2.A. and the total *occupant load* served by the *exit* is not more than 60.

**Table 3.4.2.A.**  
Forming Part of Sentence 3.4.2.1.(2)

Occupancy of Floor Area	Maximum Floor Area, m <sup>2</sup>	Maximum Travel Distance, m
Group A	150	15
Group B	75	10
Group C	125	25
Group D	200	25
Group E	200	25
Group F, Division 2	200	25
Group F, Division 3	200	25
Column 1	2	3

(3) Except as provided in Sentence (4), where a single *exit* is permitted in Sentence (2) from a *floor area* classified as Group B or Group C *occupancy*, the *exit* shall be an exterior doorway not more than 1.5 m above adjacent ground level.

(4) A *floor area* containing only *dwelling units* having *access to exit* conforming to Sentences 3.3.4.4.(1) to (4) need not comply with Sentence (1).

(5) *Exits* are not required directly from roof top enclosures that are provided with *access to exit* in conformance with Sentences 3.3.1.3.(5) and (6).

(6) Every *assembly occupancy* in a *building* containing a *hotel* shall be provided with not less than

(a) 3 independent well-separated *exits* from a *floor area* where the *occupant load* is more than 600 persons, and

(b) 4 independent well-separated *exits* from a *floor area* where the *occupant load* is more than 1000 persons.

#### 3.4.2.2. Mezzanine Exiting

(1) Except as permitted in Sentence (2), *mezzanines* shall be provided with *exits* on the same basis as required for *floor areas* in this Section.

(2) A *mezzanine* need not conform to Sentence (1) where

(a) it is not required to terminate at a vertical *fire separation* in Subsection 3.2.8., or

(b) if it is required to terminate at a vertical *fire separation* in Subsection 3.2.8., the area of the *mezzanine* is not more than the area limits for rooms and *suites* in Table 3.3.1.A.

#### 3.4.2.3. Distance between Exits

(1) Except where a *floor area* is divided by a *fire separation* so that it is necessary to pass through it to travel from one *exit* to another *exit*, the least distance between 2 required *exits* from a *floor area* shall be

(a) one half the maximum diagonal dimension of the *floor area*, but need not be more than 9 m for a *floor area* having a *public corridor*, or

(b) one half the maximum diagonal dimension of the *floor area*, but not less than 9 m for all other *floor areas*.

(2) The minimum distance between *exits* referred to in Sentence (1) shall be the shortest distance that smoke would have to travel between the required *exits*, assuming that the smoke will not penetrate an intervening *fire separation*.

#### 3.4.2.4. Travel Distance

(1) Except as provided in Sentence (2), for the purposes of this Subsection, travel distance means the distance from any point in the *floor area* to an *exit* measured along the path of *exit* travel.

(2) The travel distance may be measured from an egress door of a room or *suite* to the nearest *exit* where

(a) the *public corridor* or a corridor used by the public which serves the room or *suite* is separated from the remainder of the *floor area* by a *fire separation*, or

(b) the room or *suite* is served by an exterior passageway.

(3) Travel distance to an *exit* shall be not more than 50 m from any point in a *service space* referred to in Sentence 3.2.1.1.(7).

#### 3.4.2.5. Location of Exits

(1) Except as provided in Sentences (2), (3) and 3.3.2.4.(6), where more than one *exit* is required from a *floor area*, such *exits* shall be located so that the travel distance to not less than one *exit* as described in Article 3.4.2.4. shall be not more than

(a) 25 m in any Group F, Division 1 *occupancy*,

(b) 45 m in any *sprinklered floor area* that contains an *occupancy* other than Group F, Division 1,

(c) 40 m in any Group D *occupancy*,

(d) 105 m in any *floor area*, served by a *public corridor*, in which rooms and *suites* are not separated from the remainder of the *floor area* by a *fire separation*, provided

- (i) the *public corridor* has a width of not less than 9 m,
  - (ii) the ceiling height in the *public corridor* is not less than 4 m above all floor surfaces,
  - (iii) the *building* is *sprinklered*, and
  - (iv) not more than one half of the required egress doorways from a room or *suite* open into the *public corridor* when the room or *suite* is required to have more than one egress doorway,
- (e) 60 m in any *storage garage* that conforms to the requirements of Article 3.2.2.60., and
  - (f) 30 m in any other *occupancy*.

(2) Except for a Group F, Division 1 *occupancy*, Sentence (1) need not apply if *exits* are placed along the perimeter of the *floor area* and are not more than 60 m apart, measured along the perimeter, provided each main aisle in the *floor area* leads directly to an *exit*.

(3) Where more than one *exit* is required, every *exit* shall be considered as contributing not more than one half the required *exit* width.

(4) *Exits* shall be located and arranged so that they are clearly visible or their locations are clearly indicated and they are accessible at all times.

### 3.4.3. Width and Height of Exits

#### 3.4.3.1. Exit Width

(1) The aggregate width of required *exits* shall be not less than the value determined in conformance with Sentence (2) and Articles 3.4.3.2. and 3.4.3.5.

(2) The required width of an *exit* shall be not less than

- (a) 1 100 mm for
  - (i) corridors and passageways,
  - (ii) stairs and ramps that serve more than 3 *storeys* above *grade* or more than 1 *storey* below *grade*,
- (b) 900 mm for stairs and ramps that serve not more than 3 *storeys* above *grade* or not more than 1 *storey* below *grade*,
- (c) 1 650 mm for stairs and ramps serving patients,
- (d) 1 050 mm for doorways serving patients, and
- (e) 790 mm for doorways not serving patients.

#### 3.4.3.2. Exit Width Based on Occupant Load

(1) For the purpose of determining aggregate width of required *exits*, the *occupant load* of every room or *floor area* of the *building* to be considered shall be determined in conformance with Subsection 3.1.16.

(2) Except as provided in Article 3.4.3.3., the required *exit* width shall be cumulative where 2 or more *exits* converge.

3.4.3.3. **Cumulative Exit Width.** Except as provided in Article 3.4.3.4., the required *exit* width is not required to be cumulative in an *exit* serving 2 or more *floor areas* located one above the other.

#### 3.4.3.4. Exits from Interconnected Floor Spaces

(1) The required *exit* width for an *exit* stair in an assembly hall or *theatre* serving more than one balcony level shall conform to the

appropriate requirements for stairs serving *interconnected spaces* in Article 3.2.8.4.

(2) *Exit* stairs that serve *interconnected floor spaces* as provided in Articles 3.2.8.3. to 3.2.8.11. shall conform to the requirements in Article 3.2.8.4. and in this Section.

#### 3.4.3.5. Exit Capacity

(1) Except as permitted by Sentence (3), the aggregate required width of *exits* serving *floor areas* intended for Groups A, C, D, E and F *occupancies* shall be determined by multiplying the *occupant load* of the area served by

- (a) 6.1 mm per person for ramps with a gradient of not more than 1 in 8, doorways, corridors and passageways, or
- (b) 9.2 mm per person for ramps with a gradient of more than 1 in 8 and stairs.

(2) The aggregate required width of *exits* serving *floor areas* intended for Group B *occupancy* shall be determined by multiplying the *occupant load* of the area served by 18.4 mm per person.

(3) The required width of *means of egress* serving a Group A, Division 4 *occupancy* shall be determined by multiplying the *occupant load* of the area served by

- (a) 1.8 mm per person for
  - (i) aisles,
  - (ii) stairs other than *exit* stairs, and
  - (iii) ramps and passageways in vomitories and *exits*, and
- (b) 2.4 mm per person for *exit* stairs.

#### 3.4.3.6. Exit Width Reduction

(1) Except as permitted by Sentences (2) to (4), no fixture, turnstile or construction shall project into or be fixed within the required width of an *exit*.

(2) *Exit* doors shall be hung so that, when open, they shall neither diminish nor obstruct the required width of the *exit* by more than 50 mm for each door leaf.

(3) Swinging doors in their swing shall not reduce the required width of *exit* stairs or landings to less than 750 mm or reduce the width of an *exit* passageway to less than the minimum required width.

(4) Handrails and construction below handrails are permitted to project into the required width of *means of egress* but the projections shall be not more than 100 mm on each side of the required width.

#### 3.4.3.7. Headroom Clearance

(1) Except as provided in Sentences (2) to (4), every *exit* shall have a headroom clearance of not less than 2 100 mm.

(2) The headroom clearance shall be not less than 2 050 mm measured vertically above,

- (a) any landing, and
- (b) a line drawn through the outer edges of the nosings of any stair.

(3) The headroom clearance for doorways shall be not less than 2 030 mm.

(4) No device such as a door closer shall be installed so as to reduce the headroom clearance of a doorway to less than 1 980 mm.

**3.4.4. Required Fire Separation for Exits****3.4.4.1. Fire-Resistance Rating of Exit Separations**

(1) Except as provided in Article 3.4.4.3. and Sentences (2), 3.3.5.5.(3) and 3.4.4.2.(2), every *exit* shall be separated from each adjacent *floor area* by a *fire separation* having a *fire-resistance rating* not less than that required for the floor assembly above the *floor area* and, where there is no floor assembly above, not less than that required by Subsection 3.2.2. for the floor assembly below, but in no case shall the *fire-resistance rating* be less than 45 min.

(2) The *fire-resistance rating* of the *fire separation* in Sentence (1) need not be more than 2 h.

(3) Where an *exit* stair in an assembly hall or *theatre* serves more than one balcony level, the *exit* stair shall be separated from the remainder of the *building* in conformance with Sentence (1).

**3.4.4.2. Exits through Lobbies**

(1) Except as provided in Sentence (2), an *exit* from any *floor area* above or below the *first storey* shall not lead through a lobby.

(2) Not more than 1 *exit* from a *floor area* is permitted to lead through a lobby provided

- (a) the lobby floor is not more than 4.5 m above *grade*,
- (b) the path of travel through the lobby to the outdoors is not more than 15 m,
- (c) the adjacent rooms or premises having direct access to the lobby do not contain a Group C or F *occupancy*,
- (d) except as required in Clause (g), the lobby is not located within an *interconnected floor space* other than as described in Sentence 3.2.8.2.(6),
- (e) the lobby conforms to the requirements for *exits*, except that
  - (i) rooms other than *service rooms* and storage rooms may open onto the lobby,
  - (ii) the *fire separation* between the lobby and a room used for the sole purpose of control and supervision of the *building* need not have a *fire resistance rating*, and
  - (iii) the *fire separation* between the lobby and adjacent *occupancies* that are permitted to open onto the lobby need not have a *fire-resistance rating* when the lobby and adjacent *occupancies* are *sprinklered*,
- (f) the *fire separation* required in Sentence 3.4.4.1.(1) shall be maintained between the *exit* and the lobby, and
- (g) that if the *exit* serves a *hotel*, the lobby is not located within an *interconnected floor space*.

**3.4.4.3. Exterior Passageway Exceptions.** The requirements in Sentences 3.4.4.1.(1) and 3.2.3.13.(1) and (3) do not apply to an exterior *exit* passageway provided

- (a) not less than 50 per cent of the exterior side is open to the outdoors, and
- (b) an *exit* stair is provided at each end of the passageway.

**3.4.4.4. Integrity of Exits**

(1) A *fire separation* that separates an *exit* from the remainder of the *building* shall have no openings except for

- (a) standpipe and sprinkler piping,
- (b) electrical wires and cables, totally enclosed *noncombustible* raceways and *noncombustible* piping that serve only the *exit*,
- (c) openings required by the provisions of Subsection 3.2.6.,
- (d) *exit* doorways, and
- (e) wired glass and glass block as permitted in Article 3.1.8.14.

(2) *Exit* stairways that are contiguous such as scissors stairs shall be separated from each other by a smoke-tight *fire separation* having a *fire-resistance rating* not less than that required for the floor assembly through which they pass.

(3) *Fire separations* separating contiguous stairs described in Sentence (2) shall not be pierced by doorways, ductwork, piping or any other openings that affect the continuity of the separation.

(4) Fuel-fired appliances shall not be installed in any *exit*.

(5) An *exit* shall not be used as a *plenum* for a heating, ventilating or air-conditioning system.

(6) An *exit* shall be designed for no purpose other than for exiting, except that an *exit* is permitted also to be designed to serve as an access to a *floor area*.

(7) *Service rooms* and ancillary rooms, such as storage rooms, washrooms, toilet rooms and laundry rooms shall not open directly into an *exit*.

(8) *Service spaces* referred to in Sentence 3.2.1.1.(7) shall not open directly into an *exit*.

**3.4.5. Exit Signs****3.4.5.1. Exit Signage**

(1) Except as required in Sentence (7), every *exit* door other than the main entrance to a room or *building* shall have an *exit* sign placed over or adjacent to it when the *exit* serves

- (a) a *building* exceeding 2 storeys in *building height*,
- (b) a *building* having an *occupant load* greater than 150, or
- (c) a room or *floor area* that has a fire escape as part of a required *means of egress*.

(2) Except as provided in Sentence (9), every *exit* sign shall

- (a) be visible from the *exit* approach,
- (b) have the word EXIT or the words EXIT/SORTIE displayed in plain legible letters, and
- (c) be designed to be illuminated continuously while the *building* is occupied.

(3) *Exit* signs shall consist of red letters on a contrasting background or a red background with contrasting letters, with the letters having a 19 mm stroke and a height of at least

- (a) 114 mm when internally illuminated, and
- (b) 150 mm when externally illuminated.

(4) Where illumination of an *exit* sign is provided from an electrical circuit, that circuit shall

- (a) serve no equipment other than emergency equipment, and

- (b) be connected to an emergency power supply as described in Sentence 3.2.7.4.(1) where emergency lighting is required in Sentence 3.2.7.3.(1).

(5) Where necessary, signs shall be provided to indicate the direction of egress in *public corridors* and passageways, and shall have the word EXIT or the words EXIT/SORTIE with a suitable arrow or pointer indicating the direction of egress, and the size of lettering shall conform to Sentence (3).

(6) Except for egress doors described in Sentence 3.3.2.3.(3) and except for the main entrance door, an *exit* sign conforming to Sentences (2), (3) and (4) shall be placed over or adjacent to every egress door from rooms with an *occupant load* of more than 60 in Group A, Division 1 *occupancies*, dance halls, licensed beverage establishments and other similar *occupancies* that, when occupied, have lighting levels below that which would provide easy identification of the egress door.

(7) In a *building* containing a *hotel*, *exit* signs shall be installed to indicate

- (a) *exit* stairways and fire escapes, and
- (b) *exits* from *exit* stairway enclosures and corridors to the exterior.

(8) Except for egress doors described in Sentence 3.3.2.3.(3), and except for a main entrance door, an *exit* sign conforming to Sentences (2), (3) and (4) shall be placed over every egress door from rooms with an *occupant load* of more than 60 in a *building* containing a *hotel*.

(9) If an *exit* sign having the word EXIT is installed in conformance with this Article, an additional sign displaying the word SORTIE is permitted to be installed.

**3.4.5.2. Signs for Basement Stairs and Ramps.** In *buildings* over 2 storeys in *building height*, any part of an *exit* ramp or stair that continues past an exterior *exit* door down to a *basement* shall be clearly marked by a sign indicating that it does not lead to an *exit*.

### 3.4.6. Types of Exit Facilities

#### 3.4.6.1. Slip Resistance of Stairs and Ramps

(1) Treads and landings of interior and exterior stairs and ramps accessible to the public shall have a slip-resistant finish or be provided with slip-resistant strips which extend not more than 1 mm above the surface of the tread, landing or ramp.

(2) Treads and landings of exterior *exit* stairs shall be designed to be free from ice and snow accumulation if the *exit* stairs

- (a) exceed 10 m in height, or
- (b) serve a *building* containing a *hotel*.

**3.4.6.2. Minimum Number of Risers.** Every flight of interior stairs shall have at least 3 risers.

#### 3.4.6.3. Landings and Maximum Vertical Rise of Stair Flights

(1) No flight of stairs shall have a vertical rise of more than 3.7 m between floors or landings, except that flights of stairs serving as *exits* in a Group B, Division 2 *occupancy* shall have a vertical rise of not more than 2.4 m between floors or landings.

(2) The length and width of landings shall be at least the width of stairways in which they occur, except that in a straight run the length of a landing need not be more than 1 100 mm.

(3) Where a doorway or stairway empties onto a ramp through a side wall, there shall be a level area extending across the full width of

the ramp, and for a distance of 300 mm on either side of the wall opening, excepting one side when it abuts on an end wall.

(4) Where a door or stairway empties through an end wall onto a ramp, there shall be a level area across the full width of the ramp and along its length for at least 900 mm.

#### 3.4.6.4. Handrails

(1) Every *exit* ramp or stairway shall have a handrail on at least one side, and where 1 100 mm or more in width, shall have handrails on both sides.

(2) Where the required width of a ramp or flight of stairs exceeds 2 200 mm, one or more intermediate handrails continuous between landings shall be provided, and the number and position of these intermediate handrails shall be such that there will be not more than 1 650 mm between handrails.

(3) Handrails shall be constructed so that there will be no obstruction on or above them which will break a hand hold.

(4) Handrails on stairs and ramps shall be not less than 800 mm and not more than 920 mm high, measured vertically from a line drawn through the outside edges of the stair nosing or from the surface of the ramp, except that handrails not meeting these requirements are permitted provided they are installed in addition to the required handrail.

(5) Except as required in Sentence (9), at least one handrail shall be continuous throughout the length of a stairway including landings except where the handrail is interrupted by doorways or newels at changes in direction.

(6) Handrails shall be terminated in a manner which will not obstruct pedestrian travel or create a hazard.

(7) At least one handrail at the side of a stairway or ramp shall extend horizontally not less than 300 mm beyond the top and bottom of the stairway or ramp.

(8) A clearance of at least 40 mm shall be provided between every handrail and any wall to which it is fastened.

(9) In nursing homes and homes for the aged, continuous handrails shall be provided on both sides of a stairway throughout the length of the stairway, including landings, except where a handrail is interrupted by doorways or newels at changes in direction.

#### 3.4.6.5. Guards

(1) Every *exit* such as a ramp, stairway or passageway shall have a wall or a well-secured *guard* on each side.

(2) Except as provided in Sentence (4), the height of *guards* on *exit* stairs shall be not less than 920 mm measured vertically to the top of the *guard* from a line drawn through the outside edges of the stair nosings and 1 070 mm around landings.

(3) The height of *guards* on *exit* ramps and their landings shall be not less than 1 070 mm measured vertically to the top of the *guard* from the ramp surface.

(4) The height of *guards* of exterior stairs and landings more than 10 m above adjacent ground level shall be not less than 1 500 mm measured vertically to the top of the *guard* from a line drawn through the outside edges of the stair nosings.

(5) The size of any opening through *guards* for *exits* shall be such as to prevent the passage of a spherical object having a diameter of 100 mm in *buildings* of *residential occupancy* and in day care centres, nurseries, and other similar type *occupancies*, and 200 mm in *buildings* of other *occupancy*, except where the location and size of the openings that are more than this limit do not present a hazardous condition.



(6) Windows in *exit* stairways that extend to less than 1 070 mm above the landing shall be protected by a barrier or railing located approximately 1 070 mm above such landing, except that in *residential occupancies* such windows shall be protected in accordance with the requirements of Sentence 3.3.1.18.(6).

**3.4.6.6. Ramp Gradients.** Except as required in Section 3.7, the maximum gradient of ramps shall be

- (a) 1 in 10 in any Group A, B or C *occupancy*,
- (b) 1 in 6 in rooms or *floor areas* classified as Group E or Group F *occupancy*,
- (c) 1 in 8 from any other *floor area*, and
- (d) 1 in 10 for every exterior ramp.

**3.4.6.7. Stair Treads and Risers**

(1) Except as otherwise permitted for fire escapes in Sentence 3.4.7.5.(1), treads in every *exit* stair shall have a run of not less than 230 mm and not more than 355 mm exclusive of nosings.

(2) Stairs referred to in Sentence (1) shall have a rise between successive treads of not less than 125 mm and not more than 200 mm.

(3) Treads and risers in every *exit* stair, except a fire escape stair, shall have uniform run and rise in any one flight, and shall not alter significantly in run and rise in successive flights in any stair system.

(4) Where the run of any tread in an *exit* stair is less than 250 mm, a nosing of not less than 25 mm shall be provided beyond the face of the riser, or an equivalent back slope on the riser shall be provided.

(5) The front edge of stair treads in *exits* and public access to *exits* shall be at right angles to the direction of *exit* travel.

**3.4.6.8. Curved Stairs**

(1) Except as permitted in Sentence (2), tapered treads shall not be used in an *exit*.

- (2) Where a curved stair is used as an *exit*, it shall have
  - (a) a handrail on each side,
  - (b) treads with a minimum run of 240 mm exclusive of nosings,
  - (c) treads that conform to Article 3.4.6.7. where they are measured 230 mm away from the handrail at the narrow end of the tread, and
  - (d) an inside radius which is not less than twice the stair width.

**3.4.6.9. Horizontal Exits**

(1) The *floor area* on each side of a *horizontal exit* shall be sufficient to accommodate the occupants of both *floor areas*, allowing not less than 0.5 m<sup>2</sup> of clear floor space per person, except that 1.5 m<sup>2</sup> shall be provided for each person in a wheelchair and 2.5 m<sup>2</sup> for each patient in bed.

(2) Where vestibules, enclosed balconies or bridges are used as parts of any *horizontal exit*, their clear width shall be at least that of the *exit* doorways opening into them, except that handrails are not permitted to project into this clear width more than 100 mm.

(3) In any *horizontal exit* where there is a difference in level between the connected *floor areas*, gradients not exceeding those specified for ramps in Article 3.4.6.6. are permitted to be used.

- (4) No stairs or steps shall be used in a *horizontal exit*.

(5) Where 2 doors are provided in a *horizontal exit* that comprises a part of the required number of *exits* from the *floor areas* on both sides of the *exit*

- (a) the doors shall be mounted adjacent to each other and swing in opposite directions, and
- (b) signs shall be provided on each side of the *exit* to indicate the door that swings in the direction of travel from that side.

(6) Where *horizontal exits* utilize bridges between *buildings* or outside balconies, such bridges or balconies shall conform to Article 3.2.3.20.

(7) Every opening in the exterior walls of *buildings* to which such bridges or balconies are attached shall be protected, as required for openings adjacent to fire escapes in Article 3.4.7.4., except that where bridges have solid sides not less than 1.8 m high, such protection of wall openings may be omitted.

**3.4.6.10. Doors**

(1) The distance between a stair riser and the leading edge of a door during its swing shall be not less than 300 mm.

(2) No *exit* door shall open directly onto a step except that, where there is danger of blockage from ice or snow, an *exit* door is permitted to open onto not more than one step which shall be not more than 150 mm high.

(3) *Exit* doors shall be clearly identifiable.

(4) Every door leaf in an *exit* doorway where more than one leaf is provided shall be not less than 600 mm wide.

**3.4.6.11. Direction of Door Swing.** Except for a door serving a single *dwelling unit*, every principal entrance door to a *building* and every *exit* door shall open in the direction of *exit* travel and shall swing on its vertical axis.

**3.4.6.12. Self-Closing Devices.** Every *exit* door that is normally required to be kept closed shall be provided with a reliable self-closing mechanism, and shall not at any time be secured in an open position except as specified in Sentence 3.1.8.12.(1).

**3.4.6.13. Sliding Doors**

(1) *Exit* doors leading directly to outdoors at ground level are permitted to be sliding doors provided they conform to Sentence 3.3.1.11.(1).

(2) An *exit* door serving a Group B, Division 1 *occupancy*, or an *impeded egress zone* in other *occupancies*, is permitted to be a sliding door that does not conform to Sentence 3.3.1.11.(1) provided it is designed to be released in conformance with Article 3.3.1.12.

**3.4.6.14. Revolving Doors**

(1) Except as permitted by Sentence (3), where revolving doors are used, they shall

- (a) be collapsible,
- (b) have hinged doors providing equivalent exiting capacity located adjacent to them,
- (c) be used as an *exit* from the ground floor level only, and
- (d) be not less than 3 m from the foot of any stairway.

(2) Except as permitted by Sentence (3), a revolving door shall not be considered to have an exiting capacity for more than 45 persons.



(3) An electrically powered revolving door is not required to conform to Sentences (1) and (2) provided

- (a) the door leaves will collapse and stop automatic rotation of the door system and not obstruct the doorway if a force not more than that specified in Sentence 3.4.6.15.(2) is applied at the centre of a door leaf,
- (b) the door leaves are capable of being opened from inside the *building* without requiring keys, special devices, or specialized knowledge of the door opening mechanism,
- (c) the allowable exiting capacity is based on the clear width of passage through the door enclosure when the doors are fully collapsed,
- (d) a permanent sign, whose centreline is between 1 000 and 1 500 mm above the floor, is placed on each face of each door leaf indicating the method for collapsing the door leaf in an emergency, and
- (e) glass used for door leaves and enclosure panels is safety glass conforming to CAN2-12.1-M, "Glass, Safety, Tempered or Laminated" or CAN2-12.11-M, "Glass, Wired, Safety".

#### 3.4.6.15. Door Release Hardware

(1) Except as required in Sentence (5), if a door is equipped with a latching mechanism, a device that will release the latch and allow the door to swing wide open when a force of not more than 90 N is applied to the device in the direction of *exit* travel shall be installed on

- (a) every *exit* door from a *floor area* containing a Group A *occupancy* having an *occupant load* of more than 100 persons,
- (b) every door leading to an *exit* lobby from an *exit* stair shaft, and every exterior door leading from an *exit* stair shaft in *buildings* having an *occupant load* of more than 100 persons, and
- (c) every *exit* door from a *floor area* containing a Group F, Division 1 *occupancy*.

(2) Every *exit* door shall be designed and installed so that, when the latch is released, the door will open under a force of not more than 90 N, applied at the knob or other latch releasing device.

(3) Locking, latching and other fastening devices on any required *exit* door shall be such that the door can be readily opened from the inside without requiring keys, special devices or specialized knowledge of the door opening mechanism, except that this requirement does not apply to locking, latching and other fastening devices described in Sentence (4) or to doors designed to be remotely released in conformance with Article 3.3.1.12. serving a *contained use area* or an *impeded egress zone*.

(4) An electromagnetic locking device that does not incorporate latches, pins or similar devices to keep the door in the closed position is permitted to be installed on an *exit* door, other than an *exit* door in a *building* containing a *hotel* or leading directly from a Group F, Division 1 *occupancy*

- (a) if the *building* is equipped with a fire alarm system conforming to Subsection 3.2.4.,
- (b) if the locking device is installed as an ancillary device to the fire alarm system and releases immediately
  - (i) upon activation of the fire alarm signal,
  - (ii) in the event of a power failure or ground fault, and

(iii) upon actuation of a manually-operated switch accessible only to authorized personnel,

- (c) if a manual pull station for the fire alarm system is located on the wall not more than 600 mm from the door,
- (d) if, upon its release, the locking device must be reactivated manually by the actuation of the switch referred to in Subclause (b) (iii),
- (e) if a legible sign having the words EMERGENCY EXIT UNLOCKED BY FIRE ALARM is permanently mounted on the door, and
- (f) if the lettering on the sign required in Clause (e) is at least 25 mm high with a 5 mm stroke.

(5) In a *building* containing a *hotel* in which an *exit* door is equipped with a latching mechanism, there shall be installed on every *exit* door and on every door providing access to an *exit* from a room or *floor area* with an *occupant load* of more than 60 persons, a device consisting of a panel or bar that

- (a) extends across at least two thirds of the width of the door,
- (b) is placed at a height suitable for the service required, and
- (c) is designed to release the latch and allow the door to swing open when a force of 90 N or less is applied to the device in the direction of *exit* travel.

(6) Where an electromagnetic locking device conforming to Sentence (4) is installed, the device is also permitted to be released by a card identifier or microprocessor which may incorporate a time delay of not more than 15 seconds, provided the sign required in Clause (4) (e) has the additional words

- (a) *KEEP PUSHING*, where there is no time delay,
- (b) *KEEP PUSHING DOOR UNLOCKS IN 15 SECONDS*, where there is a 15 second time delay, or
- (c) as required in Clause (b), with the number of seconds corresponding to the time delay of the device instead of 15.

#### 3.4.6.16. Emergency Access to Floor Areas

(1) Except as required in Sentence (4), in *buildings* more than 6 *storeys* in *building height*,

- (a) except as provided in Sentence (3), doors providing access to *floor areas* from *exit* stairs shall not have locking devices to prevent entry into
  - (i) any *floor area* designated as an area of refuge,
  - (ii) *floor areas* located at intervals of 5 *storeys* or less, and
  - (iii) at least one of the three highest *storeys*,
- (b) doors required in Clause (a) that provide access into the *floor area* shall be identified by a sign on the stairway side to indicate that they are openable from that side, and
- (c) a master key to fit all door locking devices that are intended to prevent entry into a *floor area* from an *exit* stair shall be provided in a designated location accessible to firefighters, or the doors shall be provided with a wired glass panel not less than 645 cm<sup>2</sup> in area and located not more than 300 mm from the door opening hardware.

(2) Where access to *floor areas* through unlocked doors is required in Clause (1)(a) or through electromagnetically locked doors is permitted in Sentence (3), it shall be possible for a person

entering such *floor area* to have access through unlocked doors or electromagnetically locked doors within the *floor area* to at least one other *exit*.

(3) Electromagnetic locking devices may be installed on the doors providing access to *floor areas* in Clause (1)(a) from *exit* stairs, provided all locking device release and signage provisions in Sentence 3.4.6.15.(4) are installed on both sides of such stairway *exit* doors.

(4) If an *exit* stair shaft serving a *hotel* has locking devices to prevent entry into a *floor area* from the stair shaft, the requirements of Clause (1) (c) shall apply.

**3.4.6.17. Floor Numbering.** Arabic numerals indicating the assigned floor number shall

- (a) except as required in Clause (e), be mounted permanently on the stair side of the wall at the latch side of doors to *exit* stair shafts,
- (b) be not less than 60 mm high, raised approximately 0.7 mm above the surface,
- (c) be located 1 500 mm from the finished floor and not more than 300 mm from the door,
- (d) be contrasting in colour with the surface on which they are applied, and
- (e) be mounted permanently on the stair side and the floor side of doors to *exit* stair shafts that serve a *building* containing a *hotel*.

### 3.4.7. Fire Escapes

#### 3.4.7.1. Scope

(1) Except as provided in Sentence (2), fire escapes shall not be erected on *buildings*.

(2) Where it is impractical to provide one or more of the *exit* facilities in Article 3.4.1.4., fire escapes conforming to Articles 3.4.7.2. to 3.4.7.6. are permitted to serve *floor areas* in existing *buildings* provided the *floor areas* served are not more than

- (a) 2 *storeys* above ground level in Group B *occupancies*, and
- (b) 5 *storeys* above ground level in other *occupancies*.

**3.4.7.2. Fire Escape Construction.** Fire escapes shall be of metal or concrete, of the stair type extending to ground level, constructed throughout in a strong substantial manner and securely fixed to the *building*, except that wooden fire escapes are permitted to be used on *buildings* of *combustible construction* if all posts and brackets are not less than 89 mm in their least dimension and all other woodwork is not less than 38 mm in its least dimension.

#### 3.4.7.3. Access to Fire Escapes

(1) Access to fire escapes shall be from corridors through doors at floor level, except that access from a *dwelling unit* is permitted to be through a casement window having an unobstructed opening of not less than 1 100 mm high by 550 mm wide with a sill height of not more than 900 mm above the inside floor.

(2) Where doors open onto fire escape balconies, such balconies shall have a clear area of not less than 1 m<sup>2</sup>.

**3.4.7.4. Protection of Fire Escapes.** Where a fire escape serves any *storey* above the second, openings, including access doorways in the exterior walls of the *building* to which the fire escape is attached, shall be protected by *closures* conforming to Subsection 3.1.8. where they are located within 3 m horizontally of, 3 *storeys* or 10 m below, or 1.8 m above any balcony, platform or stairway of a fire escape.

### 3.4.7.5. Stairs

(1) Stairs shall be inclined at an angle of not more than 45° with the horizontal, and shall have risers not more than 210 mm high and treads not less than 220 mm wide exclusive of nosing.

(2) Stairway headroom shall be not less than 1 950 mm plus the height of one riser measured vertically above the nosing of any tread or platform.

(3) The width of a fire escape shall conform to Sentence 3.4.3.1.(1), except that the fire escape shall be not less than 550 mm wide when serving

- (a) not more than 3 *storeys*, and
- (b) not more than 15 persons.

(4) Where the flight of stairs leading to the ground at the foot of a fire escape is not fixed in position, it shall be held in the raised position without a latch or locking device, and shall be fitted with a counterbalancing device that will permit it to be easily and quickly brought into position for use.

### 3.4.7.6. Guards and Railings

(1) The open sides of every platform, balcony and stairway shall be protected by *guards* not less than 920 mm high measured vertically above the nosing of any tread or platform.

(2) Two equally spaced rails not more than 460 mm apart, parallel to stair stringers and to platform edges, shall be the minimum protection provided, and the top rail is permitted to serve as a handrail if free from obstructions which could break a hand hold.

(3) A wall handrail shall be installed where the fire escape is more than 550 mm wide.

## Section 3.5 Service Facilities

### 3.5.1. General

**3.5.1.1. Scope.** The provisions of this Section apply to attic, duct, crawl and shaft spaces and *service rooms*, mechanical penthouses and facilities contained therein.

#### 3.5.1.2. Reserved.

**3.5.1.3. Storage Use Prohibition.** *Service spaces* provided to contain service facilities shall not be designed to facilitate subsequent use as storage space.

### 3.5.2. Service Rooms

#### 3.5.2.1. Fire Separations around Service Rooms

(1) Except as provided in Article 3.5.2.2., fuel-fired *appliances* shall be located in a *service room* separated from the remainder of the *building* by a *fire separation* having a *fire-resistance rating* of not less than

- (a) 2 h in *buildings* classified as Group B or Group F, Division 1 *occupancy* where such *buildings* are more than 2 *storeys* in *building height* or 400 m<sup>2</sup> in *building area*,
- (b) that required for portable classrooms in Articles 3.9.3.6. and 3.9.3.7., and
- (c) 1 h in *buildings* other than as described in Clauses (a) and (b).

(2) A solid fuel-fired *appliance* shall not be located in a *repair garage*, a *storage garage* or any other location where the *appliance* could be exposed to flammable vapours or gases unless

- (a) it is enclosed in a *service room* which is
  - (i) separated from the remainder of the *building* in conformance with Sentence (1), and
  - (ii) supplied with combustion air directly from outside the *building*, and
- (b) the heat generated by the *appliance* is supplied indirectly to the space served by means of ducts or piping.

(3) Except as provided in Article 3.5.2.2., *service rooms* used for purposes other than those described in Sentences (1) and (2) and Articles 3.5.2.6. and 3.5.2.7. shall be separated from the remainder of the *building* by a *fire separation* having a *fire-resistance rating* of not less than 1 h when the *floor area* containing such rooms is not *sprinklered*.

(4) Where a *service room* is intended to contain equipment that uses a liquid having a flash point below 93.3°C, the requirements in Sentence (1) shall apply.

(5) Sentence 3.5.2.2.(3) shall not apply to a room that contains electrical equipment that is required to be located in a *service room* in conformance with a regulation made under the *Power Corporation Act*.

### 3.5.2.2. Waiver of Fire Separations

(1) No *fire separation* is required for fireplaces or roof-top *appliances*.

(2) Except for *buildings* classified as Group B or Group F, Division 1 *major occupancy*, the *fire separations* required in Sentence 3.5.2.1.(1) need not be provided for fuel-fired *appliances*, other than fuel-fired *appliances* referred to in Sentence 3.5.2.1.(2), that serve

- (a) not more than one room or *suite*, or
- (b) a *building* with a *building area* of not more than 400 m<sup>2</sup> and a *building height* of not more than 2 *storeys*.

(3) Where a room contains a limited quantity of service equipment, and the service equipment does not constitute a fire hazard, the requirements for a *fire separation* or sprinkling in Sentence 3.5.2.1.(3) shall not apply.

**3.5.2.3. Elevator Machine Rooms.** A *room* containing elevator machinery need not be separated from the elevator hoistway connected to it provided the *room* is separated from all other parts of the *building* by a *fire separation* having a *fire-resistance rating* at least equal to that required for the *vertical service space* containing the elevator hoistway.

**3.5.2.4. Service Rooms under Exits.** *Service rooms* containing service equipment subject to possible explosion such as *boilers* operating in excess of 100 kPa (gauge) and some types of refrigerating machinery and transformers shall not be located directly under required *exits*.

**3.5.2.5. Service Equipment.** *Service rooms* containing *space heating*, *space cooling* and *service water heating appliances* are permitted to contain other service equipment such as electrical service equipment.

### 3.5.2.6. Incinerator Rooms

(1) *Service rooms* containing an incinerator shall be separated from the remainder of the *building* by a *fire separation* having a *fire-resistance rating* of not less than 2 h.

(2) *Service rooms* containing an incinerator shall not contain other fuel-fired *appliances*.

**3.5.2.7. Combustible Refuse Storage.** Except as provided in Sen-

tence 3.5.3.3.(9), rooms for the temporary storage of *combustible refuse* such as garbage or waste paper shall be separated from the remainder of the *building* by a *fire separation* with a *fire-resistance rating* of not less than 1 h and be *sprinklered*.

**3.5.2.8. Door Swing for Service Rooms.** Swing-type doors from a *service room* such as a *boiler* or incinerator room shall swing outward from such rooms, except that the door shall swing inward when the door opens on a corridor or any room for assembly purposes.

### 3.5.2.9. Electrical Equipment Vaults

(1) Where an electrical equipment vault is required by a regulation made under the *Power Corporation Act*, the electrical equipment vault shall be totally enclosed by a *fire separation* of solid masonry or concrete construction having a *fire-resistance rating* of not less than 3 h if the vault is not provided with an automatic fire extinguishing system and not less than 2 h if the vault is so protected.

(2) Where a *building* is required to be *sprinklered*, the electrical equipment vault described in Sentence (1) need not be *sprinklered* provided

- (a) the vault is designed for no purpose other than to contain the electrical equipment, and
- (b) a *smoke detector* is provided in the vault which will actuate the *building* fire alarm system in the event of a fire in the vault.

(3) A vault, which is part of a *building* and houses electrical equipment indoors, shall have,

- (a) roofs or ceilings consisting of reinforced concrete of adequate strength for the conditions and not less than 150 mm thick, and
- (b) floors consisting of reinforced concrete of adequate strength for the conditions and not less than 150 mm thick, except that floors which are at excavation level are permitted to be of reinforced concrete not less than 100 mm thick.

(4) Walls, roofs or ceilings, and floors shall be adequately anchored together in a manner designed to resist dislodgement by explosion.

(5) Only pipes or ducts necessary for fire protection or the proper operation of the electrical installation shall penetrate the *fire separations* surrounding the electrical equipment vault.

(6) A ventilation duct or opening, which penetrates the *fire separation* to the outdoors, need not be protected by a *closure* at the penetration.

(7) Each door to an electrical equipment vault shall be provided with a substantial lock or padlock.

(8) Explosion-relief devices and vents or other protective measures shall be provided for every electrical equipment vault containing dielectric liquid filled electrical equipment in conformance with Sentence 3.3.1.19.(2).

(9) Every electrical equipment vault shall be provided with a ventilation system designed in conformance with Part 6 to prevent the ambient temperature in the vault from exceeding 40°C.

(10) Where the vault ventilation system in Sentence (9) is directly from an outdoor area by natural ventilation without the use of ducts, and where the electrical equipment is the principal source of heat, the combined net area of inlet and outlet openings shall be not less than 19 cm<sup>2</sup>/kva of electrical equipment capacity with a minimum of 930 cm<sup>2</sup>, except that

- (a) where equipment in the power class as described in CAN3-C88, "Power Transformers and Reactors" is installed, ven-

tilation requirements are permitted to be based on the actual full-load losses, or

- (b) where the equipment is installed for emergency purposes only and is not normally energized, it need not be considered in determining the ventilation requirements.

(11) In the vault ventilation system in Sentence (10), the inlet for fresh air shall lead from an outdoor area and shall terminate at a point not more than 1 m above the floor level of the vault.

(12) Where the vault ventilation system in Sentence (9) is a mechanical system, it shall be separate from the system for the remainder of the *building* and shall be designed so that

- (a) the vault temperature is thermostatically controlled,  
 (b) the fan is located so that it may be serviced without danger to personnel,  
 (c) a high temperature alarm is provided in the vault,  
 (d) the system is automatically shut off in the event of a fire in the vault, and  
 (e) a filter is provided in the air inlet if there is a possibility of dirt being drawn in.

(13) All ventilation openings shall be protected in conformance with Sentences 6.2.3.12.(5) and (6) and the protection shall be installed in such a manner that it cannot be removed from the outside by the use of common tools and it is tamperproof.

(14) Except as permitted in Sentence (15), the floor of the electrical equipment vault described in Sentences (1) and (2) shall be liquid tight and surrounded by liquid tight walls and sills of sufficient height to confine within the vault all of the liquid from the largest item of electrical equipment, but to a height of not less than 100 mm.

(15) The floor of the electrical equipment vault described in Sentences (1) and (2) may be provided with a floor drain connected to a covered sump capable of holding all of the liquid from the largest item of electrical equipment, and the connection shall have a *noncombustible* trap to prevent the spread of fire from the vault to the sump.

**3.5.2.10. Sprinkler Temperature Rating.** In *buildings* that are required to be *sprinklered*, sprinklers in elevator machine rooms shall have a temperature rating not less than that required for an intermediate temperature classification and be protected with guards.

#### 3.5.2.11. Storage of Oxygen Cylinders

(1) When oxygen cylinders are not in use in a Group B, Division 2 *institutional occupancy*, the oxygen cylinders shall be stored in a room that is

- (a) used for no other purpose,  
 (b) vapour tight,  
 (c) lined with *noncombustible* finish,  
 (d) separately exhausted to the exterior,  
 (e) equipped with a blowout panel, if the room is designed to store 4 or more cylinders,  
 (f) equipped with racks to store the cylinders, and  
 (g) *sprinklered*, if the room is designed to store 4 or more cylinders.

(2) If sprinklers are required under Clause (1) (g) in a *building* or

*floor area* that is not *sprinklered*, the sprinklers are permitted to be supplied with water from the domestic supply or the standpipe system.

### 3.5.3. Vertical Service Spaces and Service Facilities

#### 3.5.3.1. Fire Separations for Vertical Service Spaces

(1) Except as provided in Sentence (2), every *vertical service space* shall be separated from each adjacent *floor area* by a *fire separation* having a *fire-resistance rating* conforming to Table 3.5.3.A. for the *fire-resistance rating* required for the floor assembly above the *floor area* and, where there is no floor assembly above, conforming to that required by Subsection 3.2.2. for the floor assembly below.

Table 3.5.3.A.  
Forming Part of Sentence 3.5.3.1.(1)

Fire-Resistance Rating of Fire Separation Required for Floor Assembly	Minimum Fire-Resistance Rating of Vertical Service Space	
less than 45 min	—	45 min
45 min	45 min	45 min
1 h	45 min	45 min
1.5 h	1 h	1 h
2 h	1 h	1.5 h
3 h	1.5 h	2 h
Column 1	2	3

(2) *Vertical service spaces* containing elevators for use by fire-fighters in Articles 3.2.6.9. and 3.3.1.7. shall be separated from each adjacent *floor area* by a *fire separation* having a *fire-resistance rating* not less than that required for the floor assembly above the *floor area* and, where there is no floor assembly above, at least equal to that required for the floor assembly below, but in no case shall the *fire-resistance rating* be less than 45 min.

(3) Every *vertical service space* that does not extend through the roof of a *building* shall be enclosed at the top with construction having a *fire-resistance rating* not less than that required for the *service space* walls.

(4) Every *vertical service space* that does not extend to the bottom of a *building* shall be enclosed at the lowest level with construction having a *fire-resistance rating* not less than that required for the *service space* walls.

(5) Vents from *vertical service spaces* not extending to the roof shall be enclosed within the *building* with construction having a *fire-resistance rating* not less than that required for the *service space* walls.

(6) Only openings that are necessary for the use of the *vertical service space* shall be permitted in the *service space* enclosure.

**3.5.3.2. Foamed Plastic Protection.** Foamed plastic insulation in *vertical service spaces* shall be protected in conformance with Article 3.1.5.11.

#### 3.5.3.3. Linen or Refuse Chutes

- (1) Every linen or refuse chute shall
- (a) be impervious to moisture,  
 (b) have a smooth internal surface,  
 (c) be corrosion-resistant,  
 (d) be constructed of *noncombustible* material, and

- (e) be located in a shaft in which there are no services other than *noncombustible* drain, waste and vent piping or *noncombustible* water piping.
- (2) Every shaft containing a linen or refuse chute shall have a *fire-resistance rating* conforming to Sentence 3.5.3.1.(1), but not less than
- (a) 1 h where the chute outlet for the discharge room is protected by an automatic, self-latching *closure* held open by a fusible link, or
- (b) 2 h where no *closure* is provided at the chute outlet into the discharge room.
- (3) Every interior linen or refuse chute shall extend at least 1 m above the roof and shall be vented above the roof with a vent which
- (a) has an unobstructed area not less than the cross-sectional area of the chute, and
- (b) is equipped with a cover that will open automatically or that can be opened manually in the event of a fire in the chute.
- (4) Intake openings for linen or refuse chutes shall
- (a) have an area not more than 60 per cent of the cross-sectional area of the chute, and
- (b) be fitted with *closures* designed to close automatically and latch after use.
- (5) Intake openings for linen or refuse chutes shall be located in rooms or compartments that
- (a) have no dimension less than 750 mm,
- (b) are separated from the remainder of the *building* by a *fire separation* with a *fire-resistance rating* of not less than 45 min,
- (c) are designed for no other purpose, and
- (d) do not open directly into an *exit*.
- (6) Sprinklers shall be installed at the top of each linen and refuse chute, at alternate floor levels and in the room or bin into which the chute discharges.
- (7) The room into which a linen chute discharges shall be separated from the remainder of the *building* by a *fire separation* with a *fire-resistance rating* of not less than 1 h.
- (8) Every refuse chute shall be equipped at the top with spray equipment for washing-down purposes.
- (9) A refuse chute shall discharge only into a room or bin separated from the remainder of the *building* by a *fire separation* with a *fire-resistance rating* of not less than 2 h.
- (10) The room or bin into which a refuse chute discharges shall be of sufficient size to contain the refuse between normal intervals of emptying, be impervious to moisture and be equipped with a water connection and floor drain for washing-down purposes.
- (11) Rooms into which refuse chutes discharge shall contain no service equipment that is not related to garbage handling and disposal.

**3.5.3.4. Exhaust Duct Negative Pressure.** When a *vertical service space* contains an *exhaust duct* that serves more than 1 *fire compartment*, the duct shall have a fan located at or near the exhaust outlet to ensure that the duct is under negative pressure.

### 3.5.4. Horizontal Service Spaces and Service Facilities

**3.5.4.1. Scope.** This Subsection applies to *horizontal service spaces* and service facilities, including ceiling spaces, duct spaces, crawl spaces and *attic or roof spaces*.

#### 3.5.4.2. Fire Separations for Horizontal Service Spaces

(1) A *horizontal service space* that penetrates a required vertical *fire separation* shall be separated from the remainder of the *building* it serves in conformance with Sentence (2).

(2) Where a *horizontal service space* or other concealed space is located above a required vertical *fire separation* other than a vertical shaft, such space need not be divided at the *fire separation* as required in Article 3.1.8.3. provided the construction between such space and the space below is constructed as a *fire separation* at least equivalent to that required for the vertical *fire separation*, except that where the vertical *fire separation* is not required to have a *fire-resistance rating* of more than 45 min, the *fire-resistance rating* is permitted to be not less than 30 min.

#### 3.5.4.3. Plenum Requirements

(1) The concealed space between the ceiling and floor or ceiling and roof used as a *plenum* need not conform to Sentence 3.1.5.14.(1) and Article 6.2.3.2. provided

(a) all materials within the ceiling space have a *flame-spread rating* of not more than 25 and a smoke developed classification of not more than 50, except for

(i) tubing for pneumatic controls,

(ii) electrical wires and cable that exhibit a flame spread of not more than 1.5 m, a smoke density of not more than 0.5 at peak optical density and a smoke density not more than 0.15 at average optical density when tested in conformance with the Flame and Smoke Test in the Appendix to CSA C22.2 No. 0.3, "Test Methods for Electrical Wires and Cables" (FT6 Rating),

(iii) electrical wires and cables that are located in totally enclosed *noncombustible* raceways, and

(iv) single conductor electrical wires and cables that comply with the test requirements in Clause 3.1.5.17.(1) (a), (FT4 Rating) or in Subclause (ii), (FT6 Rating), and

(b) the supports for the ceiling membrane are of *noncombustible* material having a melting point not below 760°C.

(2) When the concealed space referred to in Sentence (1) is used as a return-air *plenum* and incorporates a ceiling membrane that forms part of the required *fire-resistance rating* of the assembly, every opening through the membrane shall be protected by a *fire stop flap* which shall

(a) stop the flow of air into the concealed space in the event of a fire,

(b) be supported in a manner that will maintain the integrity of the ceiling membrane for the duration of time required to provide the required *fire-resistance rating*, and

(c) conform to CAN4-S112.2-M, "Standard Method of Fire Test of Ceiling Firestop Flap Assemblies".

(3) Asbestos paper shall not be exposed in supply and return-air systems.

**3.5.4.4. Attic or Roof Space Access.** Every *attic or roof space* more

than 600 mm in height shall be provided with access from the floor immediately below by a hatchway not less than 550 mm by 900 mm or by a stairway.

**3.5.4.5. Horizontal Service Space Access.** *Horizontal service spaces* consisting of ceiling and duct spaces which are more than 1 200 mm high and 600 mm wide shall have access doors not less than 600 mm in both horizontal and vertical dimensions, or shall have inspection doors not less than 300 mm in both horizontal and vertical dimensions placed so that the entire interior of the duct or space can be viewed.

**3.5.4.6. Crawl Space Access.** Every crawl space shall have at least one access opening not less than 550 mm by 900 mm.

### 3.5.5. Elevators, Dumbwaiters and Escalators

#### 3.5.5.1.

(1) Reserved.

(2) Reserved.

(3) Elevators in *buildings* within the scope of Subsection 3.2.6. shall conform to Articles 3.2.6.8. and 3.2.6.9.

#### 3.5.5.2. Reserved.

## Section 3.6 Health Requirements

### 3.6.1. Height and Area of Rooms

#### 3.6.1.1. Room and Space Height

(1) The height of every room and space shall be such that adequate light and air may be provided for the intended *occupancy*, and that no obstruction to movement or activities below is caused by the ceiling or ceiling fixtures.

(2) The unobstructed height in *dwelling units* and sleeping rooms in Group C *occupancies* shall conform to Part 9.

**3.6.1.2. Residential Room Dimensions.** The areas and widths of rooms in *dwelling units*, dormitories, boarding houses and rooming houses shall conform to Part 9.

#### 3.6.1.3. Sleeping Areas in Group B and Day Care Centres

(1) Except as provided in Sentence (2), a sleeping area in a Group B *occupancy* shall provide not less than 4.7 m<sup>2</sup> per person in a room having

- (a) an area not less than 7 m<sup>2</sup>,
- (b) a horizontal dimension not less than 2 m, and
- (c) a ceiling height not less than 2.3 m.

(2) Sleeping rooms for residents in nursing homes shall have, exclusive of space provided for washrooms and for built-in or portable clothes closets, a floor space not less than

- (a) 10.22 m<sup>2</sup> in a single-bed unit,
- (b) 16.72 m<sup>2</sup> in a two-bed unit,
- (c) 25.08 m<sup>2</sup> in a three-bed unit, and
- (d) 29.73 m<sup>2</sup> in a four-bed unit.

(3) Day care centres shall provide sleeping accommodation having not less than 0.93 m<sup>2</sup> of floor surface area for each child with not less than 2.3 m ceiling height over the entire room area.

### 3.6.1.4. Sleeping Areas in Camps

(1) *Recreational camps* shall have an area in the sleeping quarters of not less than 3.72 m<sup>2</sup> per camper or, if double or triple tier bunk units are used, 2.79 m<sup>2</sup> per camper.

(2) A *camp for housing of workers* shall have an area of not less than 3.72 m<sup>2</sup> per employee in every room used for sleeping purposes.

### 3.6.2. Windows

#### 3.6.2.1. Window Areas

(1) Except as provided in Sentences (2) and (3) or otherwise permitted, every room used for sleeping in any building, and every principal room such as living room, dining room or combination thereof in *dwelling units* shall be provided with windows having areas conforming to Part 9, except that Article 9.7.1.3 does not apply.

(2) Nursing homes shall have,

- (a) in an activity room, a sitting room or a lounge, one or more windows with a total unobstructed glass area, exclusive of skylights, of not less than 10 per cent of the area of the room, and

(b) in a patient's sleeping room, one or more windows that

- (i) have a total unobstructed glass area, exclusive of skylights, of not less than 10 per cent of the area of the room,

- (ii) open to the outdoors and have a total unobstructed glass area, exclusive of skylights, of not less than 5 per cent of the area of the room, and

- (iii) are installed with the bottom edge of the glass of every window not more than 660 mm above the floor.

(3) Play activity rooms in *day nurseries* shall have one or more windows that conform to Clause (2) (a).

#### 3.6.2.2. Window Protection in Apartment Buildings

(1) In Group C *major occupancy* apartment buildings protection shall be provided at windows to minimize the hazards to children in accordance with Sentences (2) to (4).

(2) Fixed windows within *dwelling units* that extend to less than 1 m from the floor shall be protected by *guards* to at least 1 m above the floor, or shall be designed to withstand the lateral *design loads* for balcony *guards* in Part 4.

(3) Except as provided in Sentence (4), in *dwelling units* any window located more than 2 m above *grade* which opens within 1.5 m of the floor shall be protected

(a) by a *guard* conforming to Sentence 3.3.1.17.(3),

(b) by

- (i) a controlled sash operation to restrict, when engaged, the opening of the operable sash to not more than 100 mm, and

- (ii) a heavy duty screen conforming to CAN/CSA-A440-M, "Windows", or

(c) by an alternative device which does not reduce the degree of safety provided by Clauses (a) or (b).

(4) Protection of a window need not be provided in a *dwelling unit* where an exterior balcony is constructed for the full length of a window.

**3.6.3. Ventilation**

**3.6.3.1.** All rooms and spaces shall be ventilated to conform with Part 6.

**3.6.4. Plumbing Facilities****3.6.4.1. Plumbing and Drainage Systems**

(1) Except as permitted in Sentence (3), each *building* situated on property that abuts on a *street* in which a public or municipal water main is located shall be provided with or have accessible to its occupants a *plumbing system* including a potable water supply, a *sanitary drainage system* and toilet fixtures.

(2) When the installation of a *sanitary drainage system* is not possible because of the absence of a water supply, sanitary privies, chemical closets or other means for the disposal of human waste shall be provided.

(3) Plumbing facilities need not be provided in a *building* which is not normally occupied by persons where such installations are impractical and other facilities are available in nearby *buildings* when the subject *building* is in use.

**3.6.4.2. Sanitary Facilities**

(1) Except as provided in Sentence (25), water closets and other plumbing facilities shall be provided for each sex in accordance with the anticipated proportion of each sex in the *occupancy* when this can be determined with reasonable accuracy, except that when such a determination cannot be made with reasonable accuracy, it shall be assumed that the *occupancy* is equally divided between the sexes.

(2) Except as provided in Sentence (3), if water closets are required under this Subsection, urinals are permitted to be substituted for water closets up to a maximum of

- (a) one fifth of the number of water closets required for hospitals and nursing homes, and
- (b) two thirds of the number of water closets required in *buildings* other than hospitals and nursing homes.

(3) If only 2 water closets are otherwise required under this Subsection, one urinal is permitted to be substituted for one of the water closets.

(4) Wall and floor surfaces below the uppermost surfaces of urinals shall be protected from deterioration for a distance from the urinal to a point not less than 900 mm from the projected outline of the urinal on to the wall or floor by impervious and durable material.

(5) Except as provided in Sentences (7), (9), (18), (23), (27), (28) and (29), not less than one lavatory shall be provided in a room containing 1 or 2 water closets or urinals and not less than one additional lavatory for each additional 2 such fixtures.

(6) A floor drain shall be installed in a washroom containing urinals equipped with automatic flushing devices.

(7) Wash fountains in circular or straight trough form are permitted to be provided in lieu of lavatories required in Sentence (5) provided each 500 mm of circumference or trough length is considered to be the equivalent of one lavatory.

(8) Except as provided in Sentence (11), the minimum number of water closets shall be determined from Table 3.6.4.A. for an *occupant load* based on,

- (a) an area of 14 m<sup>2</sup> per person in Group D, *business and personal services occupancy*, and
- (b) Subsection 3.1.14. for all other *occupancies*.

**Table 3.6.4.A.**  
Forming Part of Sentence 3.6.4.2.(8)

Type of <i>Building, Floor Area</i> or Room	Reference Article or Maximum Number of Persons per Water Closet	
	Male	Female
<b>Group A, <i>Assembly Occupancies</i></b>		
(1) Group A, Division 1, except motion picture <i>theatres</i>	3.6.4.2.(14)	
(2) Motion picture <i>theatres</i>	3.6.4.2.(15)	
(3) Group A, Division 3 and 4 <i>occupancies</i> and <i>outdoor pools</i>	3.6.4.2.(15)	
(4) dance halls and recreational establishments	100	75
(5) classrooms, primary and secondary	30	26
(6) college <i>buildings</i> , non-residential	100	75
(7) dining rooms and restaurants	public: 3.6.4.2.(16) employees: 3.6.4.2.(18)	
(8) establishments used primarily for the consumption of alcoholic beverages (limited or no food service)	public: 3.6.4.2.(17) employees: 3.6.4.2.(18)	
(9) drive-in <i>theatres</i> and restaurants	3.6.4.2.(16)	
(10) day care centres	3.6.4.2.(23)	
(11) places of worship and undertaking premises	150	150
(12) all other <i>assembly occupancies</i>	3.6.4.2.(21)	
<b>Group B, <i>Institutional Occupancies</i></b>		
(1) Division 1	3.6.4.2.(22)	
(2) Division 2	3.6.4.2.(13) & (26)	
<b>Group C, <i>Residential Occupancies</i></b>		
(1) <i>dwelling units</i>	9.32.4.	
(2) <i>recreational camps, camps for housing of workers</i>	3.6.4.2.(28),(29)	
(3) all other <i>residential occupancies</i>	3.6.4.2.(13)	
<b>Group D, <i>Business and Personal Service Occupancies</i></b>		
3.6.4.2.(13)		
<b>Group E, <i>Mercantile Occupancies</i>, except restaurants</b>		
3.6.4.2.(13) & (24)		
<b>Group F, <i>Industrial Occupancies</i></b>		
3.6.4.2.(13)		
Column 1	2	3

(9) In a Group F *occupancy*, at least 1 lavatory shall be provided for each water closet required in Table 3.6.4.B.

(10) On every floor where work will be performed and within 100 m of any area where work will be performed, potable water shall be provided from,

- (a) a fountain with an upward jet,
- (b) a tap from a piped water supply, or
- (c) a tap from a covered vessel.



(11) Where mobile homes do not have individual sanitary facilities connected to a central water supply and drainage system, a service building shall be provided for public use and shall contain at least one water closet for each sex where the facilities serve not more than 10 mobile homes, and where the facilities serve more than 10 mobile homes, an additional water closet for each sex shall be provided for each additional 10 mobile homes.

(12) Where a service building is required by Sentence (11), it shall contain lavatories as required in Sentence (5) and at least

- (a) 1 laundry tray or similar facility, and
- (b) 1 bathtub or shower for each sex.

(13) The minimum number of water closets shall conform to Table 3.6.4.B. for

- (a) Group B, Division 2 institutional occupancies as determined by the number of employees,
- (b) Group C occupancies, except for dwelling units, recreational camps and camps for housing of workers,
- (c) Group D occupancies,
- (d) Group E occupancies, as determined by the number of employees, and
- (e) Group F occupancies, as determined by occupant load.

**Table 3.6.4.B.**  
Forming Part of Sentence 3.6.4.2.(13)

Number of persons of Each Sex	Minimum Number of Water Closets for Each Sex
up to 9	1
10 to 24	2
25 to 49	3
50 to 74	4
75 to 100	5
over 100	6 plus one for each additional 30 persons over 100
Column 1	2

(14) Except for motion picture theatres, the number of water closets required in Group A, Division 1 occupancies shall conform to Table 3.6.4.C.

**Table 3.6.4.C.**  
Forming Part of Sentence 3.6.4.2.(14)

Number of Persons of Each Sex	Minimum Number of Water Closets	
	Male	Female
up to 25	1	1
26 to 50	1	2
51 to 75	2	3
76 to 100	2	4
101 to 150	3	5
151 to 200	4	6
201 to 300	5	7
301 to 400	6	8
over 400	7 plus 1 for each additional 200 males over 400	9 plus 1 for each additional 150 females over 400
Column 1	2	3

(15) For motion picture theatres, and Group A, Division 3 and 4 occupancies, and outdoor pools, the minimum number of water closets shall conform to Table 3.6.4.D.

**Table 3.6.4.D.**  
Forming Part of Sentence 3.6.4.2.(15)

Number of persons of Each Sex	Minimum Number of Water Closets for Each Sex
up to 50	1
51 to 150	2
151 to 250	3
251 to 375	4
376 to 500	5
over 500	6 plus one for each additional 150 persons over 500
Column 1	2

(16) The minimum number of water closets shall conform to Table 3.6.4.E. for,

- (a) the number of persons of each sex in dining rooms and restaurants,
- (b) the number of parking spaces in drive-in theatres, and
- (c) a parking lot that is part of a restaurant where patrons are intended to eat in vehicles parked thereon, and each 2 parking spaces required for this intention shall be considered equivalent to
  - (i) 2 persons of each sex where employees serve food on the parking lot, or
  - (ii) 1 person of each sex where food service by employees is not provided on the parking lot.

**Table 3.6.4.E.**  
Forming Part of Sentence 3.6.4.2.(16)

Number of Persons of Each Sex or One-Half the Number of Parking Spaces in Drive-in Theatres	Minimum Number of Water Closets for Each Sex
up to 20	1
21 to 70	2
71 to 105	3
106 to 135	4
136 to 165	5
166 to 195	6
196 to 225	7
226 to 275	8
276 to 325	9
326 to 375	10
376 to 425	11
over 425	12 plus one for each additional 50 persons of each sex over 425 or each additional 100 parking spaces over 850
Column 1	2

(17) The minimum number of water closets shall conform to Table 3.6.4.F. for the number of persons of each sex in establishments used primarily for the consumption of alcoholic beverages.

**Table 3.6.4.F.**  
Forming Part of Sentence 3.6.4.2.(17)

Number of persons of Each Sex	Minimum Number of Water Closets for Each Sex
up to 50	2
51 to 70	3
71 to 90	4
Column 1	2



**Table 3.6.4.F.**  
Forming Part of Sentence 3.6.4.2.(17)—*Continued*

Number of persons of Each Sex	Minimum Number of Water Closets for Each Sex
91 to 110	5
111 to 140	6
141 to 180	7
181 to 220	8
221 to 260	9
over 260	10 plus one for each additional 40 persons of each sex over 260
Column 1	2

(18) Except as provided in Sentence (19), in every dining room, restaurant, cafeteria and alcoholic beverage establishment having more than 40 seats, separate facilities shall be provided for employees, and the minimum number of water closets and lavatories shall conform to Table 3.6.4.G.

**Table 3.6.4.G.**  
Forming Part of Sentence 3.6.4.2.(18)

Number of Employees of Each Sex	Minimum Number of Water Closets	
	Male	Female
up to 9	1	1
10 to 24	2	2
25 to 49	3	3
50 to 74	4	4
75 to 100	5	5
over 100	6 plus 1 for each additional 30 employees over 100	6 plus 1 for each additional 30 employees over 100
Column 1	2	3

(19) Where the total number of employees does not exceed 5, the same room may be used by both sexes provided that the door to the room can be locked from the inside.

(20) In determining the number of employees in Sentences (18) and (19), this shall be the maximum number of employees who are normally present on the premises at one time and shall include only those who are present for more than 25 per cent of the working day.

(21) The minimum number of water closets shall conform to Table 3.6.4.H. for Group A *occupancies* not shown in Tables 3.6.4.A., 3.6.4.C., 3.6.4.D., 3.6.4.E., 3.6.4.F., 3.6.4.G. or 3.6.4.I.

**Table 3.6.4.H.**  
Forming Part of Sentence 3.6.4.2.(21)

Number of persons of Each Sex	Minimum Number of Water Closets for Each Sex
up to 25	1
26 to 50	2
over 50	3 plus 1 for each additional 50 persons over 50
Column 1	2

(22) In a Group B, Division 1 *occupancy* the maximum number of persons per water closet shall be determined by the appropriate authority having jurisdiction.

(23) In a day care centre the maximum number of children per water closet and lavatory shall conform to Table 3.6.4.I. except that

plumbing fixtures for children over the age of 9 years shall conform to the requirements for classrooms in Table 3.6.4.A.

**Table 3.6.4.I.**  
Forming Part of Sentence 3.6.4.2.(23)

Age of Children	Maximum Number of Children per Water Closet and Lavatory
under 2	10 without regard to number of each sex
2 to 5	15 without regard to number of each sex
6 to 9	15 for males 15 for females
Column 1	2

(24) For the public in Group E *occupancies* the maximum number of persons per water closet shall be 300 males or 150 females except that,

(a) facilities provided for employees may be counted as part of those required for the *occupancy* when such facilities are made accessible to the public, and

(b) where the sum of *floor areas*, excluding *basements*, is less than 600 m<sup>2</sup>, not more than one water closet for each sex need be provided.

(25) Not more than 1 water closet to serve both sexes need be provided in

(a) a Group D *occupancy* having an *occupant load* not exceeding 5 persons, or

(b) a Group E or F *occupancy*,

(i) having an *occupant load* not exceeding 9 persons, or

(ii) where the sum of the *floor areas*, excluding *basements*, does not exceed 300 m<sup>2</sup>.

(26) In a Group B, Division 2 *institutional occupancy*, a wash-room that is equipped with 1 water closet and 1 lavatory and is accessible from patients' sleeping rooms shall be provided to serve not more than 4 patients.

(27) A water distribution system supplying hot water to bathtubs, showers and hand basins that are accessible to patients or residents in Group B, Division 2 *institutional occupancies* or residents of a group home, a home for special care or a residence for developmentally-handicapped adults shall have 1 or more temperature gauges and control devices that are

(a) accessible only to supervisory staff, and

(b) capable of being adjusted to ensure that the temperature of the water supplied to the fixtures does not exceed 49°C.

(28) A minimum of 1 water closet or privy shall be provided

(a) for every 10 campers of each sex in a *recreational camp*, or

(b) for every 10 employees of each sex in a *camp for housing of workers*.

(29) In *recreational camps* and *camps for housing of workers*, at least 2 lavatories or provision for a pail or other portable container of sound *construction* shall be provided for each of the water closets or privies required in Sentence (28).

(30) A *camp for housing of workers* shall include

(a) at least 1 shower or other area of bathing, and

- (b) provisions for at least 1 washing machine or laundry tub for every 15 beds.

(31) Every *pharmacy* shall be provided with a sink with hot and cold running water for washing utensils used in the preparation, service or storage of drugs.

**3.6.4.3. Safety Glass.** Glass, other than safety glass, shall not be used for a shower or bathtub enclosure.

**3.6.4.4. Grab Bar Installation.** Grab bars that are installed shall resist a minimum load of 1.3 kN applied vertically or horizontally.

#### 3.6.4.5. Privacy

(1) Every room containing sanitary facilities serving one sex only shall be enclosed by a full height door which shall be clearly marked to indicate the sex served.

(2) Rooms providing separate water closets for more than one male or female shall be designed so that the water closets and urinals are not visible when the doors to such rooms open onto a place where persons of the other sex work or pass.

#### 3.6.4.6. Location of Sanitary Facilities.

(1) A room containing a water closet shall be located where

- (a) it does not open directly into any room or area where food is intended to be stored, prepared, processed, distributed, served, sold or offered for sale, and
- (b) it is not necessary for the public to go through the food preparation areas to gain access to the sanitary facilities.

(2) Except as permitted in Sentence (3), sanitary facilities for the public and employees in a restaurant shall be located in the restaurant.

(3) The sanitary facilities for the public in Sentence (2) need not be located in the restaurant where

- (a) the facilities are located in the *building* containing the restaurant, and
- (b) the distance of travel between the restaurant and the facilities is not more than 45 m.

#### 3.6.5. Health Care Facility Systems

**3.6.5.1. Electrical Systems.** In anaesthetizing locations, electrical systems shall be designed, constructed, installed and tested in conformance with CSA Z32.1, "Code for Prevention of Explosions or Electrical Shock in Hospital Operating Rooms".

**3.6.5.2. Medical Gas Piping.** All medical gas piping systems shall be designed, constructed, installed and tested in conformance with CSA Z305.1, "Nonflammable Medical Gas Piping Systems".

#### 3.6.5.3. Shielding of X-Ray Equipment

(1) Every installation of an *x-ray machine* shall be shielded with a primary protective barrier and a secondary protective barrier so that

- (a) no x-ray worker receives a whole-body-dose-equivalent of more than 1 millisievert per week, and
- (b) no person, other than the patient undergoing an application of therapeutic or diagnostic x-rays, who is not an x-ray worker, receives a whole-body-dose-equivalent of more than 0.1 millisievert per week.

(2) The requirements of Sentence (1) shall be deemed to be met if the barriers are designed to comply with Appendix 2 of BRMD,

Safety Code 20A, "X-Ray Equipment in Medical Diagnosis, Part A: Recommended Safety Procedures for Installation and Use".

(3) Lead shielding that is used as a barrier shall be mounted in such a manner as to avoid sagging or damage to it.

(4) Joints between different kinds of barrier material shall be constructed so that the overall attenuation of the barrier is not impaired.

(5) Windows, doors and other openings in a barrier shall be constructed to comply with Sentence (2).

(6) All doors leading directly into an *x-ray room* shall be fitted with self-closing devices and, if the doors are accessible to the public, shall have prominently displayed on them warning signs sufficient to alert persons to the presence of the *x-ray equipment*.

### Section 3.7 Barrier-Free Design

#### 3.7.1. General

**3.7.1.1. Application.** The requirements of this Section apply to all *buildings* except

- (a) houses, including semi-detached houses, duplexes, triplexes, town houses, row houses and *boarding or rooming houses* with fewer than 8 boarders or roomers,
- (b) *buildings* of Group F, Division 1 *major occupancy*, and
- (c) *buildings* which are not intended to be occupied on a daily or full time basis, including automatic telephone exchanges, pumphouses and substations.

#### 3.7.1.2. Entrances

(1) Except as required in Sentence (2), every *building* in Article 3.7.1.1. shall have at least one entrance intended for general use by the public or the occupants designed in conformance with Article 3.7.3.3. and opening to the outdoors at sidewalk level or to a ramp conforming to Article 3.7.3.4. leading to a sidewalk.

(2) Where a *suite* of Group A, D or E *occupancy* is contained on the *first storey* of a *building* or on a *storey* to which a *barrier-free* path of travel is provided, and is completely separated from the remainder of the *building* so that there is no access to the remainder of the *building*, such *suite* shall have at least one *barrier-free* entrance in conformance with Sentence (1).

#### 3.7.1.3. Barrier-Free Path of Travel

(1) Except as required in Sentence (4) and except as permitted in Subsection 3.7.3., every *barrier-free* path of travel shall provide an unobstructed width of at least 1 060 mm for the passage of wheelchairs.

(2) Floor surfaces along a *barrier-free* path of travel shall have no opening that will permit the passage of a sphere more than 13 mm in diam.

(3) A *barrier-free* path of travel is permitted to include ramps, elevators or other platform elevating devices where there exists a difference in elevation.

(4) Every *barrier-free* path of travel less than 1 600 mm in width shall be provided with an unobstructed space not less than 1 600 mm in width and 1 600 mm in length located not more than 30 m apart.

**3.7.1.4. Storeys Served by Escalators.** Where escalators provide access to *storeys* above or below the *first storey*, a *barrier-free* path of travel shall be provided to those *storeys* served by the escalators.

**3.7.1.5. Controls.** Except as provided in Article 3.7.3.5., controls for the operation of *building* services or safety devices, located in a *barrier-free* path of travel and intended to be operated by the occu-

pant, including manual pull stations, electrical switches, thermostats and intercom switches, shall be accessible to a person in a wheelchair and shall be mounted at not more than 1.2 m above the floor.

**3.7.1.6. Illumination.** All portions of a *barrier-free* path of travel shall be equipped to provide a level of illumination in accordance with Sentence 3.2.7.1.(1).

### 3.7.2. Occupancy Requirements

#### 3.7.2.1. Areas Requiring Barrier-Free Path of Travel

(1) Except where essential obstructions in the work area would make a *barrier-free* path of travel hazardous, a *barrier-free* path of travel shall be provided in the entrance *storey* and in each *storey* served by a passenger type elevator or other platform equipped passenger elevating device from the entrance described in Article 3.7.1.2.,

- (a) into each *suite*, except for *suites* of *residential occupancy* that are in *storeys* other than the entrance *storey* and that have all entrance doors at floor levels that do not correspond to elevator stop levels,
- (b) into rooms or areas that serve the public or are designated for use by visitors, including areas in *assembly occupancies* with fixed seats, display areas and merchandising departments,
- (c) into rooms or areas for student use in *assembly occupancies*,
- (d) into general work areas, including office areas,
- (e) into general use or general service areas, including shared laundry areas in *residential occupancies*, recreational areas, cafeteria, lounge rooms, lunch rooms and infirmaries,
- (f) into patient's rooms, patient's washrooms and *floor areas* where patient services are provided,
- (g) into at least 1 passenger type elevator or elevating device conforming to Article 3.7.3.5.,
- (h) into washrooms described in Article 3.7.2.3.,
- (i) to any facility required by this Section to be designed to accommodate disabled persons,
- (j) Reserved, and
- (k) to service counters, refreshment stands, drinking fountains and checkout counters.

(2) The minimum number of spaces designated for wheelchair use in Clause 3.7.2.1.(1) (b) shall conform to Table 3.7.2.A.

**Table 3.7.2.A.**  
Forming Part of Sentence 3.7.2.1.(2)

Number of Fixed Seats in Seating Area	Minimum Number of Spaces Required for Wheelchairs
up to 100	2
101 to 200	3
201 to 300	4
301 to 400	5
401 to 600	6
Over 600	Not less than 1 per cent of the seating capacity
Column I	2

#### 3.7.2.2. Access to Parking Areas

(1) A *barrier-free* path of travel shall be provided from the entrance described in Article 3.7.1.2. to

- (a) an exterior parking area, where exterior parking is provided, and
- (b) at least one parking level, where a passenger elevator serves an indoor parking level.

(2) The entrance to at least one parking level described in Sentence (1) shall have a vertical clearance of not less than 2 100 mm in all areas used by wheelchair accessible vehicles.

(3) Canopies or other overhead structures over roadways providing access to the entrance described in Sentence (1) shall have a vertical clearance of not less than 2 750 mm.

#### 3.7.2.3. Washrooms Required to be Barrier-Free

(1) Except as permitted in Sentence (2), where washrooms are provided in a *storey* to which a *barrier-free* path of travel is required in conformance with Article 3.7.2.1., these washrooms shall be designed to accommodate disabled persons in conformance with the appropriate requirements in Articles 3.7.3.8. to 3.7.3.11.

(2) Washrooms need not conform to the requirements in Sentence (1) provided

- (a) they are located within *suites* of *residential occupancy*, or
- (b) other *barrier-free* washrooms are provided on the same floor level within 45 m, or
- (c) they are located in an individual *suite* having an area of less than 300 m<sup>2</sup> in *buildings* where such *suite* is completely cut off from the remainder of the *building* so that there is no access to the remainder of the *building*.

(3) In *buildings* where a washroom is required in accordance with Subsection 3.6.4., a *barrier-free* path of travel shall be provided to a *barrier-free* washroom.

### 3.7.3. Design Standards

#### 3.7.3.1. Accessibility Signs

(1) Where a *building* is required to have a *barrier-free* entrance to accommodate disabled persons, signs incorporating the international symbol of accessibility for disabled persons shall be installed where necessary to indicate the location of that entrance.

(2) Where a washroom, elevator, telephone or parking area is required to accommodate disabled persons, it shall be identified by a sign consisting of the International Symbol of Accessibility for Disabled Persons and such other graphic, tactile or written directions as are needed to indicate clearly the type of facility available.

(3) Where a washroom is not designed to accommodate disabled persons in a *storey* to which a *barrier-free* path of travel is required, signs shall be provided to indicate the location of the *barrier-free* facilities.

(4) Signs incorporating the International Symbol of Accessibility for Disabled Persons shall be installed where necessary to indicate the location of the accessible *means of egress*.

**3.7.3.2. Exterior Walks.** Exterior walks that form part of a *barrier-free* path of travel shall

- (a) have a slip-resistant, continuous and even surface,
- (b) be at least 1 100 mm in width, and

- (c) have a level area adjacent to the entrance doorway conforming to Clause 3.7.3.4.(1) (c).

### 3.7.3.3. Doorways and Doors

(1) Every doorway that is located in a *barrier-free* path of travel shall have, when the door is in the open position, a clear width of at least

- (a) 760 mm where the door is served by a corridor or space at least 1 060 mm wide, and
- (b) 810 mm where the door is served by a corridor or space less than 1 060 mm wide.

(2) Except where no bathroom within the *suite* is at the level of the *suite* entrance door to which a *barrier-free* path of travel is provided in accordance with Clause 3.7.2.1.(1) (a), the doorway to at least 1 bathroom and to each bedroom at the same level as such bathroom within a *suite of residential occupancy* shall have, when the door is in the open position, a clear width of at least

- (a) 760 mm where the door is served by a corridor or space at least 1 060 mm wide, and
- (b) 810 mm where the door is served by a corridor or space less than 1 060 mm wide.

(3) Door opening devices that are the only means of operation shall be of a design which does not require tight grasping and twisting of the wrist.

(4) Thresholds for doorways referred to in Sentences (1) and (2) shall not exceed 13 mm in height above the finished floor surface and shall be bevelled to facilitate the passage of wheelchairs.

(5) Except as permitted in Sentence (6), the door for the entrance described in Article 3.7.1.2. shall be equipped with a power door operator in

- (a) *hotels*,
- (b) *buildings* of Group B, Division 2, *major occupancy*, and
- (c) *buildings* of Group A, D or E *major occupancy* having more than 300 m<sup>2</sup> in *building area*.

(6) The requirements in Sentence (5) do not apply to an individual *suite* having an area of less than 300 m<sup>2</sup> in *buildings* having only *suites* of Group A, D or E *occupancy* where such *suite* is completely cut off from the remainder of the *building*.

(7) Except as permitted in Sentence (8), and except for doors with power operators, closers for doors in a *barrier-free* path of travel shall be designed to permit doors to open when a force of not more than 38 N is applied to the handles, push plates or latch-releasing devices in the case of exterior doors and 22 N in the case of interior doors.

(8) Sentence (7) does not apply to doors at the entrances to *dwelling units*, or where greater forces are required in order to close and latch the doors against prevailing differences in air pressures on opposite sides of the doors.

(9) Except for doors at the entrances to *dwelling units*, closers for interior doors in a *barrier-free* path of travel shall have a closing period of not less than 3 seconds measured from when the door is in an open position of 70° to the doorway, to when the door reaches a point 75 mm from the closed position, measured from the leading edge of the latch side of the door.

(10) Every door equipped with a closer in a *barrier-free* path of travel shall have a clear space beyond the latch side of not less than

- (a) 600 mm where the door swings towards the approach side, and
- (b) 300 mm where the door swings away from the approach side.

(11) Vestibules located in a *barrier-free* path of travel shall be arranged to allow the movement of wheelchairs between doors and shall

- (a) provide a distance between 2 doors in series of at least 1 200 mm plus the width of any door that swings into the space in the path of travel from one door to another.

(12) Where a vision panel is provided in a door in a *barrier-free* path of travel, such panel shall be at least 75 mm in width and be located so that

- (a) the bottom of the panel is not more than 900 mm above the finished floor, and
- (b) the edge of the panel closest to the latch is not more than 200 mm from the latch side of the door.

### 3.7.3.4. Ramps

(1) Ramps located in a *barrier-free* path of travel shall

- (a) have a minimum width of 870 mm between handrails,
- (b) have a maximum gradient of 1 in 12,
- (c) have a level area of at least 1.5 m by 1.5 m at the top and bottom of a ramp and where a door is located in a ramp, so that the level area extends at least 600 mm beyond the latch side of the door opening, except that where the door opens away from the ramp, the area extending beyond the latch side of the door opening may be reduced to 300 mm,
- (d) have a level area at least 1.5 m long and at least the same width as the ramp
  - (i) at intervals of not more than 9 m along its length, and
  - (ii) where there is an abrupt change in the direction of the ramp,
- (e) except as provided in Sentence (2), be equipped with handrails and *guards* on both sides conforming to Articles 3.4.6.4. and 3.4.6.5, and
- (f) be provided with a curb at least 50 mm high on any side of the ramp where no solid enclosure or *guard* is provided.

(2) Where a ramp serves as an aisleway for fixed seating, the requirements for handrails in Clause 3.7.3.4.(1) (e) need not apply.

(3) Floors or walks in a *barrier-free* path of travel having a slope steeper than 1 in 20 shall be designed as ramps.

### 3.7.3.5. Elevators

(1) The passenger-type elevator in Article 3.7.2.1. shall conform to Appendix E of CSA B44, "Safety Code for Elevators, Escalators, Dumbwaiters, Moving Walks and Freight Platform Lifts".

(2) The passenger-type elevating device in Article 3.7.2.1. shall conform to CAN3-B355, "Elevating Devices for the Handicapped".

3.7.3.6. Spaces in Seating Area. Spaces designated for wheelchair use in Sentence 3.7.2.1.(2) shall be

- (a) clear and level or level with removable seats,

- (b) 840 mm in width and 1 525 mm in length to permit wheelchairs to enter from a side approach, and 1 220 mm in length where the wheelchair enters from the front or rear of the space,
- (c) located adjoining a *barrier-free* path of travel without infringing on egress from any row of seating or any aisle requirements, and
- (d) where more than two wheelchair spaces are required by Sentence 3.7.2.1.(2),
  - (i) arranged so that at least two designated spaces are side by side, and
  - (ii) situated, as part of the designated seating plan, to provide a choice of viewing location.

**3.7.3.7. Assistive Listening Devices.** In *buildings of assembly occupancy*, all classrooms, auditoria, meeting rooms and *theatres* with an area of more than 100 m<sup>2</sup> and an *occupant load* of more than 75 shall be equipped with assistive listening systems encompassing the entire seating area.

**3.7.3.8. Water Closet Stalls.** Where a washroom is required by Article 3.7.2.3. to be *barrier-free*, at least 1 water closet stall or enclosure shall

- (a) be at least 1.5 m in width by 1.5 m in depth,
- (b) be equipped with a door which shall
  - (i) be capable of being locked from the inside with a locking mechanism that is operable by one hand,
  - (ii) provide, when the door is in an open position, a clear opening of at least 810 mm,
  - (iii) swing outward, unless 760 mm by 1220 mm clear floor area is provided within the stall or enclosure to permit the door to be closed without interfering with the wheelchair,
  - (iv) be provided with a door having spring-type or gravity hinges so that the door closes automatically,
  - (v) be provided with a door pull on the outside, near the latch side of the door, and
  - (vi) be aligned with the clear manoeuvring space adjacent to the water closet,
- (c) have a water closet located so that its centreline is not less than 460 mm and not more than 480 mm from an adjacent side wall on 1 side,
- (d) be equipped with grab bars which shall
  - (i) be at least 760 mm in length and mounted at a 30° to 50° angle sloping upwards, away from the water closet with the lower end of the bar mounted 230 mm above the toilet seat and 50 mm in front of the toilet bowl, or alternatively, be L-shaped with 760 mm long horizontal and vertical components mounted with the horizontal component 230 mm above the toilet seat and the vertical component 150 mm in front of the toilet bowl,
  - (ii) be at least 600 mm in length mounted horizontally on the wall behind the water closet from 840 mm to 920 mm above the floor and, where the water closet has a water tank, be mounted 150 mm above the tank,
  - (iii) Reserved,

- (iv) be installed to resist a load of at least 1.3 kN applied vertically or horizontally,
- (v) be not less than 30 mm and not more than 40 mm in diameter, and
- (vi) have a clearance of 30 mm to 40 mm from the wall,
- (e) be equipped with a coat hook mounted not more than 1 200 mm above the floor on a side wall and projecting not more than 25 mm from the wall, and
- (f) have a clearance of at least 1 700 mm between the outside of the stall face and the face of an in-swinging washroom door and 1 400 mm between the outside of the stall face and any wall-mounted fixture or other obstruction.

**3.7.3.9. Water Closets.** Water closets for disabled persons shall

- (a) be equipped with seats located at not less than 407 mm and not more than 445 mm above the floor level,
- (b) be equipped with hand-operated flushing controls that are easily accessible to a wheelchair user,
- (c) be equipped with a back support such as a seat lid, and
- (d) not have a spring-activated seat.

**3.7.3.10. Lavatories.** *Barrier-free* washrooms shall

- (a) be provided with a lavatory which shall
  - (i) be located so that the distance between the centreline of the fixture and the side wall is not less than 460 mm,
  - (ii) have a clearance of at least 710 mm beneath the bottom of the lavatory to a point at least 260 mm in from the front,
  - (iii) have insulated waste outlet and hot water supply pipes to prevent burns or have water supply temperature limited to a maximum of 43°C,
  - (iv) have faucet handles of the lever type that are not spring-loaded, and are located so that the distance from the centreline of the faucet to the edge of the basin or, where the basin is mounted in a vanity, to the front edge of the vanity, is not more than 485 mm,
  - (v) have no shelves or other projections located above it so as to create a hazard, and
  - (vi) be mounted so that the top of the lavatory or, where the lavatory is in a vanity, the top of the vanity is not more than 840 mm above the finished floor,
- (b) have soap and towel dispensers that are
  - (i) located to be accessible to persons in wheelchairs and so that the dispensing height is not more than 1 200 mm above the floor, and
  - (ii) operable with a single hand, and
- (c) have dispensing or hand-operated washroom accessories, except those located in toilet stalls or described in Clauses (a) or (b), mounted so that the dispensing height is between 900 mm and 1 200 mm above the floor.

**3.7.3.11. Special Washrooms.** Where a special washroom is provided primarily for the use of disabled persons of both sexes in lieu of

facilities for disabled persons in washrooms used by the general public, such washrooms shall

- (a) be equipped with doors capable of being locked from the inside with one hand and provided with a means of emergency release from the outside,
- (b) be provided with a lavatory conforming to Article 3.7.3.10.,
- (c) be equipped with a water closet conforming to Article 3.7.3.9.,
- (d) be equipped with grab bars conforming to Clause 3.7.3.8.(1) (d),
- (e) Reserved,
- (f) have clearances for fixtures and accessories conforming to the fixture clearances described in Articles 3.7.3.8. to 3.7.3.10.,
- (g) have a doorway conforming to Article 3.7.3.3.,
- (h) provide an unobstructed circular turning area at least 1.5 m in diameter, and
- (i) be equipped with a coat hook conforming to Clause 3.7.3.8.(1) (e) and a shelf not more than 1 200 mm above the floor in a location accessible to a wheelchair user.

### 3.7.3.12. Showers

(1) Where individual shower stalls are provided in *buildings of assembly occupancy*, at least one shower stall shall be *barrier-free* and shall

- (a) be at least 1 500 mm in width and 900 mm in depth,
- (b) have a clear floor space at the entrance to the shower of at least 900 mm in depth and the same width as the shower, except that fixtures are permitted to project into that space provided they do not restrict access to the shower,
- (c) have a slip-resistant floor surface,
- (d) have a bevelled threshold not exceeding 13 mm in height above the finished floor,
- (e) be equipped with a wall mounted folding seat that is not spring-loaded or provision for a portable seat that is,
  - (i) 38 mm to 62 mm less than the shower compartment depth in width by 430 mm to 530 mm in depth,
  - (ii) mounted approximately 450 mm above the floor, and
  - (iii) designed to carry a minimum load of 1.33 kN,
- (f) be equipped with a grab bar which shall
  - (i) be at least 900 mm in length,
  - (ii) be mounted approximately 850 mm above the floor,
  - (iii) be located on the wall so that at least 300 mm of its length is reachable from one side of the seat, and
  - (iv) conform to Subclauses 3.7.3.8.(1) (d) (iv), (v) and (vi),
- (g) be equipped with a pressure-equalizing or thermostatic mixing valve controlled by lever or other device operable with a closed fist from the seated position,

(h) be equipped with a hand-held shower head with at least 1 500 mm of flexible hose located so that it can be reached from the seated position and equipped with a support so that it can operate as a fixed shower head, and

(i) have fully recessed soap holders which can be reached from the seated position.

(2) Individual shower stalls that are provided for use by residents and patients in *buildings* of Group B, Division 2 *institutional occupancy* shall conform to the requirements of Clauses (1) (a) to (i).

(3) Individual bathtubs that are provided for the use of residents and patients in Group B, Division 2 *institutional occupancies*

(a) shall have faucet handles of the lever type that are not spring-loaded,

(b) shall have faucet handles that are located so as to be usable by a person seated in the bathtub, and

(c) shall have mounted on the wall, unless the bathtub is free-standing, an "L"-shaped grab bar conforming to Subclauses 3.7.3.8.(1) (d) (iv) to (vi)

(i) with each leg of the "L" being at least 900 mm long,

(ii) with the legs of the "L" being separated by 90°,

(iii) with the horizontal leg of the "L" being located between 150 mm and 200 mm above and parallel to the rim of the bathtub, and

(iv) with the vertical leg of the "L" being located between 300 mm and 450 mm from the control end of the bathtub.

### 3.7.3.13. Reserved.

### 3.7.3.14. Shelves or Counters for Telephones

(1) Where built-in shelves or counters are provided for public telephones, they shall be level and shall

(a) be not less than 350 mm deep, and

(b) have, for each telephone provided, a clear space not less than 250 mm wide having no obstruction within 250 mm above the surface.

(2) The top surface of a section of the shelf or counter described in Sentence (1) serving at least one telephone shall

(a) be not more than 865 mm from the floor, and

(b) have a knee space not less than 685 mm high.

(3) Where a wall-hung telephone is provided above the shelf or counter section described in Sentence (2), it shall be located so that the receiver and coin slot are not more than 1.2 m from the floor.

3.7.3.15. **Drinking Fountains.** Where drinking fountains are provided, at least one shall be *barrier-free* and shall

(a) have a spout located near the front of the unit not more than 915 mm above the floor, and

(b) be equipped with controls that are easily operated from a wheelchair using one hand with a force of not more than 22 N.

### Section 3.8 Signs

#### 3.8.1. Scope

**3.8.1.1. Application.** Except as provided otherwise in Article 3.8.1.2, this Section shall apply to the erection of all signs.

**3.8.1.2. Exceptions.** The following signs shall not be subject to the provisions of this Section,

- (a) signs for regulating traffic or similar devices, legal notices or warnings at railroad crossings,
- (b) signs in display windows including writing, representation, painting or lettering directly on the surface of any window or door, or other signs not affixed to the *building* interior,
- (c) small signs displayed for the direction of the public including signs which identify restrooms, freight entrances and such other similar directional signs,
- (d) signs painted directly on a *building*, and
- (e) incidental signs or other signs subject to municipal approval.

#### 3.8.2. Alterations

**3.8.2.1. Exceptions for Alterations.** The changing of movable parts of signs that are designed for changes, or the repainting of display matter shall not be deemed to be alterations.

#### 3.8.3. Structural Requirements

**3.8.3.1. Structural Design.** Except as provided herein, all sign structures shall be designed in accordance with Part 4.

#### 3.8.3.2. Professional Design

(1) A sign structure shall be designed by an *architect* or *professional engineer* where it is,

- (a) a ground sign which exceeds 7.5 m in height above the adjacent finished ground,
- (b) a projecting sign which weighs more than 115 kg, or
- (c) any one face of a roof sign which exceeds 10 m<sup>2</sup>.

(2) A projecting sign shall not be attached or fastened in any manner to a parapet wall unless designed by an *architect* or *professional engineer*.

#### 3.8.4. Plastic Sign Facing Materials

##### 3.8.4.1. Combustible Sign Faces

- (1) Plastic materials used in the construction of sign faces shall,
  - (a) have an average burning rate not greater than 65 mm/min in sheets 1.5 mm thick when tested in accordance with ASTM D635, "Rate of Burning and/or Extent and Time of Burning of Self-supporting Plastics in a Horizontal Position",
  - (b) have an average burning rate not greater than 140 mm/min when tested in accordance with ASTM D568, "Rate of Burning and/or Extent and Time of Burning of Flexible Plastics in a Vertical Position", and
  - (c) have a measurement of material thickness in accordance with Method B-Machinists' Micrometer Without Ratchet of ASTM D374, "Thickness of Solid Electrical Insulation".
- (2) Except as provided in Sentence (3), where the *exterior cladding* of a wall is required to be *noncombustible*, a plastic sign face

or a group of contiguous plastic sign faces may be placed over such cladding provided each such sign face or group of contiguous sign faces,

- (a) does not exceed 30 per cent of the wall area of the *storey* on which it is installed,
- (b) does not exceed 15 m<sup>2</sup> in area or 1.2 m in height at each *storey*, and
- (c) when located above the *first storey*, is vertically separated from other plastic sign faces by 1.2 m of *noncombustible construction* unless separated by a horizontal *noncombustible* projection such as a canopy, extending the full width of, and projecting at least 900 mm beyond the exterior sign face.

(3) Where a plastic exterior sign is mounted as a face on a metal sign box that is at least 200 mm in depth, the requirements of Sentence (2) need not apply provided the sign box is mounted on a *noncombustible* exterior wall.

(4) Notwithstanding the requirements of Sentence (5), the plastic portion of an interior sign placed over or forming part of an interior wall surface in corridors, covered or enclosed *walkways* at or above *grade* in *buildings* shall,

- (a) not exceed 15 per cent of the wall area in, or over which it may be installed,
- (b) be supported by a device that will not detrimentally affect the *fire-resistance rating* of the interior wall to which it is attached or of which it may form a part, and encase the edges of the plastic sign face in metal,
- (c) not be positioned or sized in such a manner that it is less than 600 mm from the vertical line separating two adjacent premises,
- (d) be placed so that there is at least 600 mm vertical separation of noncombustible material between the top of the plastic sign surface and the ceiling surface,
- (e) be permitted to have an increase of 100 per cent in area required in Clause (a) and a decrease of 50 per cent of the separation distances required in Clauses (c) and (d) if the area is *sprinklered*, and
- (f) not have a *flame-spreading rating* above 250.

(5) Signs in *exits* and underground *walkways* shall have a *flame-spread rating* of not more than 25.

#### 3.8.5. Location Restrictions

**3.8.5.1. Obstructions not Permitted.** No sign shall be located so as to obstruct openings required for light and ventilation, any required *means of egress* or required access for fire fighting in accordance with Sentence 3.2.5.4.(2).

##### 3.8.5.2. Clearance for Exterior Signs

(1) No exterior sign shall be erected overhanging a sidewalk or other pedestrian *walkway* unless the vertical distance, measured from the bottom of the overhanging portion of the sign to the surface of the sidewalk, is at least 2.4 m.

(2) Except as provided hereinafter, no sign face shall be erected within 600 mm of the vehicular travelled portion of a private lane or roadway, or of a motor vehicle parking area unless the minimum vertical distance between *grade* and the bottom of the overhanging sign face is at least 4.25 m.

(3) Where the height of all vehicles using any private road or parking area is permanently restricted, the vertical distance in Sen-

tence (2) may be reduced to the amount of the actual height restriction, for as long as the said height restriction is in existence on the premises.

**3.8.5.3. Support on Existing Building.** No sign shall be supported by an existing *building*, parapet wall, or other structure, or any part thereof, unless the *building* or structure is adequate to support, without reducing the safety factors provided, all loads to which it may be subjected, including those loads resultant from or caused by the erection of the sign such as wind and snow loads, and is fully capable of safely transferring said loads through its structural members to *soil* having adequate load-carrying or load-resisting capacity.

**3.8.5.4. Wind Forces.** Materials subjected to wind forces used in the construction of signs shall be of sufficient strength and shall be installed to withstand a design external pressure or suction due to wind.

**3.8.5.5. Thermal Forces.** Materials subjected to thermal forces shall be installed so that their expansion and contraction over the temperature ranges to which the materials are likely to be subjected will not dislodge the materials from their assigned positions.

## Section 3.9 Portable Classrooms

### 3.9.1. Scope

#### 3.9.1.1. Application

(1) Except as provided in this Section, the requirements in the Code apply to portable classrooms.

(2) Where there are more than 12 portable classrooms on a site, the exceptions in Sentences 3.9.3.3.(2) and 3.9.3.4.(1) do not apply.

**3.9.1.2. Heating Systems.** Heating systems and equipment in a portable classroom shall be designed and installed in accordance with Section 6.2.

### 3.9.2. Interior Finish

**3.9.2.1. Flame-Spread Rating.** Interior finish material used on a wall or ceiling of a portable classroom shall have a *flame-spread rating* of 150 or less.

### 3.9.3. Application

#### 3.9.3.1. Building Areas

(1) A single portable classroom shall be not more than 100 m<sup>2</sup> in *building area*, and not more than 1 *storey* in *building height*.

(2) For the purposes of Subsection 3.2.2., where the horizontal distance between portable classrooms is less than 6 m, a group of portable classrooms may be considered as a single *building* with a *building area* equal to the aggregate area of the portable classrooms.

#### 3.9.3.2. Spatial Separations

(1) The requirements in Subsection 3.2.3. need not be provided between individual portable classrooms where the distance between the classrooms is 6 m or more.

(2) The requirements in Subsection 3.2.3. need not be provided between individual portable classrooms within a group where

- (a) the portable classrooms are in groups where
  - (i) the distance between the classrooms is less than 6 m,
  - (ii) the number of classrooms in a group is not more than 6, and
  - (iii) the distance between groups of classrooms is 12 m or more, or

- (b) the portable classrooms are in groups where
  - (i) the *means of egress* for each classroom within a group is by a common corridor or passageway,
  - (ii) the number of portable classrooms in a group is not more than 6, and
  - (iii) the distance between groups of portable classrooms is 12 m or more.

#### 3.9.3.3. Fire Alarm Systems

(1) Except as provided in Sentence (2), the fire alarm system in the main school *building* shall be extended to the portable classrooms with a separate zone indicator on the annunciator.

(2) The requirements in Sentence (1) need not be provided where

- (a) the distance between portable classrooms is 6 m or more,
- (b) the distance between portable classrooms is less than 6 m and the requirements of Subsection 3.2.3. are applied between the classrooms, or
- (c) the portable classrooms are in groups where
  - (i) the distance between the classrooms is less than 6 m,
  - (ii) the number of classrooms in a group does not exceed 6,
  - (iii) within a group of classrooms, the facing walls have a *fire-resistance rating* of 45 min, rated from inside the classroom, and
  - (iv) the distance between groups of classrooms is 12 m or more.

**3.9.3.4. Provisions for Fire Fighting.** The requirements in Articles 3.2.2.6. and 3.2.5.1. to 3.2.5.8. need not be provided where

- (a) the distance between portable classrooms is 6 m or more,
- (b) the distance between portable classrooms is less than 6 m and the requirements of Subsection 3.2.3. are applied between the classrooms,
- (c) the portable classrooms are in groups where
  - (i) the distance between the classrooms is less than 6 m,
  - (ii) the number of classrooms in a group is not more than 6,
  - (iii) within a group of classrooms, the facing walls have a *fire-resistance rating* of 45 min, rated from inside the classroom, and
  - (iv) the distance between groups of classrooms is 12 m or more,
- (d) the portable classrooms are in groups where
  - (i) the distance between the classrooms is less than 6 m,
  - (ii) the number of classrooms in a group is not more than 6, and
  - (iii) the distance between groups of classrooms is 12 m or more, or
- (e) the portable classrooms are in groups where



- (i) the *means of egress* for each classroom within a group is by a common corridor or passageway,
- (ii) the number of classrooms in a group is not more than 6, and
- (iii) the distance between groups of classrooms is 12 m or more.

**3.9.3.5. Portable Fire Extinguishers.** A fire extinguisher, in accordance with Article 3.2.5.17., shall be installed in each portable classroom.

#### 3.9.3.6. Means of Egress

(1) Except as required in Sentence (2), a portable classroom shall be provided with *means of egress* conforming to Sections 3.3 and 3.4.

(2) A portable classroom shall be provided with at least 2 *means of egress* where the classroom contains a fuel-fired *appliance* which is not separated from the remainder of the classroom by a *fire separation* having a *fire-resistance rating* of 45 min or more.

#### 3.9.3.7. Fuel-Fired Appliances

(1) Except as provided in Sentence (2), where a portable classroom contains a fuel-fired *appliance*, the *appliance* shall be separated from the remainder of the classroom by a *fire separation* having a *fire-resistance rating* of not less than

- (a) 1.5 h where the horizontal distance between portable classrooms is 1.5 m or less, and
- (b) 45 min where the horizontal distance between portable classrooms is more than 1.5 m but less than 6 m.

(2) Where the horizontal distance between portable classrooms is 6 m or more, a fuel-fired *appliance* need not be separated from the remainder of the classroom by a *fire separation* provided

- (a) there is not more than 1 *appliance* per portable classroom, and
- (b) the *appliance* is located not less than 4.5 m from an *egress* doorway or an *exit* from the portable classroom.

**3.9.3.8. Washroom Facilities.** Washroom facilities need not be provided in a portable classroom where the facilities in the main school *building* comply with the requirements of Subsection 3.6.4, for the total *occupant load* of the main school *building* and the portable classrooms.

**3.9.3.9. Barrier-Free Access.** The requirements of Section 3.7 for *barrier-free access* need not be provided for a portable classroom provided that the main school *building* complies with the requirements of Section 3.7.

### Section 3.10 Self-Service Storage Buildings

#### 3.10.1. Scope

**3.10.1.1. Application.** Except as provided in this Section, the requirements in the Code apply to *self-service storage buildings*.

#### 3.10.2. Requirements for all Buildings

##### 3.10.2.1. Occupancy Classification.

A *self-service storage building*

- (a) shall comply with the requirements for a Group F, Division 2 *major occupancy*, and
- (b) shall not contain a Group F, Division 1 *occupancy*.

**3.10.2.2. Occupant Load.** The requirements based on *occupant load* shall not apply.

#### 3.10.2.3. Structural Fire Protection

(1) Except as provided in Sentence (2) and Sentence 3.10.4.2.(1), the requirements in Subsections 3.2.1. and 3.2.2. shall apply.

(2) The *first storey* shall be subdivided into areas not more than 500 m<sup>2</sup> by a masonry or reinforced concrete *fire separation* having a *fire-resistance rating* of not less than 1 h, or it shall be *sprinklered*.

#### 3.10.2.4. Safety Requirements Within Floor Areas

(1) Except as provided in Sentences (2) to (12), the requirements in Section 3.3 shall apply.

(2) A corridor need not be constructed as a *public corridor* where the travel distance, measured from inside the rental space to the nearest *exit*, is not more than 15 m provided that the corridor walls

- (a) are of *noncombustible construction*,
- (b) have no openings other than doors and the doors are of solid construction, and
- (c) are continuous from the floor to the underside of the floor above, the ceiling or the roof.

(3) Where the *building* is *sprinklered*, doors in a *public corridor* do not require to be equipped with self-closing devices and latches provided that the travel distance is measured from inside the rental space to the nearest *exit*.

(4) Egress doors from a rental space are not required to swing in the direction of *exit* travel or swing on a vertical axis provided

- (a) the area of the rental space is not more than 50 m<sup>2</sup>, and
- (b) the distance of travel within the rental space is not more than 10 m.

(5) Where egress doors from a rental space open onto a corridor and swing in the direction of *exit* travel, the corridor shall be not less than 1 500 mm wide, and the doors shall be not more than 914 mm wide.

(6) Where egress doors from a rental space open onto a corridor and do not swing in the direction of *exit* travel, the corridor shall be not less than 1 100 mm wide.

(7) Dead-end corridors are not permitted.

(8) Corridors shall be provided with

- (a) natural lighting which shall be uniformly distributed and be at least 4 per cent of the corridor area, or
- (b) emergency lighting, conforming to Sentences 3.2.7.4.(1) and (2), which shall provide average levels of illumination of not less than 10 lx at floor level.

(9) Not more than two *dwelling units* shall be contained within one of the *buildings* on the property.

(10) *Dwelling units* shall be separated from the remainder of the *building* by a *fire separation* having a *fire-resistance rating* of not less than 2 h.

(11) A *fire separation* is not required between a *dwelling unit* and an office where the office is not more than 50 m<sup>2</sup> in area.

(12) The *fire separations* required in Sentence 3.3.1.1.(1) need not be provided between individual rental spaces.

**3.10.2.5. Exit Requirements**

(1) Except as provided in Sentences (2) and (3), the requirements in Section 3.4 shall apply.

(2) The clear width of an *exit* stair shall be not less than 1 100 mm.

(3) *Exit* doors from rental spaces are not required to swing on a vertical axis provided,

- (a) the area of the rental space is not more than 50 m<sup>2</sup>, and
- (b) the travel distance within the rental space is not more than 10 m.

**3.10.2.6. Service Facilities**

(1) Except as provided in Sentence (2), the requirements in Section 3.5 shall apply.

(2) Except where located in and serving only the *dwelling units*, a fuel-fired *appliance* shall be located in a *service room* separated from the remainder of the *building* by a *fire separation* having a *fire-resistance rating* of not less than 1 h.

**3.10.2.7. Sanitary Facilities**

(1) Except as provided in Sentence (2), the requirements in Subsection 3.6.4. shall apply.

(2) Except as permitted in Sentences 3.6.4.1.(2) and (3), two washrooms, each containing a water closet and a lavatory, shall be provided within one of the *buildings* on the property.

**3.10.3. Additional Requirements for Buildings Containing more than 1 Storey**

**3.10.3.1. Application.** The requirements in this Subsection apply to all *buildings* except a 1 *storey building* which does not contain a *basement* or *mezzanine*.

**3.10.3.2. Spatial Separations**

(1) Except as provided in Sentence (2), the requirements in Subsection 3.2.3. shall apply.

(2) The distance between *buildings* shall be not less than 9 m.

**3.10.3.3. Fire Alarm Systems**

(1) Except as provided in Sentences (2) and (3), the requirements in Subsection 3.2.4. shall apply.

(2) A fire alarm system shall be installed.

(3) Within the *first storey*, manual pull stations are required only in corridors.

**3.10.3.4. Provisions for Fire Fighting**

(1) Except as provided in Sentences (2) to (4), the requirements in Subsection 3.2.5. shall apply.

(2) Access routes for fire department vehicles shall be provided and shall be not less than 9 m wide.

(3) Hydrants shall be located in the access routes required in Sentence (2) so that,

- (a) for a *building* provided with a fire department connection for a standpipe and hose system or a sprinkler system,
  - (i) a fire department pumper vehicle can be located adjacent to a hydrant, and

- (ii) the unobstructed path of travel for the firefighter from the vehicle to the fire department connection is not more than 45 m, and

- (b) for a *building* which is not *sprinklered*, a fire department pumper vehicle can be located in the access route so that the unobstructed path of travel for the firefighter is not more than
  - (i) 45 m from the hydrant to the vehicle, and
  - (ii) 45 m from the vehicle to every opening in the *building*.

(4) Hose stations are not required in the *first storey*.

**3.10.3.5. Standpipe and Hose Systems**

(1) Except as provided in Sentence (2), the requirements in Subsection 3.2.9. shall apply.

(2) Hose stations are not required in the *first storey*.

**3.10.4. Additional Requirements for 1 Storey Buildings**

**3.10.4.1. Application.** The requirements in this Subsection apply to 1 *storey buildings* which do not contain a *basement* or *mezzanine*.

**3.10.4.2. Building Area**

(1) For the purposes of Subsection 3.2.2., *building area* means,

- (a) the *building area* of each *building*,
- (b) the total of the *building areas* of all *buildings* as a group, or
- (c) the total of the *building areas* of any number or group of *buildings*.

**3.10.4.3. Spatial Separations**

(1) Except as provided in Sentences (2) to (4), the requirements in Subsection 3.2.3. shall apply.

(2) Where the *building area* conforms to Clause 3.10.4.2.(1) (b), the *limiting distance* requirements shall not apply between individual *buildings*.

(3) Where the *building area* conforms to Clause 3.10.4.2.(1) (c),

- (a) the *limiting distance* requirements shall apply between each group of *buildings*, but not between individual *buildings* within a group, and
- (b) the distance between each group of *buildings* shall be not less than 9 m.

(4) The distance between individual *buildings* within a group shall be not less than 6 m.

**3.10.4.4. Fire Alarm Systems**

(1) Except as provided in Sentence (2), the requirements in Subsection 3.2.4. shall not apply.

(2) The requirements for *smoke alarms* in Article 3.2.4.21. shall apply to a *dwelling unit*.

**3.10.4.5. Provisions for Fire Fighting**

(1) Except as provided in Sentences (2) to (7), the requirements in Subsection 3.2.5. shall not apply.

(2) Access routes for fire department vehicles shall be provided and shall be not less than 9 m wide.

(3) Hydrants shall be located in the access routes required in Sentence (2) so that the locations conform to Sentence 3.10.3.4.(3).

(4) The access routes required in Sentence (2) shall conform to the requirements in Sentence 3.2.5.7.(1).

(5) An adequate water supply for fire fighting shall be provided for every *building*.

(6) Where a sprinkler system is installed, the system shall conform to the requirements in Articles 3.2.5.13., 3.2.5.16. and 3.2.5.18.

(7) Where *combustible* sprinkler piping is installed, it shall conform to the requirements in Article 3.2.5.14.

### Section 3.11 Public Pools

#### 3.11.1. General

##### 3.11.1.1. Application

(1) This Regulation applies to every *public pool*.

(2) This Section applies to the design and construction of site assembled and manufactured pools that are intended for use as *public pools*.

#### 3.11.2. Designations of Public Pools

##### 3.11.2.1. Pool Designations

(1) Every *public pool* shall be designated as being either a Class A pool or a Class B pool in accordance with Sentence (2) or (3).

(2) A Class A pool is a *public pool* to which the general public is admitted or that is

- (a) operated in conjunction with or as a part of a program of an educational, instructional, physical fitness or athletic institution or association, supported in whole or in part by public funds or public subscription, or
- (b) operated on the premises of a *recreational camp*, for use by campers and their visitors and camp personnel.

(3) A Class B pool is a *public pool* that is

- (a) operated in conjunction with six or more *dwelling units, suites, single family residences, or any combination thereof* for the use of occupants or residents and their visitors,
- (b) operated in conjunction with a mobile home park for the use of residents or occupants and their visitors,
- (c) operated on the premises of a *hotel* or motel for the use of its guests and their visitors,
- (d) operated on the premises of a *campground* for the use of its tenants and their visitors,
- (e) operated in conjunction with a club for the use of its members and their visitors, or
- (f) operated in conjunction with an establishment or institution classified in Table 3.1.2.A. as,
  - (i) Group B, Division 1, *major occupancy*, or
  - (ii) Group B, Division 2, *major occupancy*, for the use of residents or occupants and their visitors.

#### 3.11.3. Pool and Pool Deck Design and Construction Requirements for all Class A and Class B Pools

##### 3.11.3.1. Construction Requirements

(1) Except as otherwise required in Subsections 3.11.4., 3.11.5., 3.11.6., and 3.11.7. or otherwise exempted in Sentences (2) and (3), Class A pools and Class B pools shall be designed and constructed to comply with Sentences (2) to (24).

(2) Where a Class B pool is constructed for use solely in conjunction with a club, *day nursery, day camp* or establishment or institution for the care of persons who are infirm, aged or in custodial care, the pool shall be exempt from the requirements of Clause (8)(a) and Sentences (12) and (13).

(3) Where a Class B pool is constructed for use solely in conjunction with an establishment or institution for the treatment of persons who are disabled or ill, the pool shall be exempt from the requirements of Sentences (5) and (6), Clause (8)(a) and Sentences (12) and (13).

(4) Except for a *modified pool, wave action pool*, a pool for therapeutic use and a pool described in Sentence 3.11.5.1.(1), a *public pool* shall be constructed to have a water depth of not less than 750 mm.

(5) Except for a *modified pool* and *wave action pool*, the slope of the bottom of any portion of a *public pool* shall not exceed

- (a) 8 per cent (a slope of 2 in 25) where the water depth is 1.35 m or less,
- (b) 33 per cent (a slope of 1 in 3) where the water depth is more than 1.35 m and less than 2 m, and
- (c) 50 per cent (a slope of 1 in 2) where the water depth is 2 m or more.

(6) Except for a *modified pool* and *wave action pool*, where the slope of any portion of the bottom of a *public pool* is more than 8 per cent, the walls of the pool shall be equipped with recessed fittings to which a safety line supported by buoys can be attached across the surface of the water and the recessed fittings shall be installed at a horizontal distance of at least 300 mm measured from the vertical projection of the top of the slope in the direction of the shallow end of the pool.

(7) Except for a *modified pool, wave action pool* and a pool described in Sentence 3.11.5.1.(1), the side and end walls of a *public pool* shall be vertical from the top of the walls to within 150 mm of the bottom except at steps or recessed ladders or in water depths of 1.35 m or more.

(8) Except for a *modified pool* and *wave action pool* and except as provided in Sentence (10), a *public pool* shall be surrounded by a hard-surfaced *pool deck* that shall

- (a) except for a pool described in Sentence 3.11.5.1.(1), be not less than 1.80 m wide and provide at least 900 mm width of clear passage,
  - (i) behind any *diving board* and its supporting structure, and
  - (ii) between any column piercing the deck and the edge of the pool or between the column and outer perimeter of the *pool deck*,
- (b) in the case of an *outdoor pool*, be sloped away from the pool to waste drains or to adjacent lower ground at a slope of between 2 per cent and 4 per cent, and
- (c) in the case of an indoor pool, be impervious and sloped

away from the pool to waste drains at a slope of between 1 and 4 per cent.

(9) Where a *public pool* is constructed with a ledge, the ledge shall

- (a) be placed only in parts of the pool where the water depth is 1.35 m or more,
- (b) be not more than 200 mm wide,
- (c) be at least 1 m below the water surface,
- (d) where located on the side of the pool, be gradually tapered towards the shallow end of the pool in such a manner as to prevent a harmful obstruction, and
- (e) have a band of contrasting colour along the entire juncture of the side and top of the ledge.

(10) Despite Sentences (11) to (15), where a *public pool* is constructed on any level surface with walls rising above that surface and has a constant water depth not exceeding 1.10 m and a water surface area not exceeding 100 m<sup>2</sup>, the *pool deck* may be an elevated platform surrounding the pool if it has

- (a) an unobstructed width of not less than 900 mm,
- (b) a height of at least 75 mm above grade or pavement elevation,
- (c) 6 mm wide openings for drainage, and
- (d) a non-slippery surface that is capable of being kept clean and disinfected.

(11) Except for a *modified pool* and *wave action pool*, where a *pool deck* projects over the water surface, the projection shall not exceed 50 mm.

(12) Except for a *modified pool* and *wave action pool*, the *pool deck* shall be separated from any adjacent spectator area or gallery and from any spectator access to such area or gallery by a gate or other barrier.

(13) Except for a *modified pool* and *wave action pool*, the perimeter of the *pool deck* shall be clearly delineated by painted lines or other means where any area contiguous to the *pool deck* may be confused with the deck.

(14) Perimeter drainage shall be provided where necessary to prevent surface run-off from draining onto the *pool deck*.

(15) Except for a *modified pool*, one or more hose bibs shall be installed near the perimeter of the *pool deck* in locations convenient for flushing the *pool deck*.

(16) Except for a *modified pool* and *wave action pool*, where access to the pool enclosure is over any surface that is not subject to regular cleaning and sanitizing, a foot spray to wash feet by means of a spray running freely to waste shall be provided at each such access.

(17) Except for a *modified pool* and *wave action pool*, at least one ladder or set of steps shall be provided in both the deep and shallow areas of a *public pool* for entry into and egress from the pool water.

(18) The *pool deck*, the submerged parts of a *public pool*, the walls or partitions adjacent to a *pool deck* and the pavement or floor adjacent to a *pool deck* shall have surfaces that permit thorough cleaning.

(19) Except for markings for safety or competition purposes, submerged surfaces in *public pools* shall be finished white or light in colour.

(20) Except in a *modified pool*, a black disc 150 mm in diameter on a white background shall be affixed to the bottom of a *public pool* within the area of its greatest depth.

(21) A *public pool* shall be equipped with lockable doors or other barriers capable of preventing public access to the *pool deck*.

(22) Except for a *modified pool*, *wave action pool* or a pool installed at a *recreational camp*, a Class A pool shall be provided with

- (a) where the water surface area is greater than 150 m<sup>2</sup> but not greater than 230 m<sup>2</sup>, at least one lifeguard control station, and
- (b) where the water surface area is greater than 230 m<sup>2</sup>, at least two lifeguard control stations.

(23) Except for a *modified pool*, every *public pool* shall display on the deck clearly marked figures, not less than 100 mm high, that set out

- (a) the water depths indicating the deep points, the breaks between gentle and steep bottom slopes and the shallow points,
- (b) the words **SHALLOW AREA** at one or more appropriate locations, and
- (c) where the water depth exceeds 2.5 m, the words **DEEP AREA** at one or more appropriate locations.

(24) Except for a *modified pool* and a pool to which Sentence 3.11.5.1.(4) applies, every *public pool* having a maximum water depth of 2.5 m or less shall display a warning notice posted in a location clearly visible to divers on which is printed in letters at least 150 mm high, the words **CAUTION—AVOID DEEP DIVES** or **SHALLOW WATER—NO DIVING**.

#### 3.11.4. Public Pools Equipped with Diving Boards or Diving Platforms

##### 3.11.4.1. Diving Boards or Platforms

(1) No *diving board* or *diving platform* shall be installed in a *public pool* unless the requirements of Sentences (5) to (17) are met but the requirements for a *diving platform* do not apply to a *starting platform*.

(2) No *diving board* or *diving platform* shall be installed in a *modified pool* or a *wave action pool*.

(3) Where a *public pool* is equipped with a *diving board* or a *diving platform*, the board or platform shall have a non-slip surface.

(4) Where a *diving board* or a *diving platform* in a *public pool* is more than 600 mm above the water surface, the board or platform shall be equipped with one or more adjacent handrails.

(5) Where a *public pool* is equipped with a *diving board* or a *diving platform* not more than 3 m in height above the water surface, the pool shall be designed and constructed in conformance with Sentences (6) to (15).

(6) The depth of water in the area directly below a horizontal semi-circle in front of a *diving board* or *diving platform* having a radius of 3 m measured from any point on the front end of the board or platform shall not be less than

- (a) 2.75 m, where a board is 600 mm or less in height above the water surface,
- (b) 3 m, where a board or platform is greater than 600 mm but not more than 1 m in height above the water surface, and

- (c) 3.65 m, where a board or platform is greater than 1 m but not more than 3 m in height above the water surface,

as illustrated in Figure 3.11.4.A.

(7) Except as permitted in Sentence (8), the water depth in a *public pool* shall be at least 1.35 m at the horizontal arc having a radius of 9 m measured from any point on the front end of the *diving board* or *diving platform* and intersecting the vertical projections of the walls of the pool as illustrated in Figure 3.11.4.A.

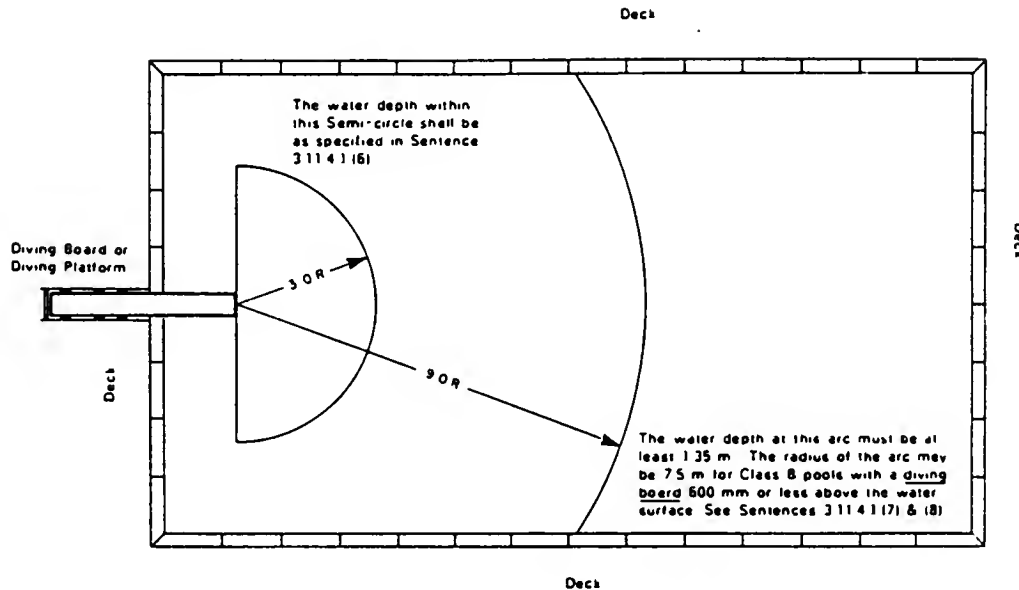
(8) Where a Class B pool is equipped with a *diving board* 600 mm or less in height above the water

- (a) the water depth shall be at least 1.35 m at the horizontal arc having a radius of 7.5 m measured from any point on the front end of the *diving board*, and

- (b) a warning notice, on which is printed in letters at least 150 mm high, the words DANGER—AVOID DEEP OR LONG DIVES, shall be posted in a location clearly visible to divers,

as illustrated in Figure 3.11.4.A.

Figure 3.11.4.A.  
Forming Part of Sentences 3.11.4.1.(6) to (8)



(9) The slope of the bottom of a *public pool* having a *diving board* or *diving platform* shall not change by more than 17 per cent where the water depth is less than the applicable depth set out in Sentence (6) and greater than the depth set out in Sentence (7) or (8), as applicable.

(10) The horizontal distance between the vertical projection of the centreline of a *diving board* or *diving platform* and the vertical projection of the centreline of another board or platform shall be at least 2.75 m.

(11) The horizontal distance between the centreline of a *diving board* or *diving platform* and the vertical projection of the closest side or any ledge on the closest side of a *public pool* shall be at least

- (a) 3 m, where a *diving board* or *diving platform* is 1 m or less in height above the water surface, and
- (b) 3.6 m, where a *diving board* or *diving platform* is greater than 1 m in height above the water surface.

(12) A *diving board* or a *diving platform* 600 mm or less in height above the water surface shall project over the water a horizontal distance of at least 900 mm from the vertical projection of a pool wall under it.

(13) A *diving board* greater than 600 mm in height above the water surface shall project over the water a horizontal distance of at least 1.5 m from the vertical projection of the pool wall under it.

(14) A *diving platform* greater than 600 mm in height above the water surface shall project a horizontal distance of at least 1.2 m from the vertical projection of the pool wall under it.

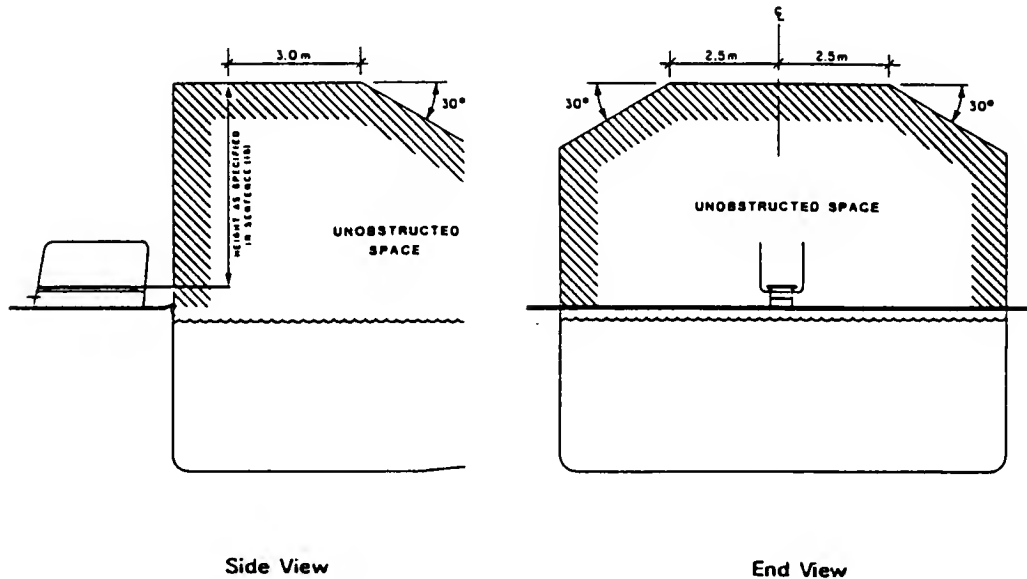
(15) The space above a *diving board* or *diving platform* shall be unobstructed and shall consist of at least

- (a) a space having a width of 2.50 m on each side of the centreline of the board or platform, a length equal to the sum of the horizontal distance the board or platform projects over the water plus 3 m, and a height of
- (i) 3.65 m above a *diving board* 3.65 m or less in length,
- (ii) 5 m above a *diving board* greater than 3.65 m in length, or
- (iii) 3 m above a *diving platform*, and
- (b) the space below the planes originating from the front and sides of the uppermost horizontal plane of the space deter-

mined under Clause (a) and sloping downwards at 30° from the horizontal,

as illustrated in Figure 3.11.4.B.

**Figure 3.11.4.B.**  
Forming Part of Sentence 3.11.4.1.(15)



(16) A diving board or diving platform greater in height than 3 m above the water surface shall be equipped with a gate, barrier or other device capable of preventing access thereto.

(17) Where a public pool is to be equipped with diving boards or diving platforms greater than 3 m in height above the water surface, the design of the diving boards or diving platforms and the corresponding water depths and clearances shall be in accordance with the "Rules and Laws Governing Swimming, Diving, Water Polo and Synchronized Swimming" published in 1984 by FINA.

### 3.11.5. Ramps into Public Pools in B2 Institutional Occupancies

#### 3.11.5.1. Ramps into Pools

(1) Despite Sentences 3.11.3.1.(4) and (7) and Clause 3.11.3.1.(8) (a), where a public pool is constructed in a building containing a Group B, Division 2, major occupancy, and has a water depth not exceeding 1.5 m and a water surface area not exceeding 100 m<sup>2</sup>, the pool deck contiguous to not more than 50 per cent of the total perimeter of the pool may be replaced by one or more ramps that will permit a bather seated in a wheelchair to enter the water with or without the wheelchair.

(2) Where a public pool has one or more ramps as described in Sentence (1), the pool shall be designed and constructed to comply with Sentences (3) to (8).

(3) A ramp referred to in Sentence (1) shall have

- (a) a handrail having a height between 800 mm and 900 mm along each side of the ramp and running parallel to the slope of the ramp,
- (b) a width of at least 1.1 m,
- (c) a curb or other means to prevent a wheelchair from falling off the side of the ramp,

(d) surface finishes capable of being kept clean, sanitary and free from slipperiness, and

(e) a landing at the bottom at least 1.5 m in length and the same width as the ramp.

(4) Despite Sentence 3.11.3.1.(24), a warning notice, on which is printed in letters at least 150 mm high, the words **CAUTION—NO DIVING**, shall be posted conspicuously on each wall or fence line enclosing the pool.

(5) There shall be a curb along the perimeter of the pool except at steps, ladders and ramp entrances.

(6) The curb shall have

- (a) a height of 50 mm,
- (b) rounded edges,
- (c) a coved base, and
- (d) a raised nosing at the top to serve as a fingerhold for a bather in the water.

(7) Where a ramp that is not submerged is adjacent to the pool wall and is used for access to the water, the pool shall be constructed so that

- (a) the landing at the bottom of the ramp is at least 450 mm but not more than 550 mm below the top of the wall separating the ramp from the pool,
- (b) the landing is equipped with a floor drain at its lowest point,
- (c) the top of the wall between the pool and the ramp is at least 250 mm and not more than 300 mm in width,

- (d) the *pool deck* is capable of accommodating a movable barrier separating the deck from the ramp,
  - (e) the water depth at the landing shall be accurately and clearly marked at the landing in figures at least 100 mm high on the top of the wall separating the pool from the ramp, and
  - (f) the ramp shall have a slope not exceeding 8 per cent.
- (8) Where a submerged ramp is adjacent to the pool wall and is used for access to the water, the pool shall be constructed so that
- (a) the water depth at the bottom of the ramp is at least 600 mm and not greater than 900 mm,
  - (b) a hard-surfaced area that is at least 750 mm wide is contiguous to the entire length of the part of the submerged ramp that pierces any part of the deck,
  - (c) the area described in Clause (b) is capable of accommodating a movable barrier that separates the area from the deck,
  - (d) the finishes in submerged portions of the ramps and curbs are different in colour or shade from each other and from that of the pool walls and bottom, and
  - (e) the submerged ramp has a slope not exceeding 11 per cent.

### 3.11.6. Modified Pools

#### 3.11.6.1. Construction Requirements

- (1) A *modified pool* is exempt from Sentences 3.11.3.1. (4) to (8), (11) to (13), (15) to (17), (20), (22) to (24) and Sentence 3.11.8.1.(12).
- (2) A *modified pool* shall be designed and constructed to comply with Sentences (3) to (9).
- (3) A *modified pool* and its *pool deck* shall be constructed of hard-surfaced material that permits thorough cleaning.
- (4) The slope of the bottom of any portion of a *modified pool* shall not exceed 8 per cent.
- (5) The depth of the water in any portion of a *modified pool* shall not be more than 1.8 m.
- (6) A *modified pool* shall be surrounded on all sides by a hard-surfaced *pool deck* that shall
  - (a) be at least 3 m wide,
  - (b) have a continuous crest surrounding the pool at least 100 mm above the pool water surface, and
  - (c) be sloped to shed water from the crest to the outer perimeter of the *pool deck*.
- (7) A *modified pool* shall be provided with two or more drain fittings covered with protective grilles with openings having an aggregate area of at least 10 times the internal cross-sectional area of the outlet pipe or pipes connected to the *recirculation system* that is capable of completely draining the pool.
- (8) Provision shall be made for lifeguard control stations adjacent to the edge of the water at intervals of not more than 60 m.
- (9) The bottom of a *modified pool* shall be marked with continuous black contour lines
  - (a) 150 mm wide located where the water depth is 600 mm, and
  - (b) 300 mm wide located where the water depth is 1.2 m.

### 3.11.7. Wave Action Pools

#### 3.11.7.1. Construction Requirements

- (1) A *wave action pool* is exempt from Sentences 3.11.3.1. (4) to (8), (11) to (13), (16), (17) and (22) and Sentence 3.11.8.1.(12).
- (2) A *wave action pool* shall be designed and constructed to comply with Sentences (3) to (11).
- (3) The slope of the bottom of any portion of a *wave action pool*
  - (a) shall not exceed 8 per cent where the still water depth is less than 1 m, and
  - (b) shall not exceed 11 per cent where the still water depth is 1 m or more.
- (4) The walls of a *wave action pool* shall be vertical from the water surface to within 150 mm of the bottom.
- (5) There shall be a hard-surfaced *pool deck* at least 3 m wide immediately adjacent to the pool wall at the shallow end of the pool and at least 1.5 m wide immediately adjacent to all walls of the pool.
- (6) Provision shall be made for two or more lifeguard control stations on each side of the *pool deck* adjacent to which the still water depth exceeds 1 m.
- (7) Sets of steps or ladders recessed into pool side walls and having continuous vertical grab bars on each side thereof shall be located at intervals of not more than 7.5 m along portions of the pool where the still water depth exceeds 1 m, except that no steps or ladders shall be located within 3 m of the corners at the deep end of the pool.
- (8) Except at recessed steps or ladders, the *pool deck* along each side of a *wave action pool* adjacent to which the water depth is 2.3 m or less shall be equipped with a barrier supported by posts or a wall that
  - (a) is 1 m in height,
  - (b) is located 1 m or less from the side of the pool, and
  - (c) has warning notices affixed thereto at intervals not exceeding 7.5 m signifying clearly that jumping and diving are prohibited along the sides of the pool.
- (9) Skimming devices shall be designed and suitably located to remove surface film when no waves are induced in a *wave action pool*.

(10) A system capable of deactivating the wave-making equipment shall be installed with readily accessible push buttons located on the *pool deck* not more than 30 m apart, adjacent to each side and the deep end of the pool.

(11) A *wave action pool* shall be equipped with a first-aid room located within 50 m of the pool.

### 3.11.8. Recirculation and Vacuum Systems for Public Pools

#### 3.11.8.1. Recirculation and Vacuum Systems

- (1) Every *public pool* shall be equipped with a *recirculation system* and vacuum system.
- (2) For the purposes of this Subsection, the water in a *public pool* and its *recirculation system* shall be deemed not to be *potable water*.
- (3) The water in a *public pool* and its *recirculation system* shall be separated from the *potable water* supply and from the sewer or drainage system into which it drains by air gaps or other devices that prevent

- (a) the water in the pool or its *recirculation system* from flowing back into the *potable water supply*, and
- (b) the water in the sewer or drainage system from flowing back into the pool or its *recirculation system*.

(4) The *recirculation system* and vacuum system of a *public pool* shall be designed, constructed and equipped to comply with Sentences (5) to (19).

(5) The *recirculation system* of a *public pool* shall be capable of filtering, disinfecting and passing through the pool each day a volume of water of at least

- (a) in the case of a Class A pool, other than a *modified pool* or a *wave action pool*, four times the total water volume of the pool,
- (b) in the case of a Class B pool, other than a *wave action pool*, three times the total water volume of the pool,
- (c) in the case of a *modified pool*, three times the total water volume of the pool, and
- (d) in the case of a *wave action pool*, six times the total water volume of the pool.

(6) A *recirculation system* shall be equipped with a flow meter registering the rate of water flow.

(7) A water meter shall be installed to register the volume of all *make-up water* added to a *public pool* or its *recirculation system*.

(8) Equipment shall be installed to continuously disinfect the water in a *public pool* by means of,

- (a) a chlorination or hypochlorination system provided with a means for regulating the dosage of chlorine and capable of providing not less than
  - (i) in the case of an *outdoor pool*, other than a *wave action pool*, 300 g of chlorine per day per 10 000 L of total pool capacity,
  - (ii) in the case of an *indoor pool*, other than a *wave action pool*, 200 g of chlorine per day per 10 000 L of total pool capacity,
  - (iii) in the case of an outdoor *wave action pool*, 800 g of chlorine per day per 10 000 L of total pool capacity, and
  - (iv) in the case of an indoor *wave action pool*, 600 g of chlorine per day per 10 000 L of total pool capacity, or

- (b) a bromination system capable of maintaining in the pool water a total bromine residual of 3 mg/L.

(9) Gas chlorination equipment for a *public pool* shall contain a mechanism whereby the chlorine feed shall automatically terminate whenever the *recirculation system* ceases to supply *clean water* to the pool.

(10) All exposed *potable water* piping and chlorine piping within a *public pool* water treatment *service room* shall be colour coded by means of

- (a) painting the entire outer surface of the piping, or
- (b) coloured bands at least 25 mm in width that are spaced along the piping at intervals of not more than 1.2 m.

(11) The colour coding referred to in Sentence (10) shall be yellow for chlorine and green for *potable water*.

(12) Except for a *modified pool* and *wave action pool*, a *public pool* shall be equipped with overflow gutters or surface skimmers connected to the *recirculation system* that are capable of removing surface film from the surface of the water and withdrawing each day and discharging to the waste drains up to 15 per cent of the total volume of pool water.

(13) A *public pool* shall be equipped with *clean water* inlets arranged in conjunction with surface skimmers or overflow gutters to provide uniform distribution and circulation of *clean water*.

(14) All drainage fittings in a *public pool* shall be equipped with grilles or anti-vortex covers securely held in place by corrosion resistant fastenings that require a tool for removal and are galvanically compatible with the fittings and grilles or covers.

(15) Except as provided in Sentence 3.11.6.1.(7) for a *modified pool* and for a pool that has a *recirculation system* flow rate of 3.0 L/s or less, a *public pool* shall

- (a) be provided with two or more main drains separated by at least 1.2 m, and
- (b) be capable of being emptied through the drains in twelve hours or less.

(16) Where a *public pool* has a *recirculation system* flow rate of 3.0 L/s or less, the pool shall

- (a) be provided with one or more main drains, and
- (b) be capable of being emptied through the drain or drains in twelve hours or less.

(17) Except as provided in Sentence 3.11.6.1.(7) for a *modified pool*, the area of the openings in each main drain cover shall be such that the flow of water does not exceed

- (a) 0.45 m/s through the openings of a grille, and
- (b) 1.80 m/s through the openings of an anti-vortex fitting.

(18) The flow rate used to calculate the velocity referred to in Sentence (17) shall be the maximum possible rate of flow through the main drain taking into account all connections to the main drain and shall be calculated by adding the *recirculation* flow rate during normal operation of the pool to any additional flow caused by fixtures that draw water from the main drain.

(19) A *public pool* shall be equipped with a vacuum system for cleaning submerged surfaces.

### 3.11.9. Dressing Rooms, Locker Facilities and Plumbing Facilities for all Public Pools

#### 3.11.9.1. Dressing Rooms and Sanitary Facilities

(1) Except as otherwise permitted in Sentences (2) and (3), every *public pool* shall be equipped with dressing rooms, locker rooms, shower heads, water closets, urinals, lavatories and drinking fountains which shall be designed, constructed and equipped to comply with Sentences (4) to (14).

(2) Where a Class A pool is installed on the premises of a *recreational camp*, dressing rooms, locker rooms, shower heads, water closets, urinals, lavatories and drinking fountains are not required if

- (a) dressing, water closet and shower facilities are conveniently available for bathers elsewhere on the premises, and
- (b) foot sprays are provided in accordance with Sentence 3.11.3.1.(16).

(3) Where a Class B pool is installed, dressing rooms, locker



rooms, shower heads, lavatories, water closets, drinking fountains and urinals are not required if

- (a) dressing, water closet and shower facilities are conveniently available elsewhere on the premises for bathers when the pool is open for use, and
  - (b) foot sprays are provided in accordance with Sentence 3.11.3.1.(16).
- (4) The minimum number of water closets, urinals and lavatories shall be determined from Article 3.6.4.2. and Table 3.6.4.D. for an *occupant load* based on
- (a) the formula in Sentence 3.1.16.3.(1) for all *public pools*, except a *wave action pool*, or
  - (b) the formula in Sentence 3.1.16.3.(2) for a *wave action pool*.
- (5) A minimum of one shower head shall be provided for every 40 bathers.
- (6) Where dressing and locker rooms, water closets and urinals are provided in conjunction with a *public pool*, they shall be located in such a manner that bathers, after using them, shall pass through or by a shower area to reach the *pool deck*.
- (7) All shower heads shall be supplied with *potable water* at a pressure of at least 140 kPa.
- (8) The shower water system shall have one or more tempering devices capable of being adjusted to ensure that water supplied to shower heads does not exceed 40°C.

(9) Floors in washrooms, shower areas and passageways used by bathers shall slope to waste drains at not less than 1 per cent and shall be of hard surfaced materials that do not become slippery when wet.

(10) Joints between floors and walls shall be coved in areas described in Sentence (9) and in dressing and locker rooms.

(11) Hose bibs shall be provided in safe locations convenient for flushing down the walls and floors in washrooms, shower areas and passageways used by bathers.

(12) Partitions or walls shall be provided to ensure privacy of dressing rooms, washrooms and shower areas.

(13) The bottom of interior partitions in dressing rooms and washrooms shall be between 250 mm and 350 mm above the floor.

(14) Dressing and locker room floors shall have non-slip surfaces that permit convenient and thorough cleaning and disinfecting.

### 3.11.10. Emergency Provisions for all Public Pools

#### 3.11.10.1. Lighting and Emergency Provisions

(1) Except as provided in Sentences (2) and (3), rooms and spaces used by the public in conjunction with a *public pool* shall be capable of illumination to levels in compliance with Subsection 3.2.7.

(2) Dressing rooms, locker rooms, shower rooms, washrooms and passageways shall have an illumination level of at least 200 lx at floor level.

(3) An *indoor pool* or an *outdoor pool* that is intended to be open for use after sundown shall be equipped with a lighting system

- (a) that will maintain at any point on the *pool deck* and on the pool water surface an illumination level of at least,
  - (i) 200 lx in the case of an *indoor pool*, and

- (ii) 100 lx in the case of an *outdoor pool*, and

- (b) that makes the underwater areas of the pool clearly visible from any point on the *pool deck*.

(4) An *outdoor pool* that is intended to be open for use after sundown and an *indoor pool* shall be equipped with an independent emergency lighting system that automatically operates whenever the normal electrical power supply to a *public pool* lighting system fails.

(5) The independent emergency lighting system required in Sentence (4) shall be capable of illuminating the *pool deck*, washroom, shower, locker areas, pool water surface and all means of egress to a level of at least 10 lx.

(6) An emergency power supply for the emergency lighting system required in Sentence (4) shall comply with Sentences 3.2.7.4.(1) and 3.2.7.7.(1) and Article 3.2.7.5.

(7) An emergency telephone directly connected to an emergency service or to the local telephone utility shall be installed adjacent to the *pool deck* of every Class A pool.

(8) A telephone accessible for emergency use shall be installed for every Class B pool within 30 m of the pool.

(9) Every *wave action pool* shall have a public address system which shall be clearly audible in all portions of the pool.

(10) Every *wave action pool* shall have a communication system for the use of persons engaged in supervision or operation of the pool which shall be interconnected with each lifeguard control station, the first-aid room and the bather admission control centre.

(11) The public address system and the communication system described in Sentences (9) and (10) shall be interconnected.

### 3.11.11. Service Rooms and Storage for all Public Pools

#### 3.11.11.1. Service Rooms and Storage Facilities

(1) In addition to the requirements of this Subsection, *service rooms* shall comply with the requirements of Sentences 3.5.2.1.(3), 3.5.2.1.(4) and 3.5.2.2.(3) and Articles 3.5.2.3. and 3.5.2.4.

(2) Where compressed chlorine gas is used as a pool water disinfectant, the cylinders or containers of gas shall be located in a *service room* that

- (a) except as provided in Sentences 3.1.9.4.(3) to (8), is separated from the remainder of the *building* by a 1 h *fire separation* that is substantially gas tight,
- (b) is designed for the sole purpose of containing all installed pressurized chlorine gas apparatus and piping and storing all chlorine gas containers or chlorine gas cylinders that are individually secured against toppling,
- (c) is located at or above ground level,
- (d) is provided with an *exit* door opening to the outdoors,
- (e) has screened openings to the outdoors with at least one opening located within 150 mm from the floor and at least one opening located within 150 mm from the ceiling, each opening being 2 per cent of the area of the floor,
- (f) is equipped with emergency mechanical ventilation capable of producing at least 30 air changes per hour, taking suction at a maximum of 900 mm above the floor level and discharging at least 2.50 m above ground level directly to the outdoors, and
- (g) contains a platform weigh scale of at least 135 kg capacity for each chlorine cylinder in use.

(3) Storage facilities shall be provided for the safe storage of all chemicals required in pool operations.

(4) The storage facilities shall be ventilated and shall be equipped with a water hose connection and a floor drain.

(5) *Service rooms* and storage facilities, including rooms and facilities that contain electrical or mechanical equipment or chemicals or chemical feeders, shall be equipped with a secure locking device.

## Part 4

### Structural Design

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## Part 4

### Structural Design

#### Section 4.1 Structural Loads and Procedures

##### 4.1.1. General

4.1.1.1. **Scope.** The scope of this Part shall be as described in Section 2.1.

##### 4.1.1.2. Definitions

- (1) Reserved.
- (2) Reserved.

##### 4.1.1.3. Design Requirements

- (1) *Buildings* and their structural members including formwork

and falsework shall be designed to have sufficient structural capacity and structural integrity to resist safely and effectively all loads and effects of loads and influences that may reasonably be expected, having regard to the expected service life of *buildings*, and shall in any case satisfy the requirements of this Section.

(2) All permanent and temporary structural members, including formwork and falsework of a *building*, shall be protected against loads exceeding the specified loads during the construction period except when, as verified by analysis or test, temporary overloading of a structural member would result in no impairment of that member or any other member.

(3) Falsework shall be designed in conformance with CSA S269.1, "Falsework for Construction Purposes".

(4) Precautions shall be taken during all stages of construction to ensure that the *building* is not damaged or distorted due to loads applied during construction.

##### 4.1.1.4. Design Basis

(1) *Buildings* and their structural members shall be designed by one of the following methods,

- (a) standard design procedures and practices provided by this Part and any standards and specifications referred to therein, except in cases of conflict the provisions of the *building code* shall govern; or
- (b) one of the following three bases of design,
  - (i) analysis based on generally established theory,
  - (ii) evaluation of a given full-scale structure or a prototype by a loading test,
  - (iii) studies of model analogues,

provided the design is carried out by a person qualified in the specific method applied and provided the design ensures a level of safety and performance at least equivalent to that provided for or implicit in design carried out by the methods referred to in Clause (a).

(2) Communications towers, dish antennas and their supporting structures shall conform to CAN3-S37 "Antennas, Towers, and Antenna Supporting Structures".

##### 4.1.1.5. Deflections

(1) In proportioning structural members to limit deflection, consideration shall be given to

- (a) the intended use of the *building* or member,
- (b) limiting damage to non-structural members and materials whose physical properties are known at the time of the design, and
- (c) limiting damage to the structure itself.

(2) Sway effects produced by vertical loads acting on the structure in its displaced configuration shall be taken into account in the design of *buildings* and their structural members.

(3) Deflections listed in Sentence (1) shall be taken into account in all structures and structural members made of material susceptible to deflections, deformations or changes in load distribution due to creep, shrinkage or other effects in the materials of which they are composed.

(4) The lateral deflection of *buildings* due to design wind and gravity loads shall be checked to ensure that nonstructural elements whose nature is known at the time the structural design is carried out will not be damaged.

(5) Except as provided in Sentence (6), the total drift per storey under specified wind and gravity loads shall not exceed 1/500 of the storey height unless other drift limits are specified in the design standards referenced in Section 4.3.

(6) The deflection limits required in Sentence (5) do not apply to industrial buildings or sheds if it is known by experience that greater movement will have no significantly adverse effect on the strength and function of the building.

#### 4.1.1.6. Vibrations

(1) Floor systems susceptible to vibrations shall be designed so that there will be no significantly adverse effects on the intended occupancy of the building from vibrations.

(2) Unusually flexible buildings and buildings whose ratio of height to minimum effective width exceeds 4 to 1 shall be designed so that there will be no significantly adverse effects on the intended occupancy of the building from vibrations under dynamic wind load.

**4.1.1.7. Stability.** Provision shall be made to ensure adequate stability of a structure as a whole, and adequate lateral, torsional and local stability of all structural parts.

**4.1.1.8. Reserved.**

#### 4.1.2. Specified Loads and Effects

##### 4.1.2.1. Loads, Forces and Effects

(1) Except as provided for in Article 4.1.2.2., the following specified loads, forces and effects shall be considered in the design of a building and its structural members and connections

**D**— dead loads as provided for in Subsection 4.1.5.

**L**— live load due to intended use and occupancy (includes vertical loads due to cranes); snow, ice and rain; earth and hydrostatic pressure; horizontal components of static or inertia forces.

**Q**— live load to wind or earthquake, whichever produces the more unfavourable effect.

**T**— loads due to contraction or expansion caused by temperature changes, shrinkage, moisture changes, creep in component materials, movement due to differential settlement or combination thereof.

(2) Minimum specified values of these loads, as set forth in Subsections 4.1.5. to 4.1.10., shall be increased to account for dynamic effects where applicable.

##### 4.1.2.2. Loads Not Listed

(1) Where a building or structural member can be expected to be subjected to loads, forces or other effects not listed in Article 4.1.2.1., such effects shall be taken into account in the design based on the most appropriate information available.

(2) If it can be shown by engineering principles, or if it is known from experience, that neglect of some or all of the effects due to T do not affect the structural safety and serviceability, they need not be considered in the calculations.

**4.1.2.3. Structural Design.** Structural design shall be carried out in accordance with Subsection 4.1.3 or 4.1.4.

#### 4.1.3. Working Stress Design

**4.1.3.1. Load Combinations.** In designing buildings and their structural members, all of the loads listed in Article 4.1.2.1. shall be considered to act in the following combinations, whichever combination produces the most unfavourable effects in the building, foundation or

structural member concerned, when appropriately reduced according to Article 4.1.3.2.:

- (a) **D**
- (b) **D + L**
- (c) **D + Q**
- (d) **D + T**
- (e) **D + L + Q**
- (f) **D + L + T**
- (g) **D + Q + T**
- (h) **D + L + Q + T**

in which Q is the specified wind load or two-thirds of the specified earthquake load.

**4.1.3.2. Load Combination Factors.** The total of the combined load effects may be multiplied by the following load combination factors:

- (a) 1.0 for the combinations in Clauses 4.1.3.1.(1)(a) to (d),
- (b) 0.75 for the combinations in Clauses 4.1.3.1.(1)(e) to (g), and
- (c) 0.66 for the combination in Clause 4.1.3.1.(1)(h).

**4.1.3.3. Stress Reversal.** When loads other than D counteract D in a structural member or joint, special caution shall be exercised by the designer to ensure adequate safety for possible stress reversal.

##### 4.1.3.4. Overturning and Sliding

(1) A building shall be proportioned to resist an overturning moment and sliding force of not less than twice that due to the loads acting on the structure when the structure is considered as an entire unit acting on or anchored to its bearing stratum or supporting structure.

(2) The resistance to overturning shall be calculated as the sum of the stabilizing moment of the dead load only, plus the ultimate resistance of any anchoring devices.

#### 4.1.4. Limit States Design

**4.1.4.1. Definitions.** In this Subsection, the term

- (a) limit states means those conditions of a building structure in which the building ceases to fulfil the function for which it was designed,
- (b) specified loads (**D**, **L**, **Q** and **T**) mean those loads defined in Article 4.1.2.1. and given in this Section,
- (c) load factor,  $\alpha$ , means a factor in Sentence 4.1.4.2.(4) applied to a specified load which, for the limit states under consideration, takes into account the variability of the loads and load patterns and analysis of their effects,
- (d) factored load means the product of a specified load and its load factor,
- (e) load combination factor,  $\psi$ , means a factor in Sentences 4.1.4.2.(5) and (6) applied to the factored loads other than dead load to take into account the reduced probability of a number of loads from different sources acting simultaneously,
- (f) importance factor,  $\gamma$ , means a factor in Sentence 4.1.4.2.(7) applied to the factored loads other than dead load to take

into account the consequences of collapse as related to the use and *occupancy* of the *building*,

- (g) resistance,  $R$ , of a member, connection or structure is based on the dimensions and on the specified properties of the structural materials,
- (h) resistance factor,  $\phi$ , means a factor applied to a specified material property or to the resistance of a member, connection or structure which for the limit state under consideration takes into account the variability of dimensions and material properties, workmanship, type of failure and uncertainty in the prediction of resistance, and
- (i) factored resistance means the product of resistance and the applicable resistance factor.

#### 4.1.4.2. Safety Check for Strength and Stability

(1) A *building* and its structural components shall be designed to have sufficient strength and stability so that the factored resistance is greater than or equal to the effect of factored loads, as required in Sentence (3).

(2) In cases of overturning, uplift and sliding, anchorage is required if the effect of loads tending to cause overturning, uplift or sliding, multiplied by load factors greater than 1.0 given in Sentence (4), is greater than the stabilizing effect of *dead load* multiplied by a load factor of 0.85 as given in Sentence (4).

(3) The effect of factored loads is the structural effect due to the specified loads multiplied by load factors,  $\alpha$ , in Sentence (4), a load combination factor,  $\psi$ , in Sentences (5) and (6) and an importance factor,  $\gamma$ , in Sentence (7), and the factored load combinations shall be taken as

$$\alpha_d D + \gamma \Psi [\alpha_l L + \alpha_q Q + \alpha_t T]$$

- (4) The load factors,  $\alpha$ , shall be equal to
  - (a)  $\alpha_d = 1.25$  except that when the *dead load* resists overturning, uplift or reversal of load effect,  $\alpha_d = 0.85$ ,
  - (b)  $\alpha_l = 1.5$ ,
  - (c)  $\alpha_q = 1.5$  for wind or 1.0 for earthquake, and
  - (d)  $\alpha_t = 1.25$ .
- (5) The load combination factor,  $\Psi$ , shall be equal to
  - (a) 1.0 when only 1 of the loads  $L$ ,  $Q$  and  $T$  in Sentence 4.1.2.1.(1) acts,
  - (b) 0.70 when 2 of the loads  $L$ ,  $Q$  and  $T$  in Sentence 4.1.2.1.(1) act, and
  - (c) 0.60 when all of the loads  $L$ ,  $Q$  and  $T$  in Sentence 4.1.2.1.(1) act.
- (6) The most unfavourable effect shall be determined by considering the loads  $L$ ,  $Q$  and  $T$  in Sentence 4.1.2.1.(1) acting alone with  $\Psi = 1.0$  or in combination with  $\Psi = 0.70$  or 0.60.
- (7) The importance factor,  $\gamma$ , shall be not less than 1.0 for all *buildings*, except that for *buildings* where it can be shown that collapse is not likely to cause injury or other serious consequences, it shall be not less than 0.8.

#### 4.1.4.3. Serviceability and Fatigue

(1) A *building* and its structural components shall be checked for serviceability limit states as defined in Clause 4.1.4.1.(1)(a) and fatigue under the effect of the specified loads as required in the standards described in Section 4.3.

(2) Where more than 1 load contributes to the stress in a member, the combination of loads shall be assumed to be

$$D + \Psi(L + Q + T)$$

where  $\Psi$  is in conformance with Sentences 4.1.4.2.(5) and (6).

#### 4.1.5. Dead Loads

##### 4.1.5.1. Dead Loads

(1) The specified *dead load* for a structural member consists of

- (a) the weight of the member itself,
- (b) the weight of all materials of construction incorporated into the *building* to be supported permanently by the member,
- (c) the weight of *partitions*,
- (d) the weight of permanent equipment, and
- (e) forces due to prestressing.

(2) Except as provided in Sentence (5), in areas of a *building* where *partitions* other than permanent *partitions* are shown on the drawings, or where *partitions* might be added in the future, allowance shall be made for the weight of such *partitions*.

(3) The *partition* weight allowance in Sentence (2) shall be determined from the actual or anticipated weight of the *partitions* placed in any probable position, but shall be not less than 1 kPa over the area of floor being considered.

(4) *Partition* loads used in design shall be shown on the drawings in sufficient detail to enable the loads due to materials of construction incorporated in the *building* to be determined.

(5) In cases where the *dead load* is counteractive, the load allowances as provided in Sentences (2) and (3) shall not be included in the design calculations.

#### 4.1.6. Live Loads Due to Use and Occupancy

**4.1.6.1. Loads Due to Use of Floors and Roofs.** The specified *live load* on an area of floor or roof depends on the intended use and *occupancy*, and shall not be less than the uniformly distributed load patterns in Article 4.1.6.3., the loads resulting from the intended use or the concentrated loads in Article 4.1.6.10., whichever produces the most critical effect.

**4.1.6.2. Uses Not Stipulated.** Where the use of an area of floor or roof is not provided for in Article 4.1.6.3., the specified *live loads* due to the use and *occupancy* of the area shall be determined from an analysis of the loads resulting from

- (a) the weight of the probable assembly of persons,
- (b) the weight of the probable accumulation of equipment and furnishings, and
- (c) the weight of the probable storage of materials.

**4.1.6.3. Full and Partial Loading.** The uniformly distributed load shall be not less than the values listed in Table 4.1.6.A., reduced as may be provided for in Article 4.1.6.9., applied uniformly over the entire area, or on any portions of the area, whichever produces the most critical effects in the members concerned.

**Table 4.1.6.A.**  
Forming Part of Article 4.1.6.3.

Specified Uniformly Distributed Live Loads on an Area of Floor or Roof	
Use of Area of Floor or Roof	Minimum Specified Load, kPa
Assembly Areas	
(a) Except for those areas listed under (b) and (c), assembly areas with or without fixed seats including Arenas Auditoria Churches Dance floors Dining areas (4) Foyers and entrance halls Grandstands, reviewing stands and bleachers Gymnasia Museums Promenades Rinks Stadia Stages Theatres and other areas with similar uses	4.8
(b) Assembly areas with fixed seats that have backs over at least 80 percent of the assembly area for the following uses: Churches Courtrooms Lecture halls Theatres	2.4
(c) Classrooms with or without fixed seats	2.4
Attics Accessible by a stairway in <i>residential occupancies</i> only	1.4
Having limited accessibility so that there is no storage of equipment or materials	0.5
Balconies, exterior	4.8
Balconies, interior and <i>mezzanines</i> that could be used for the assembly of people as a viewing area	4.8
Balconies, interior other than above	(1)
<i>Mezzanines</i> other than above	(1)
Corridors, lobbies and aisles other than those listed below	4.8
Corridors, lobbies and aisles not over 1200 mm, in width and all upper floor corridors of residential areas only of apartments, hotels and motels (that can not be used for the assembly of people as a viewing area)	(1)
Equipment areas and <i>service rooms</i> including Generator rooms Mechanical equipment exclusive of elevators Machine rooms Pump rooms Transformer vaults Ventilating or air-conditioning equipment	3.6 (2)
Column 1	2

**Table 4.1.6.A.—Continued**  
Forming Part of Article 4.1.6.3.

Specified Uniformly Distributed Live Loads on an Area of Floor or Roof	
Use of Area of Floor or Roof	Minimum Specified Load, kPa
Exits and fire escapes	4.8
Factories	6.0 (2)
Footbridges	4.8
Garages for Passenger cars Unloaded buses and light trucks Loaded buses and trucks and all other trucking spaces	2.4 6.0 12.0
Kitchens (other than residential)	4.8
Libraries Stack rooms Reading and study rooms	7.2 2.9
Office areas in office <i>buildings</i> and other <i>buildings</i> (not including record storage and computer rooms) located in <i>Basement</i> and first floor Floors above first floor	4.8 2.4
Operating rooms and laboratories	3.6
Patients' bedrooms	1.9
Recreational areas that cannot be used for assembly purposes including Billiard rooms Bowling alleys Pool rooms	3.6
Residential areas (within the scope of Article 2.1.1.2.) Sleeping and living quarters in apartments, <i>hotels</i> , motels, boarding schools and colleges	1.9
Residential areas (within the scope of Article 2.1.1.3.) Bedrooms Other areas Stairs within <i>dwelling units</i>	1.4 1.9 1.9
Retail and wholesale areas	4.8
Roofs	1.0 (3)
Sidewalks and driveways over areaways and <i>basements</i>	12.0
Storage areas	4.8 (2)
Toilet areas	2.4
Underground slabs with earth cover	(2)
Warehouses	4.8 (2)
Column 1	2

**Notes to Table 4.1.6.A.:**

- (1) See Article 4.1.6.4.  
(2) See Article 4.1.6.7.  
(3) See Article 4.1.7.1.

(4) See Article 4.1.6.6.

**4.1.6.4. Loads for Occupancy Served.** Corridors, lobbies and aisles not over 1 200 mm in width, all upper floor corridors of residential areas of apartments, hotels and motels and interior balconies and *mezzanines* shall be designed to carry not less than the specified load required for the *occupancy* they serve provided they can not be used for the assembly of people as a viewing area.

**4.1.6.5. Loads on Exterior Areas**

(1) Exterior areas accessible to vehicular traffic shall be designed for their intended use including the weight of fire fighting equipment, but not less than the *live loads* due to snow, ice and rain prescribed in Subsection 4.1.7.

(2) Exterior areas accessible to pedestrian traffic, but not vehicular traffic, shall be designed for their intended use, but not less than

- (a) the *live load* prescribed for assembly areas in Table 4.1.6.A., and
- (b) the *live loads* due to snow, ice and rain as prescribed in Subsection 4.1.7.

**4.1.6.6. Loads for Dining Areas.** The minimum specified load in Table 4.1.6.A. for dining areas may be reduced to 2.4 kPa for dining areas in *buildings* that have been converted for such purposes provided that the *floor area* does not exceed 100 m<sup>2</sup> and use of the dining area for other assembly purposes including dancing is precluded.

**4.1.6.7. Floor Loads Due to Intended Use.** Equipment areas and *service rooms*, factories, storage areas and warehouses shall be designed for the loads due to their intended use but not less than the specified loads listed in Table 4.1.6.A.

**4.1.6.8. More Than One Occupancy.** Where an area of floor or roof is intended for 2 or more *occupancies* at different times, the value to be used from Table 4.1.6.A. shall be the greatest value for any of the *occupancies* concerned.

**4.1.6.9. Variation with Tributary Area**

(1) Where a structural member supports a tributary area of floor, roof or combination thereof greater than 80 m<sup>2</sup> used for *assembly occupancies* designed for a *live load* of 4.8 kPa or more, or for storage, manufacturing, retail stores, garages or as a footbridge, the specified *live load* due to use and *occupancy*, excluding snow, is the load provided for in Article 4.1.6.3. multiplied by

$$0.5 + \sqrt{20/A}$$

where A is the tributary area in square metres for this type of use and *occupancy*, excluding the area supporting snow.

(2) Where a structural member supports a tributary area of floor, roof or combination of these greater than 20 m<sup>2</sup> for any use or *occupancy* other than *assembly occupancies* and those indicated in Sentence (1), the specified *live load* due to use and *occupancy*, excluding snow, is the load provided for in Article 4.1.6.3. multiplied by

$$0.3 + \sqrt{9.8/B}$$

where B is the tributary area in square metres for this type of use and *occupancy* excluding the area supporting snow.

**4.1.6.10. Concentrated Loads.** The specified load due to possible concentrations of load resulting from the use of an area of floor or roof shall not be less than that listed in Table 4.1.6.B. applied over an area of 750 mm by 750 mm located so as to cause maximum effects, except that for *occupancies* not listed in Table 4.1.6.B. the concentrations of load shall be determined in accordance with Article 4.1.6.2.

**Table 4.1.6.B.**  
Forming Part of Article 4.1.6.10.

Specified Concentrated Live Loads on an Area of Floor or Roof	
Area of Floor or Roof	Minimum Specified Concentrated Load, kPa
Roof surfaces	1.3
Floors of classrooms	4.5
Floors of offices, manufacturing <i>buildings</i> , hospital wards and stages	9.0
Floors and areas used by passenger cars	11
Floors and areas used by vehicles not exceeding 3600 kg gross weight	18
Floors and areas used by vehicles exceeding 3600 kg but not exceeding 9000 kg gross weight	36
Floors and areas used by vehicles exceeding 9000 kg gross weight	54
Driveways and sidewalks over areaways and <i>basements</i>	54
Column 1	2

**4.1.6.11. Bleacher Seats.** Bleacher seats shall be designed for a uniformly distributed load of 1.75 kN for each linear metre or for a concentrated load of 2.2 kN distributed over a length of 0.75 m, whichever produces the greatest effect on the supporting members.

**4.1.6.12. Helicopter Landing Areas.** Helicopter landing areas on roofs shall be constructed in conformance with "Heliport and Heli-deck Standards and Recommended Practices", third edition, 1985, published by Transport Canada.

**4.1.6.13. Roof Parking Decks.** Roof parking decks shall be designed for the uniformly distributed loads in Table 4.1.6.A., the concentrated loads in Table 4.1.6.B. or the roof snow load, whichever produces the greatest effect in the members concerned.

**4.1.7. Live Loads Due to Snow, Ice and Rain**

**4.1.7.1. Specified Snow Loading**

(1) The specified loading, S, due to snow accumulation on a roof or any other *building* surface subject to snow accumulation shall be calculated from the formula

$$S = S_g(C_b \cdot C_w \cdot C_s \cdot C_a) + S_r$$

where  $S_g$  is the ground snow load in kPa, determined in accordance with Subsection 2.5.1.,

$S_r$  is the associated rain load in kPa determined in accordance with Subsection 2.5.1., but not greater than  $S_g(C_b \cdot C_w \cdot C_s \cdot C_a)$ ,

$C_b$  is the basic roof snow load factor of 0.8,

$C_w$  is the wind exposure factor in Sentences (2) and (3),

$C_s$  is the slope factor in Sentences (4), (5) and (6), and

$C_a$  is the accumulation factor in Sentence (7).

(2) Except as provided for in Sentence (3), the wind exposure factor,  $C_w$ , shall be 1.0.

(3) The wind exposure factor in Sentence (2) may be reduced to 0.75, or in exposed areas north of the treeline to 0.5, where

- (a) the *building* is in an exposed location, so that the roof is exposed to the winds on all sides, with no obstructions higher than the roof located closer to the *building* than a distance equal to 10 times the height of the obstruction above the roof,
- (b) the area of roof under consideration is exposed to the wind on all sides with no significant obstructions on the roof, such as parapet walls, within a distance of at least 10 times the difference between the height of the obstruction and  $C_s \cdot C_w \cdot S_e / \gamma$  metres, where  $\gamma$  is the unit weight of snow on roofs, and
- (c) the loading does not involve accumulation of snow due to drifting from adjacent surfaces.
- (4) Except as provided for in Sentences (5) and (6), the slope factor,  $C_s$ , shall be
- (a) 1.0 when the roof slope,  $\alpha$ , is equal to or less than  $30^\circ$ ,
- (b)  $(70^\circ - \alpha)/40^\circ$  when  $\alpha$  is greater than  $30^\circ$ , but not greater than  $70^\circ$ , and
- (c) 0 when  $\alpha$  exceeds  $70^\circ$ .
- (5) The slope factor,  $C_s$ , for unobstructed slippery roofs where snow and ice can slide completely off the roof shall be
- (a) 1.0 when the roof slope,  $\alpha$ , is equal to or less than  $15^\circ$ ,
- (b)  $(60^\circ - \alpha)/45^\circ$  when  $\alpha$  is greater than  $15^\circ$ , but not greater than  $60^\circ$ , and
- (c) 0 when  $\alpha$  exceeds  $60^\circ$ .
- (6) The slope factor,  $C_s$ , shall be 1.0 when used in conjunction with accumulation factors for increased snow load as given in Subclauses (7)(b)(ii) and (7)(b)(v).
- (7) The accumulation factor,  $C_a$ ,
- (a) shall be 1.0, and
- (b) where appropriate for the shape of the roof, assigned other values which account for
- (i) non-uniform snow loads on gable, arched or curved roofs and domes,
- (ii) increased snow loads in valleys,
- (iii) increased non-uniform snow loads due to snow drifting onto a roof which is at a level lower than other parts of the same *building* or at a level lower than another *building* within 5 m of it,
- (iv) increased non-uniform snow loads on areas adjacent to roof projections, such as penthouses, large *chimneys* and equipment, and
- (v) increased snow or ice loads due to snow sliding or drainage of meltwater from adjacent roofs.

#### 4.1.7.2. Full and Partial Loading

(1) A roof or other *building* surface and its structural members subject to loads due to snow accumulation shall be designed for the specified load in Sentence 4.1.7.1.(1), distributed over the entire loaded area.

(2) In addition to the distribution in Sentence (1), flat roofs and shed roofs, gable roofs of  $15^\circ$  slope or less and arched or curved roofs with rise to span ratios equal to or less than 1/10 shall be designed for the specified uniform snow load in Sentence 4.1.7.1.(1), computed

using  $C_a = 1.0$ , distributed on any 1 portion of the loaded area, and half of this load on the remainder of the loaded area, in such a way as to produce the greatest effects on the member concerned.

#### 4.1.7.3. Specified Rain Load

(1) The specified load due to the accumulation of rain water on a surface, whose position and shape and deflection under load is such as to make such an accumulation possible, is that resulting from the 24 h rainfall determined in conformance with Subsection 2.5.1. over the horizontal projection of the surface and all tributary surfaces.

(2) The provisions of Sentence (1) apply whether or not the surface is provided with drainage, such as rain water leaders.

(3) Except as provided for in Sentence 4.1.7.1.(1), loads due to rain need not be considered to act simultaneously with loads due to snow.

#### 4.1.8. Live Loads Due to Wind

##### 4.1.8.1. Specified Wind Loading

(1) The specified external pressure or suction due to wind on part or all of a surface of a *building* shall be calculated from

$$p = qC_eC_gC_p$$

where  $p$  = the specified external pressure acting statically and in a direction normal to the surface either as a pressure directed towards the surface or as a suction directed away from the surface,

$q$  = the reference velocity pressure as provided for in Sentence (4),

$C_e$  = the exposure factor as provided for in Sentence (5),

$C_g$  = the gust effect factor as provided for in Sentence (6), and

$C_p$  = the external pressure coefficient averaged over the area of the surface considered.

(2) The net wind load for the *building* as a whole shall be the algebraic difference of the loads on the windward and the leeward surfaces, and in some cases may be calculated as the products of the external pressures or suctions and the areas of the surfaces over which they are averaged as provided in Sentence (1).

(3) The net specified pressure due to wind on part or all of a surface of a *building* shall be the algebraic difference of the external pressure or suction as provided for in Sentence (1) and the specified internal pressure or suction due to wind calculated from

$$p_i = qC_eC_gC_{pi}$$

where  $p_i$  = the specified internal pressure acting statically and in a direction normal to the surface either as a pressure (directed outwards) or as a suction (directed inwards),

$q, C_e, C_g$  are as provided for in Sentences (4), (5) and (6), respectively, except that  $C_e$  shall be evaluated at the *building* mid-height instead of the height of the element considered, and

$C_{pi}$  = the internal pressure coefficient.

(4) The reference velocity pressure,  $q$ , is the appropriate value determined in conformance with Subsection 2.5.1. for the following conditions:

- (a) the reference velocity pressure,  $q$ , for the design of cladding

shall be based on a probability of being exceeded in any one year of 1 in 10,

- (b) the reference velocity pressure,  $q$ , for the design of structural members for deflection and vibration shall be based on a probability of being exceeded in any one year of 1 in 10,
- (c) for all *buildings*, except those listed in Clause (d), the reference velocity pressure,  $q$ , for the design of structural members for strength shall be based on a probability of being exceeded in any one year of 1 in 30, and
- (d) the reference velocity pressure,  $q$ , for the design of structural members for strength for *post-disaster buildings* shall be based on a probability of being exceeded in any one year of 1 in 100.
- (5) The exposure factor  $C_e$  shall be
- (a) the value shown in Table 4.1.8.A. for the appropriate reference height for the surface or part of the surface,
- (b) the value of the function  $(h/10)^{1/5}$  but not less than 0.9 where  $h$  is the reference height above *grade* in metres for the surface or part of the surface, or
- (c) if a dynamic approach to the action of wind gusts is used, an appropriate value depending on both height and shielding.

**Table 4.1.8.A.**  
Forming Part of Sentence 4.1.8.1.(5)

Exposure Factor, $C_e$	
Height, m	Exposure Factor
Over 0 to 6	0.9
" 6 to 12	1.0
" 12 to 20	1.1
" 20 to 30	1.2
" 30 to 44	1.3
" 44 to 64	1.4
" 64 to 85	1.5
" 85 to 140	1.6
" 140 to 240	1.8
" 240 to 400	2.0
Column 1	2

- (6) The gust effect factor  $C_g$  is one of the following values:
- (a) 1.0 or 2.0 for internal pressures as appropriate,
- (b) 2.0 for the *building* as a whole and main structural members,
- (c) 2.5 for small elements including cladding, or
- (d) if a dynamic approach to the action of wind gusts is used, an appropriate value depending on the turbulence of the wind and the size and natural frequency of the structure.

**4.1.8.2. Dynamic Effects of Wind.** *Buildings* whose height is greater than 4 times their minimum effective width or greater than 120 m and other *buildings* whose light weight, low frequency and low damping properties make them susceptible to vibration shall be

- (a) designed by experimental methods for the danger of dynamic overloading and vibration and the effects of fatigue, or

- (b) designed using a dynamic approach to the action of wind gusts.

**4.1.8.3. Full and Partial Loading.** *Buildings* and structural members shall be capable of withstanding the effects of

- (a) the full winds acting along each of the two principal axes considered separately,
- (b) the wind loads as described in (a) but with 25 per cent of the load removed from any portion of the area,
- (c) the wind loads as described in (a) but considered simultaneously at 75 per cent of their full value, and
- (d) the wind loads as described in (c) but with 25 per cent of these loads removed from any portion of the area.

**4.1.8.4. Interior Walls and Partitions.** In the design of interior walls and *partitions* due consideration shall be given to differences in air pressure on opposite sides of the wall or *partition* which may result from

- (a) pressure differences between the windward and leeward sides of a *building*,
- (b) stack effects due to a difference in air temperature between the exterior and interior of the *building*, and
- (c) air pressurization by the mechanical services of the *building*.

**4.1.9. Live Loads Due to Earthquakes**

**4.1.9.1. Analysis**

(1) The specified loading due to earthquake motion shall be determined by the analysis given in this Subsection.

(2) In this Subsection

$A_r$  = response amplification to account for type of attachment of mechanical/electrical equipment, as defined in Sentence (17).

$A_x$  = amplification factor at level  $x$  to account for variation of response of mechanical/electrical equipment with elevation within the *building*, as defined in Sentence (17).

$C_p$  = seismic coefficient for mechanical/electrical equipment, as defined in Sentence (17).

$D$  = the dimension of the *building* in a direction parallel to the applied forces.

$D_n$  = plan dimension of the *building* in the direction of the computed eccentricity.

$D_s$  = dimension of wall or braced frame which constitutes the main lateral load-resisting system in a direction parallel to the applied forces.

$e$  = distance between the location of the resultant of all forces at and above the level being considered and the centre of rigidity at the level being considered.

$e_x$  = design eccentricity at level  $x$ .

$F$  = foundation factor as given in Sentence (11).

$F_t$  = portion of  $V$  to be concentrated at the top of the structure as defined in Sentence (13).

$F_x$  = lateral force applied to level  $x$ .



$h_i, h_n, h_x$  = the height above the base ( $i = 0$ ) to level "i", "n", or "x", respectively.

$h_s$  = interstorey height ( $h_i - h_{i-1}$ ).

$I$  = seismic importance factor of the structure, as described in Sentence (10).

$J$  = numerical reduction coefficient for base overturning moment as defined in Sentence (20).

$J_x$  = numerical reduction coefficient for moment at level "x" as defined in Sentence (21).

Level  $i$  = any level in the *building*,  $i = 1$  for first level above the base.

Level  $n$  = that level which is uppermost in the main portion of the structure.

Level  $x$  = that level which is under design consideration.

$M_{tx}$  = torsional moment at level  $x$ .

$N$  = the total number of *storeys* above exterior *grade* to level "n". ( $N$  is usually numerically equal to  $n$ .)

$R$  = force modification factor that reflects the capacity of a structure to dissipate energy through inelastic behaviour, as given in Sentence (8).

$S$  = seismic response factor, for unit value of zonal velocity ratio, as defined in Sentence (6).

$S_p$  = horizontal force factor for architectural part or portion of a *building* and its anchorage, as given in Table 4.1.9.D. and Sentence (16).

$T$  = fundamental period of vibration of the *building* or structure in seconds in the direction under consideration.

$U$  = factor representing level of protection based on experience, as specified in Sentence (4).

$v$  = zonal velocity ratio = the specified zonal horizontal ground velocity expressed as a ratio to 1 m/s.

$V$  = minimum lateral seismic force at the base of the structure, to be used with a load factor  $a_Q = 1.0$ .

$V_e$  = equivalent lateral force at the base of the structure representing elastic response, as specified in Sentence (5).

$V_p$  = lateral force on a part of the structure.

$W$  = *dead load* plus the following:  
25 per cent of the design snow load specified in Subsection 4.1.7.,  
60 per cent of the storage load for areas used for storage and the full contents of any tanks.

$W_i, W_x$  = that portion of  $W$  which is located at or is assigned to level "i" or "x", respectively.

$W_p$  = the weight of a part or portion of a structure, e.g. cladding, *partitions* and appendages.

$Z_a$  = acceleration-related seismic zone.

$Z_v$  = velocity-related seismic zone.

(3) Earthquake forces shall be assumed to act in any horizontal direction, except that independent design about each of the principal

axes shall be considered to provide adequate resistance in the structure for earthquake forces applied in any direction.

(4) The minimum lateral seismic force,  $V$ , shall be calculated in accordance with the following formula:

$$V = (V_e/R)U$$

where  $U = 0.6$ .

(5) The equivalent lateral seismic force representing elastic response,  $V_e$ , shall be calculated in accordance with the following formula:

$$V_e = v \cdot S \cdot I \cdot F \cdot W$$

where  $v$  is the zonal velocity ratio determined in conformance with Subsection 2.5.1., except when  $Z_v = 0$  and  $Z_a > 0$  the value of  $Z_v$  shall be taken as 1 and  $v$  as 0.05.

(6) The seismic response factor,  $S$ , shall conform to Table 4.1.9.A.:

**Table 4.1.9.A.**  
Forming Part of Sentence 4.1.9.1.(6)

Seismic Response Factors		
T	$Z_a/Z_v$	S
Not > 0.25	> 1.0	4.2
	1.0	3.0
	< 1.0	2.1
> 0.25 but < 0.50	> 1.0	4.2 - 8.4(T - 0.25)
	1.0	3.0 - 3.6(T - 0.25)
	< 1.0	2.1
≤ 0.50	All values	1.5/√T
Column 1	2	3

(7) The fundamental period,  $T$ , in Sentence (6) shall be determined by

(a) the formula  $0.1N$  where the lateral force-resisting system consists of a moment resisting space frame which resists 100 per cent of the required lateral forces and the frame is not enclosed by or adjoined by more rigid elements that would tend to prevent the frame from resisting lateral forces,

(b) the formula  $0.09h_n/\sqrt{D_s}$ , for other structures, where  $h_n$  and  $D_s$  are in metres, and  $D_s$  = length of wall or braced frame which constitutes the main lateral load resisting system in the direction parallel to the applied forces; if the main lateral load resisting system does not have a well-defined length, then  $D$  shall be used in lieu of  $D_s$ , or

(c) other established methods of mechanics provided they do not result in a value that exceeds 1.2 times the period calculated in Clause (a) or (b).

(8) Except as provided for in Sentences 4.1.9.3.(1), (2) and (3), values of the force modification factor,  $R$ , shall conform to Table 4.1.9.B.

**Table 4.1.9.B.**  
Forming Part of Sentence 4.1.9.1.(8)

Force Modification Factors		
case	Type of Lateral Load Resisting System	R
<b>Steel Structures Designed and Detailed According to CAN/CSA-S16.1-M</b>		
1	ductile moment-resisting space frame	4.0
2	ductile eccentrically braced frame	3.5
3	ductile braced frame	3.0
4	moment-resisting space frame with nominal ductility	3.0
5	braced frame with nominal ductility	2.0
6	other lateral-force-resisting systems not defined in Cases 1 to 5	1.5
<b>Reinforced Concrete Structures Designed and Detailed According to CAN3-A23.2-M</b>		
7	ductile moment-resisting space frame	4.0
8	ductile flexural wall	3.5
9	moment-resisting space frame with nominal ductility	2.0
10	wall with nominal ductility	2.0
11	other lateral-force-resisting systems not defined in Cases 7 to 10	1.5
<b>Timber Structures Designed and Detailed According to CAN/CSA-086.1-M</b>		
12	nailed shear panel with plywood, waferboard or strandboard	3.0
13	concentrically braced heavy timber space frame with ductile connections	2.0
14	moment-resisting wood space frame with ductile connections	2.0
15	other systems not included in Cases 12 to 14	1.5
<b>Masonry Structures Designed and Detailed According to CAN3-S304-M</b>		
16	reinforced masonry	1.5
17	unreinforced masonry	1.0
18	Other Lateral Load-resisting Systems not Defined in Cases 1 to 17	1.0
Column 1	2	3

(9) For the purpose of applying Table 4.1.9.B.

- a space frame shall mean a 3 dimensional structural system composed of interconnected members laterally supported so as to function as a completed self-contained unit with or without horizontal diaphragms,
- a ductile moment-resisting space frame shall mean a space frame that is designed to resist the specified seismic forces and that, in addition, has adequate ductility or energy-absorptive capacity,
- for combinations of different types of lateral-load-resisting systems acting in the same direction, R shall be taken as the lowest value of R corresponding to these systems except as given in Clause (d),
- if one of the lateral-load-resisting systems of the structure is designed to take 100 per cent of the lateral force, R can be selected as appropriate for the system; the components of the structure not considered to be part of the lateral-load-

resisting system must be capable of resisting their gravity loads under seismically induced deformation,

- if it can be demonstrated through research or experience that the seismic performance of a structural system is at least equivalent to one of Cases 1-5, 7-10, 12-14 or 16 in Table 4.1.9.B., then such a structural system will qualify for a value of R corresponding to the equivalent case in that Table.

(10) The seismic importance factor, I, shall equal 1.5 for *post-disaster buildings*, 1.3 for schools and 1.0 for all other *buildings*.

(11) The foundation factor, F, shall conform to Table 4.1.9.C., except that the product F·S need not exceed 3.0 where  $Z_a$  does not exceed  $Z_v$  and need not exceed 4.2 where  $Z_a$  is greater than  $Z_v$ .

**Table 4.1.9.C.**  
Forming Part of Sentence 4.1.9.1.(11)

Foundation Factors		
Categories	Type and Depth of <i>Soil</i> Measured from the <i>Foundation</i> or <i>Pile Cap Level</i>	F
1	<i>Rock</i> , dense and very dense coarse-grained <i>soils</i> , very stiff and hard fine-grained <i>soils</i> ; compact coarse-grained <i>soils</i> and firm and stiff fine-grained <i>soils</i> from 0 to 15 m deep	1.0
2	Compact coarse-grained <i>soils</i> , firm and stiff fine-grained <i>soils</i> with a depth greater than 15 m; very loose and loose coarse-grained <i>soils</i> and very soft and soft fine-grained <i>soils</i> from 0 to 15 m deep	1.3
3	Very loose and loose coarse-grained <i>soils</i> , with depth greater than 15 m	1.5
4	Very soft and soft fine-grained <i>soils</i> with depth greater than 15 m	2.0
Column 1	2	3

(12) The weight, W, of the structure shall be calculated in accordance with the following formula:

$$W = \sum_{i=1}^n W_i$$

(13) The total lateral seismic force, V, shall be distributed as follows:

- a portion,  $F_i$ , shall be assumed to be concentrated at the top of the structure and equal to  $0.07TV$ , except that  $F_i$  need not exceed  $0.25V$  and may be considered as zero where T does not exceed 0.7s; the remainder,  $V - F_i$ , shall be distributed along the height of the *building*, including the top level, in accordance with the formula

$$F_x = (V - F_i) W_x h_x \left( \sum_{i=1}^n W_i h_i \right); \text{ or}$$

- by dynamic analysis.

(14) The total shear in any horizontal plane shall be distributed to the various elements of the lateral force-resistant system in proportion to their rigidities according to rational analysis, with due regard to the capacities and stiffnesses of the nonstructural elements and to the effects of torsion as required by Sentence (22).

(15) Parts of *buildings* as described in Table 4.1.9.D. and their

anchorage shall be designed for a lateral force,  $V_p$ , equal to  $vS_pW_p$ , distributed according to the distribution of mass of the element under consideration, where  $v$  is determined in conformance with Subsection 2.5.1., except when  $Z_v$  equals zero and  $Z_a$  is greater than zero,  $v$  shall be taken as 0.05.

(16) Except as provided for in Sentence (18), the values of  $S_p$  in Sentence (15) shall for architectural components shall conform to Table 4.1.9.D.

**Table 4.1.9.D.**  
Forming Part of Sentence 4.1.9.1.(16)

Values of $S_p$ for Architectural Parts or Portions of Buildings			
Category	Architectural Part or Portion of <i>Building</i>	Direction of Force	Value of $S_p$
1	All exterior and interior walls except those of Categories 2 and 3	Normal to flat surface	1.5
2	Cantilever parapet and other cantilever walls except retaining walls; horizontally cantilevered floors, balconies, beams, etc.	Normal to flat surface	6.5
3	Exterior and interior ornamentations and appendages	Any direction	6.5
4	Connections/attachments for Categories 1, 2 and 3	Any direction	15.0
5	Floors and roofs acting as diaphragms	Any direction	0.7(1)
6	Towers, <i>chimneys</i> , smokestacks and penthouses when connected to or forming part of a <i>building</i> having	Any direction	$hn/D < 5$
			$hn/D \geq 5$
Column 1	2	3	4

Note to Table 4.1.9.D.

See Sentence 4.1.9.1.(18).

(17) The values of  $S_p$  in Sentence (15) for mechanical/electrical components shall be equal to:

$$S_p = C_p A_r A_x$$

where:

$$A_x = 1.0 + (h_x/h_n),$$

$A_r = 1.0$  for components that are both rigid and rigidly connected,

= 2.0 for flexible components, or flexibly mounted components located on the ground,

= 4.5 for all other cases,

$C_p =$  seismic coefficient for components of mechanical and electrical equipment as given in Table 4.1.9.E.

**Table 4.1.9.E.**  
Forming Part of Sentence 4.1.9.1.(17)

Values of $C_p$ for Mechanical/Electrical Parts or Portions of Buildings			
Category	Mechanical/Electrical Part or Portion of <i>Building</i>	Direction of Force	Value of $C_p$
1	Machinery, fixtures, equipment and pipes that are both rigid and rigidly connected to or forming part of a <i>building</i> . Tanks or bins containing non-liquids, rigidly connected	Any direction	1.0
2	Tanks plus contents when resting on the ground within a <i>building</i>	Any direction	0.7
3	Tanks plus contents when resting on the ground within a <i>building</i> and containing toxic or explosive materials or fire fighting fluids	Any direction	1.0
4	Machinery, fixtures, equipment, pipes and tanks including contents other than those listed above	Any direction	1.0
5	Pipes and containers plus contents for toxic or explosive materials, for materials having a flash point below 38°C or for fire fighting fluids	Any direction	1.5
Column 1	2	3	4

(18) Floors and roofs acting as diaphragms shall be designed for a minimum force corresponding to a value of  $S_p$  equal to 0.7 applied to loads tributary from that *storey*, unless a greater force  $F_x$  is assigned to the level under consideration as in Sentences (13) and (14).

(19) When the mass of a tank plus contents is greater than 10 per cent of the mass of the supporting floor, the lateral forces shall be determined by rational analysis.

(20) The overturning moment,  $M$ , at the base of the structure shall be multiplied by a reduction coefficient,  $J$ , where

(a)  $J = 1$  where  $T$  is less than 0.5,

(b)  $J = (1.1 - 0.2T)$  where  $T$  is at least 0.5, but not more than 1.5, and

(c)  $J = 0.8$  where  $T$  is greater than 1.5.

(21) The overturning moment  $M_x$  at any level  $x$  shall be multiplied by  $J_x$  where

$$J_x = J + (1 - J)(h_x/h_n)^3$$

The incremental changes in the design overturning moments, in the *storey* under consideration, shall be distributed to the various resisting elements in the same proportion as the distribution of shears in the resisting system. Where other vertical members are provided which are capable of partially resisting the over-turning moments, a redistribution may be made to these members if framing members of sufficient strength and stiffness to transmit the required loads are provided. Where a vertical-resisting element is discontinuous, the overturning moment carried by the lowest *storey* of that element shall be carried down as loads to the *foundation*.

(22) Torsional moments in the horizontal plane of the *building* shall be computed in each *storey* using the following formula:

$$M_{ix} = \left( F_i + \sum_{i=1}^n F_i \right) e_x$$

(23) The design eccentricity,  $e_x$ , in Sentence (22) shall be computed by one of the following equations, whichever provides the greater stresses:

$$(a) \quad e_x = 1.5e + 0.10D_n, \text{ or}$$

$$(b) \quad e_x = 0.5e - 0.10D_n.$$

(24) Where the centroids of mass and the centres of stiffness of the different floors do not lie approximately on vertical lines, a dynamic analysis shall be carried out to determine the torsional effects.

(25) The *building* design shall take full account of the possible effects of setbacks.

#### 4.1.9.2. Deflections

(1) Lateral deflections of a structure shall be calculated in accordance with accepted practice and based on the loads and requirements defined in this Section.

(2) Lateral deflections obtained from an elastic analysis using the loads given in Sentences 4.1.9.1.(13) and (14) shall be multiplied by R to give realistic values of anticipated deflections.

(3) The interstorey deflections based on the lateral deflections as calculated in Sentence (2) shall be limited to 0.01h, for *post-disaster buildings* and 0.02h, for all other *buildings*.

(4) All portions of the structure shall be designed to act as integral units in resisting horizontal forces, unless separated by adequate clearances which permit horizontal deflections of the structure consistent with values of deflections calculated in accordance with Sentence (2).

(5) The nonstructural components shall be designed so as not to transfer to the structural system any forces unaccounted for in the design, and any interaction of rigid elements such as walls and the structural system shall be designed so that the capacity of the structural system is not impaired by the action or failure of the rigid elements.

(6) Adjacent structures shall either be separated by the sum of their individual deflections as calculated in Sentence (2), or shall be connected to each other.

(7) The method of connection in Sentence (6) shall take into account the mass, stiffness, strength, ductility and anticipated motion of the connected *buildings* and the character of the connection.

(8) The deflections as calculated in Sentence (2) shall be used to account for sway effects due to seismic loading as required by Sentence 4.1.1.5.(2).

(9) The connected *buildings* in Sentence (6) shall be assumed to have the lowest R value of the *buildings* connected, unless the use of a higher value can be justified by rational analysis.

#### 4.1.9.3. Special Provisions

(1) *Buildings* more than 3 *storeys* in *building height* in velocity- or acceleration-related seismic zones of 2 and higher shall have a structural system as described in Cases 1-5, 7-10, 12-14 or 16 in Table 4.1.9.B.

(2) For *buildings* more than 60 m in height with a structural system having  $R = 2.0$  or  $R = 1.5$  as determined from Table 4.1.9.B.

or as determined from Clause 4.1.9.1.(9)(c), the value of V shall be increased by 50 per cent in velocity-related seismic zones of 4 and higher.

(3) Elevated tanks plus full contents not supported by a *building*, shall be designed using  $R = 1$  in the formula in Sentence 4.1.9.1.(4), with the conditions

(a) the minimum and maximum value of the product S-I shall be taken as 1.5 and 3.0, respectively,

(b) the overturning moment reduction coefficient, J, as set forth in Sentence 4.1.9.1.(2) shall be 1.0, and

(c) the torsional requirements of Sentence 4.1.9.1.(22) shall apply.

(4) The design for any structural system which has an assigned value of R of 3 or higher shall ensure that when any member yields, the remaining members of the structure shall be capable of resisting 25 per cent of the design seismic force including the effects of torsion.

(5) For *buildings* in velocity- or acceleration-related seismic zones of 2 and higher in which discontinuities in columns or shear walls occur, special design provisions shall be made to ensure that failure at the point of discontinuity will not occur before the capacity of the remaining portion of the structure has been realized.

(6) In velocity- or acceleration-related seismic zones of 2 and higher, reinforcement conforming to Clause 5.10.4. of CSA-S304, "Masonry Design for Buildings" shall be provided for masonry construction in

(a) *loadbearing* and lateral load-resisting masonry,

(b) masonry enclosing elevator shafts and stairways, or used as *exterior cladding*, and

(c) masonry *partitions*, except for *partitions* which,

(i) do not exceed 200 kg/m<sup>2</sup> in weight, and

(ii) do not exceed 3 m in height and are laterally supported at the top.

#### 4.1.9.4. Foundation Provisions.

(1) *Foundations* shall be designed so that yielding will occur first in the superstructure and not the *foundations*, unless the design specifically provides otherwise.

(2) Except in velocity-related seismic Zone 0, individual *pile* footings, drilled piers and caissons shall be interconnected by ties in at least 2 directions.

(3) Ties in Sentence (2) shall be designed to carry by tension or compression a horizontal force equal to the greatest factored *pile* cap loading multiplied by a factor 0.5v, but not exceeding 10 per cent of the greatest factored *pile* cap load, unless it can be demonstrated that equivalent restraints can be provided by other means.

(4) Except in velocity-related seismic Zone 0, *piles* shall be connected to the *pile* cap or structure by reinforcement having sufficient anchorage to develop the yield strength of the reinforcement, and the top of the *piles* (below the *pile* cap) shall be reinforced to allow ductile behaviour if the design depends upon such action.

(5) Except in velocity-related seismic Zones 0 and 1, *basement* walls shall be designed to resist seismic lateral pressures from back fill or natural ground.

**4.1.10. Other Effects****4.1.10.1. Loads on Guards**

(1) The minimum specified load applied horizontally and normal to the span at the top of every required *guard* shall be

- (a) 0.6 kN/m for exterior balconies of individual residential units and a concentrated load of 0.9 kN applied concurrently,
- (b) 1.5 kN/m for *exits* and stairs,
- (c) 3.6 kN/m, for grandstands and stadia including ramps,
- (d) 4.4 kN/m for vehicle guard rails for parking garages applied 500 mm above the roadway but not less than 11 kN uniformly distributed over each vehicle space applied 500 mm above the roadway,
- (e) a concentrated load of 0.55 kN applied at any point for access walkways to equipment platforms, contiguous stairs and similar areas where the gathering of many people is improbable, and
- (f) 2.2 kN/m for locations other than described in Clauses (a) to (e).

(2) Individual elements within the *guard*, including solid panels and pickets, shall be designed for 1 kPa or 0.45 kN of concentrated load at any point in the element, whichever results in the more critical loading condition.

(3) The loads in Sentence (2) need not be considered to act simultaneously with the loads provided for in Sentences (1) and (4).

(4) The minimum specified load applied vertically at the top of every required *guard* shall be 1.5 kN/m and need not be considered to act simultaneously with the horizontal load provided for in Sentence (1).

**4.1.10.2. Loads on Walls.** Where the floor elevation on one side of a wall, including a wall around a shaft, is not less than 600 mm greater than the elevation of the floor or ground on the other side, the wall shall be designed to resist the appropriate lateral design loads prescribed elsewhere in this Section or 0.5 kPa, whichever produces the greatest effect.

**4.1.10.3. Firewalls**

(1) *Firewalls* shall be designed to resist the maximum effect due to:

- (a) the appropriate lateral design loads prescribed elsewhere in this Section, or
- (b) a factored lateral load of 0.5 kPa under fire conditions as described in Sentence (2).

(2) Under fire conditions, when the *fire-resistance rating* of the structure is less than that of the *firewall*, lateral support shall be assumed to be provided by the structure on one side only.

**4.1.10.4. Vibrations and Impact of Machinery and Equipment**

(1) Where vibration effects, such as resonance and fatigue resulting from machinery or equipment, are likely to be significant, a dynamic analysis shall be carried out.

(2) The minimum specified load due to equipment, machinery or other objects that may produce impact shall be the sum of the weight of the equipment or machinery and its maximum lifting capacity, multiplied by an appropriate factor listed in Table 4.1.10.A.

**Table 4.1.10.A.**  
Forming Part of Sentence 4.1.10.4.(2)

Factors for the Calculation of Impact Loads	
Impact Due To	Factor
Operation of motor driven cranes	1.25
Operation of hand driven cranes	1.10
Operation of elevators	See CAN3-B44-M Clauses 2.6.2. and 2.10(c)
Supports for light machinery, shaft or motor driven	1.20
Supports for reciprocating machine (e.g. compressors) or power driven units (e.g. piston engines)	1.50
Column I	2

(3) Crane runway rails shall be designed to resist a lateral force applied normal to the top of the rails equal to at least 20 per cent of the sum of the weights of the lifted load and the crane trolley (excluding other parts of the crane) in the case of power operated trolleys, and equal to at least 10 per cent of the sum of the weights in the case of hand operated trolleys.

(4) The force described in Sentence (3) shall be equally distributed on each side of the runway and shall be assumed to act in either direction.

(5) Crane runway rails shall be designed to resist a lateral force applied parallel to the top of the rail equal to at least 10 per cent of the maximum wheel loads of the crane.

**4.1.10.5. Resonances and Sway Forces**

(1) Where the fundamental vibration frequency of a structural system supporting an *assembly occupancy* used for rhythmic activities, such as dancing, concerts, jumping exercises or gymnastics, is less than 6 Hz, the effects of resonance shall be investigated by means of a dynamic analysis.

(2) The floor assembly and other structural elements that support fixed seats in any *building* used for *assembly occupancies* to accommodate large numbers of people at one time, such as grandstands, stadia and *theatre* balconies, shall be designed to resist a horizontal force equal to at least 0.3 kN for each metre length of seats acting parallel to each row of seats, and at least 0.15 kN for each metre length of seat acting at right angles to each row of seats, assuming such forces to be acting independently of each other.

**4.1.10.6. Bleachers**

(1) Bleachers shall be checked by the erector after erection to ensure that all structural members including bracing specified in the design have been installed.

(2) Telescopic bleachers shall be provided with locking devices to ensure stability while in use.

**4.1.10.7. Window Cleaning**

(1) Every *building* which exceeds 3 storeys in *building height* shall be provided with anchor systems for window cleaning operations where these operations are intended to be done from the exterior of the *building*.

(2) Except as provided in Sentence (3), such anchor systems shall be installed in conformance with Section 4 of the CSA Standard Z91, "Safety Code for Window Cleaning Operations".

(3) Other anchor systems may be used where such systems do not provide a lesser level of safety.

## Section 4.2 Foundations

### 4.2.1. General

4.2.1.1. This Section applies to *excavations* and *foundation* systems for *buildings*.

### 4.2.2. Subsurface Investigations and Reviews

4.2.2.1. **Subsurface Investigation.** A *subsurface investigation* shall be carried out, which shall include *groundwater* conditions.

4.2.2.2. Reserved.

### 4.2.2.3. Review

(1) A review shall be carried out by the *designer* or by another suitably qualified person to ensure that the subsurface conditions are consistent with the design and that construction is carried out in accordance with the design and good engineering practice.

(2) The review required in Sentence (1) shall be carried out

- (a) on a continuous basis
  - (i) during the construction of all *deep foundation units* with all pertinent information recorded for each unit, and
  - (ii) during the installation and removal of retaining structures and related backfilling operations, and
- (b) as required, unless otherwise directed by the *authority having jurisdiction*,
  - (i) in the construction of all *shallow foundation units*, and
  - (ii) in excavating, dewatering and other related works.

### 4.2.2.4. Altered Subsurface Condition

(1) Where during construction the *soil*, *rock* or *groundwater* is found not to be of the type or in the condition used in design, and as indicated on the drawings, the design shall be reassessed by the *designer*.

(2) Where during construction climatic or any other conditions have changed the properties of the *soil*, *rock* or *groundwater*, the design shall be reassessed by the *designer*.

### 4.2.3. Materials Used in Foundations

4.2.3.1. **Wood.** Wood used in *foundations* or in support of *soil* or *rock* shall conform with the appropriate requirements of Subsection 4.3.1.

### 4.2.3.2. Preservation Treatment of Wood

(1) Wood exposed to *soil* or air above the lowest anticipated *groundwater* table shall be treated with preservative in conformance with CAN/CSA O80-M, "Wood Preservation" and the requirements of the appropriate commodity standard as follows:

- (a) CSA O80.2-M, "Preservative Treatment of Lumber, Timber, Bridge Ties and Mine Ties by Pressure Processes",
- (b) CSA O80.3-M, "Preservative Treatment of Piles by Pressure Processes", or
- (c) CSA O80.15-M, "Preservative Treatment of Wood for Building Foundation Systems, Basements and Crawl Spaces by Pressure Processes".

(2) Where timber has been treated as set forth in Sentence (1), it

shall be cared for as provided in CSA O80-M4, "Care of Preservative Treated Wood Products".

4.2.3.3. **Plain and Reinforced Masonry.** Plain or reinforced masonry used in *foundations* or in support of *soil* or *rock* shall conform with the requirements of Subsection 4.3.2.

4.2.3.4. **Prevention of Deterioration of Masonry.** Where plain or reinforced masonry in *foundations* or in structures supporting *soil* or *rock* may be subject to conditions conducive to deterioration, protection shall be provided to prevent such deterioration.

4.2.3.5. **Concrete.** Plain, reinforced or prestressed concrete used in *foundations* or in support of *soil* or *rock* shall conform with the requirements of Subsection 4.3.3.

4.2.3.6. **Chemical Attack of Concrete.** Where concrete in *foundations* may be subject to chemical attack, it shall be treated in conformance with the requirements in CAN3-A23.1, "Concrete Materials and Methods of Concrete Construction".

4.2.3.7. **Steel.** Steel used in *foundations* or in support of *soil* or *rock* shall conform with the appropriate requirements of Subsections 4.3.3. or 4.3.4., unless otherwise specified in Section 4.2.

4.2.3.8. **Steel Piles.** Where steel piles are used in *deep foundations* and act as permanent load-carrying members, the steel shall conform with one of the following standards:

- (a) CAN3-G40.21-M, "Structural Quality Steels",
- (b) ASTM A252, "Welded and Seamless Steel Pipe Piles",
- (c) ASTM A283M, "Low and Intermediate Tensile Strength Carbon Steel Plates, Shapes and Bars",
- (d) ASTM A570/570M, "Hot-Rolled Carbon Steel Sheet and Strip, Structural Quality", or
- (e) ASTM A611, "Steel, Cold-Rolled Sheet, Carbon, Structural".

4.2.3.9. **High Strength Steel Tendons.** Where high strength steel is used for tendons in anchor systems used for the permanent support of a *foundation* or in the erection of temporary support of *soil* or *rock* adjacent to an *excavation*, it shall conform with the requirements of CAN3-A23.1, "Concrete Materials and Methods of Concrete Construction".

4.2.3.10. **Corrosion of Steel.** Where conditions are corrosive to steel, adequate protection of exposed steel shall be provided.

### 4.2.4. Design Requirements

4.2.4.1. **Design Basis.** The design of *foundations*, *excavations* and *soil*-and *rock*-retaining structures shall be based on a *subsurface investigation* carried out by a person competent in this field of work, and one of the following:

- (a) application of generally accepted geotechnical and civil engineering principles by a person especially qualified in this field of work as provided in Part 4,
- (b) established local practice where such practice includes successful experience both with *soils* and *rocks* of similar type and condition and with a *foundation* or *excavation* of similar type, construction method, size and depth, or
- (c) in situ testing of *foundation units* such as the load testing of *piles*, anchors or footings carried out by a person competent in this field of work.

4.2.4.2. **Subsurface Investigation.** A *subsurface investigation* shall be carried out to the depth and extent to which the *building* or *excavation* will significantly change the stress in the *soil* or *rock*, or to

such a depth and extent as to provide all the necessary information for the design and construction of the *excavation* or the *foundations*.

**4.2.4.3. Identification.** The identification and classification of *soil*, *rock* and *groundwater* and descriptions of their engineering and physical properties shall be in accordance with a widely accepted system.

**4.2.4.4. Loads on Foundations.** The *foundation* of a *building* shall be capable of resisting all loads as stipulated in Section 4.1.

**4.2.4.5. Differential Movements.** The *foundation* of a *building* shall be proportioned so that the estimated total and differential movements of the *foundation* are not greater than the movements that the *building* is designed to accommodate.

**4.2.4.6. Depth of Foundations**

(1) Except as permitted in Sentence (2), the *bearing surface* of a *foundation* shall be below the level of potential damage, including damage resulting from *frost action*, and the *foundation* shall be designed to prevent damage resulting from *adfreezing* and *frost jacking*.

(2) The *bearing surface* of a *foundation* need not be below the level of potential damage from frost where the *foundation*

- (a) is designed against *frost action*, or
- (b) overlies material not susceptible to *frost action*.

**4.2.4.7. Sloping Ground.** Where a *foundation* is to rest on, in or near sloping ground, this particular condition shall be provided for in the design.

**4.2.4.8. Eccentric and Inclined Loads.** Where there is eccentricity or inclination of loading in *foundation units*, this effect shall be fully investigated and provided for in the design.

**4.2.4.9. Dynamic Loading.** Where dynamic loading conditions apply, *allowable loads* or *allowable bearing pressures* shall be assessed by a special investigation of these conditions.

**4.2.4.10. Hydrostatic Uplift.** Where a *foundation* or any part of a *building* is subject to hydrostatic uplift the effects shall be provided for in the design.

**4.2.4.11. Groundwater Level Change.** Where proposed construction will result in a temporary or permanent change in the *groundwater level*, the effects of this change on adjacent property shall be fully investigated and provided for in the design.

**4.2.4.12. Permafrost.** Where conditions of permafrost or perennially frozen *soil* or *rock* are encountered or proven to exist, the design of the *foundation* shall be based upon analysis of these conditions by a person especially qualified in that field of work.

**4.2.4.13. Swelling and Shrinking Soils.** Where swelling or shrinking *soils*, in which movements resulting from moisture content changes may be sufficient to cause damage to a structure, are encountered or known to exist, such a condition shall be fully investigated and provided for in the design.

**4.2.4.14. Expanding and Deteriorating.** Where *rock* which expands or deteriorates when subjected to unfavourable environmental conditions or to stress release is known to exist such condition shall be fully investigated and provided for in the design.

**4.2.4.15. Construction on Fill.** *Buildings* may be placed on *fill* if it can be shown by *subsurface investigation* that

- (a) the *fill* is or can be made capable of supporting the *design loads*,
- (b) detrimental movement of the *building* or services leading to the *building* will not occur, and

(c) explosive gases can be controlled or do not exist.

**4.2.4.16. Structural Design.** The structural design of the *foundation* of a *building*, the procedures and construction practices shall conform with the appropriate Sections of this Code unless otherwise specified in Section 4.2.

**4.2.5. Excavations**

**4.2.5.1. Design of Excavations.** The design of *excavations* and of supports for the sides of *excavations* shall conform with the requirements of Subsection 4.2.4. and to this Subsection.

**4.2.5.2. Excavation Construction**

(1) Every *excavation* shall be undertaken in such a manner as to

- (a) prevent movement which would cause damage to adjacent property, existing structures, utilities, roads and sidewalks at all stages of construction, and
- (b) Reserved.

(2) Material shall not be placed nor shall equipment be operated or placed in or adjacent to an *excavation* in a manner that may endanger the integrity of the *excavation* or its supports.

**4.2.5.3. Supported Excavations.** The sides of an *excavation* in *soil* or *rock* shall be supported by a retaining structure conforming with the requirements of Articles 4.2.5.1. and 4.2.5.2., except as permitted in Article 4.2.5.4.

**4.2.5.4. Unsupported Excavations.** The sides of an *excavation* in *soil* or *rock* may be unsupported where a design is prepared by a person especially qualified in this field of work in conformance with the requirements of Articles 4.2.5.1. and 4.2.5.2.

**4.2.5.5. Control of Water Around Excavations.** Surface water, all *groundwater*, *perched* and in particular *artesian groundwater* shall be kept under control at all stages of *excavation* and construction.

**4.2.5.6. Loss of Ground.** At all stages of *excavation* and construction, loss of ground due to water or any other cause shall be prevented.

**4.2.5.7. Protection and Maintenance at Excavations.** All sides of an *excavation*, supported and unsupported, shall be continuously maintained and protected from possible deterioration by construction activity or by the action of frost, rain and wind.

**4.2.5.8. Backfilling**

(1) Where an *excavation* is backfilled, the backfill shall be placed so as to

- (a) provide lateral support to the *soil* adjacent to the *excavation*, and
- (b) prevent detrimental movements.

(2) The material used as backfill or *fill* supporting a footing, *foundation* or a floor on *grade* shall be of a type that is not subject to detrimental volume change with changes in moisture content and temperature.

**4.2.6. Shallow Foundations**

**4.2.6.1. Design of Shallow Foundations.** The design of *shallow foundations* shall be in conformance with Subsection 4.2.4. and the requirements of this Subsection.

**4.2.6.2. Support of Shallow Foundations.** Where a *shallow foundation* is to be placed on *soil* or *rock*, the *soil* or *rock* shall be cleaned of loose and unsound material and shall be adequate to support the *design load* taking into account temperature, precipitation,

construction activities and other factors which may lead to changes of the properties of *soil* or *rock*.

**4.2.6.3. Incorrect Placement of Shallow Foundations.** Where a *shallow foundation unit* has not been placed or located as indicated on the drawings, the error shall be corrected or the *design bearing pressure* of the *foundation unit* recalculated for the altered conditions.

**4.2.6.4. Damaged Shallow Foundations.** Where a *shallow foundation unit* is damaged, it shall be repaired or the *design bearing pressure* of the *foundation unit* recalculated for the damaged condition.

#### 4.2.7. Deep Foundations

**4.2.7.1. General.** A *deep foundation unit* shall provide support for a *building* by transferring loads by end-bearing to a competent stratum at considerable depth below the structure, or by mobilizing resistance by adhesion or friction, or both, in the *soil* or *rock* in which it is placed.

##### 4.2.7.2. Design for Deep Foundations

(1) *Deep foundation units* shall be designed in conformance with Subsection 4.2.4. and this Subsection.

(2) Where *deep foundation units* are load tested, as required in Clause 4.2.4.1.(1)(c), the determination of the number and type of load test and the interpretation of the results shall be carried out by a person especially qualified in this field of work.

(3) Where *deep foundation units* are not load tested as outlined in Clause 4.2.4.1.(1)(c), and where well established local practice as outlined in Clause 4.2.4.1.(1)(b) is not applicable, the design procedures and the appropriate factors of safety shall be determined by a person especially qualified in this type of work.

##### 4.2.7.3. Allowable Load on a Deep Foundation

(1) The *allowable load* on a *deep foundation* shall be determined on the basis of geotechnical considerations taking into account

- (a) the method of installation,
- (b) the degree of inspection,
- (c) the spacing of *foundation units* and group effects, and
- (d) other requirements of this Subsection.

(2) The *allowable load* on a *deep foundation* as determined in Sentence (1) shall not be greater than the unfactored load determined on the basis of structural considerations in accordance with the appropriate requirements of Subsections 4.3.1., 4.3.3. and 4.3.4.

(3) The portion of a *deep foundation unit* permanently in contact with *soil* or *rock* shall be structurally designed as a laterally supported compression member.

(4) The portion of a *deep foundation unit* which is not permanently in contact with *soil* or *rock* shall be structurally designed as a laterally unsupported compression member.

(5) The structural design of prefabricated *deep foundation units* shall allow for all stresses resulting from driving, handling and testing.

**4.2.7.4. Tolerance in Alignment and Location.** Permissible deviations from the design alignment and the location of the top of *deep foundation units* shall be determined by design analysis, and shall be indicated on the drawings.

**4.2.7.5. Incorrect Alignment and Location.** Where a *deep foundation unit* has not been placed within the permissible deviations

referred to in Article 4.2.7.4., the condition of the *foundation* shall be assessed by the person responsible for the design, any necessary changes made and action taken as required.

**4.2.7.6. Installation of Deep Foundations.** *Deep foundation units* shall be installed in such a manner as not to impair

- (a) the strength of the *deep foundation units* and the properties of the *soil* or *rock* on or in which they are placed beyond the calculated or anticipated limits,
- (b) the integrity of previously installed *deep foundation units*, or
- (c) the integrity of neighbouring structures and services.

**4.2.7.7. Damaged Deep Foundation Units.** Where inspection shows that a *deep foundation unit* is damaged or not consistent with design or good engineering practice, the *allowable load* of such a unit shall be reassessed by the person responsible for the design, any necessary changes made and action taken as required.

#### 4.2.8. Special Foundations

**4.2.8.1. General.** Where special *foundation* systems are used, such systems shall conform to Subsection 4.2.4.

**4.2.8.2. Use of Existing Foundations.** Existing *foundations* may be used to support new or altered *buildings* provided they comply with all pertinent requirements of Section 4.2.

### Section 4.3 Design Requirements for Structural Materials

#### 4.3.1. Wood

**4.3.1.1. Design Basis for Wood.** *Buildings* and their structural members made of wood shall conform to CAN3-O86, "Engineering Design in Wood" or CAN/CSA-O86.1-M, "Engineering Design in Wood - Limit States Design".

**4.3.1.2. Glue-Laminated Members.** Glued-laminated members shall be fabricated in plants conforming to CAN/CSA O177-M, "Qualification Code for Manufacturers of Structural Glued-Laminated Timber".

**4.3.1.3. Termites.** In areas known to be infested by termites, the requirements in Articles 9.3.2.9., 9.12.1.1., 9.16.5.1. and 9.18.4.1. shall apply.

#### 4.3.2. Plain and Reinforced Masonry

**4.3.2.1. Design Basis for Plain and Reinforced Masonry.** *Buildings* and their structural members made of plain and reinforced masonry shall conform to CAN-S304M, "Masonry Design for Buildings".

#### 4.3.3. Plain, Reinforced and Prestressed Concrete

**4.3.3.1. Design Basis for Plain, Reinforced and Prestressed Concrete.** *Buildings* and their structural members made of plain, reinforced or prestressed concrete shall conform to CAN3-A23.3-M, "Design of Concrete Structures for Buildings".

#### 4.3.4. Steel

**4.3.4.1. Design Basis for Structural Steel.** *Buildings* and their structural members made of structural steel shall conform to CAN/CSA-S16.1-M, "Limit States Design of Steel Structures".

**4.3.4.2. Design Basis for Cold Formed Steel.** *Buildings* and their structural members made of cold formed steel shall conform to CAN/CSA-S136-M, "Cold Formed Steel Structural Members".

#### 4.3.5. Aluminum

**4.3.5.1. Design Basis for Aluminum.** *Buildings* and their structural



members made of aluminum shall conform to CAN3-S157-M, "Strength Design in Aluminum".

#### 4.3.6. Glass

4.3.6.1. Glass shall be designed in conformance with CAN/CGSB-12.20-M, "Structural Design of Glass for Buildings".

### Section 4.4 Design Requirements for Special Structures

#### 4.4.1. Air-Supported Structures

4.4.1.1. **Design Basis for Air-Supported Structures.** The structural design of *air-supported structures* shall conform to CAN3-S367-M, "Air-Supported Structures".

#### 4.4.2. Parking Structures

4.4.2.1. **Design Basis for Parking Structures.** Parking structures shall be designed in conformance with CAN/CSA-S413, "Parking Structures".

#### 4.4.3. Guards Over Retaining Walls

4.4.3.1. **Guards Over Retaining Walls.** Every retaining wall which is a designated structure in Subsection 2.1.2. shall be protected by *guards* on all open sides where the public has access to open space at the top of the retaining wall.

## Part 5

### Wind, Water and Vapour Protection

#### Section 5.1 General

- 5.1.1. Scope
- 5.1.2. Application
- 5.1.3. Definitions
- 5.1.4. Other Design and Structural Requirements

#### Section 5.2 Control of Vapour Diffusion

- 5.2.1. Vapour Barriers
- 5.2.2. Assemblies with Low Permeance Exterior Components

#### Section 5.3 Control of Air Leakage

- 5.3.1. Air Barriers

#### Section 5.4 Control of Rain Penetration

- 5.4.1. Joints
- 5.4.2. Openings
- 5.4.3. Roofing
- 5.4.4. Parapets
- 5.4.5. Exterior Wall Cladding

#### Section 5.5 Control of Groundwater

- 5.5.1. Through-Wall Flashing
- 5.5.2. Dampproofing and Waterproofing
- 5.5.3. Crawl Spaces

#### Section 5.6 Materials

- 5.6.1. Specifications
- 5.6.2. Deterioration
- 5.6.3. Fastening Devices

#### Section 5.7 Practices 5.7.1. Installation

## Part 5 Wind, Water and Vapour Protection

### Section 5.1 General

#### 5.1.1. Scope

5.1.1.1. The scope of this Part shall be as described in Section 2.1.

#### 5.1.2. Application

5.1.2.1. This Part applies to the design of a *building* assembly such as a wall, floor, roof, floor-ceiling combination or roof-ceiling combination with respect to the control of *groundwater*, condensation and the penetration of wind and rain.

#### 5.1.3. Definitions

5.1.3.1. Reserved.

#### 5.1.4. Other Design and Structural Requirements

5.1.4.1. The design and structural requirements of other Parts of this Code shall apply.

### Section 5.2 Control of Vapour Diffusion

#### 5.2.1. Vapour Barriers

5.2.1.1. Where a *building* assembly that would be adversely affected by condensation will be subjected to a temperature differential and a differential in water vapour pressure, the assembly shall have a continuous vapour barrier at a location that will prevent condensation within the assembly.

#### 5.2.2. Assemblies with Low Permeance Exterior Components

5.2.2.1. **Protection.** Where a material or combination of materials that have a resistance to water vapour flow equivalent to that of a vapour barrier are used on the low vapour pressure side of the material that has the major thermal resistance in a *building* assembly

- (a) a continuous vapour barrier, for use in above-grade *building* construction, shall be installed on the high vapour pressure side, and
- (b) an air space ventilated to the outside or other method of equal effectiveness shall be provided for removing the water vapour that may pass from the high vapour pressure side through the material with the major thermal resistance.

### Section 5.3 Control of Air Leakage

#### 5.3.1. Air Barriers

5.3.1.1. **Locations.** Where a *building* assembly will be subjected to a temperature differential, a differential in water vapour pressure and a differential in air pressure due to stack effect, mechanical systems or wind, the assembly shall be designed to provide an effective barrier to air exfiltration and infiltration, at a location that will prevent condensation within the assembly, through

- (a) the materials of the assembly,
- (b) joints in the assembly,
- (c) joints in components of the assembly, and

- (d) junctions with other *building* elements.

## Section 5.4 Control of Rain Penetration

### 5.4.1. Joints

**5.4.1.1.** Joints in *exterior cladding* and the junctions of different *exterior claddings* shall be constructed to minimize the entrance of rain water into the *building* assembly.

### 5.4.2. Openings

**5.4.2.1.** An opening in an exterior wall or roof shall be so constructed as to prevent the entrance of rain or snow into the *building*.

### 5.4.3. Roofing

**5.4.3.1. Installation.** Roofing shall be installed so as to

- (a) shed or drain water effectively,
- (b) reduce the likelihood, when the roofing is comprised of overlapping units, of water backing up under the units due to ice damming or other cause, and
- (c) be resistant to damage due to wind.

### 5.4.4. Parapets

**5.4.4.1. Protection.** Where the top of a wall is exposed to the weather

- (a) it shall be capped, and
- (b) a through-wall flashing shall be installed immediately under a segmented or pervious cap, and at such other points in the wall as are necessary to divert rainwater to the outside.

### 5.4.5. Exterior Wall Cladding

**5.4.5.1.** Exterior wall cladding shall be so installed that it sheds water to prevent its entry into other components of the *building* assembly. Where there is a likelihood of some penetration, drainage shall be provided to take water to the outside.

## Section 5.5 Control of Groundwater

### 5.5.1. Through-Wall Flashing

**5.5.1.1.** Where moisture from the ground can move upward into a wall and cause deterioration of the materials in the wall assembly, a through-wall flashing shall be installed in the wall below the materials likely to be so affected.

### 5.5.2. Dampproofing and Waterproofing

**5.5.2.1.** The portion of an exterior *basement* wall below ground level or any floor slab in contact with the ground shall be damp-proofed or waterproofed as appropriate.

### 5.5.3. Crawl Spaces

**5.5.3.1. Ground Cover.** Crawl spaces shall be provided with a ground cover.

**5.5.3.2. Slope.** Unless *groundwater* levels and site conditions are such that water will not accumulate in the crawl space, the crawl space shall be sloped to drain to a sewer, ditch or dry well.

## Section 5.6 Materials

### 5.6.1. Specifications

**5.6.1.1.** Materials used for *exterior claddings*, vapour barriers, air

barriers, flashings, thermal insulations or fastening devices shall comply with the appropriate standards listed in Part 2.

### 5.6.2. Deterioration

**5.6.2.1.** A material exposed to corrosive conditions shall be corrosion-resistant or shall be resistant to deterioration under those conditions.

### 5.6.3. Fastening Devices

**5.6.3.1.** Fastening devices shall be made of a material which is compatible with the materials to be so joined and shall be resistant to the type of corrosion likely to be present.

## Section 5.7 Practices

### 5.7.1. Installation

**5.7.1.1. General.** *Exterior claddings*, vapour barriers, air barriers, thermal insulations, sheathing papers, flashings and fastening devices shall be installed in such a manner as to effectively perform their intended functions.

**5.7.1.2. Glass.** Glass shall be designed and installed to resist the loads specified in Section 4.1.

### 5.7.1.3. Exterior Cladding

- (1) *Exterior cladding* shall be securely fastened to backing that is
  - (a) an integral structural element of a *building*, or
  - (b) an element added to the structure for the purpose of supporting such *exterior cladding*.
- (2) Backing for *exterior cladding* as provided for in Sentence (1) shall be suitably located, secured and of a kind suitable for the type of fasteners to be used for attachment.
- (3) *Exterior cladding* shall be designed, constructed and attached so as to accommodate stresses and deformations within the structure, the cladding system and all points of attachment caused by wind, earthquake and temperature effects.

## Part 6

### Heating, Ventilating and Air-Conditioning

#### Section 6.1

- General**
- 6.1.1. Scope
  - 6.1.2. Application
  - 6.1.3. Definitions
  - 6.1.4. Plans and Specifications

#### Section 6.2

- Design and Installation**
- 6.2.1. General
  - 6.2.2. Ventilation
  - 6.2.3. Air Duct Systems
  - 6.2.4. Air Ducts for Low Capacity Systems
  - 6.2.5. Heating Appliances, General
  - 6.2.6. Incinerators
  - 6.2.7. Unit Heaters
  - 6.2.8. Radiators and Convectors
  - 6.2.9. Piping For Heating and Cooling Systems
  - 6.2.10. Refrigerating Systems and Equipment for Air-Conditioning
  - 6.2.11. Storage Bins

Section 6.3 Chimneys and Venting Equipment  
6.3.1. General

## Part 6 Heating, Ventilating and Air- Conditioning

### Section 6.1 General

#### 6.1.1. Scope

##### 6.1.1.1.

(1) The scope of this Part shall be as described in Section 2.1.

(2) Where the method of operation of an existing heating, ventilating or *air-conditioning* system is altered, the repair, adjustment or component replacements that change the capacity or extent of safety of the system shall conform to this Code.

#### 6.1.2. Application

6.1.2.1. This Part applies to systems and equipment for heating, ventilating and *air-conditioning* services.

#### 6.1.3. Definitions

6.1.3.1. Reserved.

#### 6.1.4. Plans and Specifications

6.1.4.1. Reserved.

### Section 6.2 Design and Installation

#### 6.2.1. General

##### 6.2.1.1. Good Engineering Practice

(1) Heating, ventilating and *air-conditioning* systems, including related mechanical refrigeration systems, shall be designed, constructed and installed to conform to good engineering practice appropriate to the circumstances such as described in

- (a) the ASHRAE Handbooks as follows:
  - (i) 1987 HVAC Systems and Applications,
  - (ii) 1988 Equipment,
  - (iii) 1989 Fundamentals, and
  - (iv) 1990 Refrigeration,
- (b) the NFPA Fire Codes (1990 Publication),
- (c) the HRAI Digest 1986,
- (d) the Hydronics Institute Manuals,
- (e) the SMACNA Manuals, and
- (f) the American Conference of Governmental Industrial Hygienists Industrial Ventilation Manual, 20th Edition 1989.

##### 6.2.1.2. Capacity of Heating Appliances

(1) *Buildings* classified as Group B, Division 2 *institutional occupancies* or Group C *residential occupancies* that are intended for

use in the winter months on a continuing basis shall be insulated and be equipped with heating facilities that are capable of maintaining an indoor air temperature of 22°C at the outside winter design temperature referred to in Article 6.2.1.8.

(2) All other *buildings* intended for occupancy in the winter months on a continuing basis should be insulated and shall be equipped with heating facilities to maintain a minimum indoor air temperature of 18°C or commensurate with the use of the *building* at the outside winter design temperature described in Article 6.2.1.8.

6.2.1.3. **Structural Movement.** Mechanical systems and equipment shall be designed and installed to accommodate the maximum amount of relative structural movement provided for in the *construction* of the *building*.

##### 6.2.1.4. Installation Standards

(1) The installation of solid fuel-burning *appliances* for central heating systems shall comply with CAN/CSA B365, "Installation Code for Solid Fuel-Burning Appliances and Equipment" and the manufacturer's installation instructions.

(2) The solid fuel-fired *appliances* in Sentence (1) shall conform to CSA B366.1, "Solid Fuel-Fired Appliances for Residential Use".

6.2.1.5. **Solid Fuel-Burning Stoves, Ranges and Space Heaters.** The design and installation of solid fuel-burning *stoves*, *ranges* and *space heaters* shall conform to the requirements of Section 9.33.

6.2.1.6. **Fireplaces.** Fireplaces shall conform to the requirements of Section 9.22.

6.2.1.7. Reserved.

6.2.1.8. **Outside Design Conditions.** The outside conditions to be used in designing heating, ventilating and *air-conditioning* systems shall be determined in conformance with Subsection 2.5.1.

##### 6.2.1.9. Installation - General

(1) Equipment forming part of a heating, ventilating or *air-conditioning* system, with the exception of embedded pipes or ducts, shall be installed with provision for access for inspection, maintenance, repair and cleaning.

(2) Mechanical equipment shall be protected with *guards* to prevent injury to the public or maintenance staff.

(3) Equipment forming part of a heating or *air-conditioning* system that may be adversely affected by freezing temperatures and that is located in an unheated area shall be protected from freezing.

6.2.1.10. **Expansion, Contraction and System Pressure.** Heating and cooling systems shall be designed to allow for expansion and contraction of the heat transfer fluid and to maintain the system pressure within the rated working pressure limits of all components of the system.

6.2.1.11. **Asbestos.** Asbestos shall not be used in air distribution systems or equipment in a form or in a location where asbestos fibres could enter the air supply or return systems.

6.2.1.12. **Access Openings.** Any covering of an access opening through which a person could enter shall be openable from the inside without the use of keys where there is a possibility of the opening being accidentally closed while the system or equipment is being serviced.

6.2.1.13. **Combustible Tubing.** *Combustible* tubing for pneumatic controls may be used in *buildings* required to be of *noncombustible construction* providing it has an outside diameter not exceeding 10 mm.

**6.2.2. Ventilation****6.2.2.1. Required Ventilation**

(1) Except as provided in Sentences (2) and 6.2.2.2.(2), all rooms and spaces in *buildings* shall be ventilated in accordance with this Part.

(2) Self-contained mechanical ventilation systems, such as kitchen and bathroom exhaust fans, serving only 1 *dwelling unit* shall conform to the requirements of Section 9.32.

(3) Except for Group C and Group F *occupancies*, mechanical ventilation throughout the occupied zone shall be not less than 7.5 L/s per person of outdoor air.

**6.2.2.2. Natural Ventilation**

(1) The ventilation of room and spaces in *occupancies* other than *residential occupancies* by natural methods shall be permitted in lieu of mechanical ventilation where such ventilation will provide sufficient air change to provide healthful conditions in that *occupancy*.

(2) The ventilation of room or spaces by natural methods in Group B, Division 2 *institutional occupancies* or Group C, *residential occupancies* shall conform to Section 9.32.

**6.2.2.3. Ventilation of Storage and Repair Garages**

(1) Except as provided in Sentences (5) and (7), an enclosed *storage garage* shall have a mechanical ventilation system designed to

- (a) limit the concentration of carbon monoxide to not more than 100 parts per million of air when measured between 900 mm and 1 200 mm from the floor, or
- (b) provide, during operating hours, a continuous supply of fresh air at a rate equal to not less than 3.9 L/s for each square metre of floor area.

(2) A repair garage shall have a mechanical ventilation system designed to limit the exposure of workers to carbon monoxide to below the time weighted average concentration of 35 parts per million for a normal 8 hour workday or 40 hour work week. When a repair bay is not immediately adjacent to an outside garage door opening, continuous general ventilation of not less than 700 L/s per internal bay shall be provided.

(3) Mechanical ventilation systems provided in accordance with Clause (1) (a) shall be controlled automatically by carbon monoxide monitoring devices, located so as to provide full protection throughout the *storage garage*.

(4) Mechanical ventilation systems provided in accordance with Sentence (1) shall be designed such that the pressure in the *storage garage* is less than the pressure in adjoining *buildings* of other *occupancy*, or in adjacent portions of the same *building* having a different *occupancy*.

(5) In *storage garages* subject to the requirements of Sentence (1), where motor vehicles are parked by mechanical means, the ventilation requirements may be reduced by one half.

(6) Except as provided in Sentence (7), ticket and attendant booths of *storage garages* shall be pressurized with a supply of fresh air.

(7) The requirements of Sentences (1) to (6) shall not apply to *open-air storeys* in a *storage garage*.

**6.2.2.4. Air Contaminants**

(1) Systems serving spaces shall be designed to exhaust air contaminants released within *buildings* insofar as possible at their points

of origin so as to prevent their accumulation in unsafe concentrations.

(2) Systems serving spaces that contain sources of contamination shall be designed in such a manner as to prevent spreading of such contamination to other occupied parts of the *building* and surrounding areas.

(3) Heating, ventilating and *air-conditioning* systems shall be designed to minimize growth of micro-organisms according to good engineering practice as described in Sentence 6.2.1.1.(1).

(4) Mechanical rooms containing refrigeration equipment shall be ventilated in accordance with CSA B52-M, "Mechanical Refrigeration Code".

**6.2.2.5. Hazardous Gases, Dusts or Liquids.** Systems serving spaces that contain hazardous gases, dusts or liquids such as grain elevators, metal powder plants and ammonium nitrate storage shall be designed, constructed and installed in conformance with the provisions of the Ontario Fire Code made under the *Fire Marshals Act*, or in the absence of requirements pertinent to such systems in the Ontario Fire Code, to good engineering practice such as is described in the publications of the National Fire Protection Association and in the National Fire Code of Canada 1990.

**6.2.2.6. Commercial Cooking Equipment.** Systems for the ventilation of restaurant and other commercial cooking equipment shall be designed, constructed and installed to conform to NFPA 96, "Installation of Equipment for the Removal of Smoke and Grease-Laden Vapors from Commercial Cooking Equipment", except as required by Sentence 3.5.3.1.(1) and Article 3.5.4.2.

**6.2.2.7. Crawl Spaces, Attic or Roof Spaces.** Every crawl space and every *attic or roof space* shall be ventilated by natural or mechanical means.

**6.2.3. Air Duct Systems****6.2.3.1. Application**

(1) Where ducts serve a heating, ventilation and *air-conditioning* system in which the rated heat input exceeds 120 kW, they shall conform to this Subsection.

(2) The design, *construction* and installation of air duct distribution system serving other than single family dwellings shall conform to this Subsection.

**6.2.3.2. Materials in Air Duct Systems**

(1) Except as provided in Sentences (2) to (4) and in Article 3.5.4.3. and except in single family dwellings, all ducts, duct connectors, associated fittings and *plenums* used in air duct systems shall be constructed of steel, aluminum alloy, copper, clay, asbestos-cement or similar *noncombustible* material.

(2) Ducts, associated fittings and *plenums* may contain limited amounts of *combustible* material provided they

- (a) conform to the appropriate requirements for Class 1 duct materials in ULC-S110, "Standard for Air Ducts",
- (b) conform to Sentence 3.1.5.14.(1) and Subsection 3.1.9.,
- (c) are not used in vertical runs serving more than 2 *storeys*, and
- (d) are not used in air duct systems in which the air temperature may exceed 120°C.

(3) Duct sealants shall have a *flame-spread rating* of not more than 25 and a smoke developed classification of not more than 50.

(4) Duct connectors that contain *combustible* materials and that are used between ducts and air outlet units shall

- (a) conform to the appropriate requirements for Class 1 air duct materials in ULC-S110, "Standard for Air Ducts",
- (b) be limited to 4 m in length,
- (c) be used only in horizontal runs, and
- (d) not penetrate required *fire separations*.

(5) Materials in Sentences (1) to (4) when used in a location where they may be subjected to excessive moisture shall have no appreciable loss of strength when wet and shall be corrosion-resistant.

#### 6.2.3.3. Connections and Openings in Air Duct Systems

(1) Air duct systems shall have tight-fitting connections throughout, and shall have no openings other than those required for proper operation, inspection and maintenance of the system.

(2) Except for systems that serve one *dwelling unit* only, access openings shall be provided in duct systems where lint, grease, debris, paper or other combustible material may accumulate in *plenums* and ducts.

6.2.3.4. **Connectors.** Vibration isolation connectors in air duct systems shall be *noncombustible*, except that *combustible* fabric connectors are permitted provided they

- (a) do not exceed 250 mm in length,
- (b) comply with the flame-resistance requirements of ULC-S109, "Standard for Flame Tests of Flame-Resistant Fabrics and Films", and
- (c) are not used in a location where they are exposed to heated air or radiation from heat sources that may cause the exposed surface to exceed a temperature of 120°C.

6.2.3.5. **Tape.** Tape used for sealing joints in air ducts, *plenums* and other parts of air duct systems shall meet the flame-resistance requirements for fabric in ULC-S109, "Standard for Flame Tests of Flame-Resistant Fabrics and Films".

#### 6.2.3.6. Coverings, Linings, Adhesives and Insulation

(1) Coverings, linings and associated adhesives and insulation of air ducts, *plenums* and other parts of air duct systems shall be of *noncombustible* material when exposed to heated air or radiation from heat sources that would result in the exposed surface exceeding a temperature of 120°C.

(2) When *combustible* coverings and linings, including associated adhesives and insulation, are used, they shall have a *flame-spread rating* of not more than 25 on any exposed surface or any surface that would be exposed by cutting through the material in any direction, and a smoke developed classification of not more than 50, except that the outer covering of ducts, *plenums* and other parts of air duct systems used within an assembly of *combustible construction* may have an exposed surface *flame-spread rating* of not more than 75 and may have a smoke developed classification greater than 50.

(3) *Combustible* coverings and linings in Sentence (2) shall not flame, glow, smoulder or smoke when tested in accordance with the method of test in ASTM C411, "Hot-Surface Performance of High-Temperature Thermal Insulation" at the maximum temperature to which the coverings and linings are to be exposed in service.

(4) Except as provided in Sentence (5), foamed plastic insulation shall not be used as part of an air duct or for insulating an air duct.

(5) Foamed plastic insulation may be used in a ceiling space that

acts as a return air *plenum* provided the foamed plastic insulation is protected from exposure to the *plenum* in accordance with Article 3.1.5.11.

(6) *Combustible* coverings and linings of ducts, including associated adhesives and insulation, shall be interrupted at the immediate area of operation of heat sources in a duct system, such as electric resistance heaters or fuel-burning heaters or *furnaces*, and where the duct penetrates a *fire separation*.

(7) Linings of ducts shall be installed so that they will not interfere with the operation of volume or balancing dampers, *fire dampers*, *fire stop flaps* and other *closures*.

6.2.3.7. **Underground Ducts.** Underground ducts shall be constructed to provide interior drainage from and access to all low points and shall not be connected directly to a sewer.

6.2.3.8. **Clearances.** The clearances from *combustible* material and supply *plenums*, *supply ducts*, boots and register boxes of heating systems shall conform to the requirements of Subsection 6.2.4.

6.2.3.9. **Fire Dampers.** *Fire dampers* shall conform to the requirements of Article 3.1.8.9.

#### 6.2.3.10. Exhaust Ducts and Outlets

(1) Except as provided in Sentence (2), *exhaust ducts* of nonmechanical ventilating systems serving separate rooms or spaces shall not be combined.

(2) *Exhaust ducts* of nonmechanical ventilating systems serving similar *occupancies* may be combined immediately below the point of final delivery to the outside, such as at the base of a roof ventilator.

(3) *Exhaust ducts* of ventilating systems shall have provision for the removal of condensation where this may be a problem.

(4) Exhaust outlets shall be designed to prevent back draft under wind conditions.

(5) *Exhaust ducts* directly connected to laundry drying equipment shall be independent of other *exhaust ducts*.

(6) Except as provided in Sentence (9) and except for self-contained systems serving individual *dwelling units*, *exhaust ducts* serving rooms containing water closets, urinals, basins, showers or slop sinks shall be independent of other *exhaust ducts*.

(7) Except for wash basins (lavatories), the exhaust air provided shall not be less than 24 L/s for each sanitary fixture listed in Sentence (6).

(8) Except as provided in Sentence (9) and except for self-contained systems serving individual *dwelling units*, *exhaust ducts* serving rooms containing residential cooking equipment shall be independent of other *exhaust ducts*.

(9) Two or more exhaust systems described in Sentences (6) and (8) may be interconnected or connected with *exhaust ducts* serving other areas of the *building* provided the connections are made at the inlet of an exhaust fan and all interconnected systems are equipped with suitable back pressure devices to prevent passage of odours from one system to another when the fan is not in operation.

(10) Where *exhaust ducts* containing air from heated spaces pass through or are adjacent to unheated spaces, the ducts shall be insulated to prevent moisture condensation in the duct in accordance with Sentence 6.2.4.3.(10).

(11) Sanitary facilities in a food premises shall be mechanically ventilated and shall be capable of exhausting air at the rate of not less than 24 L/s for each sanitary fixture listed in Sentence (6).

**6.2.3.11. Interconnection of Systems**

(1) Air duct systems serving *storage garages* shall not be interconnected with other parts of the *building*.

(2) In a *residential occupancy*, air from one *suite* shall not be circulated to any other *suite* nor to a *public corridor* or public stairway.

(3) Except for Sentences (4) and (5), a *public corridor* shall not be used as a portion of a supply, return or exhaust air system serving adjoining areas, other than as part of a supply air system serving toilet rooms, bathrooms, shower rooms and similar auxiliary spaces opening directly to the *public corridor*.

(4) A *public corridor* may be used as part of an engineered smoke control system.

(5) Infiltration due to corridor pressurization is permitted into a *residential occupancy* from a *public corridor*.

**6.2.3.12. Make-up Air.** In ventilating systems that exhaust air to the outdoors, provision shall be made for the admission of a supply of make-up air in sufficient quantity so that the operation of the exhaust system and other exhaust equipment or combustion equipment is not adversely affected.

**6.2.3.13. Supply, Return, Intake and Exhaust Air Openings**

(1) Supply, return and exhaust air openings in rooms or spaces in *buildings* when located less than 2 m above the floor shall be protected by grilles having openings of a size that will not allow the passage of a 15 mm diameter sphere.

(2) *Combustible* grilles, diffusers and other devices for supply, return and exhaust air openings in rooms shall conform to the *flame-spread rating* and smoke developed classification requirements for the interior finish of the surface on which they are installed.

(3) Outdoor air intakes and exhaust outlets at the *building* exterior shall be designed or located so that the air entering the *building* system will not contain more contaminants than the normal exterior air of the locality in which the *building* is situated.

(4) Exterior openings for outdoor air intakes and exhaust outlets shall be shielded from the entry of snow and rain and shall be fitted with corrosion-resistant screens of mesh not larger than 15 mm, except where climatic conditions may require larger openings.

(5) Screens required in Sentence (4) shall be accessible for maintenance.

**6.2.3.14. Filters and Odour Removal Equipment**

(1) Air filters for air duct systems shall conform to the requirements for Class 2 air filter units as described in CAN4-S111, "Standard Method of Fire Tests For Air Filter Units".

(2) When electrostatic-type filters are used, they shall be installed so as to ensure that the electric circuit is automatically de-energized when filter access doors are opened and in *dwelling units* when the system circulating fan is not operating.

(3) When odour removal equipment of the adsorption type is used it shall be

(a) installed to provide access so that adsorption material can be reactivated or renewed, and

(b) protected from dust accumulation by air filters installed on the inlet side.

(4) Facilities for flushing and drainage shall be provided where filters are designed to be washed in place.

**6.2.3.15. Air Washers and Evaporative Cooling Sections or Towers**

(1) The filter and water evaporation medium of every air washer and evaporative cooling section enclosed within a *building* shall be made of *noncombustible* material.

(2) Sumps for air washer and evaporative cooling sections shall be constructed and installed so that they can be flushed and drained.

(3) Evaporative cooling sections or towers of *combustible* material located on or outside *buildings* shall have a clearance of not less than 12 m from sources of ignition such as *chimneys* or incinerators when the tower exterior construction is *noncombustible*, and a clearance of not less than 30 m when the tower exterior construction is *combustible*.

(4) Evaporative cooling sections or towers, the main structure of which exceeds a volume of 55 m<sup>3</sup>, shall comply with the requirements of NFPA 214, "Water-Cooling Towers".

**6.2.3.16. Fans and Associated Air Handling Equipment**

(1) Fans for heating, ventilating and *air-conditioning* systems shall be located and installed so that their operation

(a) does not adversely affect the draft required for proper operation of fuel-fired *appliances*, and

(b) does not allow the air in the air duct system to be contaminated by air or gases from the *boiler-room* or *furnace-room*.

(2) Fans and associated air handling equipment, such as air washers, filters and heating and cooling units, when installed on the roof or elsewhere outside the *building*, shall be of a type designed for outdoor use.

**6.2.4. Air Ducts for Low Capacity Systems****6.2.4.1. Application**

(1) The design, *construction* and installation of air duct distribution systems serving heating, ventilation and *air-conditioning* systems in which the rated heat input does not exceed 120 kW shall conform to this Subsection.

(2) The design, *construction* and installation of air duct distribution systems serving heating, ventilation and *air-conditioning* systems in single family dwellings shall conform to this Subsection.

**6.2.4.2. Galvanized Steel or Aluminum Supply Ducts**

(1) Galvanized steel or aluminum *supply ducts* shall conform to Table 6.2.4.A.

**Table 6.2.4.A.**  
Forming part of Sentence 6.2.4.2.(1)

MINIMUM METAL THICKNESS OF DUCTS, mm				
Type of Duct	Maximum Diameter mm	Minimum Width or Depth, mm	Duct Material	
			Galvanized Steel	Aluminum
Round	350	—	0.33	0.30
	Over 350	—	0.41	0.41
Rectangular, enclosed	—	350	0.33	0.30
	—	Over 350	0.41	0.41
Rectangular, not enclosed for single dwelling units with required clearance up to 12 mm	—	350	0.33	0.41
	—	Over 350	0.41	0.48
Rectangular, not enclosed, with required clearance of more than 12 mm	—	350	0.41	0.41
	—	Over 350	0.48	0.48
Column 1	2	3	4	5

(2) The design of fittings for ducts shall conform to CSA B228.1, "Pipes, Ducts, and Fittings for Residential Type Air-Conditioning Systems", except that metal thickness requirements shall conform to those in Table 6.2.4.A.

#### 6.2.4.3. Construction and Installation of Ducts and Plenums

(1) Rectangular panels in *plenums* and ducts more than 300 mm wide shall be shaped to provide sufficient stiffness.

(2) Where the installation of heating *supply ducts* in walls and floors creates a space between the duct and construction material, the space shall be fire stopped with *noncombustible* material at each end.

(3) Ducts shall be securely supported by metal hangers, straps, lugs or brackets, except that where zero clearance is permitted, wooden brackets may be used.

(4) All round duct joints shall be tight-fitting and lapped not less than 25 mm.

(5) Rectangular duct connections shall be made with S and drive cleats or equivalent mechanical connections.

(6) Trunk *supply ducts* shall not be nailed directly to wood members.

(7) Branch ducts shall be supported at suitable spacings to maintain alignment and prevent sagging.

(8) *Combustible* ducts in concrete slabs-on-ground that are connected to a *furnace* supply *plenum* shall be located not closer than 600 mm to that *plenum* and not less than 600 mm from its connection to a riser or register.

(9) Ducts in or beneath concrete slabs-on-ground shall be watertight, corrosion-, decay- and mildew-resistant.

(10) Where a *supply* or *return duct* is not protected by an insulated exterior wall or where the duct is exposed to an unheated space it shall be insulated to provide a thermal resistance of not less than RSI 2.1.

#### 6.2.4.4. Clearances of Ducts and Plenums

(1) Reserved.

(2) Where the *plenum* clearance is 75 mm or less, the clearance between a *supply duct* and *combustible* material shall

(a) be equal to the required *plenum* clearance within 450 mm of the *plenum*, and

(b) be not less than 12 mm at a distance of 450 mm or more from the *plenum*, except that this clearance may be reduced to zero beyond a bend or offset in the duct sufficiently large to shield the remainder of the duct from direct radiation from the *furnace* heat exchanger.

(3) Where the *plenum* clearance is more than 75 mm but not more than 150 mm, the clearance between a *supply duct* and *combustible* material shall

(a) be equal to the required *plenum* clearance within a horizontal distance of 1.8 m of the *plenum*, and

(b) be not less than 12 mm at a horizontal distance of 1.8 m or more from the *plenum*, except that this distance may be reduced to zero beyond a bend or offset in the duct sufficiently large to shield the remainder of the duct from direct radiation from the *furnace* heat exchanger.

(4) Where the *plenum* clearance is more than 150 mm, the clearance between a *supply duct* and *combustible* material shall

(a) be equal to the required *plenum* clearance within a horizontal distance of 1 m of the *plenum*,

(b) be not less than 150 mm within a horizontal distance between 1 and 1.8 m from the *plenum*, and

(c) be not less than 25 mm at a horizontal distance of 1.8 m or more from the *plenum*, except that this distance may be reduced to 8 mm beyond a bend or offset in the duct sufficiently large to shield the remainder of the *supply duct* from direct radiation from the *furnace* heat exchanger.

(5) Where a register is installed in a floor directly over a pipeless *furnace*, a double-walled register box with not less than 100 mm between walls, or a register box with the warm-air passage completely surrounded by the cold-air passage, shall be permitted in lieu of the clearances listed in Sentences (2), (3) and (4).

#### 6.2.4.5. Warm-Air Supply Outlets

(1) A warm-air supply outlet shall be provided in each finished room in a *dwelling unit*. When rooms are located adjacent to exterior walls or unheated space, such outlets shall be located so as to bathe not less than one exterior wall or window with warm air, except in bathrooms, utility rooms or kitchens, where this may not be practical.

(2) Reserved.

(3) Not less than one warm-air supply outlet shall be provided for each 40 m<sup>2</sup> of floor surface area in unfinished *basements* serving

*dwelling units*, located so as to provide adequate distribution of warm air throughout the *basement*.

(4) Except for pipeless *furnaces* and floor *furnaces*, the capacity of warm-air supply outlets serving *dwelling units* shall be not less than the design heat loss from the area served and shall not exceed 3 kW per outlet.

(5) In *basements* and heated crawl spaces, the calculated heat gain from the *supply ducts* and *plenum* surfaces may be considered in calculating the design heat loss.

(6) Warm-air supply outlets located in finished areas shall be provided with diffusers and adjustable openings and shall not be located on a *furnace plenum*.

(7) The temperature of supply air at the warm-air supply outlets shall not exceed 70°C.

**6.2.4.6. Concrete Slabs-on-Grade.** Warm-air supply systems for residential *buildings* built on concrete slabs-on-ground shall be installed in the slab and shall be of the perimeter loop type or radial perimeter type.

**6.2.4.7. Adjustable Dampers and Balance Stops.** All branch *supply ducts* for residential systems shall be equipped with volume control dampers at the boot to permit balancing or shall be fitted with a diffuser incorporating an adjustable and lockable volume control device which can be set in a fixed position.

#### 6.2.4.8. Return-Air System

(1) The return-air system shall be designed to handle the entire air supply.

(2) Except as provided in Sentences (3) and (4), *return ducts* shall be constructed of material having a surface *flame-spread rating* of not more than 150.

(3) Where any part of a *return duct* will be exposed to radiation from the *furnace* heat exchanger or other radiating part within the *furnace*, such part of a *return duct* directly above or within 600 mm of the outside *furnace* casing shall be *noncombustible*.

(4) *Return ducts* serving solid fuel-fired *furnaces* shall be constructed of *noncombustible* material.

(5) *Combustible return ducts* shall be lined with *noncombustible* material below floor registers, at the bottom of vertical ducts and under *furnaces* having a bottom return.

(6) Spaces between studs used as *return ducts* shall be separated from the unused portions of such spaces by tight-fitting metal stops or wood blocking.

(7) A vertical *return duct* shall have openings to return air on not more than 1 floor.

(8) A *public corridor* shall comply with Sentences 6.2.3.11.(3) and (4).

(9) The return-air system shall be designed so that the negative pressure from the circulating fan cannot affect the *furnace* combustion air supply nor draw combustion products from joints or openings in the *furnace* or *flue pipe*.

(10) Return-air inlets shall not be installed in an enclosed room or crawl space that provides combustion air to a fuel-fired *appliance*.

(11) Return-air from a *dwelling unit* shall not be recirculated to any other *dwelling unit*.

(12) Except for floor levels that are less than 900 mm above or below an adjacent floor level which is provided with a return-air

inlet, at least one return-air inlet shall be provided in each floor level in a *dwelling unit*.

(13) Provision shall be made for the return of air from all rooms by leaving gaps beneath doors, using louvred doors or installing *return duct* inlets.

#### 6.2.5. Heating Appliances, General

**6.2.5.1. Location of Appliances.** Except for *appliances* installed in *dwelling units*, fuel-fired heating *appliances* shall be located, enclosed or separated from the remainder of the *building* in conformance with Section 3.5.

**6.2.5.2. Appliances Installed Outside the Building.** Fuel-fired *appliances* installed on the roof of a *building* or otherwise outside the *building* shall be

- (a) designed for outdoor use,
- (b) installed not less than 1.2 m from the property line, measured horizontally, and
- (c) installed not less than 3 m from an adjacent wall of the same *building* when such wall contains an opening or openings within 3 *storeys* above and 5 m horizontally from the *appliance*, unless such openings are protected by a *closure* assembly having a 45 min *fire-protection rating* determined in conformance with Article 3.1.8.4., or by wired glass conforming to Article 3.1.8.14.

#### 6.2.6. Incinerators

**6.2.6.1. Applicable Standard.** The design, construction, installation and *alteration* of every indoor incinerator shall conform to NFPA 82, "Incinerators, Waste and Linen Handling Systems and Equipment".

**6.2.6.2. Venting.** Every incinerator shall be served by a *chimney flue* conforming to Section 6.3.

#### 6.2.7. Unit Heaters

**6.2.7.1.** Every *unit heater* using either steam or hot water as the heating medium shall be installed with a clearance of not less than 25 mm between the *appliance* and adjacent *combustible* material.

#### 6.2.8. Radiators and Convectors

**6.2.8.1.** Every steam or hot water radiator and convector located in a recess or concealed space or attached to the face of a wall of *combustible construction* shall be provided with a *noncombustible* lining or backing.

#### 6.2.9. Piping for Heating and Cooling Systems

##### 6.2.9.1. Piping Materials and Installation

(1) Piping shall be made from materials designed to withstand the effects of temperatures and pressures that may occur in the system.

(2) Every pipe used in a heating or *air-conditioning* system shall be installed to allow for expansion and contraction due to temperature changes.

(3) Supports and anchors for piping in a heating or *air-conditioning* system shall be designed and installed to ensure that undue stress is not placed on the supporting structure.

##### 6.2.9.2. Insulation and Coverings

(1) Insulation and coverings on pipes shall be composed of material suitable for the operating temperature of the system to withstand deterioration from softening, melting, mildew and mould.



(2) Insulation and coverings on pipes in which the temperature of the fluid exceeds 120°C

- (a) shall be made of *noncombustible* material, or
- (b) shall not flame, glow, smoulder or smoke when tested in accordance with the method of test ASTM C411, "Hot-Surface Performance of High-Temperature Thermal Insulation", at the maximum temperature to which such insulation or covering is to be exposed in service.

(3) Except as provided in Sentence (7), where *combustible* insulation is used on piping in a *horizontal* or *vertical service space*, the insulation and coverings on such pipes shall have a *flame-spread rating* throughout the material of not more than 25 in *buildings of noncombustible construction* and not more than 75 in *buildings of combustible construction*.

(4) Except as provided in Sentence (7), insulation and coverings on piping located in rooms and spaces other than the *service spaces* described in Sentence (3) shall have a *flame-spread rating* of not more than that required for the interior finish for the ceiling of the room or space.

(5) Except as provided in Sentence (7), where *combustible* insulation and covering is used on piping in *buildings* described in Subsection 3.2.6., they shall have a smoke developed classification of not more than 100.

(6) Pipes that are exposed to human contact shall be insulated so that the exposed surface does not exceed 70°C.

(7) No *flame-spread rating* or smoke developed classification limitations are required where *combustible* insulation and coverings are used on piping when such piping is

- (a) located within a concealed space in a wall,
- (b) located in a floor slab, or
- (c) enclosed in a *noncombustible* raceway or conduit.

**6.2.9.3. Clearances.** Clearances between *combustible* material and bare pipes carrying steam or hot water shall conform to Table 6.2.9.A.

**Table 6.2.9.A.**  
Forming Part of Article 6.2.9.3.

Steam or Water Temperature, °C	Minimum Clearance, mm
up to 120	15
above 120	25
Column 1	2

**6.2.9.4. Surface Temperature.** The exposed surface temperature of a steam or hot water radiator shall not exceed 70°C unless precautions are taken to prevent human contact.

#### 6.2.9.5. Protection

(1) Where a pipe carrying steam or hot water at a temperature above 120°C passes through a *combustible* floor, ceiling or wall, the construction shall be protected by a sleeve of metal or other *noncombustible* material not less than 50 mm larger in diameter than the pipe.

(2) Unprotected steam or hot water pipes that pass through a storage space shall be covered with not less than 25 mm of *noncombustible* insulation to prevent direct contact with the material stored.

**6.2.9.6. Piping in Shafts.** Where piping for heating or air-

conditioning systems is enclosed in a shaft, the requirements of Article 3.5.3.1. for shafts shall apply.

#### 6.2.10. Refrigerating Systems and Equipment for Air-Conditioning

**6.2.10.1. Cooling Units.** Where a cooling unit is combined with a fuel-fired *furnace* in the same duct system, the cooling unit shall be installed

- (a) in parallel with the heating *furnace*,
- (b) upstream of the *furnace* provided the *furnace* is designed for such application, or
- (c) downstream of the *furnace* provided the cooling unit is designed to prevent excessive temperature or pressure in the refrigeration system.

#### 6.2.11. Storage Bins

##### 6.2.11.1. Storage Bins

(1) Service pipes passing through a storage bin for solid fuel shall be protected or so located as to avoid damage to the pipes.

(2) Except for fuel-thawing pipes, every pipe designed to operate at a temperature of 50°C or above shall be located where fuel cannot be stored in contact with it.

(3) A storage bin for solid fuel shall not be located above a sewer opening or drain opening.

(4) Solid fuels shall not be stored where the air temperature in the bin or the surface temperature of any part of the floor or walls is 50°C or above.

##### 6.2.11.2. Ash Storage Bins

(1) Every ash storage bin shall be constructed of *noncombustible* material and, where the bin is not covered, the ceiling of the room in which it is located shall be of *noncombustible* material.

(2) Every opening in an ash storage bin shall be protected by a tight-fitting metal door with metal frame securely fastened to the bin.

#### Section 6.3 Chimneys and Venting Equipment

##### 6.3.1. General

**6.3.1.1. Requirement for Venting.** Except as provided in Articles 6.3.1.2. and 6.3.1.3., the products of combustion from solid fuel-burning *appliances* shall be vented in conformance with the requirements in the applicable *appliance* installation standards listed in Article 6.2.1.4.

##### 6.3.1.2. Masonry or Concrete Chimneys

(1) Rectangular *masonry* or *concrete chimneys* not more than 12 m in height that serve *appliances* with a combined total rated heat output of 120 kW or less, or that serve fireplaces, shall conform to Part 9.

(2) *Masonry* or *concrete chimneys* other than those described in Sentence (1) shall be designed and installed in conformance with the appropriate requirements in NFPA 211, "Standard for Chimneys, Fireplaces, Vents and Solid Fuel-Burning Appliances".

**6.3.1.3. Metal Smoke Stacks.** Single wall metal smoke stacks shall be designed and installed in conformance with NFPA 211, "Standard for Chimneys, Fireplaces, Vents and Solid Fuel-Burning Appliances".

**6.3.1.4. Reserved.**

**6.3.1.5. Access Ladders**

(1) Access ladders for *chimneys*, when provided, shall consist of steel or bronze rungs, built into the walls of the *chimneys*.

(2) Rungs for external ladders shall begin at not less than 2.5 m from ground level.

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**9.1.1.3. Self-Service Storage Buildings.** *Self-service storage buildings* shall conform to the requirements in Section 3.10.

**9.1.1.4. Tents, Air-Supported Structures and Temporary Structures.** Tents, *air-supported structures* and temporary structures shall conform to the requirements in Subsection 3.1.6.

**9.1.1.5. Proximity to Existing Above Ground Electrical Conductors.** Where a *building* is constructed in close proximity to existing above ground electrical conductors the requirements of Subsection 3.1.18. shall apply.

## Section 9.2 Definitions

### 9.2.1. General

**9.2.1.1. Defined Words.** Words in italics are defined in Part 1.

## Section 9.3 Materials, Systems and Equipment

### 9.3.0. General

**9.3.0.1. Past Performance or Tests.** Materials, *appliances*, systems and equipment not specifically described herein, or which vary from the specific requirements in this Part, or for which no recognized test procedure has been established, may be used if it can be shown that the material, *appliance*, system or equipment is suitable on the basis of past performance or on the basis of tests described in Article 9.3.0.2.

**9.3.0.2. Design of Test.** Where no published test method exists, the test shall be designed to simulate or exceed anticipated service conditions or shall be designed to compare the performance of the material, *appliance*, system or equipment with similar material, *appliance*, system or equipment that is known to be acceptable.

### 9.3.1. Concrete

**9.3.1.1. Concrete.** Concrete shall be designed, mixed, placed, cured and tested in accordance with CAN3-A438, "Concrete Construction for Housing and Small Buildings".

**9.3.1.2. Cement.** Cement shall meet the requirements of CAN3-A5, "Portland Cements".

### 9.3.1.3. Concrete in Contact with Sulphate Soil

(1) Sulphate-resisting cement shall be used for concrete in contact with sulphate soil deleterious to normal cement. Such concrete shall conform to the requirements in Section 16 of CAN3-A23.1, "Concrete Materials and Methods of Concrete Construction".

(2) Sulphate-resisting cement shall be used for concrete referred to in Sentence (1).

**9.3.1.4. Aggregates.** Aggregates shall consist of sand, gravel, crushed rock, crushed air-cooled blast furnace slag, expanded shale or expanded clay conforming to CAN3-A23.1, "Concrete Materials and Methods of Concrete Construction". Aggregate shall be clean, well-graded and free of injurious amounts of organic and other deleterious material.

**9.3.1.5. Water.** Water shall be clean and free of injurious amounts of oil, organic matter, sediment or any other deleterious material.

**9.3.1.6. Compressive Strength.** Unless otherwise specifically required elsewhere in this Part, the compressive strength of unreinforced concrete shall be not less than 15 MPa after 28 days.

**9.3.1.7. Concrete for Garage and Concrete Floors and Exterior Steps.** When concrete is used for garage and carport floors and exterior steps, it shall have a minimum compressive strength of 25 MPa after 28 days and shall have air entrainment of 5 to 8 per cent.

## Part 9 Housing and Small Buildings

### Section 9.1 General

#### 9.1.1. Scope

**9.1.1.1. Scope.** The scope of this Part shall be as described in Section 2.1.

**9.1.1.2. Signs.** Signs shall conform to the requirements in Section 3.8.

**9.3.1.8. Concrete Mixes**

(1) The concrete mixes described in Table 9.3.1.A. shall be acceptable if the slump does not exceed 100 mm when measured according to the slump test described in CAN3-A23.2, "Methods of Test for Concrete".

(2) Aggregate for mixes referred to in Sentence (1) shall not exceed 50 mm in size.

**Table 9.3.1.A.**  
Forming Part of Article 9.3.1.8.

Concrete Mixes, by Volume			
Concrete Strength MPa	Cement, parts	Sand, parts	Coarse Aggregate, parts
15	1	2	4
	1	—	6, pit run gravel
20	1	1¾	3, up to 40 mm in size
	1	—	4¾, pit run gravel
Column 1	2	3	4

**9.3.1.9. Admixtures.** Admixtures shall conform to CAN3-A266.1, "Air Entraining Admixtures for Concrete" or CAN3-A266.2, "Chemical Admixtures for Concrete", as applicable.

**9.3.1.10. Reinforced Concrete.** Reinforced concrete shall be designed to conform to the requirements of Part 4.

**9.3.1.11. Cold Weather Requirements**

(1) When the air temperature is below 5°C, concrete shall be kept at a temperature of not less than 10°C or more than 25°C while being mixed and placed, and maintained at a temperature of not less than 10°C for 72 h after placing.

(2) No frozen material or ice shall be used in concrete described in Sentence (1).

**9.3.2. Lumber and Wood Products**

**9.3.2.1. Grade Marking.** Lumber for joists, rafters, trusses and beams and for the uses listed in Table 9.3.2.A. shall be identified by a grade stamp to indicate its grade as determined by the NLGA "Standard Grading Rules for Canadian Lumber".

**Table 9.3.2.A.**  
Forming Part of Article 9.3.2.1.

Use	Minimum Lumber Grades for Specific End Uses			FRAMING
	BOARDS			
	Paragraph in the NLGA grading rules under which boards are graded			
	All Species	Eastern White Pine & Red Pine	All Species	
	Para 113	Para 114	Para 118	
Stud wall framing (loadbearing members)	—	—	—	Standard Stud. No. 2
Stud wall framing (non-loadbearing members)	—	—	—	Stud, Utility No. 3
Plank frame construction (loadbearing members)	No. 3 Common	—	No. 3 Common	No. 2
Plank frame construction (non-loadbearing members)	No. 5 Common	—	No. 5 Common	Economy, No. 3
Posts and beams less than 114 mm in thickness	—	—	—	Standard, No. 2
Posts and beams at least 114 mm in thickness	—	—	—	Standard
Roof sheathing	No. 3 Common	Standard	No. 4 Common	—
Subflooring	No. 3 Common	Standard	No. 4 Common	—
Wall sheathing when required as a nailing base	No. 4 Common	Utility	No. 4	—
Wall sheathing not required as a nailing base	No. 5 Common	Economy	No. 5	—
Column 1	2	3	4	5

**9.3.2.2. Lumber Grades.** Except for joists, rafters, trusses and beams, visually graded lumber shall conform to the grades in Table 9.3.2.A.

**9.3.2.3. Machine Stress Rated Lumber.** Machine stress rated lumber shall conform to the requirements of Subsection 4.3.1.

**9.3.2.4. Waferboard, Strandboard and Plywood Marking.** Waferboard and plywood used for roof sheathing, wall sheathing and sub-flooring shall be legibly identified on the face of the material indicating the manufacturer of the material, the standard to which it is produced and that the material is of an exterior type.

**9.3.2.5. Moisture Content.** Moisture content of lumber shall be not greater than 19 per cent at the time of installation.

**9.3.2.6. Lumber Dimensions.** Lumber dimensions referred to in this part are actual dimensions determined in conformance with CSA 0141, "Softwood Lumber".

**9.3.2.7. Panel Thickness Tolerances.** The thicknesses specified in this Part for plywood, hardboard, particleboard and waferboard shall be subject to the tolerances permitted in the standards referenced for these products unless specifically indicated herein.

**9.3.2.8. Undersized Lumber.** Joist, rafter, lintel and beam members up to 5 per cent less than the actual Canadian standard sizes may be used provided the allowable spans for the grade and species of lumber under consideration are reduced 5 per cent from those shown in the span tables for full size members.

**9.3.2.9. Termite Resistance.** Where wood is pressure treated to resist termites, such treatment shall be in accordance with the requirements of

- (a) CAN/CSA 080.1, "Preservative Treatment of All Timber Products by Pressure Processes,"
- (b) CAN/CSA 080.2, "Preservative Treatment of Lumber, Timber, Bridge Ties and Mine Ties by Pressure Processes,"
- (c) CAN/CSA 080.9, "Preservative Treatment of Plywood by Pressure Processes," or
- (d) CAN/CSA 080.15, "Preservative Treatment of Wood for Building Foundation Systems, Basements and Crawl Spaces by Pressure Processes."

### 9.3.3. Metal

**9.3.3.1. Sheet Metal Thickness.** Minimum thicknesses for sheet metal material given in this Part refer to the actual minimum thicknesses measured at any point of the material, and in the case of galvanized steel, includes the thickness of the coating unless otherwise indicated.

**9.3.3.2. Galvanized Sheet Metal.** Where galvanized sheet metal is intended for use in locations exposed to the weather or as a flashing material, it shall have a zinc coating at least equal to the G90 coating designation in ASTM A525, "Steel Sheet, Zinc-Coated (Galvanized) by the Hot-Dip Process".

## Section 9.4 Structural Requirements

### 9.4.1. General

#### 9.4.1.1. Structural Design

(1) Except as provided in Sentence (2), Sentence 9.23.4.1.(2) and Subsections 9.4.2. to 9.4.4., structural members and their connections shall be designed in conformance with Part 4.

(2) Where structural members and their connections conform to the requirements listed elsewhere in this Part, it shall be deemed that the structural design requirements have been met.

**9.4.1.2. Post, Beam and Plank Construction.** Except for columns in Section 9.17 and beams in Subsection 9.23.4., wood-frame post, beam and plank construction with the *loadbearing* framing members spaced more than 600 mm apart shall be designed in conformance with Subsection 4.3.1.

### 9.4.2. Snow Loads

**9.4.2.1. Application.** This Subsection applies to wood frame assemblies with clear spans not exceeding 12.20 m and members spaced not more than 600 mm apart.

#### 9.4.2.2. Design Snow Loads

(1) Except as provided in Sentences (2) and (3), design snow loads shall not be less than the appropriate composite snow load listed in Column 13 of Table 2.5.1.A.

(2) Where the entire width of a roof does not exceed 4.3 m, the design snow load shall not be less than composite snow load listed in Column 12 of Table 2.5.1.A.

(3) In no case shall the composite snow load be less than 1 kPa.

(4) Bow string, arch or semi-circular roof trusses having an unsupported span greater than 6 m shall be designed in conformance with the snow load requirements in Section 4.1.

**9.4.2.3. Balconies.** Residential balconies not used as passageways shall be designed to carry the design roof snow load or 1.9 kPa, whichever is greater.

### 9.4.3. Deflections

#### 9.4.3.1. Deflections

(1) The maximum deflection of structural members shall conform to Table 9.4.3.A.

(2) *Dead loads* need not be considered in computing deflections referred to in Sentence (1).

**Table 9.4.3.A.**  
Forming Part of Sentence 9.4.3.1.(1)

Maximum Deflections		
Structural Members	Type of Ceiling Supported	Maximum Allowable Deflection Expressed as a Ratio of the Clear Span
Roof rafters, roof joists, roof beams and roof decking of plank and beam construction	No ceiling	1/180
	Other than plaster or gypsum board	1/240
Ceiling Joists	Plaster or gypsum board	1/360
	Other than plaster or gypsum board	1/240
Floor beams, floor joists and floor decking of plank and beam construction for floor areas other than bedrooms in <i>dwelling units</i>	Plaster or gypsum board	1/360
	Other than plaster or gypsum board	1/360
Column 1	2	3

**Table 9.4.3.A.—Continued**  
Forming Part of Sentence 9.4.3.1.(1)

Maximum Deflections		
Structural Members	Type of Ceiling Supported	Maximum Allowable Deflection Expressed as a Ratio of the Clear Span
Floor beams, floor joists and floor decking of plank and beam construction for floor areas of bedrooms in <i>dwelling units</i>	No ceiling	1/240
	Other than plaster or gypsum board	1/240
	Plaster or gypsum board	1/360
Column 1	2	3

#### 9.4.4. Foundation Conditions

##### 9.4.4.1. Allowable Bearing Pressures

(1) Where footing sizes for *shallow foundations* are not determined in conformance with Section 9.15, footings may be designed using maximum *allowable bearing pressures* in Table 9.4.4.A.

(2) The design procedures described in Section 4.2 may be used in lieu of the design procedures in this Subsection.

(3) The design procedures described in Section 4.2 shall be used where

- (a) *deep foundations* are used,
- (b) the footing size falls outside the scope of this Section, or
- (c) the foundation is constructed on peat, filled ground or on sensitive clays as described in Article 9.15.1.1.

**Table 9.4.4.A.**  
Forming Part of Article 9.4.4.1.

Allowable Bearing Pressure for Soil or Rock	
Type and Condition of Soil or Rock	Maximum Allowable Bearing Pressure, kPa
Dense or compact sand or gravel	150
Loose sand or gravel	50
Dense or compact silt	100
Stiff clay	150
Firm clay	75
Soft clay	40
Till	200
Clay shale	300
Sound rock	500
Column 1	2

##### 9.4.4.2. Foundation Capacity in Weaker Soil and Rock

(1) Where a *soil or rock* within a distance equal to twice the footing width below the *bearing surface* has a lower *allowable bearing pressure* than that at the *bearing surface* as shown in Article 9.4.4.1., the design capacity of the *foundation* shall not be greater than would cause the weakest *soil or rock* to be stressed beyond its *allowable bearing pressure*.

(2) In calculating subsurface pressures referred to in Sentence (1), the loads from the footings shall be assumed to be distributed uniformly over a horizontal plane within a frustum extending downward from the footing at an angle of 60° to the horizontal.

**9.4.4.3. High Water Table.** Where a *foundation* bears on gravel, sand or silt, and the water table is within a distance below the *bearing surface* equal to the width of the *foundation*, the *allowable bearing pressure* shall be 50 per cent of that determined in Article 9.4.4.1.

**9.4.4.4. Soil Movement.** Where a *foundation* is located in an area in which soil movement caused by changes in soil moisture content is known to occur to the extent that it will cause significant damage to a *building*, measures shall be taken to minimize the effect of such movement on the *building*.

**9.4.4.5. Retaining Walls.** Walls shall be designed to resist the lateral pressure of the retained material.

##### 9.4.4.6. Walls Supporting Drained Earth

(1) Walls supporting drained earth may be designed for pressure equivalent to that exerted by a fluid with a density of not less than 480 kg/m<sup>3</sup> and having a depth equal to that of the retained earth.

(2) Any surcharge shall be in addition to the equivalent fluid pressure specified in Sentence (1).

#### Section 9.5 Room and Space Dimensions

##### 9.5.1. General

**9.5.1.1. Application.** Unless otherwise specifically indicated, this Section applies only to *dwelling units* that are intended for use on a continuing or year-round basis as the principal residence of the occupant.

**9.5.1.2. Method of Measurement.** Unless otherwise indicated herein, the areas, dimensions and heights of rooms or spaces shall be measured between finished wall surfaces and between finished floor and ceiling surfaces.

**9.5.1.3. Floor Areas.** Minimum floor areas specified in this Section do not include closets or built-in bedroom cabinets unless otherwise indicated.

**9.5.1.4. Combination Rooms.** Two or more areas are considered as a combination room if the dividing wall occupies less than 60 per cent of the separating plane.

**9.5.1.5. Lesser Areas and Dimensions.** Areas and dimensions of rooms and spaces may be less than required in this Section provided it can be shown that the rooms and spaces are adequate for their intended use, such as by the provision of built-in furniture to compensate for reduced sizes.

##### 9.5.2. Ceiling Heights

**9.5.2.1. Heights of Room or Spaces.** Heights of rooms or spaces in *residential occupancies* shall conform to Table 9.5.2.A.

**Table 9.5.2.A.**  
Forming Part of Article 9.5.2.1.

Room Heights	
Room or Space	Minimum Heights
Living room or space, dining room or space, kitchen or kitchen space	2.3 m over at least 75 per cent of the required floor area with a clear height of 2.1 m at any point over the required area
Column 1	2

**Table 9.5.2.A.**  
Forming Part of Article 9.5.2.1.—*Continued*

Room Heights	
Room or Space	Minimum Heights
Bedroom or bedroom space	2.3 m over at least 50 per cent of the required area or 2.1 m over all of the required floor area. Any part of the floor having a clear height of less than 1.4 m shall not be considered in computing the required floor area
Unfinished <i>basement</i> including laundry area therein	1.95 m under beams in laundry areas and in any location that would normally be used for passage to laundry and storage areas
Bathroom, water-closet room or laundry area above grade	2.1 m in any area where a person would normally be in a standing position
Passage, hall or main entrance vestibule and finished rooms not specifically mentioned above	2.1 m
Column 1	2

**9.5.2.2. Mezzanines.** The clear height above and below a *mezzanine* floor assembly in all *occupancies* shall be not less than 2.1 m.

**9.5.2.3. Storage Garages.** The clear height in a *storage garage* shall be not less than 2 m.

### 9.5.3. Living Rooms or Spaces Within Dwelling Units

#### 9.5.3.1. Areas and Dimensions of Living Rooms and Spaces

(1) Living areas within *dwelling units*, either as separate rooms or in combination with other spaces, shall have an area not less than 13.5 m<sup>2</sup> and shall have no dimension less than 3 m within the required area.

(2) Where the area of a living space is combined with a kitchen and dining area, the living area alone in a *dwelling unit* that contains sleeping accommodation for not more than 2 persons shall be not less than 11 m<sup>2</sup>.

### 9.5.4. Dining Rooms or Spaces Within Dwelling Units

#### 9.5.4.1. Area of Dining Rooms or Spaces

(1) A dining space in combination with other space shall have a minimum floor area of 3.25 m<sup>2</sup>.

(2) Dining rooms not combined with other space shall have a minimum area of 7 m<sup>2</sup>.

#### 9.5.4.2. Dimensions of Dining Rooms or Spaces

(1) Except as permitted in Sentence (2), a dining room or space combined with other space shall have no dimension less than 2.3 m within the required area measured between wall faces or a wall face and a built-in cabinet or appliance.

(2) When a required dining area is provided in a kitchen or serves a *dwelling unit* that contains sleeping accommodation for not more than 2 persons, the minimum dimension of such space may be reduced to 1.7 m.

### 9.5.5. Kitchens Within Dwelling Units

**9.5.5.1. Kitchen Areas.** Kitchen areas within *dwelling units* either separate from or in combination with other spaces, shall have an area of not less than 4.2 m<sup>2</sup> including the area occupied by the base cabinets, except that in *dwelling units* containing sleeping accommodation for not more than 2 persons, the minimum area shall be 3.7 m<sup>2</sup>.

### 9.5.6. Bedrooms or Spaces in Dwelling Units and Dormitories

#### 9.5.6.1. Areas and Dimensions of Bedrooms

(1) Except as provided in Articles 9.5.6.2. and 9.5.6.3., bedrooms in *dwelling units* shall have at least 7 m<sup>2</sup> of floor area where built-in cabinets are not provided and 6 m<sup>2</sup> of floor area where built-in cabinets are provided.

(2) The minimum dimension within the required area specified in Sentence (1) shall be 2 m.

#### 9.5.6.2. Areas and Dimensions of Master Bedrooms

(1) Except as provided in Article 9.5.6.3., not less than one bedroom in every *dwelling unit* shall have an area of not less than 9.8 m<sup>2</sup> where built-in cabinets are not provided and not less than 8.8 m<sup>2</sup> where built-in cabinets are provided.

(2) The minimum dimension within the required area in Sentence (1) shall be 2.7 m.

**9.5.6.3. Areas and Dimensions of Combination Bedrooms.** Bedroom spaces in combination with other spaces in *dwelling units* shall have an area not less than 4.2 m<sup>2</sup> and have no dimension less than 2 m within the required area.

#### 9.5.6.4. Areas and Dimensions of Other Sleeping Rooms

(1) Sleeping rooms other than in *dwelling units* shall have an area not less than 7 m<sup>2</sup> per person for single *occupancy* and 4.6 m<sup>2</sup> per person for multiple *occupancy*.

(2) The minimum dimension within the required area shall be 2 m.

**9.5.6.5. Recreational Camps.** *Recreational camps* shall have an area in the sleeping quarters of at least 3.72 m<sup>2</sup> per camper or, if double or triple tier bunk units are used, 2.79 m<sup>2</sup> per camper.

**9.5.6.6. Camps for Housing Workers.** A *camp for housing of workers* shall have a minimum area of 3.72 m<sup>2</sup> per employee in every room used for sleeping purposes.

### 9.5.7. Bathrooms and Water-Closet Rooms

**9.5.7.1. Space to Accommodate Fixtures.** In every *dwelling unit* an enclosed space of sufficient size shall be provided to accommodate a water-closet, lavatory and bathtub or shower stall.

### 9.5.8. Hallways

**9.5.8.1. Width of Hallway Within Dwelling Unit.** The width of a hallway within a *dwelling unit* shall be at least 860 mm, except that in *buildings* not exceeding 4.3 m in width the hallway width may be 710 mm where a second *exit* is provided near the end of the hallway farthest from the living area.

## Section 9.6 Doors

### 9.6.1. General

**9.6.1.1. Application.** This Section applies to doors, to glazed areas in doors and to sidelights for doors.



**9.6.2. Required Doors**

**9.6.2.1. Where Doors are Required.** A door shall be provided at each entrance to a *dwelling unit* and to each room containing a water-closet within a *dwelling unit*.

**9.6.3. Doorway Sizes**

**9.6.3.1. Doorway Opening Sizes.** Except as provided in Articles 9.6.3.3. and 9.9.6.4., doorway openings within *dwelling units* shall be designed to accommodate not less than the door sizes in Table 9.6.3.A. for swing-type or folding doors.

**Table 9.6.3.A.**  
Forming Part of Article 9.6.3.1.

Minimum Size of Doors		
At Entrance to:	Width, mm	Height, mm
<i>Dwelling unit</i> (required entrance) Vestibule or entrance hall	810	1980
Stairs to a floor level that contains a finished space All doors in at least one line of passage from the exterior to the <i>basement</i> Utility rooms	810	1980
Walk-in closet	610	1980
Bathroom, water-closet room, shower room (1)	610	1980
Rooms located off hallways that are permitted to be 710 mm wide	610	1980
Rooms not mentioned above, exterior balconies	760	1980
Column 1	2	3

**Note to Table 9.6.3.A.:**

(1) See Article 9.6.3.3.

**9.6.3.2. Doors to Public Water-Closet Rooms.** Doors to public water-closet rooms shall be not less than 810 mm in width and 2 030 mm in height.

**9.6.3.3. Barrier-Free Path of Travel.** Where a *barrier-free* path of

travel conforming to Section 3.7 is provided into a *suite of residential occupancy* and where a bathroom within the *suite* is at the level of the *suite* entrance door, the doorway to such bathroom and to each bedroom at the same level as such bathroom shall have, when the door is in the open position, a clear width of not less than

- (a) 760 mm where the door is served by a corridor or space not less than 1 060 mm wide, and
- (b) 810 mm where the door is served by a corridor or space less than 1 060 mm wide.

**9.6.4. Exterior Doors**

**9.6.4.1. Exterior Wood Doors**

(1) Exterior wood doors shall conform to CSA 0132.2, "Wood Doors".

(2) Each door described in Sentence (1) shall indicate legibly the name of the manufacturer, the standard to which it is produced and that it is of an exterior type.

**9.6.4.2. Sliding Doors.** Sliding doors shall conform to CAN/CGSB 82.1-M, "Sliding Doors."

**9.6.4.3. Insulated Steel Doors.** Insulated steel doors shall conform to CAN/CGSB 82.5-M, "Insulated Steel Doors."

**9.6.4.4. Air Infiltration for Exterior Swing Type Doors.** Except where a door is weather-stripped on all edges, and protected with a storm door, or by an enclosed unheated space, an exterior swing type door assemblies shall have a rate of air infiltration not exceeding  $11.6 \times 10^{-4}$  m<sup>3</sup>/s for each metre of crack length when tested at a pressure differential of 75 Pa in conformance with ASTM E283, "Standard Method of Test for Rate of Air Leakage Through Exterior Windows, Curtain Walls and Doors".

**9.6.4.5. Air Infiltration for Patio Type Sliding Doors.** A patio type sliding glass door shall have a rate of air infiltration not exceeding  $38 \times 10^{-4}$  m<sup>3</sup>/s for each square metre of door area when tested in conformance with ASTM E283.

**9.6.4.6. Weather Stripping.** In buildings of *residential occupancy* weather-stripping shall be provided around all exterior doors except garage doors.

**9.6.5. Glass**

**9.6.5.1. Maximum Area of Glass.** The maximum area of individual panes of glass for doors shall conform to Table 9.6.5.A.

**Table 9.6.5.A.**  
Forming Part of Article 9.6.5.1.

Maximum Glass Area for Doors, m <sup>2</sup>						
Glass Thickness, mm	Type of Glass					
	Annealed	Annealed Multiple-Glazed, Factory-Sealed Units	Laminated	Wired	Heat Strengthened	Fully Tempered
3	0.50	0.70	(1)	(1)	1.00	1.00
4	1.00	1.50	(1)	(1)	1.50	4.00
5	1.50	1.50	(1)	(1)	1.50	No limit
6	1.50	1.50	1.20	1.00	1.50	No limit
Column 1	2	3	4	5	6	7

**Note to Table 9.6.5.A.:**

(1) Not generally available.

**9.6.5.2. Glass Doors and Sidelights**

(1) Glass in doors and in sidelights for doors shall conform to Sentence 9.7.3.1.(1).

(2) Glass side lights greater than 500 mm in width that could be mistaken for doors, glass in storm doors and glass in sliding doors within or at every entrance to a *dwelling unit* and in public areas shall be safety glass of the laminated or tempered type conforming to CAN2-12.1, "Glass, Safety, Tempered or Laminated", or shall be of wired glass conforming to CAN2-12.11, "Glass, Wired, Safety".

(3) Except as provided in Article 9.7.5.3., glass in entrance doors to *dwelling units* and in public areas, other than the entrance doors described in Sentence (2), shall be safety glass or wired glass of the type described in Sentence (2), where the glass area exceeds 0.5 m<sup>2</sup> and extends to less than 900 mm from the bottom of the door.

**9.6.5.3. Mirrored Glass Doors**

(1) Mirrored glass doors

- (a) may be used only at the entrance to reach-in clothes closets, and
- (b) shall conform to the requirements of CAN/CGSB-82.6 "Doors Mirrored Glass, Sliding or Folding, Wardrobe."

(2) Mirrored glass doors reinforced with a film backing shall meet the impact resistance requirements specified in CGSB-12.5, "Mirrors, Silvered".

**9.6.5.4. Visibility of Glass or Transparent Doors.** Except as provided in Article 9.7.5.3., every glass or transparent door accessible to and used by the public shall be equipped with hardware, bars or other permanent fixtures designed so that the existence and position of such door will be readily apparent.

**9.6.5.5. Glass for Shower or Bathtub Enclosure.** Glass other than safety glass shall not be used for a shower or bathtub enclosure.

**9.6.6. Resistance to Forced Entry****9.6.6.1. Application**

- (1) Except as permitted in Sentence (2), this Subsection applies to
- (a) swinging entrance doors to *dwelling units*,
  - (b) swinging doors between *dwelling units* and attached garages or other ancillary spaces, and
  - (c) swinging doors which provide access directly or indirectly from a *storage garage* to a *dwelling unit*.

(2) Sentence (1) does not apply to exterior doors to garages and to other ancillary spaces.

**9.6.6.2. Wood Doors.** Except as permitted in Article 9.6.6.10., wood doors as described in Sentence 9.6.6.1.(1) shall

- (a) be solid core or stile and rail type,
- (b) be not less than 45 mm thick, and
- (c) if of the stile and rail panel type, have a panel thickness of not less than 19 mm with a total panel area not more than half of the door area.

**9.6.6.3. Deadbolt Lock.** Except as permitted in Article 9.6.6.10., doors in Sentence 9.6.6.1.(1) shall be provided with a deadbolt lock

with a cylinder having not less than 5 pins and a bolt throw not less than 25 mm, protected with a solid or hardened free-turning ring or bevelled cylinder housing.

**9.6.6.4. Double Doors.** Except as permitted in Article 9.6.6.10., an inactive leaf in double doors used in locations specified in Sentence 9.6.6.1.(1) shall be provided with heavy duty bolts top and bottom having an engagement of not less than 15 mm.

**9.6.6.5. Fastening of Hinges**

(1) Except as permitted in Article 9.6.6.10., hinges for doors in Sentence 9.6.6.1.(1) shall be fastened to wood doors with wood screws not less than 25 mm long and to wood frames with wood screws such that at least two screws per hinge penetrate not less than 30 mm into solid wood.

(2) Except as permitted in Article 9.6.6.10., hinges for doors in Sentence 9.6.6.1.(1) shall be fastened to metal doors and metal frames with machine screws not smaller than No. 10 and not less than 10 mm long.

**9.6.6.6. Fastening of Strikeplates**

(1) Except as permitted in Article 9.6.6.10., strikeplates for doors described in Sentence 9.6.6.1.(1) shall be fastened to wood frames with wood screws that penetrate not less than 30 mm into solid wood.

(2) Except as permitted in Article 9.6.6.10., strikeplates for doors in Sentence 9.6.6.1.(1) shall be fastened to metal frames with machine screws not smaller than No. 10 and not less than 12 mm long.

**9.6.6.7. Outward Swinging Doors.** Except for storm doors, doors in Sentence 9.6.6.1.(1) which swing outward shall be provided with hinges or pins such that the doors cannot be removed when they are in the closed position.

**9.6.6.8. Door Viewer.** Main entrance doors to *dwelling units* shall be provided with a door viewer with a viewing angle of not less than 160°, unless transparent glazing is provided in the door or in a side-light.

**9.6.6.9. Solid Blocking.** Solid blocking shall be provided on both sides at the lock height between jambs for doors in Sentence 9.6.6.1.(1) and the structural framing so that the jambs will resist spreading by force.

**9.6.6.10. Alternate Test Procedure.** Doors, frames and hardware which conform to a security level of at least grade 10 as described in the Annex to ASTM F476, "Standard Test Methods for Security of Swinging Door Assemblies", are not required to conform to Articles 9.6.6.2. to 9.6.6.8.

**Section 9.7 Windows and Skylights****9.7.1. General**

**9.7.1.1. Application.** Windows shall conform to the requirements of this Section.

**9.7.1.2. Minimum Window Areas**

(1) Except as required in Article 9.7.1.3., the minimum window glass area for rooms in *buildings of residential occupancy* or which are used for sleeping shall conform to Table 9.7.1.A.

(2) The unobstructed glass area of a door or skylight is considered equivalent to that of a window.

**Table 9.7.1.A.**  
Forming Part of Article 9.7.1.2.

Minimum Glass Areas for Rooms of Residential Occupancy		
Location	Unobstructed Glass Area	
	With No Electric Lighting	With Electric Lighting
Laundry, basement recreation room, unfinished <i>basement</i>	4 per cent of area served	Windows not required
Water-closet room	0.37 m <sup>2</sup>	Windows not required
Kitchen, Kitchen space, Kitchen alcove	10 per cent of area served	Windows not required
Living rooms and dining rooms	10 per cent of area served	10 per cent of area served
Bedrooms and other finished rooms not mentioned above	5 per cent of area served (1)	5 per cent of area served (1)
Column 1	2	3

**Note to Table 9.7.1.A.:**

(1) See Article 9.7.1.3.

**9.7.1.3. Bedroom Windows**

(1) Every floor level containing bedrooms in a *suite* shall be provided with

- (a) at least 1 outside window that can be opened from the inside without the use of tools, and
- (b) each such window shall provide an individual, unobstructed open portion having a minimum area of 0.35 m<sup>2</sup> with no dimension less than 380 mm.

(2) Except for *basement* areas, the window described in Sentence (1) shall have a maximum sill height of 1 m above the floor.

(3) When sliding windows are used, the minimum dimension described in Sentence (1) shall apply to the openable portion of the window.

**9.7.1.4. Window Opening into a Window-Well**

(1) Where a window required in Article 9.7.1.3. opens into a window-well, a clearance of at least 550 mm shall be provided in front of the window.

(2) Where the sash of a window referred to in Sentence (1) swings towards the window-well, the operation of the sash shall not reduce the clearance in a manner that would restrict escape in an emergency.

**9.7.1.5. Termites.** Where termites are known to exist and where windows or other openings at or below *grade* contain wood elements, the bottom of window wells or adjacent ground shall be at least 150 mm below the nearest wood unless the wood is pressure treated with a chemical toxic to termites in accordance with Article 9.3.2.9.

**9.7.1.6. Air Infiltration of Exterior Windows.** Air infiltration of exterior windows shall not exceed .775 dm<sup>3</sup>/s for each metre of sash crack when tested at pressure differential of 75 Pa in conformance with ASTM E283, "Standard Method of Test Rate of Air Leakage through Exterior Windows, Curtain Walls and Doors".

**9.7.2. Window Standards**

**9.7.2.1. Window Standard**

(1) Except as permitted in Sentence (2), windows shall conform

at least to the requirements for window ratings A1, B1 and C1 in CAN3-A440, "Windows."

(2) The Standard referenced in Sentence (1) does not apply to *buildings* designed and constructed in accordance with CSA Standard Z240.2.1 provided the windows in such *buildings* comply with CSA Standard Z240.8.1.

**9.7.3. Glass**

**9.7.3.1. Glass Standard.** Glass shall conform to

- (a) CAN2-12.1, "Glass, Safety, Tempered or Laminated",
- (b) CAN2-12.2, "Glass, Sheet, Flat, Clear",
- (c) CAN2-12.3, "Glass, Polished Plate or Float, Flat, Clear",
- (d) CAN2-12.4, "Glass, Heat-Absorbing",
- (e) CAN2-12.8, "Insulating Glass Units",
- (f) CAN2-12.10, "Glass, Light and Heat/Reflecting", or
- (g) CAN2-12.11, "Glass, Wired, Safety".

**9.7.3.2. Structural Design of Glass.** Glass in windows shall be designed in conformance with CAN/CGSB-12.20-M, "Structural Design of Glass for Buildings."

**9.7.4. Caulking and Glazing**

**9.7.4.1. Sealing Compound.** Sealing compound used in the glazing of factory-sealed double-glazed units shall be compatible with the material used to edge seal the units.

**9.7.4.2. Caulking Compound.** Caulking shall be provided between window frames or trim and the exterior siding or masonry in conformance with Subsection 9.27.4.

**9.7.5. Windows in Public Areas**

**9.7.5.1. Transparent Panels.** Except as provided in Article 9.7.5.3., transparent panels that could be mistaken as a *means of egress* shall be protected by barriers or railings.

**9.7.5.2. Windows in Exit Stairways.** Windows in *exit* stairways that extend to less than 1 070 mm above the landing shall be protected by

barriers or railings located approximately 1 070 mm above such landings.

**9.7.5.3. Sliding Glass Partitions.** Sliding glass *partitions* which separate a *public corridor* from an adjacent *occupancy* and which are open during normal working hours need not conform to Articles 9.7.5.1. and Sentence 9.6.5.2.(3), except that such *partitions* shall be suitably marked to indicate their existence and position.

**9.7.5.4. Windows in Public Areas.** Windows in public areas that extend to less than 1 m from the floor and are located above the second *storey* in *buildings of residential occupancy* shall be protected by barriers or railings 1 m above the floor or the windows shall be non-openable and designed to withstand the lateral design loads for balcony *guards* in Part 4.

#### 9.7.6. Resistance to Forced Entry

**9.7.6.1. Conformance to Standard.** In *dwelling units*, windows any part of which is located within 2 m of adjacent ground level, shall conform to the requirements for resistance to forced entry as described in Clause 10.13 of CAN3-A440, "Windows."

#### 9.7.7. Skylights

**9.7.7.1. Plastic Skylights.** Plastic skylights shall conform to CAN/CGSB 63.14-M, "Plastic Skylights."

**9.7.7.2. Glass Skylights.** Factory-built glass skylights shall meet the performance requirements of CAN/CGSB 63.14-M.

### Section 9.8 Stairs, Ramps, Handrails and Guards

#### 9.8.1. Scope

**9.8.1.1. Application.** This Section applies to the design and construction of interior and exterior stairs, steps, ramps, railings and *guards*.

**9.8.1.2. Exit Stairs.** Where the stair forms part of an *exit*, the appropriate requirements in Sections 9.9 and 9.10 shall also apply.

**9.8.1.3. Escalators and Moving Walkways.** Escalators and moving walkways shall conform to the appropriate requirements in Part 3.

#### 9.8.2. General

##### 9.8.2.1. Uniform Treads and Risers

(1) Treads and risers shall have uniform rise and run in any one flight.

(2) A stairway that is not an *exit* may contain both a curved and straight portions of stairs in a single flight provided each curved portion conforms to Article 9.8.5.2. and the riser height is uniform throughout the flight.

**9.8.2.2. Minimum Number of Risers.** Except for interior stairs within a *dwelling unit*, at least 3 risers shall be provided for interior stairs.

**9.8.2.3. Interior Stairs Extending Through the Roof.** Interior stairways extending through the roof of a *building* shall be protected from ice and snow.

#### 9.8.3. Stair Dimensions

##### 9.8.3.1. Rise and Run of Stairs

(1) Except for stairs to areas used only as *service rooms*, interior stairs within *dwelling units* and exterior stairs serving *dwelling units* shall have a maximum rise of 200 mm, a minimum run of 210 mm and a minimum tread width of 235 mm.

(2) Except for stairs serving not more than 1 *dwelling unit*, inte-

rior stairs not contained within *dwelling units* and exterior stairs for *buildings* shall have a rise of not more than 200 mm and not less than 125 mm.

(3) Stairs referred to in Sentence (2) shall have a minimum run of not less than 230 mm, or more than 355 mm and a tread width of not less than 250 mm.

**9.8.3.2. Nosing or Backslope.** Where the run of any stair is less than 250 mm, a nosing of not less than 25 mm shall be provided beyond the face of the riser, or an equivalent back slope on the risers shall be provided.

##### 9.8.3.3. Stair Width

(1) *Exit* stairs and stairs used by the public shall have a width, measured between wall faces or *guards*, of not less than 900 mm.

(2) At least 1 stairway between each floor level in a *dwelling unit* shall have a minimum width between wall faces of not less than 860 mm.

**9.8.3.4. Head Room.** The head room measured vertically from a line drawn through the outer edges of the nosings shall be at least 1.95 m for stairs located in *dwelling units* and 2.05 m for all other stairs.

#### 9.8.4. Landings

**9.8.4.1. Dimensions of Landings.** Landings shall be at least as wide and as long as the width of stairs in which they occur, except that the length of landing for exterior stairs serving not more than 1 *dwelling unit* need not exceed 900 mm, and the length of landing for all other stairs in a straight run need not exceed 1 100 mm.

##### 9.8.4.2. Required Landings

(1) Where a door swings towards a stair, the full arc of its swing shall be over a landing.

(2) Except as provided in Sentence (3), a landing shall be provided at the top and bottom of each flight of interior stairs and where a doorway occurs in a stairway.

(3) Where a door at the top of a stair in a *dwelling unit* swings away from the stair, no landing is required between the doorway and the stairs.

(4) A landing shall be provided at the top of all exterior stairs, except that a landing may be omitted at a secondary entrance to a *building* containing a single *dwelling unit* provided the stair does not contain more than 3 risers.

**9.8.4.3. Height between Landings.** The vertical height between any landings shall not exceed 3.7 m.

**9.8.4.4. Height over Landings.** The clear height over landings shall be not less than 1.95 m in *dwelling units* and 2.05 m for other landings.

#### 9.8.5. Curved Stairs and Winders

##### 9.8.5.1. Curved Stairs in Exits

(1) Except as provided in Sentence (2), tapered treads shall not be used in an *exit*.

(2) Where a curved stair is used in an *exit*, it shall have

- (a) a handrail on each side,
- (b) treads with a minimum run of 240 mm exclusive of nosings,
- (c) where treads are measured 230 mm away from the handrail at the narrow end of the tread

- (i) a run of not more than 355 mm exclusive of nosings,
  - (ii) a rise between successive treads of not less than 125 mm and not more than 200 mm,
  - (iii) a uniform run and rise in any one flight, and shall not alter significantly in run and rise in successive flights in any stair system,
  - (iv) where the run of any tread is less than 250 mm, a nosing of not less than 25 mm beyond the face of the riser or an equivalent back slope on the riser, and
- (d) an inside radius which is not less than twice the stair width.

**9.8.5.2. Curved Stairs not in Exits.** Except as permitted in Article 9.8.5.3., a curved stair not required as an *exit* shall have an average run of not less than 200 mm and a minimum run of 150 mm and shall have risers conforming to Article 9.8.3.1.

#### 9.8.5.3. Winders

(1) Stairs within *dwelling units* may contain winders that converge to a centre point provided the winders turn through an angle of not more than 90° and individual treads turn through an angle of 30°.

(2) Only one set of winders described in Sentence (1) shall be permitted between floor levels.

#### 9.8.6. Pedestrian Ramps

**9.8.6.1. Ramps in a Barrier-Free Path of Travel.** Ramps in a *barrier-free* path of travel shall conform to the requirements in Section 3.7.

#### 9.8.6.2. Maximum Gradient

(1) Except as provided in Article 9.8.6.1., the maximum gradient for pedestrian ramps shall be not more than 1 in 10 for *residential occupancies*, 1 in 6 for *mercantile or industrial occupancies* and 1 in 8 for all other *occupancies*.

(2) The maximum gradient for every exterior ramp shall be 1 in 10.

#### 9.8.6.3. Level Areas on Ramps

(1) Except as provided in Article 9.8.6.1., where a doorway or stairway opens onto the side of a ramp, there shall be a level area extending across the full width of the ramp and for a distance of not less than 300 mm on either side of the wall opening.

(2) Except as provided in Article 9.8.6.1., where a doorway or stairway opens onto the end of a ramp, there shall be a level area extending across the full width of the ramp and along it for not less than 900 mm.

#### 9.8.7. Handrails

##### 9.8.7.1. Required Handrails

(1) Except as permitted in Sentences (2) and (3), a handrail shall be provided on

- (a) at least one side of stairs less than 1 100 mm in width,
- (b) two sides of stairs 1 100 mm in width or greater, and
- (c) two sides of a curved stair used as an *exit*.

(2) Handrails are not required for stairs within *dwelling units* having not more than 2 risers, or for exterior stairs having not more than 3 risers and serving not more than one *dwelling unit*.

(3) Only one handrail is required on exterior stairs having more

than 3 risers provided such stairs serve not more than one *dwelling unit*.

**9.8.7.2. Continuous Handrail.** Except for stairs serving only 1 *dwelling unit*, not less than one handrail shall be continuous throughout the length of the stairway, including landings, except where interrupted by doorways or newels at changes in direction.

**9.8.7.3. Termination of Handrails.** Except for stairs serving only 1 *dwelling unit*, handrails shall be terminated in a manner that will not obstruct pedestrian travel or create a hazard.

**9.8.7.4. Handrail Extension.** Except for stairs serving only 1 *dwelling unit*, at least one handrail at the sides of a stairway or ramp shall extend horizontally not less 300 mm beyond the top and bottom of the stairway or ramp.

**9.8.7.5. Height of Handrails.** Handrails on stairs and ramps shall be not less than 800 mm and not more than 920 mm in height, measured vertically from a line drawn through the outside edges of the stair nosing or from the surface of the ramp, except that handrails not meeting these requirements are permitted provided they are installed in addition to the required handrails.

**9.8.7.6. Handrail Clearance.** A clearance of at least 40 mm shall be provided between each handrail and the wall to which it is fastened.

**9.8.7.7. Obstructions.** Handrails shall be constructed with no obstruction on or above them to break a handhold except where the handrail is interrupted by newels at changes in direction.

**9.8.7.8. Handrail Projection.** Handrails and stair stringers shall not project more than 100 mm into the required width of stairway.

**9.8.7.9. Handrails for Ramps.** Where ramps are used in lieu of stairs, the handrail requirements for stairs in Articles 9.8.7.1. to 9.8.7.8. shall apply where the gradient exceeds 1 in 10.

**9.8.7.10. Attachment of Handrails.** Handrails installed on walls shall be attached to wood studs, wood blocking, steel studs or masonry at points spaced not more than 1.2 m apart.

#### 9.8.8. Guards

##### 9.8.8.1. Required Guards

(1) Every exterior landing, porch and every balcony, *mezzanine*, gallery, raised *walkway* and roof to which access is provided for other than for maintenance purposes, shall be protected by *guards* on all open sides where the difference in elevation between adjacent levels exceeds 600 mm.

(2) Every exterior stair with more than 6 risers shall be protected with *guards* on all open sides where the difference in elevation between the adjacent ground level and the stair exceeds 600 mm.

(3) When an interior stair has more than 2 risers, the sides of the stair and the landing or floor level around the stair well shall be enclosed by walls or be protected by *guards*, except that a stair to an unfinished *basement* in a *dwelling unit* may have 1 unprotected side.

##### 9.8.8.2. Height of Guards

(1) Except as provided in Sentences (2) to (5), all *guards*, including those for balconies, shall be at least 1 070 mm high.

(2) Guards for porches, decks, landings and balconies serving not more than one *dwelling unit* and which are not more than 1.8 m above the finished ground level are permitted to be a minimum of 900 mm high.

(3) Except as provided in Sentence (4), *guards* for stairs shall be not less than 900 mm high measured vertically from a line drawn through the outside edges of the stair nosings, and 1 070 mm in height at landings.

(4) *Guards* for stairs within *dwelling units* and stairs serving not more than one *dwelling unit* shall be not less than 800 mm measured vertically above a line drawn through the outside edges of stair nosings, and not less than 900 mm above landings.

(5) All required *guards* within *dwelling units* other than those described in Sentence (4) shall be not less than 900 mm high.

**9.8.8.3. Guards for Floors and Ramps in Garages.** Except for floors of garages referred to in Section 9.35, a continuous curb not less than 150 mm in height and a *guard* not less than 1 070 mm above the floor level shall be provided at every opening through a garage floor and around the perimeter of such floor and ramps where the exterior walls are omitted and where the top of the floor is 600 mm or more above an adjacent ground or floor level.

**9.8.8.4. Openings in Guards.** Openings through a *guard* on a balcony, an *exit* stair, or stairs, landings and the floor level around a stairwell in a *dwelling unit*, shall be of a size so as to prevent the passage of a spherical object having a diameter of 100 mm in *residential occupancies* and 200 mm in other *occupancies*, unless it can be shown that the location and size of such openings which exceed these limits do not represent a hazard.

**9.8.8.5. Design to Prevent Climbing.** *Guards* around exterior balconies of *buildings of residential occupancy* shall be designed so that no member, attachment or opening located between 100 mm and 900 mm above the balcony floor will facilitate climbing.

**9.8.8.6. Guards for Ramps.** *Guards* for ramps including vehicular ramps shall conform to the requirements for *guards* for stairs in Articles 9.8.8.2. and 9.8.8.4.

## 9.8.9. Construction

### 9.8.9.1. Exterior Concrete Stairs

(1) Exterior concrete stairs with more than 2 risers and 2 treads shall be

- (a) supported on unit masonry or concrete walls or piers not less than 150 mm by 150 mm or shall be cantilevered from the main foundation wall, and
- (b) when cantilevered from the foundation wall, constructed and installed in conformance with Subsection 9.8.10.

(2) The depth below ground level for foundations for exterior steps shall conform to Section 9.12.

**9.8.9.2. Exterior Wood Steps.** Exterior wood steps shall not be in direct contact with the ground unless treated to prevent decay.

### 9.8.9.3. Wooden Stair Stringers

(1) Wooden stair stringers shall

- (a) have a minimum effective depth of 90 mm and an overall depth of at least 235 mm,
- (b) be supported and secured top and bottom,
- (c) have an actual thickness of
  - (i) not less than 25 mm if supported along their length, and
  - (ii) 38 mm actual thickness if unsupported along their length,

(d) Except as permitted in Sentence (2) and except where stringers and treads are designed for wider spacings in accordance with Part 4, wood stair stringers shall be spaced

(i) not more than 900 mm o.c. for stairs serving not more than one *dwelling unit*, and

(ii) not more than 600 mm o.c. in other stairs.

(2) For stairs serving not more than one *dwelling unit* where risers support the front portion of the tread, the space between stringers shall be not more than 1200 mm.

**9.8.9.4. Thickness of Treads.** Lumber or plywood treads for stairs within *dwelling units* shall be at least 25 mm actual thickness, except that if open risers are used, and the distance between stringers exceeds 750 mm, the treads shall be at least 38 mm actual thickness.

### 9.8.9.5. Finish for Treads and Landings

(1) The finish for treads and landings of interior stairs in *dwelling units*, other than stairs to unfinished *basements*, shall consist of hardwood, vertical grain softwood, resilient flooring or other material providing equivalent performance.

(2) Treads and landings of interior and exterior stairs and ramps, other than those within *dwelling units*, shall have a slip-resistant finish or be provided with slip-resistant strips which extend not more than 1 mm above the surface.

## 9.8.10. Cantilevered Precast Concrete Steps

**9.8.10.1. Design.** Exterior concrete steps and their anchorage system that are cantilevered from a foundation wall shall be designed and installed to support the loads to which they may be subjected.

**9.8.10.2. Anchorage.** Cantilevered concrete steps in Article 9.8.10.1. shall be anchored to concrete foundation walls at least 200 mm thick.

**9.8.10.3. Prevention of Damage Due to Frost.** Suitable precautions shall be taken during backfilling and grading operations to ensure that subsequent freezing of the soil will not cause uplift forces on the underside of cantilevered concrete steps to the extent that the steps or the walls to which they are attached will be damaged.

## Section 9.9 Means of Egress

### 9.9.1. Scope

**9.9.1.1. Application.** Stairways, handrails and *guards* in a *means of egress* shall conform to the requirements in Section 9.8 as well as to the requirements in this Section.

**9.9.1.2. Fire Protection.** *Flame-spread ratings, fire-resistance ratings and fire-protection ratings* shall conform to Section 9.10.

### 9.9.2. General

#### 9.9.2.1. Egress from Roof Area, Podiums, Terraces, Platforms and Contained Open Spaces

(1) An *access to exit* shall be provided from every roof intended for *occupancy* and from every podium, terrace, platform or contained open space.

(2) Where a roof is intended for an *occupant load* of more than 60 persons, at least 2 separate *means of egress* shall be provided from the roof to stairs designed in conformance with the requirements for *exit* stairs and located remote from each other.

(3) Egress requirements from a podium, terrace, platform or contained open space shall conform to the appropriate requirements for rooms, or *suites* in Article 9.9.7.3.

**9.9.2.2. Types of Exits.** *Exits* may consist of doorways, passageways, ramps, stairways and *horizontal exits*.

**9.9.2.3. Fire Escapes**

(1) Fire escapes may be used as *exits* on existing *buildings* provided they are designed and installed in conformance with Part 3.

(2) Fire escapes shall not be installed on any new *building*.

**9.9.2.4. Elevators, Slide Escapes and Windows**

(1) Except as permitted in Sentence (2) elevators, slide escapes or windows shall not be considered as being part of a required *means of egress*.

(2) Except for *floor areas of mercantile occupancy*, casement windows not less than 1 060 mm high, 560 mm wide, with a sill height not more than 900 mm above the inside floor, may be considered part of a required *means of egress* to provide access to fire escapes, when fire escapes are permitted.

**9.9.2.5. Purpose of Exits.** An *exit* shall be designed for no purpose other than for exiting except that an *exit* may also serve as an access to a *floor area*.

**9.9.2.6. Ancillary Rooms.** Ancillary rooms such as storage rooms, washrooms, toilet rooms, laundry rooms and *service rooms* shall not open directly into an *exit*.

**9.9.2.7. Barrier-Free Path of Travel**

(1) Except as provided in Sentence (3), every *building* shall be designed to provide for a *barrier-free* path of travel in conformance with Section 3.7.

(2) Where the *barrier-free* path of travel required in Sentence (1) is provided to any *storey* above the *first storey*, the requirements in Article 3.3.1.7. shall apply.

(3) The *barrier-free* path of travel described in Sentence (1) need not be provided for houses including semi-detached houses, duplexes, triplexes, town houses, row houses and *boarding, or rooming houses* with fewer than 8 boarders or roomers.

**9.9.2.8. Horizontal Exits.** Where a *horizontal exit* is used, it shall conform to Part 3.

**9.9.2.9. Front Edge of Stair Treads.** Except for curved stairs the front edge of stair treads in *exits* and *access to exits* shall be at right angles to the direction of *exit* travel.

**9.9.2.10. Exterior Exit Stairs that Serve a Building Containing a Hotel.** Treads and landings of exterior *exit* stairs that serve a *building* containing a *hotel* shall be designed to be free from ice and snow accumulation.

**9.9.3. Dimensions of Means of Egress**

**9.9.3.1. Application.** This Subsection applies to every *means of egress* except *exits* that serve not more than 1 *dwelling unit* and *access to exits* within *dwelling units*.

**9.9.3.2. Exit Width.** Except for doors and corridors, the width of every *exit* facility shall be not less than 900 mm.

**9.9.3.3. Width of Corridors.** The width of every *public corridor*, corridor used by the public, and *exit* corridor shall be not less than 1 100 mm.

**9.9.3.4. Headroom Clearance**

(1) Except for stairways, doorways and *storage garages* the minimum headroom clearance in *exits* and *access to exits* shall be 2.1 m.

(2) The clear height of every *storey* in a *storage garage* shall be not less than 2 m.

**9.9.4. Fire Protection of Exits**

**9.9.4.1. Application.** Except as provided in Article 9.9.4.4., this Subsection applies to the fire protection of all *exits* except *exits* serving not more than one *dwelling unit*.

**9.9.4.2. Fire Separation for Exits**

(1) Except as provided in Sentence (5) and Article 9.9.8.5., every *exit* other than an *exit* doorway, shall be separated from each adjacent *floor area* or from another *exit* by a *fire separation* having a *fire-resistance rating* not less than that required for the floor assembly above the *floor area*.

(2) Where there is no floor assembly above, the *fire resistance rating* required in Sentence (1) shall not be less than that required by Subsection 9.10.8. for the floor assembly below, but in no case shall the *fire-resistance rating* be less than 45 min.

(3) A *fire separation* common to 2 *exits* shall be smoke-tight and not be pierced by doorways, duct work, piping or any other opening that may affect the continuity of the separation.

(4) A *fire separation* that separates an *exit* from the remainder of the *building* shall have no openings except those for electrical wiring, *noncombustible* conduit and *noncombustible* piping that serve only the *exit* and for standpipes, sprinkler piping, *exit* doorways and wired glass and glass block permitted in Article 9.9.4.3.

(5) The requirements in Sentence (1) do not apply to an exterior *exit* passageway provided the passageway has at least 50 per cent of its exterior sides open to the outdoors and is served by an *exit* stair at each end of the passageway.

**9.9.4.3. Wired Glass or Glass Block.** The area of wired glass in a door or wired glass or glass block in a side light between an *exit* enclosure and the remainder of the *building* shall not exceed 0.8 m<sup>2</sup>, except that greater glass areas are permitted when the door or side-light is located in an enclosed vestibule or corridor constructed as a *fire separation* having at least a 45 min *fire-resistance rating*.

**9.9.4.4. Openings Near Unenclosed Exit Stairs and Ramps.** Where an unenclosed exterior *exit* stair or ramp provides the only *means of egress* from a *suite*, and is exposed to fire from openings in the exterior walls of another fire compartment, the openings in the exterior walls of the *building* shall be protected with wired glass in fixed steel frames or glass block conforming to Articles 9.10.13.5. and 9.10.13.7. when the openings in the exterior walls of the *building* are within 3 m horizontally and less than 10 m below or less than 5 m above the *exit* stair or ramp.

**9.9.4.5. Openings in Exterior Walls of Exits.** Openings in the exterior wall of an *exit* shall be protected with wired glass or glass block installed in accordance with Articles 9.10.13.5. and 9.10.13.7., where openings may be exposed to the hazard of a fire in another *fire compartment* of the same *building*.

**9.9.4.6. Openings Near Exit Doors.** Where an exterior exit door in one *fire compartment* is within 3 m horizontally of openings in another *fire compartment*, and if the exterior walls containing such openings intersect at an exterior angle of less than 135°, the openings shall be protected with wired glass in fixed steel frames or glass block conforming to Articles 9.10.13.5. and 9.10.13.7.

**9.9.4.7. Stairways in 2 Storey, Group D or E Buildings**

(1) Despite the requirements of Sentences 9.9.4.2.(1), 9.9.8.2.(1) and 9.10.9.5., if a *suite* of Group D or E *occupancy* is located partly on the *first storey* and partly on the second *storey*, stairways serving the second *storey* need not be constructed as *exit* stairs provided

- (a) the *building* is not greater than 2 *storeys* in *building height*,
- (b) the *suite* is separated from other *occupancies* by at least a 45 min *fire separation*,



- (c) the area occupied by the *suite* is not greater than 75 m<sup>2</sup> per *storey*,
- (d) the maximum travel distance from any point in the *suite* to an exterior *exit* is not greater than 25 m,
- (e) the floor assemblies have at least a 45 min *fire resistance rating* or are of *noncombustible construction*,
- (f) the *basement* and *first storey* are separated by at least a 45 min *fire separation*, and
- (g) a *smoke alarm* is installed on each floor of the *suite*, including the *basement*, in accordance with Subsection 9.10.18.

(2) The requirements of Article 9.10.12.1., for separation of exterior openings, do not apply to an occupancy conforming with Sentence (1).

#### 9.9.5. Obstructions and Hazards in Means of Egress

**9.9.5.1. Application.** This Subsection applies to obstructions and hazards in every *means of egress* except those within a *dwelling unit* or serving not more than 1 *dwelling unit*.

**9.9.5.2. Occupancies in Public Corridors.** Where a *public corridor* or a corridor used by the public contains an *occupancy*, such *occupancy* shall not reduce the unobstructed width of the corridor to less than the required width of the corridor.

#### 9.9.5.3. Obstructions in Public Corridors

(1) Except as permitted in Sentence (2), obstructions located within 1 980 mm of the floor shall not project horizontally more than 100 mm into *exit* passageways, corridors used by the public or *public corridors* in a manner that would create a hazard for visually impaired persons travelling adjacent to walls.

(2) The horizontal projection of an obstruction in Sentence (1) is permitted to exceed 100 mm where the obstruction extends to less than 680 mm above the floor.

**9.9.5.4. Obstructions in Exits.** Except as permitted in Subsection 9.9.6. and Article 9.8.7.8., no fixture, turnstile or construction shall project within the required width of an *exit*.

**9.9.5.5. Mercantile Occupancies.** In any *mercantile occupancy*, no obstructions such as posts or turnstiles shall be placed so as to restrict the width of a normal *means of egress* from a *floor area* or part of a *floor area* to less than 750 mm unless an alternate *means of egress* is provided adjacent to and is plainly visible from the restricted egress.

**9.9.5.6. Mirrors or Draperies.** No mirror shall be installed in or adjacent to any *exit* so as to confuse the direction of *exit*, and no mirror or other covering shall be installed on or over *exit* doors.

**9.9.5.7. Fuel-Fired Appliances.** Fuel-fired *appliances* shall not be installed in an *exit* or corridor serving as an *access to exit*.

**9.9.5.8. Service Rooms.** *Service rooms* containing equipment subject to possible explosion, such as *boilers* designed to operate at a pressure in excess of 100 kPa, and certain types of refrigerating and transformer equipment, shall not be located under required *exits*.

#### 9.9.6. Doors in a Means of Egress

**9.9.6.1. Application.** This Subsection applies to all doors in a *means of egress* except doors within *dwelling units* and exterior doors serving not more than 1 *dwelling unit* unless otherwise stated herein.

#### 9.9.6.2. Obstruction by Doors

(1) *Exit* doors shall not decrease the required *exit* width by more than 100 mm in *exit* corridors, and not more than 50 mm for other *exit* facilities.

(2) Doors in their swing shall not reduce the width of the path of travel to less than

- (a) the required *exit* width in *exit* corridors and passageways, and
- (b) 750 mm, on *exit* stairs and landings.

**9.9.6.3. Headroom Obstructions.** No door closer or other device shall be installed in an *exit* in such a manner as to reduce the head room clearance to less than 1 980 mm.

**9.9.6.4. Door Sizes.** Every *exit* door or door that opens into or is located within a *public corridor* or other facility that provides *access to exit* from a *suite* shall

- (a) be not less than 2 030 mm high,
- (b) be not less than 810 mm wide where there is only one door leaf, and
- (c) have no single leaf less than 610 mm wide in any multiple leaf door.

#### 9.9.6.5. Direction of Door Swing

(1) Except as provided in Sentence 3.3.1.11.(1), every door that opens onto a corridor or other facility that provides *access to exit* from a room or *suite* having an *occupant load* of more than 60 persons, and every door that is located within a corridor that is required to be separated from the remainder of the *floor area* by a *fire separation* shall swing on a vertical axis in the direction of *exit* travel and shall not open onto a step.

(2) Except as permitted in Sentences (3) and (4) and in Sentence 3.4.6.13.(1), every required *exit* door shall open in the direction of *exit* travel and shall swing on its vertical axis.

(3) An *exit* door serving not more than one *dwelling unit* is permitted to swing inward.

(4) *Exit* doors serving a *storage garage* serving not more than one *dwelling unit*, or doors serving other accessory *buildings* where there is no danger to life safety, need not conform to Sentence (1).

#### 9.9.6.6. Nearness of Doors to Stairs

(1) Except as provided in Sentence (2), the distance between a stair riser and the leading edge of a door during its swing shall be not less than 300 mm.

(2) Where there is a danger of blockage from ice or snow, an *exit* door may open onto not more than 1 step provided the riser of such step does not exceed 150 mm.

**9.9.6.7. Revolving Doors.** Revolving doors used as *exits* shall conform to Article 3.4.6.14.

**9.9.6.8. Door Opening Mechanism.** *Exit* doors and doors to *suites*, including exterior doors to *dwelling units*, shall be openable from the inside without requiring keys, special devices or specialized knowledge of the door opening mechanism.

**9.9.6.9. Automatic Locking Prohibited.** Except for hotels and motels, a door opening onto a *public corridor* which provides *access to exit* from *suites* shall be designed not to lock automatically when such doors are equipped with automatic self-closing devices.

**9.9.6.10. Effort Required to Open.** Every *exit* door shall be designed and installed so that when the latch is released the door will open in the direction of *exit* travel under a force of not more than 90 N applied at the knob or other latch releasing device.

**9.9.6.11. Latching Devices in a Hotel.** In a *building* containing a *hotel*, there shall be installed on every egress door that is equipped



with a latching device and leads from any room or *floor area* with an *occupant load* of more than 60 persons, a device consisting of a panel or bar that

- (a) extends across at least 2/3 the width of the door,
- (b) is placed at a height suitable for the service required, and
- (c) is designed to release the latch and allow the door to swing open when a force of 90 N or less is applied to the device in the direction of egress.

**9.9.6.12. Arabic Numerals.** Arabic numerals indicating the assigned floor number shall

- (a) be mounted permanently on the stair side and the floor side of a door to an *exit* stair shaft that serves a *building* containing a *hotel*,
- (b) be at least 60 mm high, raised approximately 0.7 mm above the surface on which they are applied,
- (c) be located 1 500 mm above the finished floor and not more than 300 mm from the door, and
- (d) be contrasting in colour with the surface on which they are applied.

#### 9.9.7. Access to Exits

**9.9.7.1. Means of Egress from Suites.** Except as permitted in Articles 9.9.7.2. and 9.9.9.3., each *suite* in a *floor area* occupied by more than one *suite* shall have an exterior *exit* doorway or a doorway to a *public corridor* or to an exterior passageway, and from the point where such doorway enters the *public corridor* or exterior passageway, it shall be possible to go in opposite directions to each of 2 separate *exits*.

#### 9.9.7.2. Dead-End Corridors

(1) A dead-end *public corridor* is permitted in an *occupancy* shown in Table 9.9.7.A. where

- (a) a dead-end corridor
  - (i) does not exceed the distance of travel measured from the most remote point of the dead-end to a point where it is possible to go in opposite directions to each of two separate *exits*, and
  - (ii) is provided with doors equipped with self-closing devices, or
- (b) there is a second and separate egress doorway from each room or *suite* not leading into the dead-end corridor.

**Table 9.9.7.A.**  
Forming Part of Sentence 9.9.7.2.(1)

Occupancy	Maximum Length of Dead-End Public Corridor, m	Maximum Occupant Load or Suites Served by Dead-End Public Corridor
Group C	6	4 suites
Group D	9	30
Group E	9	30
Group F	9	30
Column I	2	3

(2) Dead-end *public corridors* in *residential occupancies* and *business and personal services occupancies* shall contain only *suite* door openings arranged so that not more than 2 such doors have to be passed to reach the nearest *exit*. The area of wired glass in such doors shall not exceed 645 cm<sup>2</sup>.

#### 9.9.7.3. Number and Spacing of Egress Doors

(1) Except for *dwelling units*, at least 2 egress doors shall be provided where

- (a) the area of a room or *suite* exceeds 200 m<sup>2</sup> in a Group D, E, F2 and F3 *occupancy*, or 150 m<sup>2</sup> in a Group C *occupancy*, or
- (b) the distance measured from any point within a room or *suite* to the nearest egress door exceeds 25 m.

(2) Doors in Sentence (1) shall be spaced so that in the event one door is made inaccessible by a fire within such a room or *suite*, the other door will provide safe egress.

**9.9.7.4. Independent Access to Exit.** Required *access to exit* from *suites* shall not be through any other *dwelling unit*, *service room* or other *occupancy*.

**9.9.7.5. Travel Distance within Rooms and Suites.** Except for *dwelling units*, the travel distance from any point within the room or *suite* to the nearest egress door shall not exceed the maximum travel distance in Article 9.9.8.2.

#### 9.9.8. Exits From Floor Areas

##### 9.9.8.1. Measurement of Travel Distance

(1) Except as provided in Sentences (2) and (3), for the purposes of this Subsection, travel distance means the distance from any point in the *floor area* to an *exit* measured along the path of *exit* travel.

(2) Where a room or *suite* is separated from the remainder of the *floor area* by a *fire separation* having a *fire-resistance rating* of at least 45 min, or in a *sprinklered building*, by a *fire separation* which is not required to have a *fire-resistance rating*, the travel distance may be measured from an egress door of the room or *suite* to the nearest *exit*.

(3) Where a *public corridor* is at least 9 m wide and conforms to Clause 3.4.2.5.(1)(d), the travel distance may be determined in accordance with that Clause.

##### 9.9.8.2. Number of Required Exits

(1) Except as provided in Sentences (2) and (3) and Subsection 9.9.9., not less than 2 *exits* shall be provided from every *floor area*, spaced so that the travel distance to the nearest *exit* is not more than

- (a) 40 m in the case of *business and personal services occupancies*,
- (b) 45 m for all *occupancies* where the *floor area* is *sprinklered*, and
- (c) 30 m for all other *occupancies*.

(2) Except as provided in Subsection 9.9.9., a single *exit* is permitted from each *storey* in *buildings* of 1 and 2 *storeys* in *building height* provided the *floor area* and travel distance requirements conform to those required in Article 9.9.7.3. and the total *occupant load* served by an *exit* facility does not exceed 60 persons.

(3) In *boarding, lodging or rooming houses*

- (a) where sleeping accommodation is provided for not more than 8 persons, a single *exit* is permitted from each *floor area*, or
- (b) where sleeping accommodation is not provided in the *basement*, a single *exit* is permitted from the *basement floor area*.

**9.9.8.3. Contribution of Each Exit.** Where more than 1 *exit* is

required from a *floor area*, each *exit* shall be considered as contributing not more than half the required *exit* width.

**9.9.8.4. Location of Exits.** Where more than 1 *exit* is required from a *floor area*, not less than 2 *exits* shall be independent of each other and be placed remote from each other along the path of travel between them.

**9.9.8.5. Exiting through a Lobby**

(1) Not more than one *exit* from a *floor area* may lead through a lobby.

(2) The floor of the lobby referred to in Sentence (1) shall be not more than 4.5 m above *grade*, and the path of travel through the lobby to the outdoors shall not exceed 15 m.

(3) The lobby referred to in Sentence (1) shall conform in all respects with the requirements for *exits*, except that rooms other than *service rooms*, storage rooms and rooms of *residential* or *industrial occupancy* may open directly onto such lobby.

(4) An *exit* which serves a *building* containing a *hotel* may lead through a lobby referred to in Sentence (1) if the lobby is not located within an *interconnected floor space*.

(5) An *exit* which does not serve a *building* containing a *hotel* may lead through a lobby referred to in Sentence (1) if the lobby is not located within an *interconnected floor space* other than as described in Sentence 3.2.8.1.(8).

(6) Where the lobby referred to in Sentence (1) and adjacent *occupancies* that are permitted to open into the lobby are *sprinklered*, the *fire separation* between such *occupancies* and the lobby need not have a *fire-resistance rating*.

**9.9.8.6. Exits for Mezzanines.** A *mezzanine* shall be provided with *exits* on the same basis as required for a *floor area* where a *mezzanine* is considered to be a *storey* in Subsection 9.10.4. or is of a size required to have more than one *exit*.

**9.9.9. Egress from Dwelling Units**

**9.9.9.1. Travel Limit to Exits or Egress Doors**

(1) Except as provided in Sentences (2) and (3), every *dwelling unit* containing more than one *storey* shall have a sufficient number of *exits* or egress doors so that it shall not be necessary to travel up or down more than 1 *storey* to reach a level served by

- (a) an egress door to a *public corridor*, enclosed *exit* stair or exterior passageway, or
- (b) an *exit* doorway not more than 1.5 m above adjacent ground level.

(2) Where there is no *dwelling unit* above or below another *dwelling unit*, the travel limit from a floor level in a *dwelling unit* to an *exit* or egress door may exceed 1 *storey* where that floor level is served by an openable window providing an unobstructed opening of not less than 1 m in height and 0.55 m in width, located so that the sill is not more than 1 m above the floor and not more than 7 m above adjacent ground level.

(3) The travel limit from a floor level in a *dwelling unit* to an *exit* or egress door may exceed 1 *storey* where that floor level has direct access to a balcony.

**9.9.9.2. Two Separate Exits.** Except as provided in Article 9.9.7.2., where an egress door from a *dwelling unit* opens onto a *public corridor* or exterior passageway it shall be possible from the location where the egress door opens onto the corridor or exterior passageway to go in opposite directions to 2 separate *exits* unless the *dwelling unit* has a second and separate *means of egress*.

**9.9.9.3. Shared Egress Facilities.** A *dwelling unit* shall be provided with a second and separate *means of egress* where an egress door from the *dwelling unit* opens onto

- (a) an *exit* stairway serving more than 1 *suite*,
- (b) a *public corridor* serving more than one *suite* served by a single *exit* stairway,
- (c) an exterior passageway serving more than one *suite* and served by a single *exit* stairway, or
- (d) a balcony serving more than one *suite* and served by a single *exit* stairway.

**9.9.10. Exit Signs**

**9.9.10.1. Application.** This Subsection applies to all *exits* except those serving not more than 1 *dwelling unit*.

**9.9.10.2. Visibility of Exits.** *Exits* shall be located so as to be clearly visible or their locations shall be clearly indicated.

**9.9.10.3. Required Exit Signs**

(1) Except as required in Sentence (2) every *exit* door other than a main entrance to a room or *building* shall have an *exit* sign placed over or adjacent to it when the *exit* serves

- (a) a three *storey building*,
- (b) a *building* with an *occupant load* greater than 150, or
- (c) a room or *floor area* that has a fire escape as part of a required *means of egress*.

(2) In a *building* containing a *hotel*, *exit* signs shall be installed to indicate

- (a) *exit* stairways and fire escapes, and
- (b) *exits* from *exit* stairway enclosures and corridors to the exterior.

**9.9.10.4. Exit Direction Signs.** *Exit* direction signs shall be placed in corridors and passageways where necessary to indicate the direction of *exit* travel.

**9.9.10.5. Visibility of Exit Signs.** *Exit* signs shall be installed so as to be visible from the *exit* approach.

**9.9.10.6. Lettering**

(1) *Exit* signs shall have the word EXIT or the words EXIT/SORTIE in red letters on a contrasting background or a red background with contrasting letters.

(2) Lettering shall be made with at least 19 mm wide strokes and be at least 150 mm high when the signs are externally lighted, and at least 114 mm high if the sign is internally lighted.

(3) Where an *exit* sign having the word EXIT is installed in conformance with Sentence (1), an additional sign having the word SORTIE may be installed.

**9.9.10.7. Illumination.** Where illumination of *exit* signs required in Article 9.9.10.3. is provided by an electrical circuit, that circuit shall serve no equipment other than emergency equipment.

**9.9.10.8. Exits Continuing to a Basement.** In *buildings* 3-*storeys* in *building height* any part of an *exit* ramp or stair that continues down to a *basement* past an exterior *exit* door shall be clearly marked to indicate that it does not lead to an *exit*, where the portion below ground level may be mistaken as the direction of *exit* travel.

**9.9.11. Lighting**

**9.9.11.1. Application.** This Subsection applies to the lighting of all *exits* except those serving not more than 1 *dwelling unit*.

**9.9.11.2. Required Lighting in Egress Facilities.** Every *exit*, *public corridor* or *corridor* providing *access to exit* for the public shall be equipped to provide illumination to an average level of not less than 50 lx at floor or tread level and at all points such as angles and intersections at changes of level where there are stairs or ramps.

**9.9.11.3. Emergency Lighting**

(1) Emergency lighting shall be provided in

- (a) *exits*,
- (b) principal routes providing *access to exit* in an open floor area,
- (c) corridors used by the public,
- (d) underground *walkways*, and
- (e) *public corridors*.

(2) Emergency lighting required in this Article shall be provided from a source of energy separate from the electrical supply for the *building*.

(3) Lighting required in Sentence (1) shall be designed to be automatically actuated when the electric lighting in the affected area is interrupted.

(4) Illumination from lighting required in Sentence (1) shall be not less than 10 lx for a period of at least 30 min.

(5) Where incandescent lighting is provided, lighting equal to 1 W/m<sup>2</sup> of floor area shall be considered to meet the requirement in Sentence (4).

(6) Where self-contained emergency lighting units are used, they shall conform to CSA C22.2 No. 141, "Unit Equipment for Emergency Lighting."

**Section 9.10 Fire Protection****9.10.1. General**

**9.10.1.1. Support of Noncombustible Construction.** An assembly required to be of *noncombustible construction* shall be supported by *noncombustible construction*.

**9.10.1.2. Sloped Roofs.** For the purposes of this Section, roofs with slopes of 60° or more to the horizontal and which are adjacent to a room or space intended for *occupancy* shall be considered as a wall.

**9.10.1.3. Reserved.**

**9.10.1.4. Commercial Cooking Equipment.** In kitchens containing commercial cooking equipment used in processes producing grease-laden vapours, the equipment shall be designed and installed in conformance with Part 6.

**9.10.1.5. Other Items Under Part 3 Jurisdiction.** Tents, *air-supported structures*, transformer vaults, *walkways*, elevators and escalators shall conform to Part 3.

**9.10.1.6. Openings through Floors.** Openings through floors that are not protected by shafts or  *closures* shall be protected in conformance with Subsection 3.2.8.

**9.10.1.7. Assembly Occupancy.** Where rooms or spaces are intended for an *assembly occupancy*, such rooms or spaces shall conform to Part 3.

**9.10.1.8. Hazardous or Explosive Material.** Where rooms or spaces are intended for the storage, manufacture or use of hazardous or explosive material, such rooms or spaces shall conform to Part 3.

**9.10.1.9. Appliances Installed on a Roof.** Where fuel-fired *appliances* are installed on a roof, such *appliances* shall be installed in conformance with Part 6.

**9.10.1.10. Sprinkler, Standpipe and Hose Systems.** Where sprinkler, standpipe and hose systems are installed, they shall be installed in conformance with Part 3.

**9.10.1.11. Chutes and Shafts**

(1) Chutes and shafts shall conform to Subsection 3.5.3. except where they are entirely contained within a *dwelling unit*.

(2) If chutes and shafts located in a *building* containing a *hotel* are connected to an intake or discharge room, the room shall be separated by a *fire separation* having a *fire-resistance rating* of at least 45 min.

**9.10.1.12. Large or Multi-Storey Basements.** *Basements* containing more than 1 *storey* or exceeding 600 m<sup>2</sup> in area shall conform to the requirements contained in Part 3.

**9.10.2. Occupancy Classification**

**9.10.2.1. Occupancy Classification.** Except as provided in Article 9.10.2.2., every *building* or part thereof shall be classified according to its *major occupancy* as belonging to one of the groups or divisions described in Table 9.10.2.A.

**Table 9.10.2.A.**  
Forming Part of Article 9.10.2.1.

Occupancy Classifications		
Group	Division	Description of <i>Major Occupancies</i>
C	—	<i>Residential occupancy</i>
D	—	<i>Business and personal services occupancies</i>
E	—	<i>Mercantile occupancies</i>
F	2	<i>Medium hazard industrial occupancies</i>
F	3	<i>Low hazard industrial occupancies</i> (Does not include <i>storage garages</i> serving individual <i>dwelling units</i> )
Column 1	2	3

**9.10.2.2. Custodial and Convalescent Homes.** Children's custodial homes and convalescent homes for ambulatory occupants living as a single housekeeping unit in a *dwelling unit* with sleeping accommodation for not more than 10 persons may be classified as *residential occupancies* (Group C).

**9.10.2.3. Major Occupancies above Other Major Occupancies.** Except as permitted in Articles 9.10.2.4., in any *building* containing more than 1 *major occupancy* in which one *major occupancy* is located entirely above another, the requirements of Article 9.10.8.1. for each portion of the *building* containing a *major occupancy* shall be applied to that portion as if the entire *building* was of that *major occupancy*.

**9.10.2.4. Buildings Containing More Than One Major Occupancy.** In a *building* containing more than 1 *major occupancy*, where the aggregate area of all *major occupancies* in a particular group or division does not exceed 10 per cent of the floor area on the *storey* on which they are located, they need not be considered as *major occupancies* for the purposes of Articles 9.10.8.1. and 9.10.2.3. provided they are not classified as Group F, Division 2 *occupancies*.

## 9.10.3. Ratings

tion for an element of a *building*, such rating shall be determined in conformance with the test methods described in Part 3, or in accordance with Chapter 2 of the Supplement to the NBC 1990, or with Tables 9.10.3.A. and 9.10.3.B.

9.10.3.1. Fire-Resistance and Fire-Protection Ratings. Where a fire-resistance rating or a fire-protection rating is required in this Sec-

**Table 9.10.3.A.**  
Forming Part of Articles 9.10.3.1., 9.11.2.1. and 9.11.2.2.

Fire and Sound Resistance of Walls					
Type of Wall	No.	Description	Finish on Each Side (1)	Fire-Resistance Rating, h	Typical Sound Transmission Class (1)
Hollow concrete block (normal weight aggregate)	1	140-mm Block	None (3)	1 h	48
	2	Same as 1	B	2 h	51
	3	Same as 1, with both surfaces fastened directly, or both on metal resilient channels with absorptive material (4)	A	2 h	47
	4	Same as 1, with metal resilient channels and absorptive material on one side (4)	A	1.75 h	51
	5	Same as 1, with 38-mm × 38-mm wood strapping and absorptive material on both sides (4)	A	2 h	57
	6	190-mm block	None (3)	1.5 h	50
	7	190-mm block	B	2 h	50
	8	Same as 6, with both surfaces fastened directly, or both on metal resilient channels with absorptive material. (4)	A	2.5 h	49
	9	Same as 6, with metal resilient channels and absorptive material on one side (4)	A	2.5 h	53
	10	Same as 6, with 38-mm × 38-mm wood strapping on at least one side	A (6)	2.5 h	53
	11	Same as 6, with 38-mm × 38-mm wood strapping and absorptive material on both sides (4)	A (6)	2.5 h	59
	12	Same as 6, with 50-mm metal Z-bars (or 38-mm × 38-mm wood strapping plus metal resilient channels) and absorptive material on both sides (4)	A	2.5 h	64
	13	Same as 6, with studs (65-mm steel or 64-mm wood) and absorptive material on both sides (4)	A (6)	2.5 h	70
	14	Same as 6, with metal resilient channels and absorptive material on one side	D	2.5 h	55
Concrete	15	150 mm	None (3)	3 h	55
	16	200 mm	None (3)	4 h	58
Interior wood stud, single row	17	38-mm × 89-mm studs 400-mm o.c.	D	1 h	34
	18	38-mm × 89-mm studs 400-mm o.c., with absorptive material (5)	A (6)	45 min	36
	19	Same as 18 (4)	C	1 h	36
	20	Same as 18, with resilient metal channels on at least one side (5)	A (6)	45 min	48
	21	Same as 18, with resilient metal channels on at least one side (4)	C	1 h	48
	22	Same as 18, with resilient metal channels on at least one side (4)	D	1 h	54
Interior stud, 2 rows staggered on 38-mm × 140-mm plate	23	Two rows 38-mm × 89-mm studs each set 400-mm or 600-mm o.c. staggered on common 38-mm × 140-mm plate, with absorptive material on both sides (5)	A (6)	45 min	50
	24	Same as 23, but with absorptive material on one side (4)	C	1 h	51
	25	Same as 23, but with absorptive material on one side (4)	D	1 h	54
Interior wood, 2 rows on separate plates	26	Two rows 38-mm × 89-mm studs, each set 400-mm or 600-mm o.c. on 38-mm × 89-mm plates set 25-mm apart, with absorptive material on one side (4)	C	1 h	50
	27	Same as 26, but with absorptive material on both sides (5)	A (6)	45 min	57
	28	Same as 26, but with absorptive material on both sides (4)	C	1 h	57
	29	Same as 26, but with absorptive material on both sides (4)	D	1 h	63
Exterior, wood stud	30	38-mm × 89-mm or 38-mm × 140-mm studs spaced up to 600-mm o.c., mineral fibre with a mass of at least 1.2 kg/m <sup>2</sup> , wall sheathing and siding	A (6) (interior side)	45 min	N/A
	31	Same as 30	C or D (interior side)	1 h	N/A
	32	90-mm steel studs spaced up to 600-mm o.c.	C	45 min	39
Column 1	2	3	4	5	6

**Table 9.10.3.A.—Continued**  
Forming Part of Articles 9.10.3.1., 9.11.2.1. and 9.11.2.2.

Fire and Sound Resistance of Walls					
Type of Wall	No.	Description	Finish on Each Side (1)	Fire-Resistance Rating, h	Typical Sound Transmission Class (1)
Non-loadbearing steel stud	33	Same as 32, with absorptive material in cavity	C	1 h	45
	34	Same as 32, with absorptive material in cavity (4)	D	1 h	53
Column 1	2	3	4	5	6

**Notes to Table 9.10.3.A.:**

- (1) Finishes designated by letter as follows:  
 A = 12.7 mm gypsum board with joints taped and filled,  
 B = 12.7 mm gypsum-sand plaster,  
 C = 15.9 mm special fire-resistant Type X gypsum board conforming to CSA A82.27, "Gypsum Board Products" with joints taped and filled, and  
 D = two layers of 12.7 mm gypsum board with joints taped and filled.
- (2) Sound ratings listed are based on the most reliable laboratory test data available. Results of specific tests may differ slightly because of measurement precision and minor variations in construction details. Constructions with sound transmission class ratings of 50 or more require acoustical sealant applied around electrical boxes and other openings, and at the junction of intersecting walls and floors, except intersection of walls constructed of concrete or solid brick.
- (3) Sound ratings require no discernible cracks or voids. For concrete blocks, surfaces must be sealed by at least 2 coats of paint or other surface finish described in Section 9.29 to prevent sound leakage.
- (4) Sound absorptive material includes fibre processed from rock, slag, or glass, and must fill at least three-quarters of the cavity space to provide the listed STC.
- (5) Absorptive material required to achieve fire-resistance rating and STC rating includes mineral fibre processed from rock or slag with a mass of at least 1.22 kg/m<sup>2</sup> and completely filling the wall cavity.
- (6) Regular gypsum board shall be installed so that all edges are supported.

**Table 9.10.3.B.**  
Forming Part of Articles 9.10.3.1. and 9.11.2.1.

Fire and Sound Resistance of Floors, Ceilings and Roofs						
Type of Assembly	No.	Description	Finish on Ceiling (1)	Fire-Resistance Rating, h	Typical Sound Transmission Class (2)	
Concrete slabs	1	90-mm reinforced concrete with 20-mm minimum cover over reinforcing steel	None (3)	1 h	48	
	2	130-mm reinforced concrete with 25-mm minimum cover over reinforcing steel	None (3)	2 h	52	
Open web steel joists	3	Open web steel joists at 400-mm o.c. with minimum 50-mm thick concrete deck, ceiling secured to furring channels spaced not more than 600-mm o.c. wired to underside of joists (4)	C	45 min	53	
Wood floor joists spaced not more than 400-mm o.c. or Wood floor trusses (5) spaced not more than 600-mm o.c.	4	Subfloor of 19-mm T&G lumber or 15.5-mm plywood, waferboard or strandboard, ceiling finish attached to metal resilient channels spaced at 200-mm o.c. Absorptive material in cavity (4)	C	45 min	48	
	5	Same as 4, with additional layer of 11-mm sanded plywood, waferboard or strandboard on floor	C	45 min	50	
	6	19-mm gypsum-concrete topping (at least 34 kg/m <sup>2</sup> ) on subfloor of 19-mm T&G lumber or 15.5-mm plywood, waferboard or strandboard	D	45 min	52	
	7	Same as 6	E	1 h	52	
	8	Same as 6, with absorptive material in cavity (4), ceiling finish attached to metal resilient channels spaced at 200-mm o.c.	C	45 min	55	
	9	38-mm lightweight concrete topping (at least 70 kg/m <sup>2</sup> ) on subfloor of 19-mm lumber or 15.5-mm plywood, waferboard or strandboard	D	45 min	54	
	10	Same as 9	E	1 h	56	
	11	Same as 9, except ceiling finish attached to metal resilient channels	C	45 min	57	
	12	Same as 9, with absorptive material in cavity (4), ceiling finish attached to metal resilient channels spaced at 200-mm o.c.	C	45 min	60	
	Rating provided by membrane only	13	Supporting members spaced not more than 600-mm o.c.	C	30 min	N/A
		14	Same as 13	E	1 h	N/A
	Column 1	2	3	4	5	6

**Table 9.10.3.B.—Continued**  
Forming Part of Articles 9.10.3.1. and 9.11.2.1.

Fire and Sound Resistance of Floors, Ceilings and Roofs					
Type of Assembly	No.	Description	Finish on Ceiling (1)	Fire-Resistance Rating, h	Typical Sound Transmission Class (2)
Wood roof trusses spaced not more than 600-mm o.c.	15	38-mm × 89-mm framing members with metal connector plates not less than 1 mm thick with teeth not less than 8-mm in length	C	45 min	N/A
Column 1	2	3	4	5	6

**Notes to Table 9.10.3.B.:**

- (1) Finishes designated by letter as follows:  
 C = 15.9-mm special fire-resistant Type X gypsum board conforming to CSA A82.27, "Gypsum Board Products" with joints taped and filled, and  
 D = two layers of 12.7-mm gypsum board with joints taped and filled,  
 E = two layers of 15.9-mm special fire-resistant Type X gypsum board with joints taped and filled.
- (2) Sound ratings listed are based on the most reliable laboratory test data available. Results of specific tests may differ slightly because of measurement precision and minor variations in construction details. Constructions with sound transmission class ratings of 50 or more require acoustical sealant applied around electrical boxes and other openings, and at the junction of intersecting walls and floors, except intersection of walls constructed of concrete or solid brick.
- (3) Sound ratings assume no cracks or voids.
- (4) Sound absorptive material includes fibre processed from rock, slag, or glass, and must fill at least three-quarters of the cavity space to provide the listed STC.
- (5) Floor trusses have 38-mm × 89-mm wood framing members with metal connector plates not less than 1 mm thick with teeth not less than 8-mm in length.

**9.10.3.2. Flame-Spread Rating**

(1) Where a *flame-spread rating* is required in this Section for an element of a *building*, such rating shall be determined in accordance with the test methods described in Part 3, or in accordance with Chapter 2 of the Supplement to the NBC 1990.

(2) Unless the *flame-spread rating* is referred to herein as a "surface *flame-spread rating*", it shall apply to any surface of the element being considered that would be exposed by cutting through it as well as to the exposed surface of the element.

**9.10.3.3. Fire Exposure**

(1) Floor, roof and ceiling assemblies shall be rated for exposure to fire on the underside.

(2) Exterior walls shall be rated for exposure to fire from inside the *building*, except that such walls need not comply with the temperature rise limitations required by the standard tests referred to in Article 9.10.3.1. if such walls have a *limiting distance* of at least 1.2 m, and due allowance is made for the effects of heat radiation in accordance with the requirements in Part 3.

(3) *Firewalls* and interior vertical *fire separations* required to have *fire-resistance ratings* shall be rated for exposure to fire on each side.

**9.10.3.4. Suspended Membrane Ceiling.** Where a ceiling construction has a suspended membrane ceiling with lay-in panels or tiles which contribute to the required *fire-resistance rating*, hold down clips or other means shall be provided to prevent the lifting of such panels or tiles in the event of a fire.

**9.10.4. Building Size Determination**

**9.10.4.1. Mezzanines not Considered as Storeys**

(1) *Mezzanines* shall not be considered as *storeys* for the purpose of determining *building height* where the aggregate area of *mezzanine* floors does not exceed 10 per cent of

- the *suite* in which it is located, where there is more than one *suite* in the *storey*, or
- the *storey* in which it is located, in all other cases.

(2) *Mezzanines* shall not be considered as *storeys* for the purpose of determining *building height* where they occupy an aggregate area not exceeding 40 per cent of the area of the room or the *storey* in

which they are located provided the space above the *mezzanine* floor has no visual obstructions more than 1 070 mm above such floors.

**9.10.4.2. More Than One Level of Mezzanine.** Where more than 1 tier of *mezzanine* is provided in a *storey*, each tier additional to the first shall be considered as a *storey*.

**9.10.4.3. Basement Storage Garage.** Where a *basement* is used primarily as a *storage garage*, the *basement* may be considered as a separate *building* for the purposes of this Section provided the floor above the *basement* and the exterior walls of the *basement* above the adjoining ground level are constructed as *fire separations* of masonry or concrete having a *fire-resistance rating* of not less than 2 h.

**9.10.4.4. Roof-Top Enclosures.** Roof-top enclosures provided for elevator machinery, stairways and *service rooms*, used for no purpose other than for service to the *building*, shall not be considered as a *storey* in calculating the *building height*.

**9.10.5. Permitted Openings in Wall and Ceiling Assemblies**

**9.10.5.1. Permitted Openings in Wall and Ceiling Membranes**

(1) Except as permitted in Sentences (2) and (4), a membrane forming part of an assembly required to have a *fire-resistance rating* shall not be pierced by openings into the assembly unless the assembly has been tested and rated for such openings.

(2) A wall or ceiling membrane forming part of an assembly required to have a *fire-resistance rating* may be pierced by openings for electrical and similar service outlet boxes provided such outlet boxes are tightly fitted.

(3) Where boxes referred to in Sentence (2) are located on both sides of walls required to provide a *fire-resistance rating*, they shall be offset where necessary to maintain the integrity of the *fire separation*.

(4) A membrane ceiling forming part of an assembly assigned a *fire-resistance rating* on the basis of Chapter 2, "Fire performance Ratings" of the Supplement to the NBC 1990 or of Table 9.10.3.B. is permitted to be pierced by openings leading to ducts within the ceiling space provided the ducts, the amount of openings and their protection conform to the requirements of Chapter 2.

**9.10.6. Construction Types**

**9.10.6.1. Combustible Elements in Non-combustible Construction.** Where a wall, floor or roof assembly is required to be of

*non-combustible construction*, *combustible* elements shall be limited in conformance with the requirements in Subsection 3.1.5.

**9.10.6.2. Heavy Timber Construction.** *Heavy timber construction* shall be considered to have 45 min *fire-resistance rating* when it is constructed in accordance with the requirements for *heavy timber construction* in Article 3.1.4.6.

#### 9.10.7. Protection of Steel Members

**9.10.7.1. Protection of Structural Steel Members.** Except as permitted in Article 3.2.2.3., structural steel members used in construction required to have a *fire-resistance rating* shall be protected to provide the required *fire-resistance rating*.

#### 9.10.8. Fire-Resistance in Relation to Occupancy and Height

**9.10.8.1. Fire-Resistance Ratings for Floors and Roofs.** Except as otherwise provided in this Subsection, the *fire-resistance ratings* of floors and roofs shall conform to Table 9.10.8.A.

**Table 9.10.8.A.**  
Forming Part of Article 9.10.8.1.

Minimum Required Fire-Resistance Ratings for Structural Members and Assemblies, h				
Major Occupancy	Maximum Building Height, Storeys	Building Element		
		Floors Except Floors over Crawl Spaces	Mezzanine Floors	Roofs
Residential (Group C)	3	45 min	45 min	—
All other occupancies	2	45 min	—	—
	3	45 min	45 min	45 min
Column 1	2	3	4	5

**9.10.8.2. Fire-Resistance Ratings in Sprinklered Buildings.** The requirements in Table 9.10.8.A. for roof assemblies to have a *fire-resistance rating* may be waived in *sprinklered buildings* where the sprinkler system conforms to Sentence 3.2.2.12.(1).

**9.10.8.3. Fire-Resistance Ratings for Walls, Columns and Arches.** Except as otherwise provided in this Subsection, all *loadbearing* walls, columns and arches in the *storey* immediately below a floor or roof assembly shall have a *fire-resistance rating* of not less than that required for the supported floor or roof assembly.

**9.10.8.4. Service Rooms.** Construction supporting a *service room* need not conform to Article 9.10.8.3.

**9.10.8.5. Mezzanines.** Mezzanines required to be counted as *storeys* in Articles 9.10.4.1. and 9.10.4.2. shall be constructed in conformance with the requirements of Column 4 of Table 9.10.8.A.

**9.10.8.6. Roof Supporting an Occupancy.** Where a portion of a roof supports an *occupancy*, that portion shall be constructed as a *fire separation* having a *fire-resistance rating* conforming to the rating shown for floors in Column 3 of Table 9.10.8.A.

**9.10.8.7. Floors of Exterior Passageways.** The floor assembly of every exterior passageway used as part of a *means of egress* shall have a *fire-resistance rating* of not less than 45 min or be of *noncombustible construction*, except that no *fire-resistance rating* is required in *buildings* of Group D, E or F *major occupancy* that are not more than 2 *storeys* in *building height*.

**9.10.8.8. Crawl Spaces.** Where a crawl space exceeds 1.8 m in height or is used for any *occupancy* or as a *plenum* in *combustible construction* or for the passage of *flue pipes*, it shall be considered as a *basement* in applying the requirements in Article 9.10.8.1.

**9.10.8.9. Application to Houses.** Table 9.10.8.A. does not apply to a *dwelling unit* which has no other *dwelling unit* above or below it or to a *dwelling unit* which is not above or below another major occupancy.

**9.10.8.10. Part 3 as an Alternative.** The *fire-resistance ratings* of floors, roofs, *loadbearing* walls, columns and arches need not conform to this Subsection if such assemblies conform in all respects to the appropriate requirements in Section 3.2.

#### 9.10.9. Fire Separations Between Rooms and Spaces Within Buildings

**9.10.9.1. Application.** This Subsection applies to *fire separations* required between rooms and spaces in *buildings* except between rooms and spaces within a *dwelling unit*.

**9.10.9.2. Continuous Barrier.** Except as permitted in Article 9.10.9.3., a wall or floor assembly required to be a *fire separation* shall be constructed as a continuous barrier against the spread of fire.

**9.10.9.3. Openings to be Protected With Closures.** Except as permitted in Articles 9.10.9.5., 9.10.9.6. and 9.10.9.7., openings in required *fire separations* shall be protected with *closures* conforming to Subsection 9.10.13.

#### 9.10.9.4. Floor Assemblies

(1) Except as permitted in Sentences (2) to (4), all floor assemblies shall be constructed as *fire separations*.

(2) Floor assemblies contained within *dwelling units* need not be constructed as *fire separations*.

(3) Floor assemblies for which no *fire-resistance rating* is required by Subsection 9.10.8. and floors of *mezzanines* not required to be counted as *storeys* in Articles 9.10.4.1. and 9.10.4.2. need not be constructed as *fire separations*.

(4) Where a crawl space is not required by Article 9.10.8.8. to be constructed as a *basement*, the floor above it need not be constructed as a *fire separation*.

**9.10.9.5. Interconnected Floor Spaces.** Except as permitted in Article 9.9.4.7., *interconnected floor spaces* shall conform to the requirements of Subsection 3.2.8.

#### 9.10.9.6. Service Equipment Penetrating a Fire Separation

(1) Piping, tubing, ducts, *chimneys*, wiring, conduit, electrical outlet boxes and other similar service equipment that penetrate a required *fire separation* shall be tightly fitted or fire stopped to maintain the integrity of the separation.

(2) Except as provided in Sentences (3) to (8), pipes, ducts, electrical outlet boxes, totally enclosed raceways or other similar service equipment that partly or wholly penetrate an assembly required to have a *fire-resistance rating* shall be *noncombustible* unless the assembly has been tested incorporating such equipment.

(3) Electrical wires or other similar wiring enclosed in *noncombustible* totally enclosed raceways may partly or wholly penetrate an assembly required to have a *fire-resistance rating* without being incorporated in the assembly at the time of testing as required in Sentence (2).

(4) Electrical wires or cables, singly or grouped, with *combustible* insulation or jacketing that is not totally enclosed in raceways of *noncombustible* material, may partly or wholly penetrate an assembly required to have a *fire-resistance rating* without being incorporated in the assembly at the time of testing as required in Sentence (2) provided the overall diameter of the wiring is not more than 25 mm.

(5) *Combustible* totally enclosed raceways which are embedded



in a concrete floor slab are permitted in an assembly required to have a *fire-resistance rating* without being incorporated in the assembly at the time of testing as required in Sentence (2) where the concrete provides at least 50 mm of cover between the raceway and the bottom of slab.

(6) *Combustible* outlet boxes are permitted in an assembly required to have a *fire-resistance rating* without being incorporated in the assembly at the time of testing as required in Sentence (2) provided the opening through the membrane into the box does not exceed 160 cm<sup>2</sup>.

(7) *Combustible* water distribution piping that has an outside diameter not more than 30 mm is permitted to partly or wholly penetrate a vertical *fire separation* that is required to have a *fire-resistance rating* without being incorporated in the assembly at the time of testing as required in Sentence (2) provided the piping is sealed in conformance with Clause 3.1.9.1.(1)(b).

(8) *Combustible* sprinkler piping is permitted to penetrate a *fire separation* provided the *fire compartments* on each side of the *fire separation* are *sprinklered*.

#### 9.10.9.7. Combustible Piping

(1) Except as permitted in Sentences (2) to (6), combustible piping shall not be used where any part of the piping system partly or wholly penetrates a *fire separation* required to have a *fire-resistance rating* or penetrates a membrane that forms part of an assembly required to have a *fire-resistance rating*.

(2) Combustible piping not located in a vertical shaft is permitted to penetrate a *fire separation* required to have a *fire-resistance rating* or a membrane that forms part of an assembly required to have a *fire-resistance rating* provided the piping is sealed at the penetration by a firestop system that has an F rating not less than the *fire-resistance rating* required for the *fire separation*.

(3) The rating referred to in Sentence (2) shall be based on CAN4-S115, "Standard Method of Fire Tests for Firestop Systems" with a pressure differential of 50 Pa between the exposed and unexposed sides, with the higher pressure on the exposed side.

(4) Combustible drain piping is permitted to penetrate a horizontal *fire separation* provided it leads directly from a *noncombustible* floor-mounted water closet through a concrete floor slab.

(5) *Combustible* piping is permitted

- (a) on one side of a vertical *fire separation* provided it is not located in a vertical shaft, and
- (b) to penetrate a vertical or horizontal *fire separation* when the fire compartment on each side of the *fire separation* is *sprinklered*.

(6) In buildings containing two *dwelling units* only, *combustible* piping is permitted on one side of a horizontal *fire separation*.

**9.10.9.8. Collapse of Combustible Construction.** *Combustible construction* that abuts on or is supported by a *noncombustible fire separation* shall be constructed so that its collapse under fire conditions will not cause collapse of the *fire separation*.

**9.10.9.9. Reduction in Thickness of Fire Separation by Beams and Joists.** Beams and joists framed into a masonry or concrete *fire separation* shall not reduce the thickness of the *fire separation* to less than 100 mm of masonry or concrete.

#### 9.10.9.10. Concealed Spaces above Fire Separations

(1) Except as provided in Sentence (2), a horizontal service space or other concealed space located above a required vertical *fire separation* shall be divided at the *fire separation* by an equivalent *fire separation* within the space.

(2) Where a *horizontal service space* or other concealed space is located above a required vertical *fire separation* other than a vertical shaft, such space need not be divided as required in Sentence (1) provided the construction between such space and the space below is constructed as a *fire separation* having a *fire-resistance rating* not less than that required for the vertical *fire separation*, except that where the vertical *fire separation* is not required to have a *fire-resistance rating* greater than 45 min, the *fire-resistance rating* of the ceiling may be reduced to 30 min.

#### 9.10.9.11. Separation of Residential Occupancies

(1) Except as provided in Sentence (2), *residential occupancies* shall be separated from all other *major occupancies* by a *fire separation* having a *fire-resistance rating* of not less than 1 h.

(2) A *major occupancy* classified as a *residential occupancy* shall be separated from other *major occupancies* classified as *mercantile* or *medium hazard industrial occupancies* by a *fire separation* having a *fire-resistance rating* of not less than 2 h, except that where not more than 2 *dwelling units* are located in a building containing a *mercantile occupancy*, such *mercantile occupancy* shall be separated from the *dwelling units* by a *fire separation* having not less than 1 h *fire-resistance rating*.

**9.10.9.12. Residential Suites in Industrial Buildings.** Not more than 1 *suite* of *residential occupancy* shall be contained within a building classified as a Group F, Division 2 *major occupancy*.

#### 9.10.9.13. Separation of Suites

(1) Except as required in Article 9.10.9.14., and as permitted by Sentence (2), each *suite* in other than *business and personal services occupancies* shall be separated from adjoining *suites* by a *fire separation* having a *fire-resistance rating* of at least 45 min.

(2) In *sprinklered buildings*, *suites* of *business and personal services occupancy* and *mercantile occupancy* that are served by *public corridors* conforming with Clause 3.3.1.3.(4)(c) are not required to be separated from each other by *fire separations*.

#### 9.10.9.14. Separation of Residential Suites

(1) Except as provided in Sentences (2) and (3) and Article 9.10.20.2., *suites* in *residential occupancies* shall be separated from adjacent rooms and *suites* by a *fire separation* having a *fire-resistance rating* of not less than 45 min.

(2) Sleeping rooms in *boarding, lodging or rooming houses* where sleeping accommodation is provided for not more than 8 boarders or lodgers shall be separated from the remainder of the floor area by a *fire separation* having a *fire-resistance rating* of not less than 30 min where the sleeping rooms form part of the proprietor's residence and do not contain cooking facilities.

(3) *Dwelling units* that contain 2 or more *storeys* including *basements* shall be separated from the remainder of the building by a *fire separation* having a *fire-resistance rating* of not less than 1 h.

#### 9.10.9.15. Separation of Public Corridors

(1) Except as provided in Sentences (2) and (3), *public corridors* shall be separated from the remainder of the building by a *fire separation* having not less than a 45 min *fire-resistance rating*.

(2) In other than *residential occupancies*, no *fire-resistance rating* is required between a *public corridor* and the remainder of the building if the floor area is *sprinklered* in conformance with Sentence 3.3.1.4.(2).

(3) In other than *residential occupancies*, no *fire separation* is required between a *public corridor* and the remainder of the building if the floor area is *sprinklered* in conformance with Sentence 3.3.1.4.(2) and the corridor exceeds 5 m in width.



**9.10.9.16. Separation of Storage Garages**

(1) Except as provided in Sentences (2) and (3), a *storage garage* shall be separated from other *occupancies* by a *fire separation* having not less than a 1.5 h *fire-resistance rating*.

(2) Except as permitted in Sentence (3), *storage garages* containing 5 cars or fewer shall be separated from other *occupancies* by a *fire separation* of not less than 1 h.

(3) Where a *storage garage* serves only the *dwelling unit* to which it is attached or built in, it shall be considered as part of that *dwelling unit*, and the *fire separation* required in Sentence (2) need not be provided between the garage and the *dwelling unit* where

- (a) the construction between the garage and the *dwelling unit* provides an effective barrier to gas and exhaust fumes, and
- (b) every door between the garage and *dwelling unit* conforms to Article 9.10.13.15.

**9.10.9.17. Separation of Repair Garages**

(1) Except as provided in Sentence (2), a *repair garage* shall be separated from other *occupancies* by a *fire separation* having a *fire-resistance rating* of not less than 2 h.

(2) Ancillary spaces directly serving a *repair garage*, including waiting rooms, reception rooms, tool and parts storage areas and supervisory office space need not be separated from the *repair garage* but shall be separated from other *occupancies* as required in Sentence (1).

**9.10.9.18. Exhaust Ducts Serving More Than One Fire Compartment.** Where a *vertical service space* contains an *exhaust duct* that serves more than one *fire compartment*, the duct shall have a fan located at or near the exhaust outlet to ensure that the duct is under negative pressure, and such individual *fire compartments* shall not have fans that exhaust directly into the duct in the *vertical service space*.

**9.10.10. Service Rooms**

**9.10.10.1. Application.** This Subsection applies to *service rooms* in all *buildings* except rooms located within a *dwelling unit*.

**9.10.10.2. Service Room Floors.** The *fire-resistance rating* requirements in this Subsection do not apply to the floor assembly immediately below a *service room*.

**9.10.10.3. Separation of Service Rooms**

(1) Except as required in Sentence (2) and Articles 9.10.10.5., and 9.10.10.6., *service rooms* shall be separated from the remainder of the *building* by a *fire separation* having a *fire-resistance rating* of not less than 1 h when the *floor area* containing the *service room* is not *sprinklered*.

(2) Where a room contains a limited quantity of service equipment and the service equipment does not constitute a fire hazard, the requirements in Sentence (1) shall not apply.

**9.10.10.4. Appliances and Equipment to be Located in a Service Room**

(1) Except as provided in Sentence (2) and Article 9.10.10.5., fuel-fired *appliances* other than fireplaces shall be located in a *service room* separated from the remainder of the *building* by a *fire separation* having not less than a 1 h *fire-resistance rating*.

(2) Except as required in the *appliance* installation standards referenced in Sentence 6.2.1.4.(1) and Article 9.33.1.2., fuel-fired *space-heating appliances*, *space-cooling appliances* and *service water heaters* need not be separated from the remainder of the *building* as required in Sentence (1) where the equipment serves

(a) not more than one room or *suite*, or

(b) a *building* with a *building area* of not more than 400 m<sup>2</sup> and a *building height* of not more than 2 *storeys*.

**9.10.10.5. Incinerators**

(1) *Service rooms* containing incinerators shall be separated from the remainder of the *building* by a *fire separation* having a *fire-resistance rating* of not less than 2 h.

(2) The design, construction, installation and alteration of each indoor incinerator shall conform to NFPA 82, "Incinerators, Waste and Linen Handling Systems and Equipment".

(3) Every incinerator shall be connected to a *chimney flue* conforming to the requirements in Section 9.21. and serving no other *appliance*.

(4) An incinerator shall not be located in a room with other fuel-fired *appliances*.

**9.10.10.6. Storage Rooms.** Rooms for the temporary storage of *combustible* refuse in all *occupancies* or for public storage in *residential occupancies* shall be separated from the remainder of the *building* by a *fire separation* having not less than a 1 h *fire-resistance rating*, except that a 45 min *fire separation* is permitted where the *fire-resistance rating* of the floor assembly is not required to exceed 45 min, or where such rooms are *sprinklered*.

**9.10.10.7. Storage Rooms in a Hotel.** In a *building* containing a *hotel*, unsprinklered storage rooms and closets shall be separated, or shall be contained within a *suite* that is separated from the remainder of the *building* by a *fire-separation* having a *fire-resistance rating* of at least 45 min.

**9.10.11. Firewalls**

**9.10.11.1. Required Firewalls.** Except as provided in Articles 9.10.11.2. and 9.10.11.4., a *party wall* on a property line shall be constructed as a *firewall*.

**9.10.11.2. Firewalls Not Required**

(1) In a *building* of *residential occupancy* in which there is no *dwelling unit* above another *dwelling unit*, a *party wall* on a property line between *dwelling units* need not be constructed as a *firewall* provided it is constructed as a *fire separation* having not less than a 1 h *fire-resistance rating*, and

(2) The wall described in Sentence (1) shall provide continuous protection from the top of the footings to the underside of the roof deck.

(3) Any space between the top of the wall described in Sentence (1) and the roof deck shall be tightly sealed by caulking with mineral wool or *noncombustible* material.

**9.10.11.3. Construction of Firewalls.** Where *firewalls* are used, the requirements in Subsection 3.1.10. shall apply.

**9.10.11.4. Firewalls in Detached Garages.** Where a garage is detached from the *dwelling unit* but attached to another garage on the adjacent property, the *party wall* so formed shall be constructed as a *fire separation* having a *fire-resistance rating* of not less than 45 min.

**9.10.12. Prevention of Fire Spread at Exterior Walls and Between Storeys**

**9.10.12.1. Separation of Exterior Openings.** In *buildings* of *mercantile* or *medium hazard industrial occupancy*, the exterior openings in one *storey* shall be separated from openings in an adjacent *storey* by not less than 1 m of wall, or a canopy or balcony not less than 1 m in width having a *fire-resistance rating* not less than that

required for the floor assembly, except that the rating need not exceed 1 h.

#### 9.10.12.2. Termination of Floors or Mezzanines

(1) Except as provided in Sentence (2) and in Articles 9.10.1.6. and 9.10.9.5., the portions of a *floor area* or *mezzanine* that do not terminate at an exterior wall, a *firewall* or a vertical shaft, shall terminate at a vertical *fire separation* having a *fire-resistance rating* not less than that required for the floor assembly that terminates at the separation.

(2) A *mezzanine* need not terminate at a vertical *fire separation* where the *mezzanine* is not required to be considered as a *storey* in Articles 9.10.4.1. and 9.10.4.2.

**9.10.12.3. Location of Skylights.** Where a wall in a *building* is exposed to a fire hazard from an adjoining roof of a separate unsprinklered *fire compartment* in the same *building*, the roof shall contain no skylights within a horizontal distance of 5 m of the windows in the exposed wall.

#### 9.10.12.4. Exterior Walls Meeting at an Angle

(1) Except as provided in Articles 9.10.14.14. and 9.9.4.5., where exterior walls of a *building* meet at an external angle of less than 135°, the horizontal distance from an opening in one wall to an opening in the other wall shall be not less than 1.2 m where the openings are in different *fire compartments*.

(2) The exterior wall of each *fire compartment* in Sentence (1) within the 1.2 m distance, shall have a *fire-resistance rating* not less than that required for the interior vertical *fire separation* between the compartment and the remainder of the *building*.

#### 9.10.12.5. Protection of Soffits

(1) Except as provided in Sentence (2), where a common *attic* or *roof space* spans more than 2 *suites* of *residential occupancy*, and projects beyond the exterior wall of the *building*, the portion of any soffit or other surface enclosing the projection which is less than 2.5 m vertically above a window or door and less than 1.2 m from either side of the window or door, shall have no unprotected openings and shall be protected by

- (a) *noncombustible* material having a minimum thickness of at least 0.38 mm and a melting point not below 650°C,
- (b) not less than 11 mm thick plywood,
- (c) not less than 12.5 mm thick waferboard or strandboard, or
- (d) not less than 11 mm thick lumber.

(2) Where such soffit or other surface is completely separated from the remainder of the *attic* or *roof space* by firestopping, the requirements in Sentence (1) do not apply.

#### 9.10.13. Doors, Dampers and Other Closures in Fire Separations

**9.10.13.1. Closures.** Except as provided in Article 9.10.13.2., openings in required *fire separations* shall be protected with a closure conforming to Table 9.10.13.A. and shall be installed in conformance with Chapters 2 to 14 of NFPA 80, "Fire Doors and Windows" unless otherwise specified herein.

**Table 9.10.13.A.**  
Forming Part of Article 9.10.13.1.

Fire-Protection Ratings for Closures	
Required Fire-Resistance Rating of Fire Separation, h	Required Fire-Protection Rating of Closure, h
30 or 45 min	20 min (1)
1 h	45 min (1)
1.5 h	1 h
2 h	1.5 h
2 h	2 h
4 h	3 h
Column 1	2

**Note to Table 9.10.13.A.:**

(1) See Article 9.10.13.2.

#### 9.10.13.2. Solid Core Wood Door as a Closure

(1) A 45 mm thick solid core wood door where a minimum *fire-protection rating* of 20 min is permitted or between a *public corridor* and a *suite* provided the door conforms to CAN4-S113, "Standard Specification for Wood Core Doors Meeting the Performance Required by CAN4-S104 for Twenty Minute Fire-Rated Closure Assemblies."

(2) Doors described in Sentence (1) shall have not more than a 6 mm clearance beneath and not more than 3 mm at the sides and top.

(3) Where a 45 mm thick solid core wood door is permitted in a required *fire separation*, the requirement for a *noncombustible* sill in NFPA 80, "Fire Doors and Windows" shall not apply.

**9.10.13.3. Unrated Wood Door Frames.** Doors required to provide a 20 min *fire-protection rating* or permitted to be 45 mm solid core wood shall be mounted in a wood frame of at least 38 mm thickness where the frame has not been tested and rated.

**9.10.13.4. Doors as a Means of Egress.** Doors forming part of an *exit* or a *public means of egress* shall conform to Subsection 9.9.6. in addition to this Subsection.

#### 9.10.13.5. Wired Glass as a Closure

(1) Wired glass conforming to Article 9.7.3.1. which has not been tested in accordance with Article 9.10.3.1. is permitted as a *closure* in a vertical *fire separation* required to have a *fire-resistance rating* of not more than 1 h provided such glass is not less than 6 mm thick and is mounted in conformance with Sentence (2).

(2) Wired glass described in Sentence (1) shall be mounted in fixed steel frames having a minimum metal thickness of 1.35 mm and providing a glazing stop of at least 20 mm on each side of the glass.

(3) Individual panes of glass described in Sentence (1) shall not exceed 0.84 m<sup>2</sup> in area or 1.4 m in height or width, and the area of glass not structurally supported by mullions shall not exceed 7.5 m<sup>2</sup>.

**9.10.13.6. Steel Door Frames.** Steel door frames forming part of a *closure* in a *fire separation*, including anchorage requirements, shall conform to CAN4-S105, "Standard Specification for Fire Door Frames Meeting the Performance Required by CAN4-S104."

**9.10.13.7. Glass Block as a Closure.** Glass block that has not been tested in accordance with Article 9.10.3.1. is permitted as a *closure* in a *fire separation* required to have a *fire-resistance rating* of not more than 1 h.

**9.10.13.8. Maximum Size of Closure**

(1) The size of an opening in an interior *fire separation* required to be protected with a *closure* shall not exceed 11 m<sup>2</sup> in area with no dimension greater than 3.7 m, when the *fire compartments* on both sides of the *fire separation* are not *sprinklered*.

(2) The size of an opening in an interior *fire separation* required to be protected with a *closure* shall not exceed 22 m<sup>2</sup>, with no dimension greater than 6 m, when the *fire compartments* on both sides of the *fire separation* are *sprinklered*.

**9.10.13.9. Door Latch.** Every swing type door in a *fire separation* shall be equipped with a latch.

**9.10.13.10. Self-Closing Device**

(1) Except as described in Sentence (2), every door in a *fire separation* shall have a self-closing device.

(2) Self-closing devices are not required between *public corridors* and *suites* in *business and personal services occupancies*, except in dead end corridors.

**9.10.13.11. Hold-Open Devices.** Where hold-open devices are used on doors in required *fire separations*, they shall be installed in accordance with Article 3.1.8.12.

**9.10.13.12. Service Room Doors.** Swing-type doors shall open into *service rooms* containing fuel-fired equipment where such doors lead to *public corridors* or rooms used for assembly but shall swing outward from such rooms in all other cases.

**9.10.13.13. Fire Dampers**

(1) Except as permitted in Sentences (2) to (5) and 9.10.5.1.(4) ducts that connect 2 *fire compartments* or penetrate an assembly required to be a *fire separation* with a *fire-resistance rating* shall be equipped with a *fire damper* in conformance with Article 3.1.8.9.

(2) A *fire damper* is not required where a *noncombustible* branch duct pierces a required *fire separation* provided the melting point of the duct is not below 760°C, a cross-sectional area less than 130 cm<sup>2</sup> and supplies only air-conditioning units or combined air-conditioning and heating units discharging air at not more than 1.2 m above the floor.

(3) A *fire damper* is not required where a *noncombustible* branch

duct pierces a required *fire separation* around an *exhaust duct* riser in which the air flow is upward provided the melting point of the branch duct is not below 760°C, the branch duct is carried up inside the riser at least 500 mm and the *exhaust duct* is under negative pressure as described in Article 9.10.9.18.

(4) *Noncombustible* ducts that penetrate a *fire separation* separating a *vertical service space* from the remainder of the *building* need not be equipped with a *fire damper* at the *fire separation* provided the ducts have a melting point above 760°C and each individual duct exhausts directly to the outside at the top of the *vertical service space*.

(5) A duct serving commercial cooking equipment and piercing a required *fire separation* need not be equipped with a *fire damper* at the *fire separation*.

**9.10.13.14. Fire Stop Flaps.** *Fire stop flaps* in ceiling membranes required in Sentence 9.10.5.1.(4) shall conform to CAN4-S112.2-M, "Standard Method of Fire Test of Ceiling Firestop Flap Assemblies."

**9.10.13.15. Doors Between Garages and Dwelling Units**

(1) A door between an attached or built-in garage and a *dwelling unit* shall be tight-fitting and weather-stripped to provide an effective barrier against the passage of gases and exhaust fumes and shall be fitted with a self-closing device.

(2) A doorway between an attached or built-in garage and a *dwelling unit* shall not be located in a room intended for sleeping.

**9.10.13.16. Door Stops.** Where a door is installed so that it may damage the integrity of a *fire separation* if its swing is unrestricted, door stops shall be installed to prevent such damage.

**9.10.14. Spatial Separations Between Buildings****9.10.14.1. Maximum Percentage of Unprotected Openings**

(1) Except as provided in Sentence (2) and in Articles 9.10.14.3. to 9.10.14.11., the maximum percentage of *unprotected openings* in an *exposing building face* shall conform to Table 9.10.14.A. or to Subsection 3.2.3., whichever is the least restrictive for the occupancy being considered.

(2) An opening in an *exposing building face* not more than 130 cm<sup>2</sup> shall not be considered an *unprotected opening*.

**Table 9.10.14.A.**  
Forming Part of Article 9.10.14.1.

Maximum Percentage of Unprotected Openings in Exterior Walls													
Occupancy Classification of Building	Maximum Area of Exposing Building Face, m <sup>2</sup>	Limiting Distance											
		Less than 1.2 m	1.2 m	1.5 m	2.0 m	4.0 m	6.0 m	8.0 m	10.0 m	12.0 m	16.0 m	20.0 m	25.0 m
<i>Residential business and personal services, low hazard industrial</i>	30	0	7	9	12	39	88	100	—	—	—	—	—
	40	0	7	8	11	32	69	100	—	—	—	—	—
	50	0	7	8	10	28	57	100	—	—	—	—	—
	100	0	7	8	9	18	34	56	84	100	—	—	—
<i>Mercantile and medium hazard industrial</i>	Over 100	0	7	7	8	12	19	28	40	55	92	100	—
	30	0	4	4	6	20	44	80	100	—	—	—	—
	40	0	4	4	6	16	34	61	97	100	—	—	—
	50	0	4	4	5	14	29	50	79	100	—	—	—
<i>100</i>	100	0	4	4	4	9	17	28	42	60	100	—	—
	Over 100	0	4	4	4	6	10	14	20	27	46	70	100
Column 1	2	3	4	5	6	7	8	9	10	11	12	13	14

**9.10.14.2. Area of Exposing Building Face.** The area of an *exposing building face* shall be calculated as the total area of exterior wall facing in 1 direction on any side of a *building* measured from the finished ground level to the uppermost ceiling, except that where a *building* is divided by *fire separations* into *fire compartments*, the area of *exposing building face* may be calculated for each *fire compartment* provided such separations have not less than a 45 min *fire-resistance rating*.

**9.10.14.3. Inadequate Fire Fighting Facilities.** Where there is no fire department or where a fire department is not organized, trained and equipped to meet the needs of the community, the limiting distance determined from Article 9.10.14.1. or required in Articles 9.10.14.12., 9.10.14.14., and 9.10.14.16., shall be doubled.

**9.10.14.4. Alternate Method of Determining Limiting Distance.** The *limiting distance* shown in Table 9.10.14.A. may be reduced provided it is not less than the square root of the aggregate area of *unprotected openings* in an *exposing building face* in *residential occupancies, business and personal services occupancies and low hazard industrial occupancies*, and is not less than the square root of twice the aggregate area of *unprotected openings* in *mercantile occupancies and medium hazard industrial occupancies*.

**9.10.14.5. Openings in Walls Having a Limiting Distance Less Than 1.2 m.** Openings in a wall having a *limiting distance* of less than 1.2 m shall be protected by *closures*, of other than wired glass or glass block, whose *fire protection rating* is in conformance with the *fire-resistance rating* required for the wall.

**9.10.14.6. Allowance for Sprinklers and Wired Glass or Glass Block.** The maximum area of *unprotected openings* may be doubled where the *building* is *sprinklered*, or where the *unprotected openings* are glazed with wired glass in steel frames or glass blocks as described in Articles 9.10.13.5. and 9.10.13.7.

**9.10.14.7. Exterior Wall Construction for Irregular-Shaped Buildings.** For the purpose of using Table 9.10.14.B. to determine the required type of construction, cladding and *fire-resistance rating* for an exterior wall, the *exposing building face* shall be taken as the projection of the exterior wall onto a vertical plane located so that no portion of the exterior wall of the *building* is between the vertical plane and the line to which the limiting distance is measured and, for these purposes, the permitted area of *unprotected openings* shall be determined from Table 9.10.14.A. or Article 9.10.14.4., using the *limiting distance* measured from this *exposing building face*.

**9.10.14.8. Percentage of Unprotected Openings for Irregular-Shaped Buildings.** For the purpose of using Table 9.10.14.A. to determine the actual percentage of *unprotected openings* permitted in an exterior wall, the location of the *exposing building face* is permitted to be taken at a vertical plane located so that there are no *unprotected openings* between the vertical plane and the line to which *limiting distance* is measured.

**9.10.14.9. Storeys at Street Level.** The *exposing building face* of a *storey* that faces a *street* and is at approximately the same level as the *street* is permitted to have unlimited *unprotected openings* if the *limiting distance* is not less than 9 m.

**9.10.14.10. Open-Air Storage Garages.** An *exposing building face* of an *open-air storey* in a *storage garage* is permitted to have unlimited *unprotected openings* provided it has a *limiting distance* of 3 m.

**9.10.14.11. Construction of Exposing Building Face.** Except as permitted in Articles 9.10.14.12. to 9.10.14.16., each *exposing building face* and any exterior wall located above an *exposing building face* that encloses an *attic or roof space* shall be constructed in conformance with Table 9.10.14.B. and Subsection 9.10.8.

**Table 9.10.14.B.**  
Forming Part of Article 9.10.14.11.

Minimum Construction Requirements for Exposing Building Faces				
Occupancy Classification of Building	Maximum Percentage of Unprotected Openings permitted	Minimum Required Fire-Resistance Rating, h	Type of Construction Required	Type of Cladding Required
<i>Residential business and personal services and low hazard industrial</i>	Not more than 10	1	<i>Noncombustible</i>	<i>Noncombustible</i>
	More than 10 but not more than 25	1	<i>Combustible or noncombustible</i>	<i>Noncombustible</i>
	More than 25 but not more than 100	¾	<i>Combustible or noncombustible</i>	<i>Combustible or noncombustible</i>
<i>Mercantile and medium hazard industrial</i>	Not more than 10	2	<i>Noncombustible</i>	<i>Noncombustible</i>
	More than 10 but not more than 25	2	<i>Combustible or noncombustible</i>	<i>Noncombustible</i>
	More than 25 but not more than 100	1	<i>Combustible or noncombustible</i>	<i>Combustible or noncombustible</i>
Column 1	2	3	4	5

#### 9.10.14.12. Exposing Building Face of Houses

(1) Except as required in Article 9.10.14.3., in buildings containing only *dwelling units* in which there is no *dwelling unit* above another *dwelling unit*, the requirements of Article 9.10.14.11. do not apply provided that the *exposing building face* has a *fire-resistance rating* of not less than 45 min where the *limiting distance* is less than 1.2 m, and when the *limiting distance* is less than 0.6 m, the *exposing building face* is clad with *noncombustible* material.

(2) Window openings in the *exposing building face* referred to in Sentence (1) shall not be permitted if the *limiting distance* is less than 1.2 m and shall be limited in conformance with the requirements for *unprotected openings* in Article 9.10.14.1. where the *limiting distance* is 1.2 m or greater.

(3) Where the spatial separation between *dwelling units* on adjoining properties is registered on the titles of both properties, the spatial separation may be calculated as if the *dwelling units* were constructed on the same property.

**9.10.14.13. Combustible Projections.** Except for buildings containing 1 or 2 *dwelling units* only, *combustible* projections on the exterior of a wall that are more than 1 m above ground level, such as balconies, platforms, canopies, eave projections and stairs, and that could expose an adjacent *building* to fire spread, shall not be permitted within 1.2 m of a property line or the centreline of a *public way*, or within 2.4 m of a *combustible* projection on another *building* on the same property.

#### 9.10.14.14. Detached Garage Serving One Dwelling Unit

(1) Except as required in Article 9.10.14.3., the *exposing building face* of a detached garage that serves one *dwelling unit* only shall have a *fire-resistance rating* of at least 45 min, except that no *fire-resistance rating* is required where the *limiting distance* is 0.6 m or greater.

(2) The exterior *cladding* of such detached garages is not required to be *noncombustible* regardless of the *limiting distance*.

(3) The percentage of window openings permitted in the *exposing building face* of such detached garages described in Sentence (1) shall conform to the requirements for *unprotected openings* in Article 9.10.14.1.

(4) Where a detached garage serves only one *dwelling unit* and is located on the same property as that *dwelling unit*, then the require-

ments for *limiting distance* shall not apply between the garage and the *dwelling unit*.

**9.10.14.15. Heavy Steel and Steel Columns.** Heavy timber and steel columns need not conform to the requirements of Article 9.10.14.11. provided the *limiting distance* is not less than 3 m.

**9.10.14.16. Low Fire Load Occupancies.** Except as required in Article 9.10.14.3., in buildings of 1 storey in *building height* of *noncombustible construction* classified as *low hazard industrial occupancy* which are used only for *low fire load occupancies* such as power generating plants or plants for the manufacture or storage of *noncombustible* materials, *non-loadbearing* wall components need not have a minimum *fire-resistance rating* provided the *limiting distance* is 3 m or more.

#### 9.10.15. Fire Stops

##### 9.10.15.1. Required Fire Stops in Concealed Spaces

(1) Concealed spaces in interior walls, ceilings and crawl spaces shall be separated by fire stops from concealed spaces in exterior walls and *attic* or *roof spaces*.

(2) Fire stops shall be provided at all interconnections between concealed vertical and horizontal spaces in interior covered ceilings, drop ceilings and soffits where the exposed construction materials within the concealed spaces have a surface *flame-spread rating* greater than 25.

(3) Fire stops shall be provided at the top and bottom of each run of stairs where they pass through a floor containing concealed space in which the exposed construction materials within the space have a surface *flame-spread rating* greater than 25.

(4) In un sprinklered buildings of *combustible construction*, every concealed space created by a ceiling, roof space or unoccupied attic space shall be separated by fire stops into compartments of not more than 300 m<sup>2</sup> in area where such space contains exposed construction materials having a surface *flame-spread rating* greater than 25.

(5) No dimension of such space shall exceed 20 m.

(6) Concealed spaces in mansard or gambrel style roofs, exterior cornices, balconies and canopies of *combustible construction* in which the exposed construction materials within the space have a surface *flame-spread rating* exceeding 25 shall have vertical fire stops at

intervals of not more than 20 m and at points where such concealed spaces extend across the ends of required vertical *fire separations*.

#### 9.10.15.2. Required Fire Stops in Wall Assemblies

(1) Except as permitted in Sentences (2) and (3), fire stops shall be provided to block off concealed spaces within wall assemblies, including spaces created by furring, at each floor level, and at each ceiling level where the ceiling contributes to part of the required *fire-resistance rating*, and at other locations within the wall, so that the distance between fire stops does not exceed 20 m horizontally and 3 m vertically.

(2) Fire stops required in Sentence (1) are not required provided the exposed construction materials within the wall space, including insulation, but not including wiring, piping or similar services, have a *flame-spread rating* of not more than 25.

(3) Fire stops required in Sentence (1) are not required provided the wall space is filled with insulation.

**9.10.15.3. Fire Stop Materials.** Fire stops shall be constructed of not less than 0.38 mm sheet steel, 6 mm asbestos board, 12.7 mm gypsum wallboard, 12 mm plywood, waferboard, or strandboard, with joints having continuous support, 2 layers of 19 mm lumber with joints staggered, 38 mm lumber or materials conforming to Sentence 3.1.11.7.(1).

**9.10.15.4. Penetration of Fire Stops.** Where fire stops are pierced by pipes, ducts or other elements, the effectiveness of the fire stops shall be maintained around such elements.

#### 9.10.16. Flame Spread Limits

##### 9.10.16.1. Flame Spread Rating of Interior Surfaces

(1) Except as otherwise provided in this Subsection, the exposed surface of every interior wall and ceiling, including skylights and glazing, shall have a surface *flame-spread rating* of not more than 150.

(2) Except as permitted in Sentence (3), doors need not conform to Sentence (1) provided they have a surface *flame-spread rating* of not more than 200.

(3) Doors within *dwelling units* need not conform to Sentences (1) and (2).

**9.10.16.2. Ceilings in Exits or Public Corridors.** At least 90 per cent of the exposed surface of every ceiling in an *exit* or unsprinklered ceiling in a *public corridor* shall have a surface *flame-spread rating* of not more than 25.

##### 9.10.16.3. Walls in Exits

(1) Except as provided in Sentence (2), at least 90 per cent of the exposed surfaces of every wall in an *exit* shall have a surface *flame-spread rating* of not more than 25.

(2) At least 75 per cent of the wall surface of a lobby used as an *exit* in Article 9.9.8.5. shall have a surface *flame-spread rating* of not more than 25.

**9.10.16.4. Exterior Exit Passageways.** Where an exterior *exit* passageway provides the only *means of egress* from the rooms or *suites* it serves, the wall and ceiling finishes of that passageway, including the soffit beneath and the *guard* on the passageway, shall have a surface *flame-spread rating* of not more than 25, except that up to 10 per cent of the total wall area and 10 per cent of the total ceiling area is permitted to have a surface *flame-spread rating* of not more than 150.

**9.10.16.5. Walls in Public Corridors.** At least 90 per cent of the total wall surface in any unsprinklered *public corridor* shall have a surface *flame-spread rating* of not more than 75, or at least 90 per

cent of the upper half of such walls shall have a surface *flame-spread rating* of not more than 25.

**9.10.16.6. Calculation of Wall and Ceiling Areas.** *Combustible* doors, skylights, glazing and *combustible* light diffusers and lenses shall not be considered in the calculation of wall and ceiling areas in this Subsection.

**9.10.16.7. Corridors Containing an Occupancy.** Where a *public corridor* or a corridor used by the public contains an *occupancy*, the interior finish materials used on the walls or ceiling of such *occupancy* shall have a surface *flame-spread rating* in conformance with that required for *public corridors*.

**9.10.16.8. Light Diffusers and Lenses.** Light diffusers and lenses having *flame-spread ratings* that exceed those permitted for the ceiling finish, shall conform to the requirements of Sentence 3.1.13.4.(1).

**9.10.16.9. Combustible Skylights.** Individual *combustible* skylights in corridors required to be separated from the remainder of the *building* by *fire separations* shall not exceed 1 m<sup>2</sup> in area and shall be spaced at least 1.2 m apart.

**9.10.16.10. Protection of Foamed Plastics.** Foamed plastics which form part of a wall or ceiling assembly in *combustible construction* shall be protected from adjacent space in the *building* other than adjacent concealed spaces within *attic and roof spaces*, crawl spaces, and wall assemblies, by

- (a) one of the finishes described in Subsections 9.29.4. to 9.29.9.,
- (b) sheet metal mechanically fastened to the supporting assembly independent of the insulation and having a thickness of not less than 0.38 mm and a melting point not below 650°C provided the building does not contain a Group C *major occupancy*, or
- (c) any thermal barrier that meets the requirements of Clause 3.1.5.11.(2)(e).

**9.10.16.11. Walls and Ceilings in Bathrooms.** The interior finish of walls and ceilings in bathrooms within *suites of residential occupancy* shall have a surface *flame-spread rating* of not more than 200.

**9.10.16.12. Coverings or Linings of Ducts.** Where a covering or a lining is used with a duct, such lining or covering shall have a *flame-spread rating* conforming to Part 6.

#### 9.10.17. Alarm and Detection Systems

**9.10.17.1. Access Provided through a Firewall.** Where access is provided through a *firewall*, the requirements in this Subsection shall apply to the *floor areas* on both sides of the *firewall* as if they were in the same *building*.

##### 9.10.17.2. Fire Alarm System Required

(1) Except as provided in Sentence (2), a fire alarm system shall be installed in every *building* that contains more than 3 *storeys*, including *storeys* below the *first storey*, or where the total *occupant load* exceeds 300, or when the *occupant load* for any *major occupancy* in Table 9.10.17.A. is exceeded.

**Table 9.10.17.A.**  
Forming Part of Sentence 9.10.17.2.(1)

Maximum Occupant Load for Buildings without Fire Alarm System	
Major Occupancy Classification	Occupant Load Above which Fire Alarm System is Required
<i>Residential</i>	10 (sleeping accommodation)
<i>Business and personal services, Mercantile</i>	150 above or below the <i>first storey</i>
<i>Low or medium hazard industrial</i>	75 above or below the <i>first storey</i>
Column 1	2

(2) A fire alarm system is not required in a *residential occupancy* where an *exit* or *public corridor* serves not more than 4 suites or where each *suite* has direct access to an exterior *exit* facility leading to ground level.

#### 9.10.17.3. Rooms and Spaces Requiring Heat Detectors or Smoke Detectors

(1) Where a fire alarm system is required, every *public corridor* in buildings of *residential occupancy* and every *exit* stair shaft shall be provided with *smoke detectors*.

(2) Except as provided in Sentence (3), *buildings* required to have a fire alarm system shall be equipped with *heat detectors* or *smoke detectors* in storage rooms, *service rooms*, elevator shafts, chutes, janitors' closets and any other rooms where hazardous substances are intended to be used or stored.

(3) Except as required in Sentence (4), *heat detectors* and *smoke detectors* described in Sentence (2) are not required in *dwelling units* or in *sprinklered buildings* in which the sprinkler system is electrically supervised and equipped with a water flow alarm.

(4) If a fire alarm system is required in a *building* containing a *hotel*, *heat detectors* or *smoke detectors* shall be installed in every room in a *suite* and in every room not located within a *suite* other than refrigerated areas, saunas and swimming pools.

**9.10.17.4. Smoke Detectors in Recirculating Air Handling Systems.** Except for a recirculating air system serving not more than 1 *dwelling unit*, where a fire alarm system is required to be installed, every recirculating air handling system shall be designed to prevent the circulation of smoke upon a signal from a duct-type *smoke detector* where such system supplies more than one *suite* on the same floor or serves more than 1 *storey*.

#### 9.10.17.5. Portions of Buildings Considered as Separate Buildings

(1) Except as provided in Sentence (2), where a vertical *fire separation* having a *fire-resistance rating* of at least 1 h separates a portion of a *building* from the remainder of the *building* and there are no openings through the *fire separation* other than those for piping, tubing, wiring and conduit, the requirements for fire alarm and detection systems may be applied to each portion so separated as if it were a separate *building*.

(2) The permission in Sentence (1) to consider separated portions of a *building* as separate *buildings* does not apply to *service rooms* and storage rooms.

**9.10.17.6. Design and Installation Requirements.** Fire alarm, fire detection and smoke detection devices and systems, and their installation, shall conform to Subsection 3.2.4.

**9.10.17.7. Reserved.**

**9.10.17.8. Open-Air Storage Garages.** Except as required in Article 9.10.17.1., a fire alarm system is not required in a *storage garage* con-

forming to Article 3.2.2.60, provided there are no other *occupancies* in the *building*.

**9.10.17.9. Fire Alarm System in a Hotel.** If a fire alarm system is required in a *building* containing a *hotel*, a single stage fire alarm system shall be provided.

#### 9.10.18. Smoke Alarms

**9.10.18.1. Required Smoke Alarms.** *Smoke alarms* conforming to CAN/ULC-S531, "Standard for Smoke Alarms" shall be installed in each *dwelling unit* and in each sleeping room not within a *dwelling unit*.

#### 9.10.18.2. Location of Smoke Alarms

(1) Except as required in Sentence (2), *smoke alarms* shall be provided on each floor level near the stairs connecting floor levels.

(2) On floor levels containing bedrooms or sleeping areas the required *smoke alarms* shall be installed between such bedrooms or sleeping areas and the remainder of the floor area, such as in a hallway or corridor serving such rooms or areas.

(3) *Smoke alarms* required in Sentences (1) and (2) shall be audible within the bedrooms when the intervening doors are closed.

(4) *Smoke alarms* required in Sentences (1) and (2) shall be installed in conformance with the manufacturers installation instructions.

#### 9.10.18.3. Power Supply

(1) Except as permitted in Sentence (2), *smoke alarms* shall be installed by permanent connections to an electrical circuit and shall have no disconnect switch between the overcurrent circuit device and the *smoke alarm*.

(2) Where the *building* is not supplied with electrical power, *smoke alarms* may be battery operated.

**9.10.18.4. Interconnection of Smoke Alarms.** Where more than one *smoke alarm* is required in a *dwelling unit*, the *smoke alarms* shall be wired so that the activation of one alarm will cause all alarms within the *dwelling unit* to sound.

**9.10.18.5. Instructions for Maintenance and Repair.** Where instructions are necessary to describe the maintenance and care required for *smoke alarms* to ensure continuing satisfactory performance, they shall be posted in a location where they will be readily available to the occupants for reference.

#### 9.10.19. Fire Fighting

##### 9.10.19.1. Windows or Access Panels Required

(1) Except as provided in Sentence (3), a window or access panel providing an opening not less than 1 100 mm high and 550 mm wide and having a sill height of not more than 900 mm above the floor shall be provided on the second and third *storeys* of every *building* in not less than one wall facing on a *street* if such *storeys* are not *sprinklered*.

(2) Access panels required in Sentence (1) shall be readily openable from both inside and outside or be glazed with plain glass.

(3) Access panels as required in Sentence (1) need not be provided in *buildings* containing only *dwelling units* where there is no *dwelling unit* above another *dwelling unit*.

##### 9.10.19.2. Access to Basements

(1) Except in *basements* serving not more than one *dwelling unit*, each unsprinklered *basement* exceeding 25 m in length or width shall



be provided with direct access to the outdoors to not less than one street.

(2) Access required in Sentence (1) may be provided by a door, window or other means that provides an opening not less than 1 100 mm high and 550 mm wide, the sill height of which shall not be more than 900 mm above the floor.

(3) Access required in Sentence (1) may also be provided by an interior stair accessible from the outdoors.

#### 9.10.19.3. Fire Department Access to Buildings

(1) Access for fire department equipment shall be provided to each *building* by means of a *street*, private roadway or yard.

(2) Where access to a *building* as required in Sentence (1) is provided by means of a roadway or yard, the design and location of such roadway or yard shall take into account connection with public thoroughfares, weight of fire fighting equipment, width of roadway, radius of curves, overhead clearance, location of fire hydrants, location of fire department connections and vehicular parking.

**9.10.19.4. Portable Extinguishers.** Portable fire extinguishers shall be installed in all *buildings*, except within *dwelling units*, in conformance with the provisions of the Ontario Fire Code made under the *Fire Marshals Act*.

#### 9.10.20. Fire Protection for Construction Camps

**9.10.20.1. Requirements for Construction Camps.** Except as provided in Articles 9.10.20.2. to 9.10.20.9., *camp*s for housing of workers shall conform to Subsections 9.10.1. to 9.10.19.

**9.10.20.2. Separation of Sleeping Rooms.** Except for sleeping rooms within *dwelling units*, sleeping rooms in a *building* in a *camp* for housing of workers shall be separated from each other and from the remainder of the *building* by a *fire separation* having not less than a 30 min *fire-resistance rating*.

**9.10.20.3. Floor Assemblies Between the First and Second Storey.** Except in a *dwelling unit*, a floor assembly in a *building* in a *camp* for housing of workers separating the first *storey* and the second *storey* shall be constructed as a *fire separation* having not less than a 30 min *fire-resistance rating*.

**9.10.20.4. Walkways Connecting Buildings.** Walkways of *combustible construction* connecting *buildings* shall be separated from each connected *building* by a *fire separation* having not less than a 45 min *fire-resistance rating*.

**9.10.20.5. Spatial Separations.** *Buildings* in a *camp* for housing of workers shall be separated from each other by a distance of not less than 10 m unless otherwise permitted in Subsection 9.10.14.

#### 9.10.20.6. Flame Spread Ratings

(1) Except in *dwelling units* and except as provided in Sentence (2), the surface *flame-spread rating* of wall and ceiling surfaces in corridors and *walkways*, exclusive of doors, shall not exceed 25 over not less than 90 per cent of the exposed surface area and not more than 150 over the remaining surface area.

(2) Except within *dwelling units*, corridors that provide *access to exit* from sleeping rooms and having a *fire-resistance rating* of not less than 45 min shall have a *flame-spread rating* conforming to the appropriate requirements in Subsection 9.10.6.

**9.10.20.7. Smoke Detectors.** Except in *dwelling units*, corridors providing *access to exit* from sleeping rooms in every *building* in a *camp* for housing of workers with sleeping accommodation for more than 10 persons shall have a *smoke detector* connected to the *building* alarm system.

**9.10.20.8. Portable Fire Extinguishers.** Each *building* in a *camp* for

*housing of workers* shall be provided with portable fire extinguishers in conformance with the provisions of the Ontario Fire Code made under the *Fire Marshals Act*.

#### 9.10.20.9. Hose Stations

(1) Every *building* in a *camp* for housing of workers providing sleeping accommodation for more than 30 persons shall be provided with a hose station that is protected from freezing and equipped with a hose of sufficient length so that every portion of the *building* is within the range of a hose stream.

(2) Hose stations required in Sentence (1) shall be located near an *exit*.

(3) Hoses referred to in Sentence (1) shall be not less than 19 mm inside diam and shall be connected to a central water supply or to a storage tank having a capacity of at least 4 500 L with a pumping system capable of supplying a flow of at least 5 L/s at a gauge pressure of 300 kPa.

### Section 9.11 Sound Control

#### 9.11.1. Sound Transmission Class Rating (Airborne Sound)

**9.11.1.1. Determination of Sound Class Transmission Rating.** Sound transmission class ratings shall be determined in accordance with ASTM E413, "Classification for Rating Sound Insulation," using results from measurements in accordance with ASTM E90, "Laboratory Measurement of Airborne Sound Transmission Loss of Building Partitions" or with ASTM E336, "Measurement of Airborne Sound Insulation in Buildings".

#### 9.11.2. Required Sound Control Locations (Airborne Sound)

##### 9.11.2.1. Minimum Sound Transmission Class Rating

(1) Except as provided in Sentence (2), every *dwelling unit* and every suite in *hotels* and *motels*, shall be separated from every other space in a *building* in which noise may be generated, by a construction providing a sound transmission class rating of at least 50, measured in accordance with Subsection 9.11.1, or listed in Tables 9.10.3.A. and 9.10.3.B.

(2) Where a *dwelling unit* is adjacent to an elevator shaft or a refuse chute, the separating construction shall have a sound transmission class rating of at least 55, measured in accordance with Subsection 9.11.1. or listed in Tables 9.10.3.A. and 9.10.3.B.

**9.11.2.2. Building Services in an Assembly.** *Building* services located in an assembly required to have a sound transmission class rating shall be installed in a manner that will not decrease the required rating of the assembly.

### Section 9.12 Excavation

#### 9.12.1. General

##### 9.12.1.1. Removal of Topsoil and Organic Matter

(1) The topsoil and vegetable matter in all unexcavated areas under a *building* shall be removed.

(2) In localities where termites are known to occur, all stumps, roots and other wood debris shall be removed from the soil to a minimum depth of not less than 300 mm in unexcavated areas under a *building*.

(3) The bottom of every *excavation* shall be free of all organic material.

**9.12.1.2. Standing Water.** *Excavations* shall be kept free of standing water.



**9.12.1.3. Protection from Freezing.** The bottom of *excavations* shall be kept from freezing throughout the entire construction period.

**9.12.1.4. Precautions During Excavation**

(1) Every *excavation* shall be undertaken in such a manner to prevent damage to adjacent property, existing structures, utilities, roads and sidewalks at all stages of construction.

(2) Material shall not be placed nor shall equipment be operated or placed in or adjacent to an *excavation* in a manner that may endanger the integrity of the *excavation* or its supports.

**9.12.2. Depth**

**9.12.2.1. Excavation to Undisturbed Soil.** *Excavations* for *foundations* shall extend to undisturbed *soil*.

**9.12.2.2. Minimum Depth of Foundations**

(1) Except as provided in Sentences (4) and (5), the minimum depth of *foundations* below finished ground level shall conform to Table 9.12.2.A.

**Table 9.12.2.A.**  
Forming Part of Sentence 9.12.2.2.(1)

Minimum Depths of Foundation				
Type of Soil	Foundation Containing Heated Basement or Crawl Space		Foundation Containing No Heated Space	
	Good Soil Drainage to at Least the Depth of Frost Penetration	Poor Soil Drainage	Good Soil Drainage to at Least the Depth of Frost Penetration	Poor Soil Drainage
Rock	No limit	No limit	No limit	No limit
Coarse grained soils	No limit	No limit	No limit	Below the depth of frost penetration
Silt	No limit	No limit	Below the depth of frost penetration	Below the depth of frost penetration
Clay or soils not clearly defined	1.2 m	1.2 m	1.2 but not less than the depth of frost penetration	1.2 but not less than the depth of frost penetration
Column 1	2	3	4	5

(2) The minimum depth of *foundations* for exterior concrete steps with more than 2 risers shall conform to Sentences (1) to (5).

(3) Concrete steps with 1 and 2 risers are permitted to be laid on ground level.

(4) The *foundation* depths required in Sentence (1) are permitted to be decreased where experience with local *soil* conditions shows that lesser depths are satisfactory, or where the *foundation* is designed for lesser depths.

(5) The *foundation* depths required in Sentence (1) do not apply to *foundations* for *buildings* of other than masonry or masonry veneer construction

(a) whose superstructure will not be damaged by differential *soil* movement caused by *frost action*, or

(b) used as accessory *buildings* of not more than 1 storey in *building height* and not more than 50 m<sup>2</sup> in *building area*.

**9.12.3. Backfill**

**9.12.3.1. Placement of Backfill.** Backfill shall be placed to avoid damaging the *foundation* wall, the drainage tile, externally applied thermal insulation, waterproofing and dampproofing of the wall.

**9.12.3.2. Grading of Backfill.** Backfill shall be graded to prevent drainage towards the *foundation* after settling.

**9.12.3.3. Deleterious Debris and Boulders.** Backfill within 600 mm of the *foundation* shall be free of deleterious debris and boulders larger than 250 mm in diam.

**9.12.3.4. Removal of Debris.** All wood scraps and forms shall be removed from around the *foundations* before backfilling and from under exterior steps or porches before construction is completed.

**9.12.3.5. Lateral Support of Foundation Wall.** Where the height of *foundation* wall is such that lateral support is required, or where the required concrete strength of the wall has not been reached, the wall shall be braced or laterally supported before backfilling.

**9.12.4. Trenches Beneath Footings**

**9.12.4.1. Compacting or Filling With Concrete.** The *soil* in trenches beneath footings for sewers and water mains shall be compacted by tamping up to the level of the footing base, or shall be filled with concrete having a strength not less than 10 MPa to support the footing.

**Section 9.13 Waterproofing and Dampproofing**

**9.13.1. General**

**9.13.1.1. Required Waterproofing**

(1) Where hydrostatic pressure occurs, floors on ground and exterior surfaces of walls below ground level shall be waterproofed.

(2) Roofs of underground structures shall be waterproofed to prevent the entry of water into the structure.

**9.13.1.2. Required Dampproofing**

(1) Where hydrostatic pressure does not occur and the exterior finished ground level is at a higher elevation than the ground level

inside the *foundation* walls, exterior surfaces of *foundation* walls below ground level shall be dampproofed.

(2) Reserved.

**9.13.1.3. Standards for Application.** The method of application of all bituminous waterproofing and dampproofing materials shall conform to

- (a) CGSB 37-GP-3M, "Application of Emulsified Asphalts for Dampproofing or Waterproofing",
- (b) CGSB 37-GP-12Ma, "Application of Unfilled Cutback Asphalt for Dampproofing", or
- (c) CGSB 37-GP-22M, "Application of Unfilled Cutback Tar Foundation Coating for Dampproofing".

### 9.13.2. Material

**9.13.2.1. Material Standards.** Materials used for dampproofing or waterproofing shall conform to

- (a) CAN/CGSB 37.2-M, "Asphalt, Emulsified, Mineral Colloid Type, Unfilled, for Dampproofing and Waterproofing and for Roof Coatings",
- (b) CGSB 37-GP-6Ma, "Asphalt, Cutback, Unfilled, for Dampproofing",
- (c) CGSB 37-GP-16M, "Asphalt, Cutback, Filled, for Dampproofing and Waterproofing",
- (d) CGSB 37-GP-18Ma, "Tar, Cutback, Unfilled, for Dampproofing",
- (e) CSA A123.4, "Bitumen for Use in Construction of Built-Up Roof Coverings and Dampproofing and Waterproofing Systems", or
- (f) CAN2-51.34-M, "Vapour Barrier, Polyethylene Sheet, for Use in Building Construction."

### 9.13.3. Waterproofing of Walls

#### 9.13.3.1. Preparation of Surface

(1) Unit masonry walls to be waterproofed shall be parged on exterior surfaces below ground level with not less than 6 mm of mortar conforming to Section 9.20 and such parging shall be covered over the footing.

(2) Concrete walls to be waterproofed shall have all holes and recesses resulting from removal of form ties sealed with mortar or waterproofing material.

**9.13.3.2. Application of Waterproofing Membranes.** Concrete or unit masonry walls to be waterproofed shall be covered with not less than 2 layers of bitumen-saturated membrane, with each layer being cemented in place with bitumen and coated over-all with a heavy coating of bitumen.

### 9.13.4. Waterproofing of Floors

**9.13.4.1. Basement Floors.** *Basement* floors to be waterproofed shall have a system of membrane waterproofing provided between 2 layers of concrete, each of which shall be not less than 75 mm thick with the floor membrane mopped to the wall membrane to form a complete seal.

### 9.13.5. Dampproofing of Walls

#### 9.13.5.1. Preparation of Surface

(1) Unit masonry walls to be dampproofed shall be parged on the

exterior face below ground level with not less than 6 mm of mortar conforming to Section 9.20, and shall be covered over the footing when the first course of block is laid.

(2) Concrete walls to be dampproofed shall have holes and recesses resulting from the removal of form ties sealed with cement mortar or dampproofing material.

**9.13.5.2. Application of Dampproofing Material.** Bituminous or other damp-proofing material shall be applied over the parging or concrete below ground level.

### 9.13.5.3. Interior Dampproofing of Walls

(1) Where a separate interior cladding is applied to a concrete or unit masonry wall which is in contact with the *soil*, or where wood members are applied to such walls for the installation of insulation or finish, the interior surface of the *foundation* wall below ground level shall be dampproofed.

(2) The dampproofing required in Sentence (1) shall extend from the *basement* floor and shall terminate at ground level and no membrane shall be applied above ground level between the insulation and the *foundation* wall.

9.13.5.4. Reserved.

**9.13.5.5. Dampproofing of Preserved Wood Foundation Walls.** Preserved wood *foundation* walls shall be dampproofed as described in CAN3-S406, "Construction of Preserved Wood Foundations".

### 9.13.6. Dampproofing of Slabs

**9.13.6.1. Location of Dampproofing.** When slabs are dampproofed, the dampproofing shall be installed below the slab, except that where a separate floor is provided over the slab, the dampproofing may be applied to the top of the slab.

#### 9.13.6.2. Dampproofing below the Slab

(1) When installed below the slab, dampproofing shall consist of polyethylene not less than 0.15 mm thick.

(2) Joints in dampproofing shall be lapped not less than 300 mm.

**9.13.6.3. Dampproofing above the Slab.** When installed above the slab, dampproofing shall consist of at least 2 mopped-on coats of bitumen, 0.05 mm polyethylene or other material providing equivalent performance.

9.13.6.4. Reserved.

9.13.6.5. Reserved.

9.13.6.6. Reserved.

## Section 9.14 Drainage

### 9.14.1. Scope

**9.14.1.1. Application.** This Section applies to subsurface drainage and to surface drainage.

**9.14.1.2. Crawl Spaces.** Drainage for crawl spaces shall conform to Section 9.18.

**9.14.1.3. Floor Slabs.** Drainage requirements beneath floor slabs shall conform to Section 9.16.

### 9.14.2. General

#### 9.14.2.1. Foundation Wall Drainage

(1) Unless it can be shown to be unnecessary, drainage shall be

provided at the bottom of every *foundation* wall that contains the *building* interior.

(2) Where mineral fibre insulation or crushed *rock* is provided adjacent to the exterior surface of a *foundation* wall, it shall extend to the footing level and facilitate drainage of ground water to the *foundation* drainage system.

(3) Where drainage is required in Sentence (1), the drainage shall conform to Subsection 9.14.3. or 9.14.4.

#### 9.14.3. Drainage Tile and Pipe

**9.14.3.1. Material Standards.** Drain tile and drain pipe for *foundation* drainage shall conform to

- (a) ASTM C4, "Clay Drain Tile",
- (b) ASTM C412-M, "Concrete Drain Tile",
- (c) ASTM C444-M, "Perforated Concrete Pipe Metric,"
- (d) ASTM C700, "Vitrified Clay Pipe, Extra Strength, Standard Strength and Perforated",
- (e) CAN/CGSB 34.22-M, "Pipe, Asbestos Cement, Drain",
- (f) CGSB 41-GP-29Ma, "Tubing, Plastic, Corrugated, Drainage",
- (g) CSA B182.1, "Plastic Drain and Sewer Pipe and Pipe Fittings," or
- (h) CAN3-G401, "Corrugated Steel Pipe Products."

**9.14.3.2. Minimum Size.** Drain tile or pipe used for *foundation* drainage shall be not less than 100 mm in diam.

#### 9.14.3.3. Installation

(1) Drain tile or pipe shall be laid on undisturbed or well-compacted *soil* so that the top of the tile or pipe is below the bottom of the floor slab or crawl space.

(2) Drain tile or pipe with butt joints shall be laid with 6 mm to 10 mm open joints.

(3) The top half of joints referred to in Sentence (2) shall be covered with sheathing paper, 0.10 mm polyethylene or No.15 asphalt or tar-saturated felt.

(4) The top and sides of drain pipe or tile shall be covered with not less than 150 mm of crushed stone or other coarse clean granular material containing not more than 10 per cent of material that will pass a 4 mm sieve.

#### 9.14.4. Granular Drainage Layer

**9.14.4.1. Type of Granular Material.** Granular material used to drain the bottom of a *foundation* shall consist of a continuous layer of crushed stone or other coarse clean granular material containing not more than 10 per cent of material that will pass a 4 mm sieve.

**9.14.4.2. Installation.** Granular material described in Article 9.14.4.1. shall be laid on undisturbed or compacted *soil* to a minimum depth of not less than 125 mm beneath the *building* and extend at least 300 mm beyond the outside edge of the footings.

**9.14.4.3. Grading.** The bottom of an *excavation* drained by a granular layer shall be graded so that the entire area described in Article 9.14.4.2. is drained to a sump conforming to Article 9.14.5.2.

**9.14.4.4. Wet Site Conditions.** Where because of wet site conditions *soil* becomes mixed with the granular drainage material, sufficient

additional granular material shall be provided so that the top 125 mm is kept free of *soil*.

#### 9.14.5. Drainage Disposal

**9.14.5.1. Drainage Disposal.** *Foundation* drains shall drain to a sewer, drainage ditch or dry well.

**9.14.5.2. Sump Pits.** Where gravity drainage is not practical, a covered sump with an automatic pump shall be installed to discharge the water into a sewer, drainage ditch or dry well.

#### 9.14.5.3. Dry Wells.

(1) Dry wells may be used only when located in areas where the natural *groundwater* level is below the bottom of the dry well.

(2) Dry wells shall be not less than 5 m from the *building foundation* and located so that drainage is away from the *building*.

#### 9.14.6. Surface Drainage

**9.14.6.1. Surface Drainage.** The *building* shall be located and the *building* site graded so that water will not accumulate at or near the *building* and will not adversely affect adjacent properties.

**9.14.6.2. Drainage away from Wells or Septic Disposal Beds.** Surface drainage shall be directed away from the location of a water supply well or septic tank disposal bed.

**9.14.6.3. Catch Basin.** Where runoff water from a driveway is likely to accumulate or enter a garage, a catch basin shall be installed to provide adequate drainage.

**9.14.6.4. Downspouts.** Where downspouts are provided and are not connected to a sewer, provisions shall be made to prevent *soil* erosion.

### Section 9.15 Footings and Foundations

#### 9.15.1. Scope

##### 9.15.1.1. Application

(1) Except as provided in Articles 9.15.1.2. and 9.15.1.3., this Section applies to poured-in-place concrete or unit masonry *foundation* walls and poured-in-place concrete footings on *soils* with an allowable bearing pressure of 75 kPa or greater for *buildings* of wood frame or masonry construction.

(2) Except as provided in Sentence (3) and (4), *foundations* for applications other than as described in Sentence (1) shall be designed in accordance with Section 9.4.

(3) Where a *foundation* is erected on filled ground, peat or sensitive clay, the footing sizes shall be designed in conformance with Section 4.2.

(4) For the purpose of Sentence (3), sensitive clay means the grain size of the majority of the particles is smaller than 0.002 mm, including leda clay.

**9.15.1.2. Permafrost.** *Buildings* erected on permafrost shall have *foundations* designed by a designer competent in this field in accordance with the appropriate requirements of Part 4.

##### 9.15.1.3. Wood Frame Foundations

(1) *Foundations* of wood frame construction are permitted to be used provided they conform to Sentence (2) or (3).

(2) Except as provided in Sentence (3), wood frame *foundations* shall be designed in conformance with Part 4.

(3) Wood frame *foundations* need not conform to Sentence (2)

provided such *foundations*, including their lateral supports, conform to CAN3-S406, "Construction of Preserved Wood Foundations".

(4) The *foundations* referred to in Sentence (3) shall be supported on *soil* having an allowable bearing pressure of not less than 75 kPa and shall not be subjected to loads that exceed those determined from the design assumptions listed in Clause 1.1.2. of the Standard.

### 9.15.2. General

**9.15.2.1. Concrete.** Concrete shall conform to Section 9.3.

**9.15.2.2. Concrete Block.** Concrete block shall be *loadbearing* type conforming to CAN3-A165.1, "Concrete Masonry Units" and shall have a compressive strength over the gross area of the block of at least 7.5 MPa for hollow units and 12.5 MPa for solid units.

**9.15.2.3. Unit Masonry Construction.** Mortar, mortar joints, corbelling and protection for unit masonry shall conform to Section 9.20.

### 9.15.2.4. Pier Type Foundations

(1) Where pier type *foundations* are used, the piers shall be designed to support the applied loads from the superstructure.

(2) Where piers are used as a *foundation* system in a *building* of 1 *storey* in *building height*, the piers shall be installed to support the principal framing members and shall be spaced not more than 3.5 m apart along the framing, unless the piers and their footings are designed for larger spacings.

(3) The height of piers described in Sentence (2) shall not exceed 3 times their least dimension at the base of the pier.

(4) Where concrete block is used for piers described in Sentence (2), they shall be laid with cores placed vertically, and when the width of the *building* is 4.3 m or less, placed with their longest dimension at right angles to the longest dimension of the *building*.

### 9.15.3. Footings

**9.15.3.1. Footings Required.** Footings shall be provided under walls, pilasters, columns, piers, fireplaces and *chimneys* that bear on *soil* or *rock*, except that footings may be omitted under piers or monolithic concrete walls if the safe *loadbearing* capacity of the *soil* or *rock* is not exceeded.

**9.15.3.2. Support of Footings.** Footings shall rest on undisturbed *soil*, *rock* or compacted granular *fill*.

### 9.15.3.3. Footing Sizes

(1) Except as provided in Sentences (2) to (6), the minimum footing size shall be as shown in Table 9.15.3.A, provided the length of supported joists does not exceed 4.9 m and the design *live load* on any floor supported by the footing does not exceed 2.4 kPa. (Table 4.1.6.A.).

(2) Where the design *live load* exceeds 2.4 kPa or the length of the supported joists exceeds 4.9 m, footings shall be designed in accordance with Section 4.2.

(3) The strip footing sizes for exterior walls shown in Column 2 of Table 9.15.3.A. shall be increased by 65 mm for each *storey* of masonry veneer over wood frame construction supported by the *foundation* wall.

(4) The strip footing sizes for exterior walls shown in Column 2 of Table 9.15.3.A. shall be increased by 130 mm for each *storey* of masonry construction supported by the *foundation* wall.

(5) The minimum strip footing sizes for interior walls shown in Column 3 of Table 9.15.3.A. shall be increased by 100 mm for each *storey* of masonry construction supported by the footing.

(6) The footing area for column spacings other than shown in Table 9.15.3.A. shall be adjusted in proportion to the distance between columns.

**Table 9.15.3.A.**  
Forming Part of Article 9.15.3.3.

Minimum Footing Sizes			
No. of Floors Supported	Minimum Width of Strip Footings, mm		Minimum Footing Area for Columns Spaced 3 m o.c., (1) m <sup>2</sup>
	Supporting Exterior Walls	Supporting Interior Walls	
1	250 (2)	200 (3)	0.4
2	350 (2)	350 (3)	0.75
3	450 (2)	500 (3)	1.0
Column 1	2	3	4

#### Notes to Table 9.15.3.A.:

- (1) See Sentence 9.15.3.3.(6)  
 (2) See Sentence 9.15.3.4.(3)  
 (3) See Sentence 9.15.3.3.(5)

**9.15.3.4. High Water Table.** Where a *foundation* rests on gravel, sand or silt in which the water table level is less than the width of the footings below the bearing surface, the footing width shall be not less than twice the width required by Article 9.15.3.3.

**9.15.3.5. Non-Loadbearing Walls.** Footings for interior non-*loadbearing* masonry walls shall be at least 200 mm wide for walls up to 5.5 m high and shall be increased by 100 mm for each additional 2.7 m of height.

**9.15.3.6. Thickness.** Footings shall be at least 100 mm in thickness except when greater thicknesses are required because of the projection of the footing beyond the supported element.

**9.15.3.7 Footing Projection.** The projection of an unreinforced footing beyond the supported element shall be not greater than the thickness of the footing.

**9.15.3.8. Step Footings.** When step footings are constructed, the vertical rise between horizontal portions shall not exceed 600 mm for firm *soils* and 400 mm for sand or gravel. The horizontal distance between risers shall not be less than 600 mm.

### 9.15.4. Foundation Walls

**9.15.4.1. Foundation Wall Thickness.** Where average stable *soils* are encountered, the thickness of *foundation* walls subject to lateral earth pressure shall conform to Table 9.15.4.A. for walls not exceeding 2.5 m in unsupported height.

**Table 9.15.4.A.**  
Forming Part of Article 9.15.4.1.

Thickness of Foundation Walls			
Type of Foundation Wall	Minimum Wall Thickness, mm	Maximum Height of Finish Grade Above Basement Floor or Inside Grade	
		Foundation Wall Laterally Unsupported At the Top, (1) m	Foundation Wall Laterally Supported At the Top, (1) m
Solid concrete (15 MPa min. strength)	150	0.8	1.5
	200	1.2	2.1
	250	1.4	2.3
	300	1.5	2.3
Solid concrete (20 MPa min. strength)	150	0.8	1.8
	200	1.2	2.3
	250	1.4	2.3
	300	1.5	2.3
Unit masonry	140	0.6	0.8
	190	0.9	1.2
	240	1.2	1.8
	290	1.4	2.2
Column 1	2	3	4

Note to Table 9.15.4.A.:

(1) See Article 9.15.4.2.

#### 9.15.4.2. Lateral Support

(1) For the purposes of Article 9.15.4.1., *foundation* walls shall be considered laterally supported at the top if such walls support solid masonry superstructure or if the floor joists are embedded in the top of the *foundation* walls.

(2) *Foundation* walls shall also be considered to be supported at the top if the floor system is anchored to the top of the *foundation* walls with anchor bolts, in which case the joists may run either parallel or perpendicular to the *foundation* wall.

(3) When a *foundation* wall contains an opening more than 1.2 m in length or contains openings in more than 25 per cent of its length, that portion of the wall beneath such openings shall be considered laterally unsupported, unless the wall around the opening is reinforced to withstand the earth pressure.

(4) When the length of solid wall between windows is less than the average length of the windows, the combined length of such windows shall be considered as a single opening for the purposes of Sentence (3).

**9.15.4.3. Extension above Ground Level.** Exterior *foundation* walls shall extend not less than 150 mm above finished ground level.

#### 9.15.4.4. Reduction in Thickness

(1) Where the top of a *foundation* wall is reduced in thickness to permit the installation of floor joists, the reduced section shall be not more than 350 mm and not less than 90 mm thick.

(2) Where the top of a *foundation* wall is reduced in thickness to permit the installation of a masonry exterior facing, the reduced section shall be not less than 90 mm thick and tied to the facing material with metal ties conforming to Sentence 9.20.9.4.(3) spaced not more than 200 mm o.c. vertically and 900 mm o.c. horizontally.

(3) The space between wall and facing described in Sentence (2) shall be filled with mortar.

**9.15.4.5. Corbelling.** Corbelling of *foundation* walls supporting cavity walls shall conform to Article 9.20.12.2.

#### 9.15.4.6. Crack Control Joints

(1) Crack control joints shall be provided in *foundation* walls more than 25 m long at intervals of not more than 15 m.

(2) Joints required in Sentence (1) shall be designed to resist moisture penetration and shall be keyed to prevent relative displacement of the wall portions adjacent to the joint.

**9.15.4.7. Interior Masonry Walls.** Interior masonry *foundation* walls not subject to lateral earth pressure shall conform to Section 9.20.

#### 9.15.5. Joist and Beam Support

##### 9.15.5.1. Support of Floor Joists

(1) Except as permitted in Sentence (2), *foundation* walls of hollow unit masonry supporting floor joists shall be capped with at least 50 mm of solid masonry or concrete, or have the top course filled with mortar or concrete.

(2) Capping required in Sentence (1) is permitted to be omitted in localities where termites are not known to occur when the joists are supported on a wood plate not less than 38 mm by 89 mm where the siding overlaps the *foundation* wall not less than 12 mm.

##### 9.15.5.2. Support of Beams

(1) Not less than a 190 mm depth of solid masonry shall be provided beneath beams supported on masonry.

(2) Where the beam referred to in Sentence (1) is supported below the top of the *foundation* walls, the ends of such beams shall be protected from the weather.

##### 9.15.5.3. Pilasters

(1) Pilasters shall be provided under beams that frame into 140 mm unit masonry *foundation* walls.

(2) Pilasters required in Sentence (1) shall be not less than 90 mm by 290 mm and shall be bonded or tied into the wall.

(3) The top 200 mm of pilasters required in Sentence (1) shall be solid.

#### 9.15.6. Parging and Finishing

**9.15.6.1. Foundation Walls below Ground.** Concrete block *foundation* walls shall be parged on the exterior face below ground level as required in Section 9.13.

**9.15.6.2. Foundation Walls above Ground.** Exterior surfaces of concrete block *foundation* walls above ground level shall have tooled joints, or shall be rendered, parged or otherwise suitably finished.

**9.15.6.3. Form Ties.** All form ties shall be removed at least flush with the concrete surface.

#### Section 9.16 Slabs-on-Ground

##### 9.16.1. Scope

**9.16.1.1. Application.** This Section applies to concrete slabs supported on ground or granular fill which do not provide structural support for the superstructure.

**9.16.1.2. Structural Floor Slabs.** Floor slabs that support loads from the superstructure shall be designed in conformance with Part 4.

**9.16.1.3. Dampproofing and Waterproofing.** Dampproofing and waterproofing shall conform to Section 9.13.

**9.16.2. Granular Material Beneath Slabs**

**9.16.2.1. Granular Fill**

(1) Except for slabs in garages, not less than 100 mm of coarse clean granular material containing not more than 10 per cent of material that will pass a 4 mm sieve shall be placed beneath slabs in *dwelling units*.

(2) Any other *fill* beneath the top portion of coarse clean granular material referred to in Sentence (1) shall be compacted.

**9.16.3. Drainage**

**9.16.3.1. Prevention of Water Accumulation.** Except as provided in Article 9.16.3.2. or where it can be shown to be unnecessary, the accumulation of water underneath a slab-on-ground shall be prevented by grading or drainage.

**9.16.3.2. Hydrostatic Pressure.** Where *ground water levels* may cause hydrostatic pressure beneath the slab, the slab shall be designed to resist such pressures.

**9.16.3.3. Floor Drains.** When floor drains are installed the floor surface shall be sloped so that no water can accumulate.

**9.16.4. Concrete**

**9.16.4.1. Floor Finish**

(1) The finished surface of concrete slabs shall be trowelled smooth and even.

(2) Dry cement shall not be added to the floor surfaces to absorb surplus water.

**9.16.4.2. Compressive Strength**

(1) Where dampproofing is not provided the concrete used for slabs-on-ground shall have a compressive strength of not less than 25 MPa after 28 days.

(2) Where dampproofing is provided as described in Subsection 9.13.6., the concrete used for slabs-on-ground shall have a compressive strength of 15 MPa after 28 days.

**9.16.4.3. Thickness.** Concrete slabs shall not be less than 75 mm thick exclusive of concrete topping.

**9.16.4.4. Bond Break.** A bond-breaking material shall be placed between the slab and footings or *rock*.

**9.16.5. Joints**

**9.16.5.1. Joints and Penetrations in Slabs.** In locations where termites are known to occur, joints between slabs-on-ground and *foundation* walls and spaces around pipes, conduit or ducts that penetrate such slabs shall be filled with bitumen.

**Section 9.17 Columns**

**9.17.1. Scope**

**9.17.1.1. Application**

(1) This Section applies to columns used to support carport roofs floors where the length of joists carried by such beams does not exceed 5 m and the *live load* on any floor does not exceed 2.4 kPa.

(2) Columns for applications other than as described in Sentence (1) shall be designed in accordance with Part 4.

**9.17.2. General**

**9.17.2.1. Location.** Columns shall be centrally located on a footing conforming to Section 9.15.

**9.17.2.2. Fastening.** Columns shall be securely fastened to the supported member to prevent lateral movement.

**9.17.3. Steel Columns**

**9.17.3.1. Size and Thickness**

(1) Except as permitted in Sentence (2), steel pipe columns shall have an outside diameter of 73 mm and a wall thickness of 4.76 mm.

(2) Columns of sizes other than as specified in Sentence (1) may be used where the *loadbearing* capacities are shown to be adequate.

**9.17.3.2. End Bearing Plates**

(1) Except as permitted in Sentence (2), steel columns shall be fitted with not less than 100 mm by 100 mm by 6.35 mm thick steel plates at each end, and where the column supports a wooden beam, the top plate shall extend across the full width of the beam.

(2) The top plate required in Sentence (1) may be omitted where a column supports a steel beam and provision is made for the attachment of the column to the beam.

**9.17.3.3. Paint.** Steel columns shall be treated on the outside surface with not less than 1 coat of rust-inhibitive paint.

**9.17.3.4. Adjustable Steel Columns.** Adjustable steel columns shall conform to CAN/CGSB 7.2-M, "Adjustable Metal Columns."

**9.17.4. Wood Columns**

**9.17.4.1. Column Sizes**

(1) The width or diameter of a wood column shall be not less than the width of the supported member.

(2) Except as provided in Article 9.35.4.2., columns shall be not less than 184 mm for round columns and 140 mm by 140 mm for rectangular columns, unless calculations are provided to show that lesser sizes are adequate.

**9.17.4.2. Materials**

(1) Wood columns shall be either solid, glue-laminated or built-up.

(2) Built-up columns shall consist of not less than 38 mm thick full-length members bolted together with not less than 9.52 mm diam bolts spaced not more than 450 mm o.c., or nailed together with not less than 76 mm nails spaced not more than 300 mm o.c.

(3) Glued-laminated columns shall conform to Section 4.3.

**9.17.4.3. Columns in Contact with Concrete.** Wood columns shall be separated from concrete in contact with the ground by 0.05 mm polyethylene film or Type S roll roofing.

**9.17.4.4. Wood Column Termite Protection.** Where termites are known to exist, exterior wood columns such as porch supports shall be,

(a) pressure treated with a chemical that is toxic to such termites, in accordance with Article 9.3.2.9; or

(b) supported on non-cellulosic material extending at least 150 mm above grade and located at least 50 mm from the exterior wall of an adjacent *building*.

**9.17.5. Unit Masonry Columns**

**9.17.5.1. Materials.** Unit masonry columns shall be built of *loadbearing* masonry units.

**9.17.5.2. Sizes.** Unit masonry columns shall be at least 290 mm by 290 mm or 240 mm by 380 mm in size.

**9.17.6. Solid Concrete Columns**

**9.17.6.1. Materials.** Concrete shall conform to Section 9.3.

**9.17.6.2. Sizes.** Concrete columns shall be not less than 200 mm by 200 mm for rectangular columns and 230 mm diam for circular columns.

**Section 9.18 Crawl Spaces****9.18.1. General**

**9.18.1.1. Application.** In this Section a crawl space refers to an enclosed space between the underside of a floor assembly and the ground cover directly below, with a clearance less than 1.8 m in height.

**9.18.1.2. Foundations.** *Foundations* enclosing crawl spaces shall conform to Section 9.15.

**9.18.1.3. Insulation.** Insulation shall conform to Section 9.25.

**9.18.1.4. Heating.** Heating of crawl spaces shall conform to Section 9.33.

**9.18.2. Access****9.18.2.1. Access Openings**

(1) An access opening of not less than 500 mm by 700 mm shall be provided to each crawl space where the crawl space serves a single *dwelling unit*, and not less than 550 mm by 900 mm for other crawl spaces.

(2) Access openings shall be fitted with a door or hatch, except when the access opening into the crawl space is from the adjacent *basement* and provides ventilation to the crawl space.

**9.18.3. Ventilation**

**9.18.3.1. General.** Crawl spaces shall be ventilated by natural or mechanical means.

**9.18.3.2. Natural Ventilation.** Except as otherwise permitted in Article 9.18.3.5., natural ventilation for crawl spaces shall be provided to the outside air by not less than 0.1 m<sup>2</sup> of unobstructed vent area for every 50 m<sup>2</sup> of floor area.

**9.18.3.3. Design of Vents.** Vents for crawl spaces shall be designed to prevent the entry of snow, rain and insects, and shall be provided with tight-fitting covers to prevent air leakage in winter if the crawl space is heated.

**9.18.3.4. Distribution of Vents.** Vents for crawl spaces shall be uniformly distributed on opposite sides of the *building*.

**9.18.3.5. Ventilation to the Outside Not Required.** Ventilation to the outside air is not required when the crawl space is used as a warm-air *plenum*, or if the crawl space is vented to an adjacent *basement* with an opening conforming to Article 9.18.3.2.

**9.18.4. Clearance**

**9.18.4.1. Ground Clearance.** The ground level in a crawl space shall be not less than 300 mm below the level of all joists and beams, except that in localities where termites are known to occur, the clear-

ance shall be not less than 450 mm, unless the joists are pressure treated with a chemical that is toxic to termites.

**9.18.4.2. Access Way to Services.** Where equipment requiring service such as plumbing cleanouts, traps and burners is located in crawl spaces, an access way with a height and width of not less than 600 mm shall be provided from the access door to the equipment and for a distance of 900 mm on the side or sides of the equipment to be serviced.

**9.18.5. Drainage****9.18.5.1. Floor and Access Trench Slope**

(1) Unless *groundwater levels* and site conditions are such that water will not accumulate in the crawl space, the crawl space floor and access trenches shall be sloped to drain to a sewer, ditch or dry well.

(2) Drains shall conform to Section 9.14.

**9.18.6. Ground Cover****9.18.6.1. Materials and Installation**

(1) A ground cover consisting of not less than 50 mm of asphalt or 10 MPa portland cement concrete, or Type S roll roofing or 0.10 mm polyethylene shall be provided in every crawl space.

(2) Joints in sheet-type ground cover required in Sentence (1) shall be lapped not less than 100 mm and weighted down.

**9.18.7. Fire Protection****9.18.7.1. Crawl Spaces as Warm-Air Plenums**

(1) Crawl spaces used as warm-air plenums in *buildings* of residential occupancy shall be restricted to 1-storey portions of *dwelling units*.

(2) Enclosing material in crawl spaces described in Sentence (1) including insulation shall have a surface *flame-spread rating* not greater than 150.

(3) *Combustible* ground cover used as enclosing material in Sentence (2) shall be covered with *noncombustible* material.

**Section 9.19 Roof Spaces****9.19.1. Ventilation****9.19.1.1. Required Ventilation**

(1) Except as provided in Article 9.19.1.2., every roof space or *attic* above an insulated ceiling shall be ventilated with openings to the exterior to provide unobstructed vent area of not less than 1/300 of the insulated ceiling area.

(2) Vents required in Sentence (1) may be roof type, eave type, gable-end type or any combination thereof, and shall be uniformly distributed on opposite sides of the *building*.

(3) Vents required in Sentence (1) shall be designed to prevent the entry of rain, snow and insects.

(4) The unobstructed vent area shall be determined in conformance with CAN3-A93, "Natural Airflow Ventilators for Buildings".

**9.19.1.2. Low Slope Roofs**

(1) Where insulation is placed below the roof sheathing in roofs having a slope of less than 1 in 6 or in roofs that are constructed with roof joists, the unobstructed vent area shall be not less than 1/150 of the insulated ceiling area.

(2) Vents described in Sentence (1) shall be uniformly distributed to ventilate each roof space.

#### 9.19.1.3. Cross Purlins

(1) Except as provided in Sentence (2), cross purlins not less than 38 mm by 38 mm shall be applied to the top of the roof joists where the roof does not incorporate an attic space, and the top of the insulation shall be not less than 25 mm below the top of the roof joists.

(2) Cross purlins required by Sentence (1) may be omitted where the roof slope is 1 in 6 or steeper provided the roof framing members run in the same direction as the roof slope and a minimum clearance of 75 mm is maintained between the underside of the roof sheathing and the top of the insulation throughout the length of the roof joist.

(3) Vents in roofs described in Sentence (2) shall be distributed so that approximately 50 per cent of the required vent area is located near the lower part of the roof and approximately 50 per cent of the required vent area is near the ridge.

**9.19.1.4. Obstruction by Insulation.** Ceiling insulation shall be installed in a manner which will not restrict a free flow of air through roof vents or through any portion of the roof space or attic.

#### 9.19.1.5. Mansard or Gambrel Roof

(1) The lower portion of a mansard or gambrel style roof need not be ventilated.

(2) The upper portion of roofs described in Sentence (1) shall be ventilated in conformance with the requirements in Articles 9.19.1.1. to 9.19.1.4., except that not less than 50 per cent of the required vent opening shall be provided near the junction of the upper and lower portions.

### 9.19.2. Access

#### 9.19.2.1. Access to Attic Space

(1) Every attic space shall be provided with an access stair or shall have a hatchway where

- (a) the area of the attic space is more than 10 m<sup>2</sup>, and
- (b) the attic space is more than 600 mm at the highest point, measured from the top of the ceiling joists to the underside of the rafters.

(2) Where access required in Sentence (1) is provided by a hatchway, such opening shall be

- (a) not less than 500 mm by 700 mm where the hatchway serves not more than 1 dwelling unit, or
- (b) not less than 550 mm by 900 mm for all other attic hatchways.

(3) The hatchway described in Sentence (2) shall be fitted with a door or cover.

(4) The attic space above the access required in Sentence (1) shall be not less than 600 mm.

### Section 9.20 Above-Grade Masonry

#### 9.20.1. Scope

##### 9.20.1.1. Application

(1) This Section applies to unreinforced masonry and masonry veneer in which the wall height above the *foundation* wall does not exceed 11 m, and in which the roof or floor system above the first *storey* is not of concrete construction.

(2) For *buildings* other than described in Sentence (1), or where the masonry is designed on the basis of design loads and allowable stresses, Subsection 4.3.2. shall apply.

#### 9.20.1.2. Earthquake Reinforcement

(1) In velocity-related or acceleration-related seismic zones, of 4 or greater, *loadbearing* elements of masonry *buildings* more than 1 *storey* in *building height* shall be reinforced with at least the minimum amount of reinforcement as required in Subsection 9.20.15.

(2) In velocity-related or acceleration-related seismic zones, of 2 and 3, *loadbearing* elements of masonry *buildings* 3 *storeys* in *building height* shall be reinforced with at least the minimum amount of reinforcement as required in Subsection 9.20.15.

### 9.20.2. Masonry Units

#### 9.20.2.1. Masonry Unit Standards. Masonry units shall comply with

- (a) CAN/CSA-A82.1, "Burned Clay Brick (Solid Masonry Units Made from Clay or Shale),"
- (b) CSA A82.3, "Calcium Silicate (Sand-Lime) Building Brick,"
- (c) CSA A82.4, "Structural Clay Load-Bearing Wall Tile,"
- (d) CSA A82.5, "Structural Clay Non-Load-Bearing Tile,"
- (e) CAN3-A165.1, "Concrete Masonry Units,"
- (f) CAN3-A165.2, "Concrete Brick Masonry Units,"
- (g) CAN3-A165.3, "Prefaced Concrete Masonry Units,"
- (h) CAN3-A165.4, "Autoclaved Cellular Units,"
- (i) ASTM C126, "Ceramic Glazed Structural Clay Facing Brick, and Solid Masonry Units," or
- (j) ASTM C212, "Structural Clay Facing Tile."

**9.20.2.2. Used Brick.** Used bricks shall be free of old mortar, soot or other surface coating and shall conform to Article 9.20.2.1.

**9.20.2.3. Glass Blocks.** Glass blocks shall not be used as *loadbearing* units or in the construction of fireplaces or *chimneys*.

**9.20.2.4. Foamed Concrete.** Masonry made with foamed concrete shall not be used in contact with the *soil* or exposed to the weather.

**9.20.2.5. Stone.** Stone shall be sound and durable.

#### 9.20.2.6. Concrete Units Exposed to the Weather

(1) *Loadbearing* concrete units or *non-loadbearing* concrete units exposed to the weather shall have weight and water absorption characteristics conforming to Classes A, B or C, described in CAN3-A165.1, "Concrete Masonry Units".

(2) Where cellular concrete blocks are used in situations described in Sentence (1), allowance shall be made in the design for the shrinkage characteristics of the units to be used.

**9.20.2.7. Compressive Strength.** The compressive strength of masonry units shall conform to Table 9.20.2.A.



**Table 9.20.2.A.**  
Forming Part of Article 9.20.2.7.

COMPRESSIVE STRENGTH OF MASONRY		
Type of Unit	Minimum Compressive Strength Over Net Area (MPa)	
	Exposed to Weather	Not Exposed to Weather
Solid or hollow Concrete block	15	10
Solid <i>loadbearing</i> cellular units	Not Permitted	5
Solid non- <i>loadbearing</i> cellular units	Not Permitted	2
Column 1	2	3

### 9.20.3. Mortar

#### 9.20.3.1. Mortar Materials

(1) Cementitious materials and aggregates for mortar shall comply with

- (a) CAN3-A5, "Portland Cements,"
- (b) CAN3-A8, "Masonry Cement,"
- (c) CSA A82.22, "Gypsum Plasters,"

(d) CSA A82.56, "Aggregate for Masonry Mortar,"

(e) ASTM C5, "Quicklime for Structural Purposes," or

(f) ASTM C207, "Hydrated Lime for Masonry Purposes."

(2) Water and aggregate shall be clean and free of significant amounts of deleterious materials.

(3) Lime used in mortar shall be hydrated.

(4) If lime putty is used in mortar, it shall be made by slaking quicklime in water for not less than 24 h or soaking hydrated lime in water for not less than 12 h.

#### 9.20.3.2. Mortar Mixes

(1) Except as provided in Sentences (3) and (4), mortar mixes shall conform to Table 9.20.3.A.

(2) Mortar containing portland cement shall not be used later than 2.5 h after mixing.

(3) Mortar for sand-lime brick and concrete brick may consist of 1 part masonry cement to not less than 2.5 or not more than 3 parts of aggregate by volume in addition to those mixes permitted in Table 9.20.3.A.

(4) Mortar for glass block shall consist of 1 part portland cement, 1 part hydrated lime to not more than 4 parts aggregate by volume.

**Table 9.20.3.A.**  
Forming Part of Article 9.20.3.2.

Mortar Mix Proportions (By Volume)				
Permissible Use of Mortar	Portland Cement	Masonry Cement (Type H)	Lime	Aggregate
All locations but not for use with sand-lime or concrete brick	½ to 1 1	1 —	— ¼ to ½	Not less than 2¼ and not more than 3 times the sum of the the volumes of the cement and lime
All locations except <i>foundation</i> walls and piers, but not for use with sand-lime or concrete brick	— 1	1 —	— ½ to 1¼	
All locations except <i>loadbearing</i> walls of hollow units, parapet walls and <i>chimneys</i>	1	—	1¼ to 2½	
All non- <i>loadbearing</i> interior walls and all <i>loadbearing</i> walls of solid units, except <i>foundation</i> walls, parapet walls and <i>chimneys</i>	1 —	— —	2¼ to 4 1	
Column 1	2	3	4	5

### 9.20.4. Mortar Joints

#### 9.20.4.1. Thickness

- (1) Maximum average joint thickness shall be 12 mm.
- (2) Maximum thickness of an individual joint shall be 20 mm.

**9.20.4.2. Solid Masonry Units.** Solid masonry units shall be laid with full head and bed joints.

**9.20.4.3. Hollow Masonry Units.** Hollow masonry units shall be laid with mortar applied to head and bed joints of both inner and outer face shells.

### 9.20.5. Masonry Support

#### 9.20.5.1. Masonry Support

(1) All masonry shall be supported on masonry, concrete or steel, except that masonry veneer walls may be supported on *foundations* of wood frame constructed in conformance with Sentence 9.15.1.3.(3).

(2) Every masonry wall shall be at least as thick as the wall it supports, except as otherwise permitted in Article 9.20.12.2.

## 9.20.5.2. Lintels or Arches

(1) Masonry over openings shall be supported by steel, reinforced concrete or masonry lintels or arches designed to support the imposed load.

(2) Except as permitted in Sentence (3), steel angle lintels supporting masonry above openings shall conform to Table 9.20.5.A.

(3) Steel angle lintels supporting masonry veneer above openings shall conform to Table 9.20.5.B.

**Table 9.20.5.A.**  
Forming Part of Article 9.20.5.2

Loose Steel Lintels for Masonry - No. & Size of Angles Required (7)										
Clear Span (1)(3)	Exterior Angles		Wall Thickness	Interior Angles						
	for Brick	for Stone		Maximum Floor Loads per Metre of Span in Newtons (2) (4) (5)						
	100 mm	100 mm + 50 mm stone facing		None	3 650	7 300	10 950	14 600	18 250	21 900
	No Floor Load									
1 200 mm or less	L-90 × 90 × 6	L-125 × 90 × 8	203	L-90 × 90 × 6	L-90 × 90 × 6	L-90 × 90 × 8	L-100 × 90 × 8	L-125 × 90 × 8	L-125 × 90 × 10	L-125 × 90 × 13
			305	2Ls-90 × 90 × 8	2Ls-90 × 90 × 6	2Ls-90 × 90 × 8	2Ls-90 × 90 × 8	2Ls-90 × 90 × 8	2Ls-90 × 90 × 8	2Ls-90 × 90 × 8
1 500 mm	L-90 × 90 × 8	L-125 × 90 × 8	203	L-90 × 90 × 8	L-90 × 90 × 8	L-125 × 90 × 8	L-125 × 90 × 10	L-125 × 90 × 13	L-150 × 100 × 10	—
			305	2Ls-90 × 90 × 8	2Ls-90 × 90 × 8	2Ls-90 × 90 × 8	2Ls-125 × 90 × 8	2Ls-125 × 90 × 8	2Ls-125 × 90 × 8	2Ls-125 × 90 × 10
1 800 mm	L-100 × 90 × 8	L-125 × 125 × 8	203	L-100 × 90 × 8	L-125 × 90 × 8	L-125 × 90 × 10	L-150 × 100 × 8			
			305	2Ls-100 × 90 × 8	2Ls-100 × 90 × 8	2Ls-125 × 90 × 8	2Ls-125 × 90 × 10	2Ls-125 × 90 × 10	2Ls-150 × 100 × 10	2Ls-150 × 100 × 10
2 100 mm	L-100 × 90 × 8	L-125 × 125 × 8	203	L-100 × 90 × 8	L-125 × 90 × 10	L-150 × 100 × 10				
			305	2Ls-100 × 90 × 8	2Ls-125 × 90 × 10	2Ls-125 × 90 × 10	2Ls-150 × 100 × 10	2Ls-150 × 100 × 10		
2 400 mm	L-125 × 90 × 8	L-125 × 125 × 8	203	L-125 × 90 × 8	L-150 × 100 × 10					
			305	2Ls-125 × 90 × 8	2Ls-125 × 90 × 13	2Ls-150 × 100 × 10				
2 700 mm	L-125 × 90 × 10	L-125 × 125 × 10	203	L-125 × 90 × 10						
			305	2Ls-125 × 150 × 10	2Ls-150 × 100 × 10					
3 000 mm	L-150 × 100 × 10	L-125 × 125 × 13	203	L-150 × 100 × 10						
			305	2Ls-150 × 100 × 10						
Column 1	2	3	4	5	6	7	8	9	10	11

**Notes to Table 9.20.5.A.:**

- (1) 150 mm min. bearing required for all lintels.
- (2) Omit floor load in lintel when distance to bottom of floor construction is greater than width of opening.
- (3) Interior and exterior angles in 200 mm walls and interior angles in 300 mm walls are bolted together when clear span is over 1800 mm.
- (4) When masonry lighter than brick is used over interior angles floor load may be increased by the difference in weight per sq. m times the width of the opening. Not generally available.
- (5) Interior angles have been designed for floor load plus brick masonry of height equal to width of opening.
- (6)  $f_s = 138$  MPa.  
Deflection maximum =  $1/700$  span.
- (7) The figures in the Table indicating wall thickness and angle cross-section are in mm.

**Table 9.20.5.B.**  
Forming Part of Article 9.20.5.2:

Maximum Allowable Spans for Steel Lintels Supporting Masonry Veneer, m					
Minimum Angle Size, mm			75 mm Brick	90 mm Brick	100 mm Stone
Vert. Leg	Horiz. Leg	Thickness			
90	75	6	2.55	—	—
90	90	6	2.59	2.47	2.30
100	90	6	2.79	2.66	2.48
125	90	8	3.47	3.31	3.08
125	90	10	3.64	3.48	3.24
Column 1	2	3	4	5	6

**9.20.6. Thickness and Height****9.20.6.1. Thickness of Exterior Walls**

(1) Masonry exterior walls, other than cavity walls, in 1-storey buildings and the top storeys of 2-storey buildings shall be not less than 140 mm thick provided the walls are not more than 2.8 m high at the eaves and 4.6 m high at the peaks of gable ends.

(2) The exterior walls of the bottom storeys of 2-storey buildings and walls of 3-storey buildings shall be not less than 190 mm thick.

(3) In exterior walls composed of more than one wythe, each wythe shall be not less than 90 mm thick.

**9.20.6.2. Cavity Walls**

(1) Cavity walls shall be made with not less than 90 mm wide units if the joints are raked and not less than 75 mm wide units if the joints are not raked.

(2) The width of a cavity in a cavity wall shall be not less than 50 mm nor greater than 150 mm.

(3) The minimum thickness of cavity walls above the supporting base shall be 230 mm for the top 7.6 m and 330 mm for the remaining portion, except that where 75 mm wide units are used, the wall height above the top of the foundation wall shall not exceed 6 m.

**9.20.6.3. Thickness of Interior Walls**

(1) The thickness of loadbearing interior walls shall be determined on the basis of Article 9.20.10.1.

(2) Interior non-loadbearing walls shall be not less than 65 mm thick.

**9.20.6.4. Masonry Veneer Walls**

(1) Masonry veneer resting on a bearing support shall be of solid units not less than 70 mm thick for wall heights up to 11 m.

(2) Veneer described in Sentence (1) over wood-frame walls shall have not less than a 25 mm air space behind the veneer.

(3) Masonry veneer less than 90 mm thick shall have unraked joints.

(4) Masonry veneer individually supported by the back-up material shall conform to the appropriate requirements contained in Sub-section 4.3.2.

**9.20.6.5. Parapet Walls**

(1) The height of parapet walls above the adjacent roof surface shall be not more than 3 times the parapet wall thickness.

(2) Parapet walls shall be solid from the top of the parapet to not less than 300 mm below the adjacent roof level.

**9.20.6.6. Facings.** Limestone slab facings and precast concrete panel facings shall conform to the appropriate requirements of Sub-section 4.3.2.

**9.20.7. Chases and Recesses**

**9.20.7.1. Maximum Dimensions.** Except as permitted in Sentence 9.20.7.2.(2) and Article 9.20.7.4., the depth of any chase or recess shall not exceed one-third the thickness of the wall, and the horizontal projection of the chase or recess shall not exceed 500 mm.

**9.20.7.2. Minimum Wall Thickness**

(1) Except as permitted in Sentence (2) and Article 9.20.7.4., no chase or recess shall be constructed in any wall 190 mm or less in thickness.

(2) Recesses may be constructed in 190 mm walls provided they do not exceed 100 mm in depth and 750 mm in height, and the horizontal projection of the recess does not exceed 500 mm.

**9.20.7.3. Separation of Chases and Recesses.** Chases and recesses shall be not less than 4 times the wall thickness apart and not less than 600 mm away from any pilaster, cross wall, buttress or the vertical element providing required lateral support for the wall.

**9.20.7.4. Non-Conforming Chases or Recesses.** Chases or recesses that do not conform to the limits specified in Articles 9.20.7.1. to 9.20.7.3. shall be considered as openings, and any masonry supported above such a chase or recess shall be supported by a lintel or arch.

**9.20.7.5. Chases or Recesses Cut into Walls.** Chases and recesses shall not be cut into walls made with hollow units after the masonry units are in place.

**9.20.8. Support of Loads****9.20.8.1. Capping of Hollow Masonry Walls**

(1) Except as permitted in Sentence (2), loadbearing walls of hollow masonry units supporting roof or floor framing members shall be capped with not less than 50 mm of solid masonry or have the top course filled with concrete.

(2) Capping required in Sentence (1) may be omitted where the roof framing is supported on a wood plate not less than 38 mm by 89 mm.

**9.20.8.2. Cavity Walls Supporting Framing Members**

(1) Floor joists supported on cavity walls shall be supported on solid units not less than 57 mm high.

(2) Floor joists described in Sentence (1) shall not project into the cavity.

(3) Roof and ceiling framing members bearing on cavity walls shall be supported on not less than 57 mm of solid masonry, bridging the full thickness of the wall, or a wood plate not less than 38 mm thick, bearing not less than 50 mm on each wythe.

**9.20.8.3. Bearing of Beams and Joists**

(1) The bearing area under beams and joists shall be sufficient to carry the supported load.

(2) In no case shall the minimum length of end bearing of beams supported on masonry be less than 90 mm.

(3) The length of end bearing of floor, roof or ceiling joists supported on masonry shall be not less than 40 mm.

**9.20.8.4. Support of Beams and Columns**

(1) Beams and columns supported on masonry walls shall be supported on pilasters where the thickness of the masonry wall or wythe is less than 190 mm.

(2) Not less than 190 mm depth of solid masonry or concrete shall be provided under the beam or column.

(3) Pilasters required in Sentence (1) shall be bonded or tied to masonry walls.

(4) Concrete pilasters required in Sentence (1) shall be not less than 50 mm by 300 mm.

(5) Unit masonry pilasters required in Sentence (1) shall be not less than 100 mm by 290 mm.

**9.20.8.5. Distance to Edge of Supporting Members.** The distance from the face of a wall to the edge of a supporting member attached to the structure, such as a shelf angle or the flange of a beam, shall not exceed 30 mm, except as otherwise permitted in Subsection 4.3.2.

**9.20.9. Bonding and Tying****9.20.9.1. Joints to be Offset or Reinforced**

(1) Vertical joints in adjacent masonry courses shall be offset unless each wythe of masonry is reinforced with the equivalent of not less than 2 corrosion-resistant steel bars of 3.76 mm diam placed in the horizontal joints at vertical intervals not exceeding 460 mm.

(2) Where joints in the reinforcing referred to in Sentence (1) occur, the bars shall be lapped not less than 150 mm.

**9.20.9.2. Bonding or Ties.** Masonry walls that consist of 2 or more wythes shall have the wythes bonded or tied together with masonry bonding units as described in Article 9.20.9.3. or with metal ties as described in Article 9.20.9.4.

**9.20.9.3. Bonding with Masonry Units**

(1) Where wythes are bonded together with masonry units, the bonding units shall comprise not less than 4 per cent of the wall surface area.

(2) Bonding units described in Sentence (1) shall be spaced not more than 600 mm vertically and horizontally in the case of brick masonry and 900 mm o.c. in the case of block or tile.

(3) Units described in Sentence (1) shall extend not less than 90 mm into adjacent wythes.

**9.20.9.4. Bonding with Metal Ties**

(1) Where 2 or more wythes are bonded together with metal ties of the individual rod type, the ties shall conform to the requirements in Sentences (2) to (7).

(2) Other metal bonding ties may be used where it can be shown that such ties provide walls that are at least as strong and as durable as those made with the individual rod type.

(3) Metal ties of the individual rod type shall be corrosion-resistant and shall have

- (a) a minimum cross-sectional area of not less than 17.8 mm<sup>2</sup>, and
- (b) not less than a 50 mm portion bent at right angles at each end.

(4) Metal ties of the individual rod type shall

- (a) extend from within 25 mm of the outer face of the wall to within 25 mm of the inner face of the wall,
- (b) be completely embedded in mortar except for the portion exposed in cavity walls, and
- (c) be staggered from course to course.

(5) Where 2 or more wythes in walls other than cavity walls are bonded together with metal ties of the individual rod type, the space between wythes shall be completely filled with mortar.

(6) Ties described in Sentence (5) shall be

- (a) located within 300 mm of openings and spaced not more than 900 mm apart around openings, and
- (b) spaced not more than 900 mm apart horizontally and 460 mm apart vertically at other locations.

(7) Where the inner and outer wythes of cavity walls are connected with individual wire ties, the ties shall be

- (a) spaced not more than 600 mm apart horizontally within 100 mm of the bottom of each floor or room assembly where the cavity extends below the assemblies,
- (b) spaced not more than 900 mm horizontally and 400 mm apart vertically at other locations.

**9.20.9.5. Ties for Masonry Veneer**

(1) Masonry veneer 70 mm or more in thickness and resting on a bearing support shall be tied to masonry back-up or to wood framing members with not less than 0.76 mm thick, 22 mm wide corrosion-resistant straps spaced in accordance with Table 9.20.9.A. and shaped to provide a key with the mortar.

**Table 9.20.9.A.**  
Forming Part of Sentence 9.20.9.5.(1)

Veneer Tie Spacing	
Maximum Vertical Spacing, mm	Maximum Horizontal Spacing, mm
400	800
500	600
600	400
Column 1	2

(2) Masonry veneer individually supported by masonry or wood-frame back-up shall be secured to the back-up in conformance with Subsection 4.3.2.

#### 9.20.9.6. Reinforcing for Glass Block

(1) Glass block shall have horizontal joint reinforcement of 2 corrosion-resistant bars of not less than 3.76 mm diam or expanded metal strips not less than 75 mm wide spaced at vertical intervals not exceeding 600 mm for units 190 mm or less in height and in every horizontal joint for units higher than 190 mm.

(2) Reinforcement required in Sentence (1) shall be lapped not less than 150 mm.

#### 9.20.10. Lateral Support

##### 9.20.10.1. Lateral Support Required

(1) Masonry walls shall be supported at right angles to the wall by floor or roof construction or by intersecting masonry walls or buttresses.

(2) The maximum spacing of supports in Sentence (1) shall be

- (a) 20 times the wall thickness for all *loadbearing* walls and exterior non-*loadbearing* walls, and
- (b) 36 times the wall thickness for interior non-*loadbearing* walls.

(3) In applying Sentence (2), the thickness of cavity walls shall be taken as two-thirds of the sum of the thicknesses of the wythes.

(4) Floor and roof constructions providing required lateral support for walls as required in Sentence (1) shall be constructed to transfer lateral loads to walls or buttresses approximately at right angles to the laterally supported walls.

#### 9.20.11. Anchorage of Roofs, Floors and Intersecting Walls

##### 9.20.11.1. Anchorage of Floor or Roof Assemblies

(1) Where required to provide lateral support, masonry walls shall be anchored to each floor or roof assembly at maximum intervals of 2 m, except that anchorage of floor joists not more than 1 m above *grade* may be omitted.

(2) Anchors required in Sentence (1) shall be corrosion-resistant and be not less than the equivalent of 40 mm by 4.76 mm thick steel straps.

(3) Anchors required in Sentence (1) shall be shaped to provide a mechanical key with the masonry and shall be securely fastened to the horizontal support to develop the full strength of the tie.

(4) When joists are parallel to the wall, anchors required in Sentence (1) shall extend across not less than 3 joists.

##### 9.20.11.2. Anchorage of Intersecting Walls

(1) Where required to provide lateral support, intersecting walls shall be bonded or tied together.

(2) Fifty per cent of the adjacent masonry units in the intersecting wall referred to in Sentence (1) shall be embedded in the laterally supported wall, or corrosion-resistant metal ties equivalent to not less than 4.76 mm by 40 mm steel strapping shall be provided.

(3) Ties required in Sentence (1) shall be spaced not more than 800 mm o.c. vertically and shaped at both ends to provide sufficient mechanical key to develop the strength of the ties.

#### 9.20.11.3. Wood Frame Walls Intersecting Masonry Walls

(1) Wood-frame walls shall be tied to intersecting masonry walls with not less than 4.76 mm diam corrosion-resistant steel rods spaced not more than 900 mm o.c. vertically.

(2) Ties required in Sentence (1) shall be anchored to the wood framing at one end and shaped to provide a mechanical key at the other end to develop the strength of the tie.

#### 9.20.11.4. Wood Frame Roof Systems

(1) Except as permitted in Sentence (2), roof systems of wood-frame construction shall be tied to exterior walls by not less than 12.7 mm diam anchor bolts, spaced not more than 2.4 m apart, embedded not less than 90 mm into the masonry and fastened to a rafter plate of not less than 38 mm thick lumber.

(2) The roof system described in Sentence (1) is permitted to be anchored by nailing the wall furring strips to the side of the rafter plate.

**9.20.11.5. Cornices, Sills and Trim.** Cornices, sills or other trim of masonry material which project beyond the wall face shall have not less than 65 per cent of their mass, but not less than 90 mm, within the wall or shall be adequately anchored to the wall with corrosion-resistant anchors.

**9.20.11.6. Anchor Bolts.** Where anchor bolts are to be placed in the top of a pier, the pier shall be capped with concrete or reinforced masonry not less than 300 mm thick.

#### 9.20.12. Corbelling

##### 9.20.12.1. Corbelling

(1) All corbelling shall consist of solid units.

(2) The units referred to in Sentence (1) shall be corbelled so that the horizontal projection of any unit does not exceed 25 mm and the total projection does not exceed one-third of the total wall thickness.

##### 9.20.12.2. Corbelling for Cavity Walls

(1) Cavity walls of greater thickness than the *foundation* wall on which they rest shall not be corbelled but may project 25 mm over the outer face of the *foundation* wall disregarding parging.

(2) The unit masonry *foundation* wall referred to in Sentence (1) is permitted to be corbelled to meet flush with the inner face of a cavity wall provided the individual corbel does not exceed half the height or one-third the width of the corbelled unit and the total corbel does not exceed one-third the *foundation* wall thickness.

##### 9.20.12.3. Corbelling for Masonry Veneer

(1) Masonry veneer resting on a bearing support shall not project more than 25 mm beyond the supporting base where the veneer is at least 90 mm thick, and 12 mm beyond the supporting base where the veneer is less than 90 mm thick.

(2) In the case of rough stone veneer, the projection, measured as the average projection of the stone units, shall not exceed one-third the bed width beyond the supporting base.

#### 9.20.13. Control of Rain Water Penetration

##### 9.20.13.1. Materials for Exposed Flashing

(1) Exposed flashing shall consist of not less than 1.73 mm sheet lead, 0.33 mm galvanized steel, 0.36 mm copper, 0.46 mm zinc or 0.48 mm thick aluminum.

(2) Aluminum flashing in contact with masonry or concrete shall

be effectively coated or separated from the masonry or concrete by an impervious membrane.

**9.20.13.2. Materials for Concealed Flashing.** Concealed flashing shall consist of not less than 1.73 mm sheet lead, 0.33 mm galvanized steel, 0.36 mm copper, 0.46 mm zinc, Type S roll roofing, 0.15 mm polyethylene or 0.05 mm copper or aluminum laminated to felt or kraft paper.

**9.20.13.3. Fastening of Flashing.** Fastening devices for flashing shall be corrosion-resistant and compatible with the flashing with respect to galvanic action.

**9.20.13.4. Location of Flashing.** Flashing shall be installed in masonry and masonry veneer walls

- (a) beneath jointed masonry window sills,
- (b) over the back and top of parapet walls,
- (c) over the heads of glass block panels, beneath weep holes, and
- (d) over the heads of window and door openings in exterior walls when the vertical distance between the top of a window or door trim and the bottom edge of the eave exceeds one-quarter of the horizontal eave overhang.

**9.20.13.5. Extension of Flashing**

(1) A flashing may be deleted when the masonry at the sill of a wall opening or the top of a wall is protected by an impervious non-jointed masonry coping which conforms to Article 9.20.13.13.

(2) When installed beneath jointed sills and jointed copings or over the heads of openings, the flashing shall extend from the front edge of the masonry up behind the sill or lintel.

**9.20.13.6. Flashing for Weep Holes in Cavity Walls.** Flashing beneath weep holes in cavity walls shall

- (a) be bedded not less than 25 mm in the inside wythe,
- (b) extend to not less than 5 mm beyond the outer face of the supporting wall, and
- (c) slope toward the outside wythe.

**9.20.13.7. Flashing for Weep Holes in Veneer**

(1) Flashing beneath weep holes in masonry veneer over wood-frame walls shall be installed so that it extends from a point not less than 5 mm beyond the outer face of the supporting wall to a point 150 mm up behind the sheathing paper.

(2) Flashing described in Sentence (1) is permitted to conform to the requirements for concealed flashing in Article 9.20.13.2.

**9.20.13.8. Flashing Joints.** Joints in flashing shall be made watertight.

**9.20.13.9. Required Weep Holes.** Weep holes spaced not more than 800 mm apart shall be provided at the bottom of the cavity in cavity wall and masonry veneer wall construction including the cavities above lintels over window and door openings required to be flashed in conformance with Article 9.20.13.4.

**9.20.13.10. Protection of Interior Finish**

(1) Where the interior finish of the exterior walls of a *building* is a type which may be damaged by moisture, exterior masonry walls, other than cavity walls or walls that are protected for their full height by a roof of a carport or porch, shall be

- (a) parged on the interior surface, and

(b) covered with No. 15 breather-type asphalt-saturated paper conforming to CAN2-51.32, "Sheathing, Membrane, Breather Type", and

(c) the paper referred to in Clause (b) shall be lapped at least 100 mm at the joints.

(2) Where the insulation effectively limits the passage of water vapour and is applied by a waterproof adhesive or by mortar directly to the masonry, the requirements for sheathing paper do not apply.

**9.20.13.11. Mortar Droppings.** Cavity walls shall be constructed so that mortar droppings are prevented from forming a bridge to allow the passage of rain water across the cavity.

**9.20.13.12. Caulking at Door and Window Frames.** The junction of door and window frames with masonry shall be caulked in conformance with Subsection 9.27.4.

**9.20.13.13. Drips Beneath Window Sills.** Except for wall openings located less than 150 mm above ground level, where a concealed flashing is not installed beneath window and door sills, such sills shall be provided with an outward slope and a drip located not less than 25 mm from the wall surface.

**9.20.13.14. Solid Bearing Surface for Pliable Flashings.** The horizontal portion of any concealed pliable type flashings shall be installed upon a continuous solid bearing surface to prevent sags and water accumulation on the flashing.

**9.20.14. Protection**

**9.20.14.1. Laying Temperature of Mortar and Masonry**

(1) Mortar and masonry shall be maintained at a temperature not below 5°C during installation and for not less than 48 h after installation.

(2) No frozen material shall be used in the mix.

**9.20.14.2. Protection from Weather.** The top surface of uncompleted masonry exposed to the weather shall be completely covered with a waterproofing material when construction is not in progress.

**9.20.15. Reinforcement for Earthquake Resistance**

**9.20.15.1. Amount of Reinforcement.** Where reinforcement is required in this Section, masonry walls shall be reinforced horizontally and vertically with steel having a total cross-sectional area of not less than 0.002 times the cross-sectional area of the wall, so that not less than one-third of the required steel area is installed either horizontally or vertically and the remainder in the other direction.

**9.20.15.2. Installation Standard.** Where reinforcement for masonry is required in this Section, it shall be installed in conformance with the requirements for reinforced masonry as contained in CAN3-A371, "Masonry Construction for Buildings".

**9.20.16. Corrosion Resistance**

**9.20.16.1. Carbon Steel Connectors.** Carbon steel connectors required to be corrosion-resistant shall be galvanized to at least the minimum standards in Table 9.20.16.A.

**Table 9.20.16.A.**  
Forming Part of Article 9.20.16.1.

Minimum Requirements for Galvanizing		
Connector Material	ASTM Standard	Coating Class
Wire ties and continuous reinforcing (hot-dipped galvanizing)	A153	Class B2 458 g/m <sup>2</sup>
Hardware and bolts	A153	See A113
Strip, plate, bars, and rolled sections (not less than 3.18 mm thick)	A123	619 g/m <sup>2</sup>
Sheet (less than 3.18 mm thick)	A123	305 g/m <sup>2</sup> on material 0.76 mm thick (1)
Column 1	2	3

**Notes to Table 9.20.16.A.:**

(1) Astm A123 does not apply to metal less than 3.18 mm thick. Galvanizing coatings may be interpolated for thicknesses between 3.18 mm and 0.76 mm.

**Section 9.21 Chimneys and Flues**

**9.21.1. General**

**9.21.1.1. Application.** Except when otherwise specifically stated herein, this Section applies to rectangular *chimneys* of brick masonry or concrete not more than 12 m in height serving fireplaces or serving *appliances* having a combined total rated heat output of 120 kW or less, and to *flue pipes* serving *appliances* regulated by Article 9.33.1.2.

**9.21.1.2. Factory-Built Chimneys.** *Factory-built chimneys* serving solid fuel-burning *appliances*, and their installation, shall conform to CAN/ULC4-S629, "Standard for 650°C Factory-Built Chimneys."

**9.21.1.3. Chimneys, Gas Vents or Flue Pipes**

(1) Except as provided in Sentence (2), *chimneys* (other than those described in Articles 9.21.1.1. and 9.21.1.2.), *gas vents* and *flue pipes* serving gas- oil- or solid-fuel burning *appliances* and associated equipment shall conform to Section 6.3.

(2) *Flue pipes* serving solid-fuel burning *stoves*, *ranges* and *space heaters* shall conform to the requirements of CAN3-B365, "Installation Code for Solid-Fuel Burning Appliances and Equipment."

**9.21.1.4. Chimney or Flue Pipe Walls.** The walls of any *chimney* or *flue pipe* shall be constructed to be smoke-and flame-tight.

**9.21.2. Chimney Flues**

**9.21.2.1. Chimney Flue Limitation.** A *chimney flue* serving a fireplace or incinerator shall not serve any other *appliance*.

**9.21.2.2. Connections of More Than One Appliance**

(1) Except as required in Article 9.21.2.1., 2 or more fuel-burning *appliances* may be connected to the same *chimney flue* provided adequate draft is maintained for the connected *appliances* and the connections are made as described in Sentences (2) and (3).

(2) Where 2 or more fuel-burning *appliances* are connected to the same *chimney flue*, the *appliances* must be located on the same *storey*.

(3) The connection referred to in Sentence (2) for a solid fuel-burning *appliance* shall be below connections for *appliances* burning other fuels.

(4) Solid fuel-burning *appliances* shall not be connected to a *chimney flue* serving a gas burning *appliance*.

**9.21.2.3. Inclined Chimney Flues.** *Chimney flues* shall not be inclined more than 45° to the vertical.

**9.21.2.4. Size of Chimney Flues**

(1) Except for *chimneys* serving fireplaces, the size of a *chimney flue* shall conform to the requirements of the *appliance* installation standards referenced in Sentence 6.2.1.4.(1) and Article 9.33.1.2.

(2) Where a *chimney flue* serves only one *appliance*, the *flue* area shall be at least equal to that of the *flue pipe* connected to it.

**9.21.2.5. Fireplace Chimneys.** The minimum size of a *chimney flue* serving a masonry fireplace shall conform to Table 9.21.2.A. or Table 9.21.2.B.

**Table 9.21.2.A.**  
Forming Part of Article 9.21.2.5.

Diameter of Round Flues for Fireplace Chimneys, mm				
Maximum Fireplace Opening, m <sup>2</sup>	Chimney Height, m			
	3.0	4.6	6.0	9.0
0.15	140	128	124	116
0.25	181	164	156	145
0.35	212	193	184	171
0.50	253	229	218	202
0.65	287	260	247	227
0.80	318	290	273	251
1.0	356	321	303	279
1.2	388	352	331	304
1.4	419	380	358	328
1.6	448	405	382	349
1.8	—	430	404	371
2.0	—	—	425	390
2.2	—	—	—	407
Column 1	2	3	4	5

**Table 9.21.2.B.**  
Forming Part of Article 9.21.2.5.

Nominal Rectangular Flue Sizes for Fireplace Chimneys, mm				
Maximum Fireplace Opening, m <sup>2</sup>	Chimney Height, m			
	3.0	4.6	6.0	9.0
0.15	200 × 200	200 × 200	200 × 200	200 × 200
0.25	200 × 300	200 × 200	200 × 200	200 × 200
0.35	200 × 300	200 × 300	200 × 300	200 × 200
0.50	300 × 300	300 × 300	300 × 300	200 × 300
0.65	300 × 400	300 × 300	300 × 300	300 × 300
0.80	400 × 400	300 × 400	300 × 400	300 × 300
1.0	400 × 400	400 × 400	300 × 400	300 × 400
1.2	—	400 × 400	400 × 400	300 × 400
1.4	—	—	400 × 400	400 × 400
1.6	—	—	—	400 × 400
1.8	—	—	—	—
2.0	—	—	—	—
2.2	—	—	—	—
Column 1	2	3	4	5

**9.21.2.6. Oval Chimney Flues.** The width of an oval *chimney flue* shall be not less than two-thirds its breadth.

**9.21.3. Chimney Lining**

**9.21.3.1. Lining Materials.** Every *masonry* or *concrete chimney* shall have a lining of clay, concrete, firebrick or metal.

**9.21.3.2. Joints in Chimney Liners**

(1) Joints of *chimneys liners* shall be sealed to provide a barrier to the passage of flue gases and condensate into the cavity between the liner and the surrounding masonry.

(2) Joints of clay, concrete or firebrick *chimney liners* shall be struck flush to provide a straight, smooth, aligned *chimney flue*.

**9.21.3.3. Clay Liners**

(1) Clay liners shall conform to ASTM C315, "Clay Flue Linings".

(2) Liners referred to in Sentence (1) shall be not less than 15.9 mm thick and shall be capable of resisting, without softening or cracking, a temperature of 1100°C.

**9.21.3.4. Firebrick Liners.** Firebrick liners shall conform to ASTM C27, "Classification of Fireclay and High Alumina Refractory Brick" and shall be laid with high temperature cement mortar conforming to CGSB 10-GP-3Ma, "Refractory Mortar, Air Setting".

**9.21.3.5. Concrete Liners.** Concrete flue liners shall conform to Clause 4.2.6.4. of CAN/CSA-A405, "Design and Construction of Masonry Chimneys and Fireplaces."

**9.21.3.6. Metal Liners**

(1) Metal liners shall be constructed of at least 0.3 mm thick stainless steel.

(2) Metal liners referred to in Sentence (1) shall only be used in *chimneys* serving gas-, or oil-burning *appliances*.

**9.21.3.7. Installation of Chimney Liners.** *Chimney liners* shall be installed when the surrounding masonry or concrete is placed.

**9.21.3.8. Spaces between Liners and Surrounding Masonry**

(1) Spaces between the liner and surrounding masonry shall not be filled with mortar where the *chimney* walls are less than 190 mm in thickness.

(2) A space not less than 10 mm wide shall be left between a liner and the surrounding masonry.

**9.21.3.9. Mortar for Chimney Liners**

(1) *Chimney liners* used in *chimneys* for solid fuel-burning *appliances* shall be laid in a full bed of

- (a) high temperature cement mortar conforming to CGSB 10-GP-3Ma, "Refractory Mortar, Air Setting," or
- (b) mortar consisting of 1 part portland cement to 3 parts sand by volume.

(2) *Chimney liners* used in *chimneys* for oil- or gas-burning *appliances* shall be laid in a full bed of mortar consisting of 1 part portland cement to 3 parts sand by volume.

**9.21.3.10. Extension of Chimney Liners.** *Chimney liners* shall extend from a point not less than 200 mm below the lowest *flue pipe* connection to a point not less than 50 mm or more than 100 mm above the *chimney* cap.

**9.21.4. Masonry and Concrete Chimney Construction**

**9.21.4.1. Unit Masonry.** Unit masonry shall conform to Section 9.20.

**9.21.4.2. Concrete.** Concrete shall conform to Section 9.3.

**9.21.4.3. Footings.** Footings for *masonry chimneys* and *concrete chimneys* shall conform to the requirements in Section 9.15.

**9.21.4.4. Height of Chimney Flues.** A *chimney flue* shall extend not less than 900 mm above the highest point at which the *chimney* comes in contact with the roof, and not less than 600 mm above the highest roof surface or structure within 3 m of the *chimney*.

**9.21.4.5. Lateral Stability.** *Chimneys* shall be braced when necessary to provide lateral stability.

**9.21.4.6. Chimney Caps**

(1) The top of a *chimney* shall have a waterproof cap of reinforced concrete, masonry or metal.

(2) The cap required in Sentence (1) shall slope from the lining and be provided with a drip not less than 25 mm from the *chimney* wall.

(3) Cast-in-place concrete caps shall be separated from the *chimney liner* by a bond break and be sealed at that location.

(4) Jointed precast concrete or masonry *chimney* caps shall have flashing installed beneath the cap extending from the liner to the drip edge.

**9.21.4.7. Cleanout.** Except for a *chimney flue* constructed to serve a masonry fireplace, every *chimney flue* shall have a cleanout opening furnished with a tight-fitting metal frame and door installed near the base of the *chimney flue*.

**9.21.4.8. Wall Thickness.** The walls of a *masonry chimney* shall be built of solid units not less than 75 mm thick.

**9.21.4.9. Separation of Flue Liners**

(1) *Flue* liners in the same *chimney* shall be separated by not less than 75 mm of masonry or concrete exclusive of liners where clay liners are used, or 90 mm of firebrick where firebrick liners are used.

(2) *Flue* liners referred to in Sentence (2) shall be installed to prevent significant lateral movement.

**9.21.4.10. Flashing.** Junctions with adjacent materials shall be adequately flashed to shed water.

**9.21.5. Clearance from Combustible Construction****9.21.5.1. Clearance from Combustible Materials**

(1) The clearance between *masonry or concrete chimneys* and *combustible* framing shall be not less than 50 mm for interior *chimneys* and 12 mm for exterior *chimneys*.

(2) A clearance of not less than 150 mm shall be provided between a cleanout opening and *combustible* material.

(3) Flooring shall have not less than a 12 mm clearance from *masonry or concrete chimneys*.

**9.21.5.2. Sealing of Spaces.** All spaces between *masonry or concrete chimneys* and *combustible* framing shall be sealed top or bottom with *noncombustible* material.

**9.21.5.3. Support of Joists or Beams.** Joists or beams may be supported on masonry walls which enclose *chimney flues* provided the *combustible* members are separated from the *flue* by a minimum of 290 mm of solid masonry.



**Section 9.22 Fireplaces****9.22.1. General**

**9.22.1.1. Application.** Except as otherwise stated herein, this Section applies to masonry fireplaces constructed on site.

**9.22.1.2. Masonry and Concrete.** Except as otherwise stated in this Section, unit masonry shall conform to Section 9.20 and concrete to Section 9.3.

**9.22.1.3. Footings.** Footings for masonry and concrete fireplaces shall conform to Section 9.15.

**9.22.1.4. Combustion Air**

(1) Except as permitted in Article 9.22.1.5. and 9.22.1.6., every fireplace, including a factory-built fireplace, shall have a supply of combustion air from outdoors in accordance with Sentences (2) to (12).

(2) The combustion air shall be supplied by a *noncombustible* and corrosion-resistant supply duct.

(3) The supply duct shall have

- (a) a diameter of at least 100 mm or an equivalent area,
- (b) an exterior intake for entry of air from the outdoors, and
- (c) an interior outlet for providing air for the fire chamber.

(4) The supply duct shall contain a tight-fitting damper that shall be located close to the interior outlet and be operable from the room containing the fireplace.

(5) The operating mechanism shall clearly indicate the actual position of the damper.

(6) The interior outlet shall,

- (a) be located as close as possible to the opening in the face of the fireplace,
- (b) be designed to prevent embers from entering the supply duct, and
- (c) where it is placed inside the fire chamber, be located at the front centre of the fire chamber hearth and be equipped with a *noncombustible* hood.

(7) The exterior intake shall be protected against the entry of rain and direct wind and have an insect screen of corrosion-resistant material.

(8) Where the exterior intake is located above the level of the fire chamber hearth, the interior outlet shall be located at a level at or below the level of the hearth.

(9) Where the interior outlet is located in the fire chamber and the exterior intake is located at or below the level of the fire chamber hearth, the supply duct shall be installed with a minimum clearance from *combustible* material of 50 mm for a distance of 1 m measured from the outlet.

(10) Where the interior outlet is located in the fire chamber hearth and the exterior intake is located above the level of the fire chamber hearth, the supply duct shall be installed with a minimum clearance from *combustible* material of,

- (a) 50 mm for a distance of 1 meter measured from the outlet, and
- (b) 25 mm for the remainder of the supply duct to the intake.

(11) The exterior intake shall be located to avoid being blocked by snow or fallen leaves.

(12) Where the supply duct is exposed to a heated space, the duct shall be insulated to provide a thermal resistance of not less than RSI 1.4.

**9.22.1.5. Combustion Air for Factory-Built Fireplaces.** Factory-built fireplaces need not be installed to conform with Sentences 9.22.1.4.(2) to (10) where comparable provisions are included as part of a factory-built fireplace conforming to Article 9.22.8.1.

**9.22.1.6. Combustion Air for Steel Fireplace Liners.** A steel fireplace liner need not be installed to conform with Sentences 9.22.1.4.(2) to (10) where comparable provisions are included as part of a steel fireplace liner conforming to Article 9.22.2.3.

**9.22.2. Fireplace Liners**

**9.22.2.1. Fireplace Liners.** Except where a fireplace is equipped with a steel liner, every fireplace shall have a firebrick liner not less than 50 mm thick for the sides and back and not less than 25 mm thick for the floor.

**9.22.2.2. Firebrick Liners**

(1) Firebrick liners shall be laid with high temperature cement mortar conforming to CGSB 10-GP-3Ma, "Refractory Mortar, Air Setting".

(2) Joints between a firebrick liner and the adjacent back-up masonry shall be offset.

**9.22.2.3. Steel Liners.** Steel liners for fireplaces shall conform to CAN/ULC-S639M, "Standard for Steel Liner Assemblies for Solid-Fuel Burning Masonry Fireplaces," and shall be installed in accordance with the installation instructions required by that Standard.

**9.22.3. Wall Thickness****9.22.3.1. Thickness of Walls**

(1) Except as provided in Sentences (2) and (3), the back and sides of a fireplace shall be at least 190 mm thick where a metal liner or a 50 mm thick firebrick liner is used, including the thickness of the masonry liner.

(2) Portions of the back exposed to the outside may be 140 mm thick.

(3) When a steel fireplace liner is used with an air circulating chamber surrounding the firebox, the back and sides of the fireplace shall consist of not less than 90 mm thickness of solid masonry units or 190 mm thickness of hollow masonry units.

**9.22.4. Openings**

**9.22.4.1.** Masonry above openings shall be supported by steel lintels conforming to Sentence 9.20.5.2.(2), reinforced concrete or a masonry arch.

**9.22.5. Hearth****9.22.5.1. Hearth Extension**

(1) Except as required in Sentence (2), fireplaces shall have a *noncombustible* hearth extending not less than 400 mm in front of the fireplace opening measured from the facing, and not less than 200 mm beyond each side of the fireplace opening.

(2) Where the hearth is elevated more than 150 mm above the hearth extension, the width of the hearth extension shall be increased by

- (a) 50 mm for an elevation above 150 mm and not more than 300 mm, and
- (b) an additional 25 mm for every 50 mm in elevation above 300 mm.

#### 9.22.5.2. Support of Hearth

(1) Except as permitted in Sentence (2), the hearth shall be supported on not less than a 140 mm thick trimmer arch of solid masonry units or not less than a 100 mm thick reinforced concrete trimmer.

(2) A hearth extension for a fireplace with an opening raised not less than 200 mm from a *combustible* floor is permitted to be placed on that floor provided the requirements of Clauses 5.3.6.5. to 5.3.6.7. of CAN/CSA-A405, "Design and Construction of Masonry Chimneys and Fireplaces" are followed.

#### 9.22.6. Damper

**9.22.6.1. Location of Damper.** The throat of every fireplace shall be equipped with a metal damper sufficiently large to cover the full area of the throat opening.

#### 9.22.7. Smoke Chamber

**9.22.7.1. Slope of Smoke Chamber.** The sides of the smoke chamber connecting a fireplace throat with a *flue* shall not be sloped at an angle greater than 45° to the vertical.

**9.22.7.2. Wall Thickness.** The thickness of masonry walls surrounding the smoke chamber shall be not less than 190 mm at the sides, front and back, except that the portions of the back exposed to the outside may be 140 mm thick.

#### 9.22.8. Factory-Built Fireplaces

**9.22.8.1. Standard.** Factory-built fireplaces and their installation shall conform to CAN/ULC S610, "Standard for Factory-Built Fireplaces."

#### 9.22.9. Clearance of Combustible Material

**9.22.9.1. Clearance to the Fireplace Opening.** *Combustible* material shall not be placed on or near the face of a fireplace within 150 mm of the fireplace opening, except that where the *combustible* material projects more than 38 mm out from the face of the fireplace above the opening, such material shall be at least 300 mm above the top of the opening.

**9.22.9.2. Metal Exposed to the Interior.** Metal exposed to the interior of a fireplace such as the damper control mechanism shall have at least a 50 mm clearance from any *combustible* material on the face of the fireplace where such metal penetrates through the face of the fireplace.

#### 9.22.9.3. Clearance to Combustible Framing

(1) Not less than a 100 mm clearance shall be provided between the back and sides of a fireplace and *combustible* framing, except that a 50 mm clearance is permitted where the fireplace is located in an exterior wall.

(2) Not less than a 50 mm clearance shall be provided between the back and sides of the smoke chamber of a fireplace and *combustible* framing, except that a 25 mm clearance is permitted where the fireplace is located in an exterior wall.

**9.22.9.4. Heat Circulating Duct Openings.** The clearance of *combustible* material above heat circulating duct openings from those openings shall be not less than

- (a) 300 mm where the *combustible* material projects more than 38 mm from the face, and

- (b) 150 mm where the projection is less than 38 mm.

#### 9.22.10. Fireplace Inserts

##### 9.22.10.1. Installation Standard

(1) Fireplace inserts shall conform to ULC S628, "Standard for Fireplace Inserts," and be installed according to CAN/CSA-B365-M, "Installation Code for Solid-Fuel Burning Appliances and Equipment."

(2) Fireplace inserts described in Sentence (1) may be installed in existing fireplaces only if a minimum thickness of 190 mm of solid masonry is provided between the smoke chamber and any existing *combustible* materials, unless the insert is listed for lesser clearances.

(3) A fireplace insert installed in a masonry fireplace shall have,

- (a) a *listed* metal *chimney liner* installed from the insert collar to the top of the *chimney*,
- (b) a direct sealed connection to the *chimney flue* where such provision is part of an insert conforming to Sentence 9.22.10.1.(1), or
- (c) a direct sealed connection to the smoke chamber and a clean-out provided to any inaccessible part of the smoke chamber.

#### Section 9.23 Wood-Frame Construction

##### 9.23.1. Scope

###### 9.23.1.1. Application

(1) This Section applies to conventional wood-frame construction in which the framing members are spaced not more than 600 mm o.c.

(2) The requirements in this Section with regard to floor framing, subflooring and their fastenings apply to floors for which the design *live load* does not exceed 2.4 kPa.

(3) The requirements in this Section with regard to wall framing and its fastenings apply to walls which support floors for which the design *live load* does not exceed 2.4 kPa on any floor.

(4) Where the conditions in Sentences (2) or (3) are exceeded, the design of the framing and fastening shall conform to Subsection 4.3.1.

**9.23.1.2. Post, Beam and Plank Construction.** Post, beam and plank construction and plank frame wall construction shall conform to Article 9.4.1.2.

##### 9.23.2. General

**9.23.2.1. Strength and Rigidity.** All members shall be so framed, anchored, fastened, tied and braced to provide the necessary strength and rigidity.

##### 9.23.2.2. Protection from Decay

(1) Ends of wood joists, beams and other members framing into masonry or concrete shall be treated to prevent decay where the bottom of the member is at or below ground level, or a 12 mm air space shall be provided at the end and sides of the member.

(2) Air spaces required in Sentence (1) shall not be blocked by insulation, vapour barriers or air barriers.

##### 9.23.2.3. Protection from Dampness

(1) Except as permitted in Sentence (2), wood framing members that are not pressure treated with a wood preservative and which are supported on concrete in contact with the ground or fill shall be sepa-

rated from the concrete by not less than 0.05 mm polyethylene film or Type S roll roofing.

(2) Dampproofing material referred to in Sentence (1) is not required where the wood member is at least 150 mm above the ground.

**9.23.2.4. Lumber.** Lumber shall conform to the appropriate requirements in Subsection 9.3.2.

#### 9.23.2.5. Termite Protection

(1) Where termites are known to exist, unless pressure treated with a chemical that is toxic to such termites in accordance with Article 9.3.2.9., wood steps shall rest on a non-cellulosic base or apron extending at least 150 mm above *grade*.

(2) Wood lattice or skirting around porches shall be separated from piers and *soil* by at least 50 mm.

#### 9.23.3. Nails and Staples

**9.23.3.1. Standard for Nails.** Nails specified in this Section shall be common steel wire nails or common spiral nails, conforming to CSA B111, "Wire Nails, Spikes and Staples" unless otherwise indicated.

**9.23.3.2. Length of Nails.** All nails shall be long enough so that not less than ½ their length penetrates into the second member.

**9.23.3.3. Prevention of Splitting.** Splitting of wood members shall be minimized by staggering the nails in the direction of the grain and by keeping nails well in from the edges.

#### 9.23.3.4. Nailing of Framing

(1) Except as provided in Sentence (2), nailing of framing shall conform to Table 9.23.3.A.

(2) Where the bottom wall plate or sole plate of an exterior wall is not nailed to joists or blocking in conformance with Table 9.23.3.A., the exterior wall may be fastened to the floor framing by

- (a) having plywood, waferboard or strandboard sheathing extend down over floor framing and fastened to the floor framing by nails or staples conforming to Article 9.23.3.5., or
- (b) tying the wall framing to the floor framing by 50 mm wide galvanized-metal strips of at least 0.41 mm in thickness, spaced not more than 1.2 m apart, and fastened at each end with at least two 63 mm nails.

**Table 9.23.3.A.**  
Forming Part of Article 9.23.3.4.

Nailing for Framing		
Construction Detail	Minimum Length Nails, mm	Minimum Number or Maximum Spacing of Nails
Floor joist to plate - toe nail	82	2
Wood or metal strapping to underside of floor joists	57	2
Cross bridging to joists	57	2 each end
Double header or trimmer joists	76	300 mm (o.c.)
Floor joist to stud (balloon construction)	76	2
Ledger strip to wood beam	82	2 per joist
Joist to joist splice (see also Table 9.23.13.A.)	76	2 at each end
Column 1	2	3

**Table 9.23.3.A.—Continued**  
Forming Part of Article 9.23.3.4.

Nailing for Framing		
Construction Detail	Minimum Length Nails, mm	Minimum Number or Maximum Spacing of Nails
Tail joist to adjacent header joist	82	5
(end nailed) around openings	101	3
Each header joist to adjacent trimmer joist (end nailed) around openings	82	5
Stud to wall plate (each end) toe nail or end nail	101	3
Doubled studs at openings, or studs at walls or wall intersections and corners	63	4
Doubled top wall plates	76	750 mm (o.c.)
Bottom wall plate or sole plate to joists or blocking (exterior walls) (1)	76	600 mm (o.c.)
Interior walls to framing or subflooring	82	400 mm (o.c.)
Horizontal member over openings in non-loadbearing walls - each end	82	600 mm (o.c.)
Lintels to studs	82	2
Ceiling joist to plate - toe nail each end	82	2 at each end
Roof rafter, roof truss or roof joist to plate - toe nail	82	2
Rafter plate to each ceiling joist	82	3
Rafter to joist (with ridge supported)	101	2
Rafter to joist (with ridge unsupported)	76	3
Gusset plate to each rafter at peak	76	See Table 9.23.13.A.
Rafter to ridge board	57	4
- toe nail	57	4
- end nail	82	3
Collar tie to rafter - each end	76	3
Collar tie lateral support to each collar tie	57	2
Jack rafter to hip or valley rafter	82	2
Roof strut to rafter	76	3
Roof strut to loadbearing wall - toe nail	82	2
38 mm by 140 mm or less plank decking to support	82	2
Plank decking wider than 38 mm by 140 mm to support	82	3
38 mm edge laid plank decking to support (toe nail)	76	1
38 mm edge laid plank to each other	76	450 mm (o.c.)
Column 1	2	3

Note to Table 9.23.3.A.:

(1) See Sentence 9.23.3.4.(2)

(2) Staples shall not be less than 1.6 mm in diameter or thickness, with not less than a 9.5 mm crown driven with the crown parallel to framing.

### 9.23.3.5. Fastening for Sheathing or Subflooring

(1) Fastening of sheathing and subflooring shall conform to Table 9.23.3.B.

(3) Roofing nails for the attachment of fibreboard or gypsum sheathing shall not be less than 3.2 mm in diameter with a minimum head diameter of 11.1 mm.

**Table 9.23.3.B.**  
Forming Part of Article 9.23.3.5.

Fasteners for Sheathing and Subflooring					
Element	Minimum Length of Fasteners for Sheathing and Subfloor Attachment, mm				Min. No. or Max. Spacing of Fasteners
	Common or Spiral Nails	Ring Thread Nails	Roofing Nails	Staples	
Plywood, waferboard or strandboard up to 10 mm thick	51	45	N/A	38	150 mm (o.c.) along edges and 300 mm (o.c.) along intermediate supports
Plywood, waferboard or strandboard from 10 mm to 20 mm thick	51	45	N/A	51	
Plywood, waferboard or strandboard 20 mm thick	57	51	N/A	N/A	
Fibreboard sheathing up to 13 mm thick	N/A	N/A	44	38	
Gypsum sheathing up to 13 mm thick	N/A	N/A	44	N/A	
Board lumber 184 mm or less wide	51	45	N/A	51	2 per support
Board lumber more than 184 mm wide	51	45	N/A	51	3 per support
Column 1	2	3	4	5	6

### 9.23.4. Allowable Spans

(2) Beams described in Sentence (1) shall be constructed of steel having a strength at least equal to Grade 300 W steel in CAN3-G40.21, "Structural Quality Steels".

#### 9.23.4.1. Spans for Joists, Rafters and Beams

(1) Except as required in Sentence (2), the spans for wood joists, rafters and beams shall conform to the spans shown in Tables A-1 to A-7 for the uniform *live loads* shown in the Tables.

(2) Spans for floor joists which are not selected from Tables A-1 to A-3 and which are required to be designed for the same loading conditions, shall not exceed the design requirements for uniform loading and vibration criteria.

#### 9.23.4.2. Steel Beams

(1) The spans for steel beams with laterally supported top flanges that support floors in 1- and 2-storey houses shall conform to Table 9.23.4.A.

(3) A beam may be considered to be laterally supported if

- the wood joists bear on its top flange at intervals of 610 mm or less over its entire length,
- the load being applied to this beam is transmitted through the joists, and
- 19 mm × 38 mm wood strips in contact with the top flange are nailed on both sides of the beam to the bottom of the joist supported.

**Table 9.23.4.A.**  
Forming Part of Article 9.23.4.2

Maximum Spans for Steel Beams Supporting Floors in Dwelling Units, m (2)(3)							
One Storey Supported							
Section	Supported Joist Length, m (Half the sum of joist spans on both sides of the beam)						
	2.4	3.0	3.6	4.2	4.8	5.4	6.0
W150 × 22	4800 (1)	4500 (1)	4200 (1)	4000 (1)	3800 (1)	3700	3500
W150 × 30	5400 (1)	5000 (1)	4700 (1)	4500 (1)	4300 (1)	4200 (1)	4100 (1)
W200 × 21	5700 (1)	5300 (1)	5000	4600	4300	4100	3900
W150 × 37	5900 (1)	5500 (1)	5200 (1)	4900 (1)	4800 (1)	4600 (1)	4500 (1)
W200 × 27	6200 (1)	5800 (1)	5400 (1)	5200 (1)	5000 (1)	4900 (1)	4800 (1)
W200 × 31	6600 (1)	6200 (1)	5800 (1)	5600 (1)	5400 (1)	5300 (1)	5100 (1)
W250 × 24	6800 (1)	6400 (1)	5900	5500	5200	4900	4700
W200 × 36	6800 (1)	6400 (1)	6000 (1)	5800 (1)	5600 (1)	5500 (1)	5300 (1)
W200 × 42	7300 (1)	6700 (1)	6400 (1)	6200 (1)	6000 (1)	5800 (1)	5700 (1)
W200 × 46	7500 (1)	7000 (1)	6700 (1)	6400 (1)	6200 (1)	6100 (1)	5900 (1)
W250 × 33	7700 (1)	7200 (1)	6900 (1)	6600 (1)	6400 (1)	6200 (1)	6000
W250 × 39	8200 (1)	7800 (1)	7400 (1)	7200 (1)	6900 (1)	6700 (1)	6500 (1)
W310 × 31	8500 (1)	8100 (1)	7700	7200	6800	6400	6100
W310 × 39	9400 (1)	8900 (1)	8500 (1)	8200 (1)	7900 (1)	7600 (1)	7300 (1)
W310 × 45	9900 (1)	9400 (1)	9000 (1)	8600 (1)	8300 (1)	8100 (1)	7900 (1)
Two Storeys Supported							
Section	Supported Joist Length, m (Half the sum of joist spans on both sides of the beam)						
	2.4	3.0	3.6	4.2	4.8	5.4	6.0
W150 × 22	4000 (1)	3700	3400	3100	3000	2800	700
W150 × 30	4600 (1)	4300 (1)	4100 (1)	4000 (1)	3700	3600	3400
W200 × 21	4500	4100	3700	3500	3300	3100	3000
W150 × 37	5000 (1)	4800 (1)	4500 (1)	4400 (1)	4200 (1)	4000	3900
W200 × 27	5300 (1)	5000	4600	4300	4000	3800	3600
W200 × 31	5700 (1)	5400 (1)	5100	4700	4500	4200	4000
W250 × 24	5400	4900	4500	4200	4000	3800	3600
W200 × 36	5900 (1)	5600 (1)	5300 (1)	5100	4800	4500	4300
W200 × 42	6300 (1)	6000 (1)	5700 (1)	5500 (1)	5200	4900	4700
W200 × 46	6600 (1)	6200 (1)	5900 (1)	5700 (1)	5500	5200	5000
W250 × 33	6800 (1)	6300	5800	5400	5100	4800	4600
W250 × 39	7300 (1)	6900 (1)	6400	6000	5600	5300	5100
W310 × 31	7100	6400	5900	5500	5100	4900	4600
W310 × 39	8300 (1)	7600	7000	6500	6100	5800	5500
W310 × 45	8800 (1)	8300	7600	7100	6700	6300	6000
Column 1	2	3	4	5	6	7	8

**Notes to Table 9.23.4.A.:**

- (1) Span controlled by deflection limited to  $L/360$ .
- (2) For widths of floor intermediate between those shown in the Table, straight line interpolation may be used in determining the maximum beam spans.
- (3) Table is based on:
  - (a) Simply supported beam spans.
  - (b) Laterally supported top flange.
  - (c) Yield strength 300 MPa.
  - (d) Live Load = 1.9 kN/sq.m-1st floor.  
= 1.4 kN/sq.m-2nd floor.
 Dead Load = 1.5 kN/sq.m.

**9.23.4.3. Glue-Laminated Beams**

(1) The spans for glued-laminated beams that support floors in 1- and 2-storey houses shall conform to Table 9.23.4.B.

(2) Beams described in Sentence (1) shall conform to 20 f-E stress grade in CSA 0122, "Glued-Laminated Timber" and to Article 4.3.1.2.

**Table 9.23.4.B.**  
Forming Part of Article 9.23.4.3

Maximum Spans (m) for Glued-Laminated Floor Beams Supporting Floors in Dwellings (2)(3)(4)									
No. of Storeys Supported	Beam Width, mm	Supported Length,(1) m	Beam Depth, mm						
			228	266	304	342	380	418	456
1	80	2.4	4.32	5.04	5.76	6.48	7.20	7.92	8.64
		3.0	3.87	4.51	5.15	5.80	6.44	7.09	7.73
		3.6	3.53	4.12	4.70	5.29	5.88	6.47	7.06
		4.2	3.27	3.81	4.36	4.90	5.44	5.99	6.53
		4.8	3.06	3.57	4.07	4.58	5.09	5.60	6.11
1	130	2.4	5.51	6.43	7.35	8.26	9.18	10.10	11.02
		3.0	4.93	5.75	6.57	7.39	8.21	9.03	9.86
		3.6	4.50	5.25	6.00	6.75	7.50	8.25	9.00
		4.2	4.16	4.86	5.55	6.25	6.94	7.64	8.33
		4.8	3.90	4.54	5.19	5.84	6.49	7.14	7.79
2	80	2.4	3.28	3.83	4.37	4.92	5.47	6.01	6.56
		3.0	2.93	3.42	3.91	4.40	4.89	5.38	5.87
		3.6	2.68	3.12	3.57	4.02	4.46	4.91	5.36
		4.2	2.48	2.89	3.31	3.72	4.13	4.54	4.96
		4.8	2.32	2.71	3.09	3.48	3.86	4.25	4.64
2	130	2.4	4.18	4.88	5.57	6.27	6.97	7.66	8.36
		3.0	3.74	4.36	4.99	5.61	6.23	6.85	7.48
		3.6	3.41	3.98	4.55	5.12	5.69	6.26	6.83
		4.2	3.16	3.69	4.21	4.74	5.27	5.79	6.32
		4.8	2.96	3.45	3.94	4.43	4.93	5.42	5.91
Column 1	2	3	4	5	6	7	8	9	10

**Notes to Table 9.23.4.B.:**

- (1) Supported length means 1/2 the sum of the joist spans on both sides of the beam.
- (2) Spans are valid for any species covered by CSA 0122-M, Structural Glued-Laminated Timber.
- (3) Spans are clear spans between supports.
- (4) Provide minimum 89 mm of bearing.

**9.23.4.4. Concentrated Loads or Higher Live Loads.** Where a floor is required to be designed to support a concentrated load as specified in Table 4.1.6.B., or to support a uniform *live load* in excess of those shown in the span tables, such spans shall be determined in conformance with Subsection 4.3.1.

**9.23.4.5. Concrete Topping.** Where a floor is required to support a concrete topping, the spans shown in Tables A-2 and A-3 or the spacing of the members shall be reduced to allow for the loads due to the topping.

**9.23.4.6. Heavy Roofing Material.** Where a roof is required to support an additional uniform *dead load* from roofing materials other than as specified in Section 9.27 such as concrete or clay roofing tiles, spans for framing members in Tables A-3 to A-7, A-10 and A-11 or the spacing of the members shall be reduced to allow for the loads due to the roofing.

**9.23.5. Notching and Drilling**

**9.23.5.1. Holes Drilled in Framing Members.** Holes drilled in roof, floor or ceiling framing members shall be not larger than one quarter the depth of the member and shall be located not less than 50 mm from the edges, unless the depth of the member is increased by the size of the hole.

**9.23.5.2. Notching of Framing Materials.** Floor, roof and ceiling framing members may be notched provided the notch is located on the top of the member within one half the joist depth from the edge of bearing and is not deeper than one third the joist depth, unless the depth of the member is increased by the size of the notch.

**9.23.5.3. Wall Studs.** Wall studs shall not be notched, drilled or otherwise damaged so that the undamaged portion of the stud is less than two thirds the depth of the stud if the stud is *loadbearing* or

40 mm if the stud is *non-loadbearing*, unless the weakened studs are suitably reinforced.

**9.23.5.4. Top Plates.** Top plates in walls shall not be notched, drilled or otherwise weakened to reduce the undamaged width to less than 50 mm unless the weakened plates are suitably reinforced.

**9.23.5.5. Roof Trusses.** Roof truss members shall not be notched, drilled or otherwise weakened unless such notching or drilling is allowed for in the design of the truss.

**9.23.6. Anchorage**

**9.23.6.1. Anchorage of Building Frames**

(1) *Building* frames shall be anchored to the *foundation* unless a structural analysis of wind and earth pressures shows anchorage is not required.

(2) Except as provided in Article 9.23.6.3., anchorage shall be provided by embedding the ends of the first floor joists in concrete, or fastening the sill plate to the *foundation* with not less than 12.7 mm diam anchor bolts spaced not more than 2.4 m o.c.

(3) Anchor bolts referred to in Sentence (2) shall be fastened to the sill plate with nuts and washers and shall be embedded not less than 100 mm in the *foundation* and so designed that they may be tightened without withdrawing them from the *foundation*.

**9.23.6.2. Anchorage of Columns and Posts.** Exterior columns and posts shall be anchored to resist uplift and lateral movement.

**9.23.6.3. Anchorage of Smaller Buildings**

(1) *Buildings* not more than 4.3 m in width and not more than 1

storey in building height may be anchored by means of corrosion-resistant steel rods or cables of not less than 12.7 mm diam, attached to the building frame near each corner of the building in such a manner that will develop the full strength of the rod or cable.

(2) Each rod or cable described in Sentence (1) shall be anchored to the ground by means of ground anchors having a withdrawal resistance of not less than 500 N for each metre of length of the building.

#### 9.23.7. Sill Plates

**9.23.7.1. Size of Sill Plates.** Where sill plates provide bearing for the floor system they shall be not less than 38 mm by 89 mm material.

#### 9.23.7.2. Levelling of Sill Plates

(1) Except as permitted in Sentence (1) sill plates shall be levelled by setting them on a full bed of mortar.

(2) Where the top of the foundation is level, sill plates referred to in Sentence (1) may be laid directly on the foundation provided the junction between the foundation and the sill plate is caulked or sealed with an acceptable gasket plate or a layer of mineral wool at least 25 mm thick before being compressed.

#### 9.23.8. Beams to Support Floors

**9.23.8.1. Bearing for Beams.** Beams shall have even and level bearing and shall have not less than 89 mm length of bearing at end supports.

**9.23.8.2. Priming of Steel Beams.** Steel beams shall be shop primed.

#### 9.23.8.3. Built-up Wood Beams

(1) Where a beam is made up of individual pieces of lumber that are nailed together, the individual members shall be 38 mm or greater in thickness and installed on edge.

(2) Except as permitted in Sentence (3), where individual members of a built-up beam are butted together to form a joint, the joint shall occur over a support.

(3) Where a beam is continuous over more than 1 span, individual members are permitted to be butted together to form a joint at or within 150 mm of the end quarter points of the clear spans, provided the quarter points are not those closest to the ends of the beam.

(4) Members joined at quarter points shall be continuous over adjacent supports.

(5) Joints in individual members of beam that are located at or near the end quarter points shall not occur in adjacent members at the same quarter point and shall not reduce the effective beam width by more than half.

(6) Not more than 1 butt joint shall occur in any individual member of a built-up beam within any one span.

(7) Except as provided in Sentence (8), where 38 mm members are laid on edge to form a built-up beam, individual members shall be nailed together with a double row of nails not less than 89 mm in length, spaced not more than 450 mm apart in each row with the end nails located 100 mm to 150 mm from the end of each piece.

(8) Where 38 mm members in built-up wood beams are not nailed together as provided in Sentence (7), they shall be bolted together with not less than 12.7 mm diam bolts equipped with washers and spaced not more than 1.2 m o.c., with the end bolts located not more than 600 mm from the ends of the members.

#### 9.23.9. Floor Joists

##### 9.23.9.1. End Bearing for Joists

(1) Except when supported on ribbon boards, floor joists shall have not less than 38 mm length of end bearing.

(2) Ribbon boards referred to in Sentence (1) shall be not less than 19 mm by 89 mm lumber let into the studs.

##### 9.23.9.2. Joists Supported by Beams

(1) Floor joists may be supported on the tops of beams or may be framed into the sides of beams.

(2) When framed into the side of a wood beam, joists referred to in Sentence (1) shall be supported on

- (a) joist hangers or other acceptable mechanical connectors, or
- (b) not less than 38 mm by 64 mm ledger strips nailed to the side of the beam, except that 38 mm by 38 mm ledger strips may be used provided each joist is nailed to the beam by at least four 89 mm nails, in addition to the nailing for the ledger strip required in Table 9.23.3.A.

(3) When framed into the side of a steel beam, joists referred to in Sentence (1) shall be supported on the bottom flange of the beam or on not less than 38 mm by 38 mm lumber bolted to the web with not less than 6.3 mm diam bolts spaced not more than 600 mm apart.

(4) Joists referred to in Sentence (3) shall be spliced above the beam with not less than 38 mm by 38 mm lumber at least 600 mm long to support the flooring.

(5) Not less than a 12 mm space shall be provided between the splice required in Sentence (4) and the beam to allow for shrinkage of the wood joists.

**9.23.9.3. Restraint of Joist Bottoms.** Except as provided in Sentence 9.23.9.4.(2), bottoms of floor joists shall be restrained from twisting at each end by toe-nailing to the supports, end-nailing to the header joists or by providing continuous strapping, blocking between the joists or cross-bridging near the supports.

##### 9.23.9.4. Strapping and Bridging in Tables A-1 and A-2

(1) Except as permitted in Sentence (2), where strapping only is specified in Tables A-1 and A-2, it shall be

- (a) at least 19 mm by 64 mm, nailed to the underside of floor joists,
- (b) located not more than 2 100 mm from each support or other rows of strapping, and
- (c) fastened at each end to a sill or header.

(2) Strapping is not required if furring strips or a panel-type ceiling finish is attached directly to the joists.

(3) Where bridging is specified in Tables A-1 and A-2, it shall consist of at least 19 mm by 64 mm or 38 mm by 38 mm cross bridging located not more than 2 100 mm from each support or other rows of bridging.

(4) Where bridging plus strapping is specified in Tables A-1 and A-2, it shall consist of

- (a) bridging as described in Sentence (3), together with wood strapping as described in Sentence (1), or
- (b) 38 mm solid blocking located not more than 2 100 mm from each support or other rows of bridging and securely fas-

tened between the joists, together with wood strapping as defined in Sentence (1).

ported by beams or walls of sufficient strength to transfer safely the design loads to vertical supports.

#### 9.23.9.5. Header Joists

(1) Header joists around floor openings shall be doubled when they exceed 1.2 m in length.

(2) The size of header joists exceeding 3.2 m in length shall be determined by calculations.

#### 9.23.9.6. Trimmer Joists

(1) Trimmer joists around floor openings shall be doubled when the length of the header joist exceeds 800 mm.

(2) When the header joist exceeds 2 m in length the size of the trimmer joists shall be determined by calculations.

**9.23.9.7. Support of Tail and Header Joists.** When tail joists and header joists are supported by the floor framing, they shall be supported by suitable joist hangers or nailing.

#### 9.23.9.8 Support of Walls

(1) Non-loadbearing walls parallel to the floor joists shall be supported by joists beneath the wall or on blocking between the joists.

(2) Blocking referred to in Sentence (1) for the support of non-loadbearing walls shall be not less than 38 mm by 89 mm lumber, spaced not more than 1.2 m apart.

(3) Non-loadbearing interior walls at right angles to the floor joists are not restricted as to location.

(4) Loadbearing interior walls parallel to floor joists shall be sup-

(5) Loadbearing interior walls at right angles to floor joists shall be located not more than 900 mm from the joist support when the wall does not support a floor, and not more than 600 mm from the joist support when the wall supports 1 or more floors, unless the joist size is designed to support such loads.

#### 9.23.9.9. Cantilevered Floor Joists

(1) Floor joists supporting roof loads shall not be cantilevered more than 400 mm beyond their supports where 38 mm by 184 mm joists are used and not more than 600 mm beyond their supports where 38 mm by 235 mm or larger joists are used.

(2) The cantilevered portions referred to in Sentence (1) shall not support floor loads from other storeys unless calculations are provided to show that the allowable design stresses of the cantilevered joists are not exceeded.

(3) Where cantilevered floor joists described in Sentences (1) and (2) are at right angles to the main floor joists, the tail joists in the cantilevered portion shall

(a) extend inward away from the cantilever support a distance equal to at least 6 times the length of the cantilever, and

(b) be end nailed to an interior doubled header joist in conformance with Table 9.23.3.A.

#### 9.23.10. Wall Studs

**9.23.10.1. Stud Size and Spacing.** The size and spacing of studs shall conform to Table 9.23.10.A.

**Table 9.23.10.A.**  
Forming Part of Article 9.23.10.1.

Size and Spacing of Studs				
Type of Wall	Supported Loads (including dead loads)	Minimum Stud Size mm	Maximum Stud Spacing mm	Maximum Unsupported Height m
Interior	No load	38 × 38	400	2.4
		38 × 89 flat (1)	400	3.6
	Attic not accessible by a stairway	38 × 64	600	3.0
		38 × 64 flat (1) 38 × 89 38 × 89 flat (1)	400 600 400	2.4 3.6 2.4
	Attic accessible by a stairway plus 1 floor, Roof load plus 1 floor, Attic not accessible by stairway plus 2 floors	38 × 89	400	3.6
	Roof load, Attic accessible by a stairway, Attic not accessible by a stairway plus 1 floor	38 × 89	600	3.6
38 × 64		400	2.4	
Attic accessible by a stairway plus 2 floors, or roof load plus 2 floors	38 × 89 64 × 89 38 × 140	300 400 400	3.6 3.6 4.2	
Column 1	2	3	4	5



**Table 9.23.10.A.—Continued**  
Forming Part of Article 9.23.10.1.

Size and Spacing of Studs				
Type of Wall	Supported Loads (including dead loads)	Minimum Stud Size mm	Maximum Stud Spacing mm	Maximum Unsupported Height m
	Attic accessible by a stairway plus 3 floors, or roof load plus 3 floors	38 × 140	300	4.2
Exterior	Roof with or without attic storage	38 × 64 38 × 89	400 600	2.4 3.0
	Roof with or without attic storage plus 1 floor	38 × 89 38 × 140	400 600	3.0 3.0
	Roof with or without attic storage plus 2 floors	38 × 89 64 × 89 38 × 140	300 400 400	3.0 3.0 3.6
	Roof with or without attic storage plus 3 floors	38 × 140	300	1.8
Column 1	2	3	4	5

**Note to Table 9.23.10.A.:**

(1) See Article 9.23.10.2.

**9.23.10.2. Lateral Support.** *Loadbearing* studs shall be laterally supported by cladding or blocking.

**9.23.10.3. Orientation of Studs**

(1) Except as permitted in Sentence (2), all studs shall be placed at right angles to the wall face.

(2) Studs on the flat are permitted to be used in gable ends of roofs that contain only unfinished space or in non-*loadbearing* interior walls within the limits described in Article 9.23.10.1.

(3) Wall studs that support only a load from an *attic* not accessible by a stairway are permitted to be placed on the flat within the limits permitted in Article 9.23.10.1. provided

(a) the studs are clad on not less than 1 side with plywood, waferboard or strandboard sheathing fastened to the face of the studs with a structural adhesive, and

(b) the portion of the roof supported by the studs does not exceed 2.1 m in width.

**9.23.10.4. Continuity of Studs.** Wall studs shall be continuous for the full *storey* height except at openings and shall not be spliced except by finger-jointing with a structural adhesive.

**9.23.10.5. Support for Cladding Materials**

(1) Corners and intersections shall be designed to provide adequate support for the vertical edges of interior and *exterior cladding* materials, and in no instance shall exterior corners be framed with less than the equivalent of 2 studs.

(2) Where the vertical edges of interior cladding at wall intersections are supported at vertical intervals by blocking or other acceptable methods, the vertical distance between such supports shall not exceed the maximum distance between supports specified in Section 9.29.

**9.23.10.6. Studs at Sides of Openings**

(1) Except as provided in Sentence (2), studs shall be doubled on each side of openings so that the inner studs extend from the lintel to

the bottom wall plate and the outer studs extend from the top wall plates to the bottom wall plate.

(2) Single studs may be used on either side of openings in non-*loadbearing* interior walls not required to have *fire-resistance ratings* provided the studs extend from the top wall plate to the bottom wall plate.

**9.23.11. Wall Plates**

**9.23.11.1. Size of Wall Plates.** Wall plates shall be not less than 38 mm thick and shall be the same width as the wall studs except that in non-*loadbearing* walls and in *loadbearing* walls where the studs are located directly over framing members, the bottom wall plate may be 19 mm thick.

**9.23.11.2. Bottom Wall Plates**

(1) A bottom wall plate shall be provided in all cases.

(2) The bottom plate in exterior walls shall not project more than one third the plate width over the support.

**9.23.11.3. Top Plates**

(1) Except as permitted in Sentences (2) to (4), no fewer than 2 top plates shall be provided in *loadbearing* walls.

(2) A single top plate may be used in a section of a *loadbearing* wall containing a lintel provided the top plate forms a tie across the lintel.

(3) A single top plate may be used in *loadbearing* walls where the concentrated loads from ceilings, floors and roofs are not more than 50 mm to one side of the supporting studs and in all non-*loadbearing* walls.

(4) The top plates may be omitted in a section of *loadbearing* wall containing a lintel provided the lintel is tied to the adjacent wall section with not less than 75 mm by 150 mm by 0.91 mm thick galvanized steel, or 19 mm by 89 mm by 300 mm wood splice nailed to each wall section with no fewer than three 63 mm nails.

**9.23.11.4. Joints in Top Plates**

(1) Joints in the top plates of *loadbearing* walls shall be staggered at least 1 stud spacing.

(2) The top plates in *loadbearing* walls shall be lapped or otherwise suitably tied at corners and intersecting walls.

(3) Joints in single top plates used with *loadbearing* walls shall be suitably tied.

(4) Ties referred to in Sentences (2) and (3) shall be the equivalent of at least 75 mm by 150 mm by 0.91 mm thick galvanized steel nailed to each wall with not less than three 63 mm nails.

**9.23.12. Framing Over Openings**

**9.23.12.1. Openings in Non-Loadbearing Walls**

(1) Except as provided in Sentence (2), openings in *non-loadbearing* walls shall be framed with not less than 38 mm material the same width as the studs securely nailed to adjacent studs.

(2) Openings for doors in *non-loadbearing* walls required to be *fire separations* with a *fire-resistance rating* shall be framed with the equivalent of at least two 38 mm thick members that are the same width as the wall plates.

**9.23.12.2. Openings in Loadbearing Walls**

(1) Openings in *loadbearing* walls shall be framed with lintels designed to carry the superimposed loads to adjacent studs.

(2) Except as provided in Sentence 9.23.12.3.(3), where 2 or more members are used in lintels, they shall be fastened together with not less than 82 mm nails in a double row, with nails not more than 450 mm apart in each row.

(3) Lintel members may be separated by filler pieces.

**9.23.12.3. Lintel Spans and Sizes**

(1) In *buildings of residential occupancy*, where the wall studs exceed 38 mm by 64 mm in size, and where the spans of supported joists do not exceed 4.9 m and the spans of trusses do not exceed 9.8 m, the spans for wood lintels shown in Table 9.23.12.A. may be used.

(2) Lintels described in Sentence (1) shall consist of a single piece of lumber 89 mm thick or 2 pieces of 38 mm thick lumber on edge.

(3) In *loadbearing* exterior and interior walls of 38 mm by 64 mm framing members, lintels shall consist of solid 64 mm thick members on edge or 38 mm thick and 19 mm thick members fastened together with not less than 63 mm nails in a double row, with nails not more than 450 mm apart in each row.

(4) Lintels referred to in Sentence (3) shall be not less than 50 mm greater in depth than those shown in Table 9.23.12.A. for the allowable spans, and shall not exceed 2.4 m in length.

(5) In *buildings of residential occupancy*, the spans shown in Table 9.23.12.B. for wood lintels supporting roof and ceiling loads and consisting of 3 or 4 pieces of 38 mm thick lumber on edge or glued-laminated timber are permitted to be used.

**Table 9.23.12.A.**  
Forming Part of Article 9.23.12.3.

Wood Lintel Spans			
	Supported Loads Including Dead Loads and Ceiling	Depth of Lintels, mm	Maximum Allowable Spans, m
Interior walls	Limited attic storage	89	1.22
		140	1.83
		184	2.44
		235	3.05
		286	3.81
	Full attic storage or roof load or limited attic storage plus 1 floor	89	0.61
		140	0.91
		184	1.83
		235	1.22
		286	1.52
	Full attic storage plus 1 floor or roof load plus 1 floor or limited attic storage plus 2 or 3 floors	89	—
		140	0.76
184		0.91	
235		1.22	
286		1.52	
Full attic storage plus 2 or 3 floors or roof load plus 2 or 3 floors	89	—	
	140	0.61	
	184	0.91	
	235	1.07	
	286	1.22	
Exterior walls	Roof with or without attic storage	89	1.12
		140	1.68
		184	2.24
		235	2.79
		286	3.35
	Roof with or without attic storage plus 1 floor	89	0.56
		140	1.40
		184	1.96
		235	2.24
		286	2.51
	Roof with or without attic storage plus 2 or 3 floors	89	0.56
		140	1.12
184		1.68	
235		1.96	
286		2.24	
Column 1	2	3	4

**Table 9.23.12.B.**  
Forming Part of Article 9.23.12.3.

Supported Length, m <sup>(1)</sup>	No. 1 and No. 2 Header Span, m <sup>(2)(3)</sup>								Select Structural Header Span, m <sup>(2)(3)</sup>					
	2.4	3.0	3.6	4.2	4.8	5.4	6.0	2.4	3.0	3.6	4.2	4.8	5.4	6.0
Live Load - 1.0 kPa	A	A	A	B	D	F	F	A	A	A	B	C	D	F
2.4	A	A	B	D	F	G*	G*	A	A	A	B	D	E	G*
3.0	A	B	C	D	F	G*	G*	A	A	A	C	D	F	G*
3.6	A	B	D	F	G*	G*	G*	A	A	B	C	E	F	G*
4.2	A	C	D	F	G*	G*	I*	A	A	B	D	F	G*	I*
4.8	A	C	D	F	G*	G*	I*	A	A	B	D	F	G*	I*

Table 9.23.12.B. — *Continued*  
Forming Part of Article 9.23.12.3.

Built-Up Wood Lintels Supporting Roof and Ceiling Framing Loads over Large Openings														
Live Load - 1.5 kPa	No. 1 and No. 2. Header Span, m <sup>(2)(3)</sup>							Select Structural Header Span, m <sup>(2)(3)</sup>						
	2.4	3.0	3.6	4.2	4.8	5.4	6.0	2.4	3.0	3.6	4.2	4.8	5.4	6.0
2.4	A	A	B	D	F	G*	I*	A	A	A	C	D	F	I*
3.0	A	B	D	F	G*	I*	J*	A	A	B	C	E	I*	K*
3.6	A	C	D	F	G*	I*	K*	A	A	B	D	F	I*	J*
4.2	B	D	F	G*	G*	I*	M*	A	A	C	D	F	I*	M*
4.8	B	D	F	G*	I*	K*	M*	A	B	D	F	I*	K*	M*
Live Load - 2.0 kPa	No. 1 and No. 2. Header Span, m <sup>(2)(3)</sup>							Select Structural Header Span, m <sup>(2)(3)</sup>						
	2.4	3.0	3.6	4.2	4.8	5.4	6.0	2.4	3.0	3.6	4.2	4.8	5.4	6.0
2.4	A	A	C	D	F	I*	K*	A	A	B	C	E	I*	K*
3.0	A	B	D	F	G*	I*	M*	A	A	C	D	F	I*	M*
3.6	B	D	F	G*	I*	K*	M*	A	B	D	F	I*	K*	M*
4.2	B	D	G*	G*	I*	K*	P*	A	B	D	F	I*	K*	P*
4.8	C	F	G*	G*	I*	M*	P*	A	D	F	G*	I*	M*	P*
Live Load - 2.5 kPa	No. 1 and No. 2. Header Span, m <sup>(2)(3)</sup>							Select Structural Header Span, m <sup>(2)(3)</sup>						
	2.4	3.0	3.6	4.2	4.8	5.4	6.0	2.4	3.0	3.6	4.2	4.8	5.4	6.0
2.4	A	C	E	G*	G*	I*	M*	A	A	C	D	F	I*	M*
3.0	B	D	F	G*	I*	K*	M*	A	B	D	F	I*	K*	M*
3.6	B	E	G*	G*	I*	M*	P*	A	B	D	F	I*	M*	P*
4.2	D	F	G*	G*	I*	M*	R*	B	D	F	G*	I*	M*	R*
4.8	D	G*	G*	I*	K*	P*	R*	B	D	F	I*	K*	P*	R*
Column I	2	3	4	5	6	7	8	9	10	11	12	13	14	15

#### Addendum to Table 9.23.12.B.:

- (1) Supported joist length means half the span of trusses, roof joists or rafters supported by the header plus the length of the overhang beyond the lintel.
- (2) Table valid for all major species Groups (D Fir-L, Hem-Fir, S-P-F).
- (3) Spans are clear spans between supports. For total spans, add two bearing lengths.
- (4) Provide Minimum 89 mm end bearing.
- (5) Any size in the Table may be substituted by any size of higher rank (A lowest, B highest).

#### Legend - Header Sizes

A = 3-38 × 184	G* = 80 × 380	N* = 80 × 532
B = 4-38 × 184	H* = 130 × 304	O* = 130 × 418
C = 3-38 × 235	I* = 80 × 418	P* = 80 × 570
D = 4-38 × 235	J* = 130 × 342	Q* = 130 × 456
E = 3-38 × 286	K* = 80 × 456	R* = 80 × 608
F = 4-38 × 286	L* = 130 × 380	
	M* = 80 × 494	*Glued-laminated 20 f-E grade

#### 9.23.13. Roof and Ceiling Framing

**9.23.13.1. Continuity of Rafters and Joists.** Roof rafters and joists and ceiling joists shall be continuous or shall be spliced over vertical supports that extend to suitable bearing.

**9.23.13.2. Framing around Openings.** Roof and ceiling framing members shall be doubled on each side of openings greater than 2 rafter or joist spacings wide.

**9.23.13.3. End Bearing Length.** The length of end bearing of joists and rafters shall not be not less than 38 mm.

#### 9.23.13.4. Location and Attachment of Rafters

(1) Rafters shall be located directly opposite each other and tied together at the peak, or may be offset by their own thickness if nailed to a ridge board not less than 17.5 mm thick.

(2) Except as permitted in Sentence (3), framing members shall be connected by gusset plates or nailing at the peak in conformance with Table 9.23.3.A.

(3) Where the roof framing on opposite sides of the peak is assembled separately, such as in the case of factory-built houses, the

roof framing on opposite sides may be fastened together with galvanized-steel strips at least 200 mm by 75 mm by 0.41 mm thick spaced not more than 1.2 m apart and nailed at each end to the framing by at least two 63 mm nails.

**9.23.13.5. Shaping of Rafters.** Rafters shall be shaped at supports to provide even bearing surfaces and supported directly above the exterior walls.

**9.23.13.6. Hip and Valley Rafters.** Hip and valley rafters shall be not less than 50 mm greater in depth than the common rafters and not less than 38 mm thick, actual dimension.

#### 9.23.13.7. Intermediate Support for Rafters and Joists

(1) Ceiling joists and collar ties of not less than 38 mm by 89 mm lumber may be assumed to provide intermediate support to reduce the span for rafters and joists where the roof slope is 1 in 3 or greater.

(2) Collar ties referred to in Sentence (1) more than 2.4 m in length shall be laterally supported near their centres by not less than 19 mm by 89 mm continuous members at right angles to the collar ties.

(3) Dwarf walls and struts may be used to provide intermediate support to reduce the span for rafters and joists.

(4) When struts are used to provide intermediate support they shall be not less than 38 mm by 89 mm material extending from each rafter to a *loadbearing* wall at an angle of not less than 45° to the horizontal.

(5) When dwarf walls are used for rafter support, they shall be framed in the same manner as *loadbearing* walls and securely fastened top and bottom to the roof and ceiling framing to prevent overall movement.

(6) Solid blocking shall be installed between floor joist beneath dwarf walls that enclose finished rooms.

#### 9.23.13.8. Ridge Support

(1) Except as provided in Sentence (3), the ridge of the roof shall be supported by *loadbearing* wall extending from the ridge to suit-

able bearing or by a ridge beam of not less than 38 mm by 140 mm material.

(2) Ridge beams referred to in Sentence (1) shall be supported at intervals not exceeding 1.2 m by not less than 38 mm by 89 mm members extending vertically from the ridge to suitable bearing.

(3) When the roof slope is 1 in 3 or more, ridge support may be omitted provided the lower ends of the rafters are adequately tied to prevent outward movement.

(4) Ties required in Sentence (3) are permitted to consist of tie rods or ceiling joists forming a continuous tie for opposing rafters and nailed in accordance with Table 9.23.13.A.

(5) Ceiling joists referred to in Sentence (4) shall be fastened together with at least 1 more nail per joist splice than required for the rafter to joist connection shown in the Table 9.23.13.A.

(6) Members referred to in Sentence (5) are permitted to be fastened together either directly or through a gusset plate.

**Table 9.23.13.A.**  
Forming Part of Article 9.23.13.8.

Rafter-to-Joist Nailing (Minimum Number of Nails not less than 76 mm Long) (Unsupported Ridge)													
Roof Slope	Spacing mm	Rafter Tied to Every Joist						Rafter Tied to Joist every 1.2 m					
		Building Width up to 8 m			Building Width up to 9.8 m			Building Width up to 8 m			Building Width up to 9.8 m		
		Roof Snow Load, kPa											
		1.0 or less	1.5	2.0 or more	1.0 or less	1.5	2.0 or more	1.0 or less	1.5	2.0 or more	1.0 or less	1.5	2.0 or more
1 in 3	400	4	5	6	5	7	8	11	—	—	—	—	—
	600	6	8	9	8	—	—	11	—	—	—	—	—
1 in 2.4	400	4	4	5	5	6	7	7	10	—	9	—	—
	600	5	7	8	7	9	11	7	10	—	—	—	—
1 in 2	400	4	4	4	4	4	5	6	8	9	8	—	—
	600	4	5	6	5	7	8	6	8	9	8	—	—
1 in 1.71	400	4	4	4	4	4	4	5	7	8	7	9	11
	600	4	4	5	5	6	7	5	7	8	7	9	11
1 in 1.33	400	4	4	4	4	4	4	4	5	6	5	6	7
	600	4	4	4	4	4	5	4	5	6	5	6	7
1 in 1	400	4	4	4	4	4	4	4	4	4	4	4	5
	600	4	4	4	4	4	4	4	4	4	4	4	5
Column 1	2	3	4	5	6	7	8	9	10	11	12	13	14

**9.23.13.9. Restraint of Joist Bottoms.** Roof joists supporting a finished ceiling, other than plywood, waferboard or strandboard, shall be restrained from twisting along the bottom edges by means of furring, blocking, cross bridging or strapping conforming to Article 9.23.9.4.

#### 9.23.13.10. Ceiling Loads Supporting Roof Loads

(1) Except as permitted in Sentence (2), ceiling joists supporting part of the roof load from the rafters shall be not less than 25 mm greater in depth than required for ceiling joists not supporting part of the roof load.

(2) When the roof slope is 1 in 4 or less, the ceiling joist sizes referred to in Sentence (1) shall be determined from the span tables for roof joists.

#### 9.23.13.11. Wood Roof Trusses

(1) Except for roof trusses constructed of Poplar, Eastern White Pine, Western White Pine, Red Pine, Western Red Cedar and Eastern White Cedar, the member sizes for Howe or Fink type wood roof trusses spaced not more than 600 mm o.c. which are to be supported at or near their ends may be determined in conformance with Tables A-10 and A-11 provided such trusses conform to the requirements of Sentences (3) to (7).

(2) The joint connections used in such trusses described in Sentence (1) shall be designed in conformance with the requirements in Subsection 4.3.1.

(3) Where a roof truss described in Sentence (1) supports a ceiling, and the unsupported length of the bottom chord between the

truss panel points exceeds 3.05 m, the bottom chord shall be at least 38 mm by 114 mm in size.

(4) Where the unsupported length of the bottom chord described in Sentence (3) exceeds 3.66 m between the panel points, the bottom chord shall be at least 38 mm by 140 mm in size.

(5) Where the length of compression web members in roof trusses described in Sentence (1) exceeds 1.83 m, such web members shall be provided with continuous bracing to prevent buckling.

(6) Bracing required in Sentence (5) shall consist of not less than 19 mm by 89 mm lumber nailed at right angles to the web members near their centres with at least two 63 mm nails for each member.

(7) Web members referred to in Sentence (5) shall be not less than 38 mm by 89 mm lumber of not less than No. 2 grade.

(8) Roof trusses that are not designed in conformance with Sentence (1) shall

- (a) be capable of supporting a total ceiling load (*dead load plus live load*) of 0.5 kPa plus two and two-thirds times the design roof load for 24 h, and
- (b) not exceed the deflections shown in Table 9.23.13.B. when loaded with the ceiling load plus one and one-third times the design roof snow load for 1 h.

(9) Testing for lumber roof trusses referred to in Sentence (8) shall be in conformance with CSA S307, "Load Test Procedure for Wood Roof Trusses for Houses and Small Buildings," except that the unsymmetrical loading requirement in Clause 7.7 of that standard shall not apply.

**Table 9.23.13.B.**  
Forming Part of Article 9.23.13.11.

Maximum Roof Truss Deflections		
Truss Span	Type of Ceiling	Maximum Deflection
4.3 m or less	Plaster or gypsum board	1/360 of the span
	Other than plaster or gypsum board	1/180 of the span
over 4.3 m	Plaster or gypsum board	1/360 of the span
	Other than plaster or gypsum board	1/240 of the span
Column 1	2	3

is constructed in a factory so that the subfloor will not be exposed to the weather.

(3) Subflooring described in Sentence (2) shall conform to grade N-1 or N-2 in CAN3-0188.1, "Interior Mat-Formed Wood Particleboard."

(4) Subflooring described in Sentence (2) shall have its upper surface and all edges treated to restrict water absorption where the subfloor is used in bathrooms, kitchens, laundry rooms or other areas subject to periodic wetting.

**9.23.14.3. Edge Support.** Where the edges of panel-type subflooring are required to be supported, such support shall consist of tongue-and-groove panel edges or not less than 38 mm by 38 mm blocking securely nailed between framing members.

**9.23.14.4. Direction of Installation**

(1) Plywood subflooring shall be installed with the surface grain at right angles to the joists and with joints parallel to floor joists staggered.

(2) Waferboard and strandboard subflooring conforming to 0-1 and 0-2 grades in CAN3-0437.0 shall be installed with the direction of face orientation at right angles to the joists and with the joints parallel to floor joists staggered.

**9.23.14.5. Subfloor Thickness or Rating**

(1) Except as provided in Sentences (2) and (3), subfloors shall conform to Table 9.23.14.A. or Table 9.23.14.B.

**Table 9.23.14.A.**  
Forming Part of Sentences 9.23.14.5.(1) and 9.23.15.6.(1)

Thickness of Subflooring, mm				
Maximum Spacing of Supports, mm	Plywood and 0-2 Grade Waferboard and Strandboard	Waferboard and Strandboard R-1 and 0-1 Grades	Particleboard	Lumber
400	15.5	15.9	15.9	17.0
500	15.5	15.9	19.0	19.0
600	18.5	19.0	25.4	19.0
Column 1	2	3	4	5

**Table 9.23.14.B.**  
Forming Part of Sentences 9.23.14.5.(1) and 9.23.15.6.(1)

Rating for Subfloor when Applying CSA 0325.0		
Maximum Spacing of Supports, mm	Panel Mark	
	Subfloor	Used With Panel-Type Underlay
400	1F16	2F16
500	1F20	2F20
600	1F24	2F24
Column 1	2	3

(2) Where the finished flooring consists of not less than 19 mm matched wood strip flooring laid at right angles to joists, spaced not more than 600 mm o.c., subflooring shall be permitted to consist of not less than

- (a) 12.5 mm thick plywood,

**9.23.14. Subflooring**

**9.23.14.1. Subflooring Required.** Subflooring shall be provided beneath finish flooring where the finish flooring does not have adequate strength to support the design loads.

**9.23.14.2. Material Standards**

- (1) Wood-based panels for subfloors shall conform to
  - (a) CSA 0121, "Douglas Fir Plywood,"
  - (b) CSA 0151, "Canadian Softwood Plywood,"
  - (c) CSA 0153, "Poplar Plywood,"
  - (d) CAN3-0437.0, "Waferboard and Strandboard," or
  - (e) CAN/CSA 0325.0, "Construction Sheathing."
- (2) Particleboard subflooring may be used only where a *building*

- (b) 12.5 mm thick waferboard or strandboard conforming to 0-2 grade, or
- (c) 12.7 mm thick waferboard or strandboard conforming to grades R-1 or 0-1.

(3) Except where the flooring consists of ceramic tiles applied with adhesive, where a separate panel-type underlay or concrete topping is applied to a subfloor on joists spaced more than 400 mm o.c., the subfloor may consist of not less than

- (a) 12.5 mm thick plywood,
- (b) 12.5 mm waferboard or strandboard conforming to 0-2 grade, or
- (c) 12.7 mm waferboard or strandboard conforming to grades R-1 or 0-1.

**9.23.14.6. Annular Grooved Nails.** When resilient flooring is applied directly to a waferboard, particleboard or plywood subfloor, the subfloor shall be fastened to the supports with annular grooved nails.

#### 9.23.14.7. Lumber Subflooring

(1) Lumber subflooring shall be laid at an angle of not less than 45° to the joists.

(2) Lumber subflooring shall be fully supported at the ends on solid bearing.

(3) Lumber shall be of uniform thickness and not more than 184 mm wide.

#### 9.23.15. Roof Sheathing

**9.23.15.1. Material Standards.** Wood-based panels used for roof sheathing shall conform to the requirements of

- (a) CSA 0121, "Douglas Fir Plywood,"
- (b) CSA 0151, "Canadian Softwood Plywood,"

(c) CSA 0153, "Poplar Plywood,"

(d) CAN3-0437.0, "Waferboard and Strandboard," or

(e) CAN/CSA 0325.0, "Construction Sheathing."

#### 9.23.15.2. Direction of Installation

(1) Plywood roof sheathing shall be installed with the surface grain at right angles to the roof framing.

(2) Waferboard and strandboard roof sheathing conforming to 0-1 and 0-2 grades in CAN3-0437.0 shall be installed with the direction of face orientation at right angles to the roof framing members.

**9.23.15.3. Gap Between Sheets.** Waferboard and plywood roof sheathing shall be installed with at least a 2 mm gap between sheets and with joints parallel to roof joists staggered.

**9.23.15.4. Lumber Roof Sheathing.** Lumber roof sheathing shall not be more than 286 mm wide and shall be applied so that all ends are supported with end joints staggered.

#### 9.23.15.5. Edge Support

(1) Where panel-type roof sheathing requires edge support, the support shall be not less than 38 mm by 38 mm blocking securely nailed between framing members or metal H clips.

(2) The supports referred to in Sentence (1) are not required when tongued-and-grooved edged plywood is used.

#### 9.23.15.6. Thickness or Rating

(1) The thickness or rating of roof sheathing on a flat roof used as a walking deck shall conform to the requirements in Table 9.23.14.A. or Table 9.23.14.B. for subfloors.

(2) The thickness or rating of roof sheathing on a roof not used as a walking deck shall conform to Table 9.23.15.A. or Table 9.23.15.B.

**Table 9.23.15.A.**  
Forming Part of Sentence 9.23.15.6.(2)

Minimum Thickness of Roof Sheathing, mm					
Maximum Spacing of Supports, mm	Plywood and 0-2 Grade Waferboard and Strandboard		Waferboard and Strandboard R-1 and 0-1 Grades		Lumber
	Edges Supported	Edges Unsupported	Edges Supported	Edges Unsupported	
300	7.5	7.5	9.5	9.5	17.0
400	7.5	7.5	9.5	11.1	17.0
600	9.5	12.5	11.1	12.7	19.0
Column 1	2	3	4	5	6

**Table 9.23.15.B.**  
Forming Part of Sentence 9.23.15.6.(2)

Rating for Roof Sheathing When Applying CSA 0325.0		
Maximum Spacing of Supports, mm	Panel Mark	
	Edges Supported	Edges Unsupported
400	2R16	1R16
500	2R20	1R20
600	2R24	1R24
Column 1	2	3

(3) Asphalt-coated or asphalt-impregnated fibreboard at least 11.1 mm thick conforming to CSA A247, "Insulating Fibreboard" may be used as a roof sheathing over supports spaced not more than 400 mm o.c. provided the roofing consists of a continuous sheet of galvanized steel of at least 0.33 mm in thickness or a continuous sheet of aluminum of at least 0.61 mm in thickness.

(4) All edges of sheathing described in Sentence (3) shall be supported by blocking or framing.

#### 9.23.16. Wall Sheathing

**9.23.16.1. Required Sheathing.** Exterior walls and gable ends shall

be sheathed when the *exterior cladding* requires intermediate fastening between supports or if the *exterior cladding* requires solid backing.

**9.23.16.2. Thickness, Rating and Material Standards.** Where wall sheathing is required, it shall conform to Table 9.23.16.A. or Table 9.23.16.B.

**Table 9.23.16.A.**  
Forming Part of Article 9.23.16.2.

Wall Sheathing Thickness and Specifications			
Type of Sheathing	Minimum Thickness mm, (1)		Material Standards
	With Supports 400 mm o.c.	With Supports 600 mm o.c.	
Lumber	17.0	17.0	See Table 9.3.2.A.
Fibreboard (insulating)	9.5	11.1	CAN A247
Gypsum sheathing	9.5	12.7	CSA A82.27
Plywood (exterior type)	6.0	7.5	CSA 0121 CSA 0151 CSA 0153
Waferboard and Strandboard Grade 0-2	6.0	7.5	CAN3-0437.0
Waferboard and Strandboard Grade R-1 and 0-1	6.35	7.9	CAN3-0437.0
Expanded polystyrene Types 1 and 2	38	38	CAN/CGSB-51.20-M
Expanded polystyrene Types 3 and 4	25	25	CAN/CGSB-51.20-M
Urethane and Isocyanurate Types 1, 2 and 4	38	38	CGSB-51-GP-21M
Urethane and Isocyanurate Type 3	25	25	CGSB-51-GP-21M
Urethane and Isocyanurate Types 1 and 2 faced	25	25	CAN/CGSB-51.26-M
Phenolic, faced	25	25	CAN/CGSB-51.25-M
Rigid Board	25	25	CSA A101
Mineral Fibre, Type 2			
Column 1	2	3	4

**Note to Table 9.23.16.A.:**

(1) See also Sentences 9.27.5.1.(2) to (4).

**Table 9.23.16.B.**  
Forming Part of Article 9.23.16.2.

Rating For Wall Sheathing When Applying CSA O325.0	
Maximum Spacing of Supports, mm	Panel Mark
400	W16
500	W20
600	W24
Column 1	2

### 9.23.16.3. Attachment of Siding to Sheathing

(1) Gypsum sheathing, rigid insulation and fibreboard shall not be used for the attachment of siding materials.

(2) Nails used in attaching the materials listed in Sentence (1) shall be not less than 3.2 mm diam with a minimum head diameter of 11 mm.

**9.23.16.4. Lumber Sheathing.** Lumber wall sheathing shall be applied so that all ends are supported with end joints staggered.

### 9.23.16.5. Joints in Panel-Type Sheathing

(1) Panel-type sheathing board shall be applied so that vertical joints are staggered if the sheathing is applied horizontally.

(2) A gap of not less than 2 mm shall be left between sheets of plywood, waferboard or fibreboard.

**9.23.16.6. Mansard Style Roofs.** Where the bottom portions of mansard style roofs are vented, the vertical framing members behind

the sloping portions shall be considered on the same basis as exterior wall studs and shall conform to the appropriate requirements in Sub-section 9.23.17.

### 9.23.17. Wall Sheathing Paper

**9.23.17.1. Material Standard.** Sheathing paper shall conform to CAN2-51.32, "Sheathing, Membrane, Breather Type".

**9.23.17.2. Sheathing Paper Beneath Stucco.** Tar-saturated felts or papers shall not be used as a sheathing paper beneath stucco.

### 9.23.17.3. Sheathing Paper

(1) Except as provided in Sentences (3) and (6), not less than 1 layer of sheathing paper shall be applied beneath siding, stucco or masonry veneer.

(2) Sheathing paper required in Sentence (1) shall be applied so that joints are lapped at least 100 mm, and if applied horizontally, the upper sheets shall overlap the lower sheets.

(3) Except as provided in Sentence (6), where no sheathing is used with masonry veneer or other siding, not less than 2 layers of sheathing paper shall be applied beneath the veneer or siding.

(4) All joints in the sheathing paper required in Sentence (3) shall occur over framing, and the paper shall be fastened to the framing with roofing nails or staples spaced not more than 150 mm along the edges of the outer layer of sheathing paper.

(5) Wall sheathing may be used in lieu of 1 layer of sheathing paper required in Sentence (3), and the thickness need not conform to Table 9.23.16.A.

(6) Sheathing paper may be omitted beneath siding when the

joints in the siding are formed to effectively prevent the passage of wind and rain in conformance with Sentence (7) or (9) as applicable.

(7) Siding consisting of sheets of plywood, hardboard, wafer-board or asbestos cement is considered to meet the requirements in Sentence (6) provided the siding is applied so that all edges are directly supported by framing and the vertical joints between adjacent sheets covered with battens or shiplapped or otherwise matched to provide weathertight joints.

(8) Vertical joints between sheets described in Sentence (7) shall be caulked.

(9) Metal siding consisting of sheets of metal is considered to meet the requirements of Sentence (7) where the joints between sheets are of the locked seam type.

### 9.23.18. Bracing

#### 9.23.18.1. Required Bracing

(1) Except as provided in Sentence (2), each exterior wall in each storey shall be braced with not less than one diagonal brace conforming to Article 9.23.18.2.

(2) Bracing is not required where the walls have an interior finish conforming to the requirements of Section 9.29, or if the walls are clad with panel type siding, diagonal lumber or plywood, wafer-board, strandboard, gypsum or fibreboard sheathing.

#### 9.23.18.2. Material and Installation

(1) Where bracing is required, it shall consist of at least 19 mm by 89 mm wood members applied to the studs at an angle of approximately 45° to the horizontal, extending the full height of the wall on each storey.

(2) Bracing described in Sentence (1) shall be nailed to each stud and wall plate with not less than two 63 mm nails.

## Section 9.24 Sheet Steel Stud Wall Framing

### 9.24.1. General

#### 9.24.1.1. Application

(1) This Section applies to sheet steel studs for use in non-loadbearing exterior and interior walls.

(2) Where loadbearing steel studs are used, they shall be designed in conformance with Part 4.

**9.24.1.2. Material Standards.** Steel studs and runners shall conform to CAN/CGSB 7.1-M, "Cold Formed Steel Framing Components."

**9.24.1.3. Metal Thickness.** Metal thickness specified in this Section shall be the minimum base steel thickness exclusive of coatings.

**9.24.1.4. Screws.** Screws for the application of cladding materials to steel studs, runners and furring channels shall conform to ASTM C1002, "Steel Drill Screws for the Application of Gypsum Board".

**9.24.1.5. Cladding Required.** Steel stud framing shall have cladding on both sides, fastened with screws spaced at the appropriate spacing described in Section 9.29., penetrating not less than 10 mm through the metal.

### 9.24.2. Size of Framing

**9.24.2.1. Size and Spacing of Studs in Interior Walls.** Except as required in Articles 9.24.2.3. and 9.24.2.4., the size and spacing of steel studs for non-loadbearing interior walls shall conform to Table 9.24.2.A.

**Table 9.24.2.A.**  
Forming Part of Article 9.24.2.1.

Steel Studs for Non-Loadbearing Interior Walls		
Minimum Stud Size, mm	Maximum Stud Spacing, mm	Maximum Wall Height, m
30 x 40	400	3.0
	600	2.7
30 x 63	400	4.0
	600	3.6
30 x 91	400	5.2
	600	4.9
Column 1	2	3

**9.24.2.2. Thickness of Studs.** Except as required in Article 9.24.2.4., steel studs in non-loadbearing interior walls shall have a metal thickness of not less than 0.46 mm.

**9.24.2.3. Runners.** Runners for interior and exterior non-loadbearing walls shall have a thickness of not less than the thickness of the corresponding studs and shall have not less than 30 mm flanges.

#### 9.24.2.4. Openings in Fire Separations

(1) Where openings for doors in non-loadbearing fire separations required to have a fire-resistance rating do not exceed 1 200 mm in width, the width of steel studs shall be at least 63 mm, and have a metal thickness of at least 0.50 mm.

(2) Where openings described in Sentence (1) exceed 1 200 mm in width, the stud width shall be not less than 91 mm, and shall have a metal thickness of at least 0.85 mm.

(3) The distance to the first stud beyond the jamb of any door opening referred to in Sentence (1) in a fire separation required to have a fire-resistance rating shall not exceed 400 mm.

(4) Where the distance between the framing over the opening in Sentence (1) and the top runner exceeds 400 mm in such walls, intermediate support shall be installed at intervals of not more than 400 mm above the opening.

**9.24.2.5. Size and Spacing of Studs in Exterior Walls.** The size and spacing of non-loadbearing steel studs for exterior walls shall conform to Table 9.24.2.B.

**Table 9.24.2.B.**  
Forming Part of Article 9.24.2.5.

Steel Studs for Non-Loadbearing Exterior Walls				
Minimum Stud Size, mm	Minimum Metal Thicknesses, mm	Maximum Stud Length, m		
		Spacing of Studs		
		300 mm (o.c.)	400 mm (o.c.)	600 mm (o.c.)
30 x 91	0.53	3.0	2.4	—
30 x 91	0.69	3.3	2.7	2.4
30 x 91	0.85	3.6	3.0	2.7
30 x 91	1.0	4.0	3.3	3.0
Column 1	2	3	4	5

### 9.24.3. Installation

#### 9.24.3.1. Installation of Runners

(1) Runners shall be provided at the tops and bottoms of walls.



(2) Runners required in Sentence (1) shall be securely attached to the *building* at approximately 50 mm from the ends, and at intervals of not more than 600 mm o.c. for interior walls and 300 mm o.c. for exterior walls.

(3) Fasteners used for attachment described in Sentence (1) shall consist of the equivalent of 63 mm nails or 24 mm screws.

(4) Studs at openings and which are not full wall height shall be supported by a runner at the ends of the studs, securely fastened to the full length studs at the sides of the opening.

#### 9.24.3.2. Fire-Rated Walls

(1) Steel studs used in walls required to have a *fire-resistance rating* shall be installed so that there is at least a 12 mm clearance between the top of the stud and the top of the runner to allow for expansion in the event of fire.

(2) Except as provided in Article 9.24.3.6., studs in walls referred to in Sentence (1) shall not be attached to the runners in a manner that will prevent such expansion.

(3) Framing above doors with steel door frames in *non-loadbearing fire separations* required to have a *fire-resistance rating* shall consist of 2 runners on the flat fastened back to back.

(4) The upper runner required in Sentence (3) shall be bent at each end to extend upwards at least 150 mm and fastened to the adjacent studs.

(5) A gypsum board filler piece, the width and length of the runner, shall be provided between the door frame referred to in Sentence (3) and the adjacent runner.

**9.24.3.3. Orientation of Studs.** Steel studs shall be installed with webs at right angles to the wall face and, except at openings, shall be continuous for the full wall height.

**9.24.3.4. Support for Cladding Materials.** Corners and intersections of walls shall be constructed to provide support for the cladding materials.

#### 9.24.3.5. Framing around Openings

(1) Studs shall be doubled on each side of every opening where such openings involve more than 1 stud space, and shall be tripled where the openings in exterior walls exceed 2.4 m in width.

(2) Studs described in Sentence (1) shall be suitably fastened together to act as a single structural unit in resisting transverse loads.

#### 9.24.3.6. Attachment of Studs to Runners

(1) Studs shall be attached to runners by screws, crimping, welding or other suitable method around wall openings, and elsewhere where necessary to keep the studs in alignment during construction.

(2) Where clearance for expansion is required in Article 9.24.3.2., such attachment required in Sentence (1) shall be applied between studs and bottom runners only.

#### 9.24.3.7. Openings for Fire Dampers

(1) Openings for *fire dampers* in *non-loadbearing fire separations* required to have a *fire-resistance rating* shall be framed with double studs on each side of the opening.

(2) The sill and header for openings described in Sentence (1) shall consist of a runner track with right angle bends made on each end so as to extend 300 mm above the header or below the sill and fastened to the studs.

(3) The openings described in Sentence (1) shall be lined with a

layer of gypsum board at least 12.7 mm thick fastened to stud and runner webs.

### Section 9.25 Thermal Insulation and Control of Condensation

#### 9.25.1. Scope

**9.25.1.1. Application.** This Section applies to the application of thermal insulation and measures to control condensation for *buildings of residential occupancy* intended for use on a continuing basis during the winter months.

**9.25.1.2. Insulation of Ducts.** Insulation of heating and ventilating ducts shall conform to Sections 9.32 and 9.33.

**9.25.1.3. Thermal Design.** The requirements for thermal insulation in this Section need not be met where thermal design is provided in accordance with Section 9.38.

#### 9.25.2. General

**9.25.2.1. Required Insulation.** All walls, ceilings and floors separating heated space from unheated space, the exterior air or the exterior soil shall be provided with sufficient thermal insulation to prevent moisture condensation on their room side during the winter and to ensure comfortable conditions for the occupants.

**9.25.2.2. Barrier to Air Leakage.** Thermally insulated wall, ceiling and floor assemblies shall be constructed so as to provide a continuous barrier to leakage of air from the interior of the building into wall spaces, floor spaces or *attic or roof spaces*.

**9.25.2.3. Barrier to Vapour Diffusion.** Except as provided in Article 9.25.6.3., thermally insulated wall, ceiling and floor assemblies shall be constructed so as to provide a barrier to diffusion of water vapour from the interior into wall spaces, floor spaces or *attic or roof spaces*.

**9.25.2.4. Location of Insulation.** Insulation shall be provided between heated and unheated spaces and between heated spaces and the exterior, and around the perimeter of concrete slabs-on-ground.

**9.25.2.5. Reflective Surfaces.** Reflective surfaces of insulating materials shall not be considered in calculating the thermal resistance of *building assemblies*.

**9.25.2.6. Insulation around Concrete Slabs-on-Ground.** Insulation around concrete slabs-on-ground shall extend not less than 600 mm below exterior ground level.

#### 9.25.2.7. Minimum Thermal Resistance

(1) Except as permitted in Sentences (2), (3) and (4) the minimum thermal resistance of insulation shall conform to Table 9.25.2.A.

**Table 9.25.2.A.**  
Forming Part of Sentence 9.25.2.7.(1)

Minimum Thermal Resistance of Insulation to be Installed Based on Degree Day Zones		
Building Element Exposed To the Exterior or to Unheated Space	RSI Value Required	
	Zone 1 Less than 5000	Zone 2 5000 or more
Ceiling below <i>attic or roof space</i>	5.4	6.7
Roof assembly without <i>attic or roof space</i>	3.52	3.52
Wall other than <i>foundation wall</i>	3.25	3.87
<i>Foundation walls</i> enclosing heated space	2.11	2.11
Floor, other than slab-on-ground	4.4	4.4
Slab-on-ground containing pipes or heating ducts	1.76	1.76
Slab-on-ground not containing pipes or heating ducts	1.41	1.41
Column 1	2	3

**Note to Table 9.25.2.A.:**

- (1) Number of degree days for individual locations are contained in Table 2.5.1.A.
- (2) Except for doors on enclosed unheated vestibules and cold cellars, and except for glazed portions of doors, all doors separating heated space from unheated space shall have a thermal resistance of not less than RSI 0.7 where a storm door is not provided.
- (3) All sliding glass doors separating heated space from unheated space shall have a thermal resistance of not less than  $0.30 \text{ m}^2 \text{ }^\circ\text{C/W}$ .
- (4) All glazing that separates heated space from unheated space shall have a thermal resistance of not less than  $0.30 \text{ m}^2 \text{ }^\circ\text{C/W}$ .
- (5) The thermal resistance values in Table 9.25.2.A. for exposed roofs or ceilings may be reduced near eaves to the extent made necessary by the roof slope and required ventilation clearances, except that the thermal resistance of insulation at the location directly above the inner surface of the exterior wall shall be at least RSI 2.1.
- (6) Where an enclosed unheated space is separated from a heated space by glazing, the unheated enclosure may be considered to provide a thermal resistance of  $0.16 \text{ m}^2 \text{ }^\circ\text{C/W}$ .

**9.25.2.8. Minimum Thermal Resistance for Other Construction**

- (1) Log wall construction and post, beam and plank construction shall have a minimum thermal resistance of RSI-2.1 for the total assembly.
- (2) The thermal resistance value in Sentence (1) for the total wall assembly may be reduced to not less than RSI 1.61, provided that
- the thermal resistance of insulation for exposed roof or ceiling required in Table 9.25.2.A. shall be increased by an amount equivalent to the reduction permitted in this Sentence, and
  - for log walls, the logs are machined squared having tongue-and-groove or splined joints.

**9.25.3. Materials****9.25.3.1. Insulation Material Standards**

- (1) Except as required in Sentence (2), thermal insulation shall conform to the requirements of
- CSA A101, "Thermal Insulation, Mineral Fibre, for Buildings,"
  - CAN/CSA A247-M, "Insulating Fibreboard,"
  - CAN/CGSB 51.20-M, "Thermal Insulation, Expanded Polystyrene, Boards and Pipe Covering,"
  - CGSB 51-GP-21M, "Thermal Insulation, Urethane and Isocyanurate, Unfaced,"
  - CAN/CGSB 51.25-M, "Thermal Insulation, Phenolic, Faced,"
  - CAN/CGSB 51.26-M, "Thermal Insulation, Urethane and Isocyanurate, Board, Faced,"
  - CAN/CGSB 51-GP-27M, "Thermal Insulation, Polystyrene, Loose Fill," or
  - CGSB 51-GP-60M, "Thermal Insulation, Cellulose Fibre, Loose Fill."
- (2) The *flame-spread ratings* requirements contained in the standards listed in Sentence (1) shall not apply.

**9.25.3.2. Insulation in Contact with the Ground.** Insulation in contact with the ground shall be inert to the action of soil and water and be such that its insulative properties are not significantly reduced by moisture.

**9.25.3.3. Type 1 Polystyrene Insulation.** Type 1 expanded polystyrene insulation as described in CAN/CGSB 51.20-M, "Thermal Insulation, Expanded Polystyrene" shall not be used in contact with the ground or as roof insulation applied above the roofing membrane.

**9.25.3.4. Air Barrier Materials**

(1) Air barrier protection shall possess the necessary characteristics to provide an effective barrier to air exfiltration under differential air pressure due to stack effect, mechanical systems or wind.

(2) Polyethylene sheet used to provide the air barrier protection required in Article 9.25.2.2. shall conform to CAN/CGSB-51.34-M, "Vapour Barrier, Polyethylene Sheet for Use in Building Construction."

**9.25.3.5. Vapour Barrier Materials**

(1) Membrane-type polyethylene vapour barriers shall conform to the requirements of CAN/CGSB 51.34-M, "Vapour Barrier, Polyethylene Sheet for Use in Building Construction".

(2) Membrane-type vapour barriers other than polyethylene shall conform to CAN2-51.33-M, "Vapour Barrier, Sheet, for Use in Building Construction."

(3) Vapour barriers conforming to Sentence (2) shall be Type 1 when used where a high resistance to vapour movement is required, such as in wall constructions that incorporate *exterior cladding* or sheathing having a low water vapour permeance.

**9.25.4. Installation of Insulation****9.25.4.1. General**

(1) Insulation shall be installed so that there is a reasonably uniform insulating value over the entire face of the insulated area.

(2) Insulation shall be applied to the full width and length of the space between furring or framing.

**9.25.4.2. Batt-Type Insulation.** Batt-type insulation manufactured with no membrane on either face shall be installed so that at least 1 face is in full and continuous contact with cladding, sheathing or other air-impermeable membrane.

**9.25.4.3. Loose-Fill Insulation**

(1) Except as provided in Sentences (2) and (3), loose-fill insulation shall be used on horizontal surfaces only.

(2) Water repellent loose-fill insulation may be used between the outer and inner wythes of masonry cavity walls.

(3) Loose-fill insulation may be used in wood frame walls of existing *buildings*.

(4) Where soffit venting is used, measures shall be taken to prevent loose-fill insulation from causing blockage of soffit vents.

**9.25.4.4. Insulation in Crawl Spaces.** Insulation on the interior of *foundation* walls enclosing a crawl space shall be applied so that there is not less than a 50 mm clearance above the crawl space floor if the insulation is of a type that may be damaged by water.

**9.25.4.5. Insulation around Slabs-on-Grade.** Insulation around concrete slabs-on-grade shall be located so that heat from the *building* is not restricted from reaching the ground beneath the perimeter where exterior walls are not supported by footings extending below frost level.

**9.25.4.6. Insulation Exposed to Weather.** Where insulation is exposed to the weather and subject to mechanical damage, it shall be protected with not less than 6 mm asbestos-cement board, 6 mm preservative-treated plywood or 12 mm cement paring on wire lath applied to the exposed face and edge.

#### 9.25.4.7. Mechanical Damage

(1) Except as permitted in Sentence (2) insulation and vapour barrier in a *dwelling unit* shall be protected from mechanical damage by a covering of gypsum board, plywood, particleboard, waferboard or hardboard.

(2) In unfinished *basements*, the protection required in Sentence (1) need not be provided for mineral fibre insulation provided it is covered with polyethylene vapour barrier of at least 0.15 mm in thickness.

(3) Foamed plastics shall be protected as described in Article 9.10.16.12.

**9.25.4.8. Factory-Built Buildings.** Insulation in factory-built *buildings* shall be installed so that it will not become dislodged during transportation.

#### 9.25.4.9. Extent of Insulation for Foundation Walls

(1) The upper part of *foundation* walls enclosing heated space shall be insulated from the underside of the subfloor to not less than 600 mm below the finished ground level.

(2) If a *foundation* wall is constructed of hollow masonry units, one or more of the following shall be used to control convection currents in the core spaces,

- (a) filling the core spaces,
- (b) at least one row of semi-solid blocks at or below *grade*, or
- (c) other similar methods.

#### 9.25.4.10. Protection for Insulation installed on the Inside Face of Foundation Walls

(1) Insulation to be installed on the inside face of *foundation* walls below ground level shall be protected from moisture by a moisture barrier or shall be inherently impermeable to moisture and, if such insulation is of the batt-type, it shall be protected from moisture by a moisture barrier and a vapour barrier.

(2) Insulation on the inside of *foundation* walls described in Sentence (1) shall be installed tightly against the *foundation* wall and shall be sealed at the top and at the bottom to reduce air circulation.

#### 9.25.5. Installation of Air Barrier Systems

##### 9.25.5.1. Joints in Air Barrier Protection

(1) Where the air barrier system consists of an air-impermeable panel-type material, all joints shall be sealed to prevent air leakage.

(2) Where the air barrier protection is formed of flexible sheet material, all joints shall be

- (a) sealed, or
- (b) lapped at least 100 mm and clamped, such as between framing members, furring or blocking and rigid panels.

**9.25.5.2. Air Barrier Protection with Low Permeability.** Where the air barrier protection consists of a material with a water vapour permeance less than the maximum permitted Type 2 vapour barriers in Clause 9.25.3.5.(1)(b), it shall be installed in a location where the temperature will not be below the dew point of the interior air when

the temperature is 10°C above the 2.5 per cent January design temperature.

**9.25.5.3. Interior/Exterior Intersections.** Where an interior wall meets an exterior wall, ceiling, floor or roof required to be provided with an air barrier protection, the protection shall extend across the intersection.

**9.25.5.4. Penetrations of Air Barrier Protection.** Penetrations of the air barrier protection, such as those created by the installation of doors, windows, electrical wiring, electrical boxes, piping or ductwork, shall be sealed to maintain the integrity of the air barrier protection over the entire surface.

**9.25.5.5. Access Hatches.** Access hatches through surfaces requiring air barrier protection shall be weather-stripped around their perimeters to prevent air leakage.

**9.25.5.6. Joints in Ductwork.** Ductwork passing through unheated spaces shall have all joints taped or be otherwise sealed to ensure that the ducts are airtight throughout their length.

**9.25.5.7. Clearances around Chimneys and Vents.** Clearances between *chimneys* or *gas vents* and the surrounding construction which would permit air leakage from within the *building* into a wall or *attic* or *roof space* shall be sealed by *noncombustible* material to prevent such leakage.

**9.25.5.8. Hollow Masonry Walls.** Masonry walls of hollow units which penetrate the ceiling shall be sealed at or near the ceiling adjacent to the roof space to prevent air within the voids from entering the *attic* or *roof space* by

- (a) capping with masonry units without voids, or
- (b) installation of flashing material extending across the full width of the masonry.

#### 9.25.6. Installation of Vapour Barriers

**9.25.6.1. General.** Vapour barriers shall be installed to protect the entire surfaces of thermally insulated wall, ceiling and floor assemblies.

**9.25.6.2. Location of Vapour Barriers.** Vapour barrier protection shall be installed on the warm side of insulation.

**9.25.6.3. Low Permeance Insulation.** Additional vapour barrier protection is not required with insulation when

- (a) the insulation is of a type which, when installed, has a vapour permeance less than that required for vapour barriers in Article 9.25.3.5., or
- (b) the insulation is foamed plastic insulation with a permeance rating of not more than 230 ng/Pa·s·m<sup>2</sup> and is installed in continuous contact with masonry or concrete walls.

#### Section 9.26 Roofing

##### 9.26.1. General

**9.26.1.1. Purpose of Roofing.** Roofs shall be protected with roofing, including flashing, installed to shed rain effectively and prevent water due to ice damming from entering the roof.

**9.26.1.2. Alternate Installation Methods.** Methods described in CAN3-A123.51, "Asphalt Shingle Application on Roof Slopes 1:3 and Steeper", or CAN3-A123.52, "Asphalt Shingle Application on Roof Slopes 1:6 to Less than 1:3" are permitted to be used for asphalt shingle applications not described in this Section.

##### 9.26.2. Roofing Materials

**9.26.2.1. Material Standards.** Roofing materials shall conform to

- (a) CAN/CGSB 37.4-M, "Cement, Lap, Cutback Asphalt, Fibrated, for Asphalt Roofing,"
- (b) CAN/CGSB 37.5-M, "Cement, Plastic, Cutback Asphalt,"
- (c) CGSB 37.8M, "Asphalt, Cutback, Filled, for Roof Coating,"
- (d) CGSB 37-GP-9Ma, "Primer, Asphalt for Asphalt Roofing, Dampproofing and Waterproofing,"
- (e) CGSB 37-GP-21M, "Tar, Cutback, Fibrated, for Roof Coating"
- (f) CGSB 37-GP-50M, "Asphalt, Rubberized, Hot Applied for Roofing and Waterproofing,"
- (g) CGSB 37-GP-52M, "Roofing and Waterproofing Membrane, Sheet Applied, Elastomeric,"
- (h) CGSB 37-GP-54M, "Roofing and Waterproofing Membrane, Sheet Applied, Flexible, Polyvinyl Chloride,"
- (i) CGSB 37-GP-56M, "Membrane, Modified, Bituminous, Prefabricated, and Reinforced for Roofing,"
- (j) CGSB 41-GP-6M, "Sheets, Thermosetting Polyester Plastics, Glass Fiber Reinforced",
- (k) CAN2-51.32, "Sheathing, Membrane, Breather type,"
- (l) CSA A123.1, "Asphalt Shingles Surfaced with Mineral Granules,"
- (m) CSA A123.2, "Asphalt Coated Roofing Sheets,"
- (n) CSA A123.3, "Asphalt or Tar Saturated Roofing Felt,"
- (o) CSA A123.4, "Bitumen for Use in Construction of Built-Up Roof Coverings and Dampproofing and Waterproofing Systems,"
- (p) CSA A123.17, "Asphalt-Saturated Felted Glass-Fibre Mat for Use in Construction of Built-Up Roofs," or
- (q) CSA 0118.1, "Western Red Cedar Shingles, Handsplit Western Red Cedar Shakes, and Machine-Grooved Shakes."

#### 9.26.2.2. Nails

(1) Nails used for roofing shall be corrosion-resistant roofing or shingle nails conforming to CSA B111, "Wire Nails, Spikes and Staples".

(2) Nails shall have sufficient length to penetrate through or 12 mm into roof sheathing.

(3) Nails used with asphalt roofing shall have a head diameter of not less than 9.5 mm and a shank thickness of not less than 2.95 mm.

(4) Nails used with wood shingles or shakes shall have a head diameter of not less than 4.8 mm and a shank thickness of not less than 2.0 mm and shall be stainless steel, aluminum or hot-dipped galvanized.

#### 9.26.2.3. Staples

(1) Staples used to apply asphalt or wood shingles shall be corrosion-resistant and shall be driven with the crown parallel to the eaves.

(2) Staples used with asphalt shingles shall be not less than 19 mm long, 1.6 mm diam or thickness, with not less than a 24 mm crown,

except that an 11 mm crown may be used if the number of staples specified in Article 9.26.7.4. is increased by one third.

(3) Staples used with wood shingles shall be not less than 29 mm long, 1.6 mm diam or thickness, with not less than a 9.5 mm crown and shall be stainless steel or aluminum.

#### 9.26.3. Roof Slope

##### 9.26.3.1. Slope

(1) Except as provided in Sentences (2) and (3), the roof slopes on which roof coverings may be applied shall conform to Table 9.26.3.A.

**Table 9.26.3.A.**  
Forming Part of Sentence 9.26.3.1.(1)

Roofing Types and Slope Limits of Roofs		
Type of Roofing	Minimum Slope	Maximum Slope
<b>Built-up Roofing</b>		
Asphalt base (gravelled)	1 in 50 (1)	1 in 4
Asphalt base (without gravel)	1 in 25	1 in 2
Coal-tar base (gravelled)	1 in 50 (1)	1 in 24
Cold process	1 in 25	1 in 1.33
<b>Asphalt Shingles</b>		
Normal application	1 in 3	no limit
Low slope application	1 in 6	no limit
<b>Roll Roofing</b>		
Smooth and mineral surfaced	1 in 4	no limit
480 mm wide selvage asphalt roofing	1 in 6	no limit
Cold application felt	1 in 50	1 in 1.33
<b>Wood Shingles</b>	1 in 4	no limit
<b>Handsplit Shakes</b>	1 in 3	no limit
<b>Asbestos-Cement Corrugated Sheets</b>	1 in 4	no limit
<b>Corrugated Metal Roofing</b>	1 in 4	no limit
<b>Sheet Metal Shingles</b>	1 in 4	no limit
<b>Slate Shingles</b>	1 in 2	no limit
<b>Clay Tile</b>	1 in 2	no limit
<b>Glass Fibre Reinforced Polyester Roofing Panels</b>	1 in 4	no limit
Column 1	2	3

#### Note to Table 9.26.3.A.:

(1) Sentences 9.26.3.1.(2) and (3)

(2) Asphalt and gravel or coal tar and gravel roofs may be constructed with lower slopes than required in Sentence (1) when effective drainage is provided by roof drains located at the lowest points on the roofs.

(3) Sheet metal roof cladding systems specifically designed for low-slope applications are permitted to be installed with lower slopes than required in Sentence (1).

#### 9.26.4. Flashing at Intersections

**9.26.4.1. Materials.** Sheet metal flashing shall consist of not less than 1.73 mm thick sheet lead, 0.33 mm thick galvanized steel, 0.46 mm thick copper, 0.46 mm thick zinc or 0.48 mm thick aluminum.

##### 9.26.4.2. Valley Flashing

(1) Where sloping surfaces of shingled roofs intersect to form a valley, the valley shall be flashed.

(2) Closed valleys shall not be used with rigid shingles on slopes of less than 1 in 1.2.

(3) Closed valley flashing shall consist of sheet metal, self-sealing composite membranes consisting of polyethylene and bituminous material or one layer of either Type S smooth surface roll roofing or Type M mineral surface roll roofing (mineral surface down) not less than 600 mm wide, and nails shall not penetrate the flashing within 75 mm of its edge or 124 mm of the bottom of the valley centreline.

(4) Open valleys shall be flashed with not less than one layer of sheet metal not less than 600 mm wide, or 2 layers of roll roofing.

(5) The bottom layer of roofing required in Sentence (4) shall consist of not less than Type S smooth roll roofing or Type M mineral surface roll roofing (mineral surface down) not less than 457 mm wide, centred in the valley and fastened with nails spaced not more than 450 mm o.c. located 24 mm away from the edges.

(6) The top layer of roofing required in Sentence (4) shall consist of not less than Type M mineral surface roll roofing (mineral surface up), 914 mm wide, centred in the valley, applied over a 100 mm wide strip of cement along each edge of the bottom layer, and fastened with a sufficient number of nails to hold it in place until the shingles are applied.

#### 9.26.4.3. Intersection of Shingle Roofs and Masonry

(1) The intersection of shingle roofs and masonry walls or *chimneys* shall be protected with flashing.

(2) Counter flashing required in Sentence (1) shall be embedded not less than 24 mm in the masonry and shall extend not less than 150 mm down the masonry and lap the lower flashing not less than 100 mm.

(3) Flashing along the slopes of a roof in Sentence (1) shall be stepped so that there is not less than a 75 mm head lap in both the lower flashing and counter flashing.

(4) Where the roof described in Sentence (1) slopes upwards from the masonry, the flashing shall extend up the roof slope to a point equal in height to the flashing on the masonry, but not less than 1.5 times the shingle exposure.

#### 9.26.4.4. Intersection of Shingle Roofs and Walls Other Than Masonry

(1) The intersection of shingle roofs and walls clad with other than masonry shall be protected with flashing.

(2) Flashing required in Sentence (1) shall be installed so that it extends up the wall not less than 75 mm behind the sheathing paper, and extends not less than 75 mm horizontally.

(3) Along the slope of the roof, the flashing required in Sentence (1) shall be stepped with not less than a 75 mm head lap.

#### 9.26.4.5. Intersection of Built-Up Roofs and Masonry

(1) The intersection of built-up roofs with masonry walls or *chimneys* shall have a cant strip at the intersection and a roofing membrane shall be mopped over the cant strip and not less than 150 mm up the wall.

(2) Counter flashing installed over the intersection referred to in Sentence (1) shall be embedded not less than 25 mm in the masonry, and shall be of sufficient length to extend down not less than 150 mm, lapping the membrane on the masonry not less than 100 mm.

#### 9.26.4.6. Intersection of Built-Up Roofs and Walls other than Masonry

(1) The intersection of built-up roofs with walls clad with other than masonry shall have a cant strip.

(2) The roofing membrane shall be mopped over the cant strip referred to in Sentence (1).

(3) Flashing plies shall extend not less than 150 mm up the wall referred to in Sentence (1) behind the sheathing paper.

#### 9.26.4.7. Chimney Saddles

(1) Except as otherwise permitted in Sentence (5), *chimney* saddles shall be installed where the upper side of a *chimney* on a sloping roof is more than 750 mm wide.

(2) *Chimney* saddles shall be covered with sheet metal or roofing material of equivalent weight and quality equivalent to the roofing.

(3) Saddles shall be suitably flashed where they intersect the roof.

(4) The intersection of the saddle and the *chimney* shall be flashed and counterflashed as in Article 9.26.4.3.

(5) A *chimney* saddle need not be installed if the intersection between the *chimney* and roof is protected by sheet metal flashing that extends up the *chimney* to a height equal to not less than one sixth the width of the *chimney*, but not less than 150 mm, and up the roof slope to a point equal in height to the flashing on the *chimney*, but not less than 1.5 times the shingle exposure.

(6) Flashing described in Sentence (5) at the *chimney* shall be counterflashed as required by Article 9.26.4.3.

#### 9.26.5. Eave Protection for Shingles and Shakes

##### 9.26.5.1. Required Eave Protection

(1) Except as provided in Sentence (2), eave protection shall be provided on shingle, shake or tile roofs, extending from the edge of the roof a minimum distance of 900 mm up the roof slope to a line not less than 300 mm inside the inner face of the exterior wall.

(2) Eave protection is not required

(a) over unheated garages, carports and porches,

(b) where the roof overhang exceeds 900 mm measured along the roof slope from the edge of the roof to the inner face of the exterior wall,

(c) on roofs of asphalt shingles installed in accordance with Subsection 9.26.8., or

(d) on roofs with slopes of 1 in 1.5 or greater.

9.26.5.2. **Materials.** Eave protection shall be laid beneath the starter strip and shall consist of

(a) No. 15 asphalt-saturated felt laid in two plies lapped 480 mm and cemented together with lap cement,

(b) Type M or S roll roofing laid with not less than 100 mm head and end laps cemented together with lap cement,

(c) glass fibre or polyester fibre coated base sheets, or

(d) self-sealing composite membranes consisting of modified bituminous coated material.

#### 9.26.6. Underlay Beneath Shingles

9.26.6.1. **Materials.** When underlay is used beneath shingles, it shall be asphalt-saturated sheathing paper weighing not less than 0.195 kg/m<sup>2</sup> or No. 15 plain or perforated asphalt-saturated felt or 0.05 mm polyethylene, except that underlayment used beneath wood shingles shall be breather type.

**9.26.6.2. Installation**

(1) When used with shingles, underlay shall be installed parallel to the eaves with head and end lap of not less than 50 mm.

(2) The top edge of each strip referred to in Sentence (1) shall be fastened with sufficient roofing nails to hold it in place until the shingles are applied.

(3) The underlay referred to in Sentence (1) shall overlap the eave protection by not less than 100 mm.

**9.26.7. Asphalt Shingles on Slopes of 1 in 3 or Greater**

**9.26.7.1. Coverage.** Coverage shall be not less than 2 thicknesses of shingle over the entire roof, disregarding cutouts.

**9.26.7.2. Starter Strip**

(1) A starter strip shall be installed along the lower edge of the roof so that it extends approximately 12 mm beyond the eaves and rake of the roof and fastened along the bottom edge with nails spaced not more than 300 mm o.c.

(2) Starter strips shall be not less than Type M mineral-surfaced roll roofing not less than 304 mm wide, or shingles of the same weight and quality as those used as a roof covering with tabs facing up the roof slope.

(3) Starter strips may be omitted where eave protection of not less than Type M mineral-surfaced roll roofing or self-sealing composite membranes consisting of polyethylene and bituminous material is provided.

**9.26.7.3. Head Lap.** Shingles shall have a head lap of not less than 50 mm.

**9.26.7.4. Fasteners**

(1) Shingles shall be fastened with no fewer than 4 nails or staples for 1 m wide shingles so that no nails or staples are exposed.

(2) Fasteners may be reduced for narrower shingles in proportion to the width of the shingle or when shingles incorporating interlocking devices are used.

(3) Fasteners referred to in Sentence (1) shall be located 25 mm to 40 mm from each end of each strip shingle with the other fasteners equally spaced between them.

(4) Fasteners referred to in Sentence (1) shall be located not less than 12 mm above the tops of the cutouts.

**9.26.7.5. Securing of Tabs.** Shingle tabs shall be secured by a spot of plastic cement not exceeding 25 mm diam under the centre of each tab or by interlocking devices or self-sealing strips.

**9.26.7.6. Hips and Ridges**

(1) Shingles on hips and ridges shall be applied so they extend not less than 100 mm on either side of the hip or ridge, and shall be lapped not less than 150 mm.

(2) Shingles referred to in Sentence (1) shall be fastened with nails or staples on each side located not more than 25 mm from the edge and 25 mm above the butt of the overlying shingle.

**9.26.7.7. Eave Protection.** Eave protection shall conform to Subsection 9.26.5.

**9.26.7.8. Flashing.** Flashing shall conform to Subsection 9.26.4.

**9.26.8. Asphalt Shingles on Slopes of Less Than 1 in 3**

**9.26.8.1. Coverage.** Except for the first 2 courses, coverage shall be

not less than 3 thicknesses of shingle over the entire roof, disregarding cutouts.

**9.26.8.2. Starter Strip**

(1) A starter strip shall be installed as in Article 9.26.7.2.

(2) Starter strips required in Sentence (1) shall be laid in a continuous band of cement not less than 200 mm wide.

**9.26.8.3. Securing of Tabs.** Shingle tabs shall be secured with cold application cement applied at the rate of not less than 0.5 L/m<sup>2</sup> of cemented area, or hot application asphalt applied at the rate of 1 kg/m<sup>2</sup> of cemented area.

**9.26.8.4. Securing of Shingle Courses**

(1) The first course of shingles shall be secured by a continuous band of cement along the eaves applied so that the width of the band equals the shingle exposure plus 100 mm and the band is located not less than 50 mm above the lower edge of the starter strip.

(2) The succeeding courses of shingles shall be secured by a continuous band of cement applied so that the width of the band equals the shingle exposure plus 50 mm.

(3) The band required in Sentence (2) shall be located not less than 25 mm nor more than 50 mm above the butt of the overlying course of shingles.

**9.26.8.5. Hips and Ridges**

(1) Shingles on hips and ridges shall be not less than 300 mm wide applied to provide triple coverage.

(2) Shingles referred to in Sentence (1) shall be cemented to the roof shingles and to each other with a coat of cement 25 mm from the edges of the shingles and fastened with nails or staples located 40 mm above the butt of the overlying shingle and 50 mm from each edge.

**9.26.8.6. Flashing.** Flashing shall conform to Subsection 9.26.4.

**9.26.8.7. Fastening.** Shingles shall be fastened in accordance with Article 9.26.7.4.

**9.26.9. Wood Roof Shingles**

**9.26.9.1. Decking.** Decking for wood shingled roofs may be continuous or spaced.

**9.26.9.2. Grade.** Shingles shall be not less than No. 2 grade.

**9.26.9.3. Size.** Wood shingles shall be not less than 400 mm long and not less than 75 mm nor more than 350 mm wide.

**9.26.9.4. Spacing and Joints.** Shingles shall be spaced approximately 6 mm apart and offset at the joints in adjacent courses not less than 40 mm so that joints in alternate courses are staggered.

**9.26.9.5. Fastening.** Shingles shall be fastened with 2 nails or staples located approximately 20 mm from the sides of the shingle and 40 mm above the exposure line.

**9.26.9.6. Exposure.** The exposure of wood roof shingles shall conform to Table 9.26.9.A.

**Table 9.26.9.A.**  
Forming Part of Article 9.26.9.6.

Maximum Exposure of Wood Shingles, mm						
Roof Slope	No. 1 Grade Length of Shingle			No 2 Grade Length of Shingle		
	400 mm	450 mm	600 mm	400 mm	450 mm	600 mm
Less than 1 in 3	100	115	165	90	100	140
1 in 3	125	140	190	90	100	140
Over 1 in 3	125	140	190	100	115	165
Column 1	2	3	4	5	6	7

**9.26.9.7. Flashing.** Flashing shall conform to Subsection 9.26.4.

**9.26.9.8. Eave Protection.** Eave protection shall conform to Subsection 9.26.5.

**9.26.10. Handsplit Roof Shakes**

**9.26.10.1. Size and Thickness.** Shakes shall be not less than 450 mm long and not less than 100 mm nor more than 350 mm wide with a butt thickness of not more than 32 mm and not less than 9 mm.

**9.26.10.2. Underlay**

(1) Where eave protection is not provided, an underlay conforming to the requirements in Article 9.26.6.1. for wood shingles shall be laid as a strip not less than 900 mm wide along the eaves.

(2) A strip of material similar to that described in Sentence (1) not less than 450 mm wide shall be interlayered between each course of shakes with the bottom edge of the strip positioned above the butt line at a distance equal to double the exposure of the shakes.

(3) Interlayered strips in Sentence (2) shall be lapped at least 150 mm at hips and ridges in a manner that will prevent water from reaching the roof sheathing.

**9.26.10.3. Spacing and Joints.** Shakes shall be spaced approximately 6 mm to 9 mm apart and offset at the joints in adjacent courses not less than 40 mm so that joints in alternate courses are staggered.

**9.26.10.4. Fastening.** Shakes shall be fastened with nails located approximately 20 mm from the sides of the shakes and 40 mm above the exposure line.

**9.26.10.5. Exposure.** The exposure of wood shakes shall not exceed 190 mm for shakes at least 450 mm long and 240 mm for shakes at least 600 mm long.

**9.26.10.6. Flashing.** Flashing shall conform to Subsection 9.26.4.

**9.26.10.7. Eave Protection.** Eave protection shall conform to Subsection 9.26.5.

**9.26.11. Built-Up Roofs**

**9.26.11.1. Quantity of Materials.** The quantities of bituminous materials used on built-up roofs shall conform to Table 9.26.11.A.

**Table 9.26.11.A.**  
Forming Part of Article 9.26.11.1.

Quantities of Bitumen for Built-Up Roofs		
Type of Roof	Amount of Bitumen per Square Metre of Roof Surface	
	Mopping Coats Between Layers	Flood Coat
Asphalt and aggregate	1 kg	3 kg
Coal-tar and aggregate	1.2 kg	3.6 kg
Cold process roofing	0.75 L cold process cement	2 L cold process top coating
Column 1	2	3

**9.26.11.2. Coal-Tar and Asphalt Products.** Coal-tar products and asphalt products shall not be used together in built-up roof construction.

**9.26.11.3. Roof Felts.** Bitumen roofing felts shall be not less than No. 15 felt.

**9.26.11.4. Aggregate Surfacing**

(1) Aggregate used for surfacing built-up roofs shall be clean, dry and durable and shall consist of particles of gravel, crushed stone or air-cooled blast furnace slag having a size of from 6 mm to 15 mm.

(2) The minimum amount of aggregate surfacing per square metre of roof surface shall be 15 kg gravel or crushed stone or 10 kg crushed slag.

**9.26.11.5. Flashing.** Flashing shall conform to Subsection 9.26.4.

**9.26.11.6. Number of Layers.** Built-up roofing shall consist of at least 3 mopped-down layers of roofing felt flood coated with bitumen.

**9.26.11.7. Installation of Layers**

(1) In hot process applications each layer of bitumen-saturated felt shall be laid while the bitumen is hot, with each layer overlapping the previous one.

(2) The full width under each lap referred to in Sentence (1) shall be coated with bitumen so that in no place does felt touch felt.

(3) Felt shall be laid free of wrinkles and shall be rolled directly into the hot bitumen and broomed forward and outward from the centre to ensure complete adhesion.

**9.26.11.8. Roofing over Wood-Based Sheathing**

(1) Except as permitted in Sentence (2), built-up roofing applied over wood, plywood, waferboard or strandboard roof sheathing shall be laid over an additional base layer of felt laid dry over the entire roof deck with at least a 50 mm headlap and a 50 mm sidelap between each sheet.

(2) Where plywood, waferboard or strandboard roof sheathing is used, the dry layer of felt required in Sentence (1) may be omitted when the joints are taped and the sheathing is primed with asphalt.

**9.26.11.9. Attachment to Decking.** Roofing shall be securely attached to the decking or where insulation is applied above the deck, the insulation shall be securely attached to the deck before the first layer of felt is fastened to the insulation.

**9.26.11.10. Cant Strips**

(1) Except as permitted in Sentence (4), a cant strip shall be provided at the edges of roofs.



(2) No fewer than 2 plies of the roofing membrane shall be carried over the top of the cant strip.

(3) Flashing shall extend over the top of the cant strip and shaped to form a drip.

(4) The cant strip required in Sentence (1) may be omitted where a gravel stop is provided at the edge of roofs.

(5) The roofing membranes shall be carried over the edge of the roof before the gravel stop is fastened and 2 plies of roofing membrane mopped to the top surface of the gravel stop referred to in Sentence (4) before the flood coat is applied.

(6) The gravel stop referred to in Sentence (4) shall extend over the edge of the roof to form a drip or shall be flashed so that the flashing extends over the edge to form a drip.

#### 9.26.12. Selvage Roofing

**9.26.12.1. Double Coverage.** Wide selvage asphalt roofing shall provide double coverage over the entire roof surface.

**9.26.12.2. Watertight Joint of Plies.** Plies of selvage roofing shall be cemented together to ensure a water-tight joint.

#### 9.26.13. Sheet Metal Roofing

**9.26.13.1. Minimum Thickness.** Sheet metal roofing shall be not less than 0.33 mm thick galvanized steel, 0.46 mm thick copper, 0.46 mm thick zinc or 0.48 mm thick aluminum.

#### 9.26.14. Glass Reinforced Polyester Roofing

**9.26.14.1. Support of Design Roof Load.** Where glass reinforced polyester roofing panels are not supported by roof decking but span between spaced supports, the panels shall be designed to support the design roof load.

#### 9.26.15. Hot Applied Rubberized Asphalt Roofing

**9.26.15.1. Installation Standard.** Hot applied rubberized asphalt roofing shall be installed in accordance with CGSB 37-GP-51M, "Application or Rubberized Asphalt, Hot Applied, for Roofing and Waterproofing".

#### 9.26.16. Polyvinyl Chloride Sheet Roofing

**9.26.16.1. Installation Standard.** Polyvinyl chloride sheet applied roofing membrane shall be installed in accordance with CGSB 37-GP-55M, "Application of Sheet Applied Flexible Polyvinyl Chloride Roofing Membrane".

#### 9.26.17. Downspouts and Roof Drains

**9.26.17.1. Extensions to Prevent Soil Erosion.** Where downspouts are provided and are not connected to a sewer, extensions shall be provided to carry rainwater away from the *building* in a manner which will prevent soil erosion.

9.26.17.2. Reserved.

### Section 9.27 Siding

#### 9.27.1. Scope

**9.27.1.1. Application.** This Section applies to exterior wall coverings of lumber, wood shingles, shakes, asbestos-cement shingles and sheets, plywood, waferboard, hardboard, asphalt shingles, vinyl, aluminum and steel including trim, soffits and flashing.

**9.27.1.2. Stucco and Masonry Veneer.** Requirements for stucco shall conform to Section 9.28 and requirements for masonry veneer shall conform to Section 9.20.

**9.27.1.3. Asphalt Shingles.** Where asphalt shingles are used as siding, they shall conform to the requirements in Section 9.26 for asphalt roof shingles.

#### 9.27.2. General

**9.27.2.1. Required Siding.** Exterior walls shall be protected with siding, including flashing, trim and other special purpose accessory pieces required for the siding system being used, to restrict the entry of rain and snow into the wall assembly.

**9.27.2.2. Clearance from Ground.** Not less than a 200 mm clearance shall be provided between the finished ground level and siding that is adversely affected by moisture such as wood, plywood, waferboard and hardboard.

**9.27.2.3. Clearance from Roof Surface.** Not less than a 50 mm clearance shall be provided between a roof surface and siding that is adversely affected by moisture such as wood, plywood, waferboard and hardboard.

**9.27.2.4. Insulating Asphalt Siding.** Insulating asphalt siding shall be ventilated by not less than a 10 mm air space behind the siding.

#### 9.27.3. Flashing

**9.27.3.1. Materials.** Flashing shall consist of not less than 1.73 mm thick sheet lead, 0.33 mm thick galvanized steel, 0.46 mm thick copper, 0.46 mm thick zinc, 0.48 mm thick aluminum or 1.02 mm thick vinyl.

#### 9.27.3.2. Installation

(1) Flashing shall be installed at every horizontal junction between 2 different exterior finishes, except where the upper finish overlaps the lower finish.

(2) Except as provided in Sentence (4), flashing shall be applied over exterior wall openings where the vertical distance from the bottom of the eave to the top of the trim is more than one-quarter of the horizontal overhang of the eave.

(3) Flashing shall be installed so that it extends upwards not less than 50 mm behind the sheathing paper and forms a drip on the outside edge.

(4) Where a window or exterior door is designed to be installed without head flashing, the exterior flange of the window or door frame shall be bedded into a non-hardening type caulking material and the exterior flange screwed down over the caulking material to the wall framing to form a waterproof joint.

#### 9.27.4. Caulking

##### 9.27.4.1. Required Caulking

(1) Caulking shall be provided where required to prevent the entry of water into the structure.

(2) Caulking shall be provided between masonry, siding or stucco and the adjacent door and window frames or trim, including sills unless such locations are completely protected from the entry of rain.

(3) Caulking shall be provided at vertical joints between different cladding materials unless the joint is suitably lapped or flashed to prevent the entry of rain.

##### 9.27.4.2. Materials

(1) Caulking shall be of a non-hardening type suitable for exterior use, selected for its ability to resist the effects of weathering and shall be compatible with and adhere to the substrate to which it is applied.

(2) Caulking shall conform to



- (a) CGSB 19-GP-5M, "Sealing Compound, One Component, Acrylic Base, Solvent Curing,"
- (b) CAN/CGSB-19.13, "Sealing Compound, One Component, Elastomeric, Chemical Curing,"
- (c) CGSB 19-GP-14M, "Sealing Compound, One Component, Butyl-Polyisobutylene Polymer Base, Solvent Curing," or
- (d) CAN2-19.24, "Sealing Compound, Multi-Component, Chemical Curing."

### 9.27.5. Attachment of Siding

#### 9.27.5.1. Attachment

(1) Except as permitted in Sentences (2) to (7), siding shall be nailed to the framing members, furring members or to blocking between the framing members.

(2) Vertical lumber and stucco lath or reinforcing may be attached to sheathing only where the sheathing consists of not less than 14.3 mm lumber, 12.5 mm wood, waferboard or strandboard.

(3) Vertically applied metal siding and wood shingles and shakes may be attached to the sheathing only where the sheathing consists of not less than 14.3 mm lumber, 7.5 mm plywood, waferboard or strandboard.

(4) Asbestos-cement shingles may be attached to the sheathing only when the sheathing consists of not less than 14.3 mm lumber, 9.5 mm plywood, waferboard or strandboard.

(5) Where wood shingles or shakes are applied to sheathing which is not suitable for attaching the shingles or shakes, the shingles or shakes may be attached to a wood lath not less than 38 mm by 9.5 mm thick securely nailed to the framing and applied as described in Article 9.27.7.5.

(6) Where asbestos-cement shingles are applied to sheathing that is not suitable for attaching the shingles, the shingles may be fastened to a wood lath not less than 89 mm by 9.5 mm thick securely nailed to the framing.

(7) Lath referred to in Sentence (6) shall be applied so that it overlaps the preceding shingle course by not less than 20 mm.

**9.27.5.2. Blocking.** Blocking for the attachment of siding shall be not less than 38 mm by 38 mm lumber securely nailed to the framing and spaced not more than 600 mm o.c.

#### 9.27.5.3. Furring

(1) Except as permitted in Sentences 9.27.5.1.(5) and (6), furring for the attachment of siding shall be not less than 19 mm by 38 mm lumber when applied over sheathing.

(2) When applied without sheathing, furring referred to in Sentence (1) shall be not less than 19 mm by 64 mm lumber on supports spaced not more than 400 mm o.c., and 19 mm by 89 mm on supports spaced not more than 600 mm o.c.

(3) Furring referred to in Sentence (1) shall be securely fastened to the framing and shall be spaced not more than 600 mm o.c.

**9.27.5.4. Size and Spacing of Fasteners.** Nail or staple size and spacing for the attachment of siding and trim shall conform to Table 9.27.5.A.

**Table 9.27.5.A.**  
Forming Part of Article 9.27.5.4.

Attachment of Siding			
Type of Siding	Min. Nail or Staple Length, mm	Min. No. of Nails or Staples	Minimum Nail or Staple Spacing
Wood trim	51	—	600 mm (o.c.)
Lumber siding or horizontal siding made from sheet material	51	—	600 mm (o.c.)
Metal siding			600 mm (o.c.) (nailed to framing) 400 mm (o.c.) (nailed to sheathing only)
Handsplit wood shakes up to 200 mm in width	51	2	—
Handsplit wood shakes over 200 mm in width	51	3	—
Wood shingles and machine grooved shakes up to 200 mm in width	32	2	—
Wood shingles and machine grooved shakes over 200 mm in width	32	3	—
Asbestos-cement shingles	32	2	—
Panel or sheet type siding up to 7 mm thick	38	—	150 mm (o.c.) along edges
Panel or sheet type siding greater than 7 mm thickness	51	—	300 mm (o.c.) along intermediate supports
Column 1	2	3	4

**9.27.5.5. Fastener Materials.** Nails or staples for the attachment of sidings and wood trim shall be corrosion-resistant and shall be compatible with the siding material.

**9.27.5.6. Expansion and Contraction.** Fasteners for metal or vinyl siding shall be positioned to permit expansion and contraction of the siding.

#### 9.27.5.7. Penetration of Fasteners

(1) Fasteners for shakes and shingles shall penetrate through the nail-holding base or not less than 19 mm into the framing.

(2) Fasteners for other types of siding shall penetrate through the nail-holding base or not less than 24 mm into the framing.

### 9.27.6. Lumber Siding

**9.27.6.1. Materials.** Lumber siding shall be sound, free of knot holes, loose knots, through checks or splits.

**9.27.6.2. Thickness and Width**

(1) Drop, rustic, novelty, lapped board and vertical wood siding shall be not less than 14.3 mm thick and not more than 286 mm wide.

(2) Bevel siding shall be not less than 5 mm thick at the top and 12 mm thick at the butt for sidings 184 mm or less in width, and 14.3 mm thick at the butt for sidings wider than 184 mm.

(3) Bevel siding shall be not more than 286 mm wide.

**9.27.6.3. Joints**

(1) Lumber siding shall prevent water from entering at the joints by the use of lapped or matched joints or by vertical wood battens.

(2) Siding shall overlap not less than 1 mm per 16 mm width of lumber, but not less than 9.5 mm for matched siding, 24 mm for lapped bevel siding or 12 mm for vertical battens.

**9.27.7. Wood Shingles and Machine Grooved Shakes****9.27.7.1. Materials**

(1) Shingles and shakes shall conform to CSA 0118.1. "Western Red Cedar Shingles, Handsplit Western Red Cedar Shakes and Machine-Grooved Shakes."

(2) Shakes shall be not less than No. 1 grade and shingles not less than No. 2 grade, except that No. 3 grade may be used for under-coursing.

**9.27.7.2. Width.** Shingles and shakes shall be not less than 65 mm nor more than 350 mm wide.

**9.27.7.3. Fasteners.** Shingles or shakes shall be fastened with nails located approximately 20 mm from each edge and not less than 24 mm above the exposure line for single-course applications, or approximately 50 mm above the butt for double-course applications.

**9.27.7.4. Offsetting of Joints**

(1) In single-course application, joints in succeeding courses shall be offset at least 40 mm so that joints in any 2 of 3 consecutive courses are staggered.

(2) In double-course application, joints in the outer course shall be offset from joints in the under-course by not less than 40 mm, and joints in succeeding courses shall be offset not less than 40 mm.

**9.27.7.5. Fastening to Lath**

(1) When lath is used with double-course application, it shall be spaced according to the exposure and securely fastened to the framing.

(2) The butts of the under-course shall rest on the top edge of the lath.

(3) The outer course shall be fastened to the lath with nails of sufficient length to penetrate through the lath.

(4) The butts of the shingles or shakes shall be so located that they project not less than 12 mm below the bottom edge of the lath referred to in Sentence (1).

(5) If wood lath is not used, the butts of the under-course shingles or shakes of the application referred to in Sentence (1) shall be located 12 mm above the butts of the outer course.

**9.27.7.6. Exposure and Thickness.** The exposure and butt thickness of shingles shall conform to Table 9.27.7.A.

**Table 9.27.7.A.**  
Forming Part of Article 9.27.7.6.

Exposure and Thickness of Wood Shingles and Machine Grooved Shakes			
Shake or Shingle Length, mm	Maximum Exposure		Minimum Butt Thickness, mm
	Single Coursing, mm	Double Coursing, mm	
400	190	305	10
450	216	356	11
600	292	406	13
Column 1	2	3	4

**9.27.8. Asbestos-Cement Shingles and Sheets**

**9.27.8.1. Material Standards.** Asbestos-cement shingles and sheets shall conform to

- CAN/CGSB 34.4-M, "Siding, Asbestos Cement, Shingles and Clapboards,"
- CAN/CGSB 34.5-M, "Sheets, Asbestos Cement, Corrugated,"
- CAN/CGSB 34.14-M, "Sheets, Asbestos Cement, Decorative,"
- CAN/CGSB 34.16, "Sheets, Asbestos Cement, Flat, Fully Compressed,"
- CAN/CGSB 34.17-M, "Sheets, Asbestos Cement, Flat, Semi-compressed," or
- CAN/CGSB 34.21-M, "Panels, Sandwich Asbestos, Cement and Insulating Cores."

**9.27.8.2. Weight and Thickness**

(1) Asbestos-cement shingles shall weigh not less than 8.06 kg/m<sup>2</sup>.

(2) Asbestos-cement sheet shall be not less than 4.75 mm thick where applied to studs spaced not more than 400 mm o.c., nor less than 6 mm thick where applied to studs spaced not more than 600 mm o.c.

(3) Where applied over sheathing, the thickness of asbestos-cement sheet shall be not less than 3.15 mm.

**9.27.8.3. Fastening of Shingles.** Asbestos-cement shingles shall be fastened with nails located not less than 25 mm above the exposure line.

**9.27.8.4. Joints of Shingles**

(1) Asbestos-cement shingles shall be installed so that vertical joints in succeeding courses are staggered.

(2) Asphalt-coated backer strips shall be installed behind each vertical joint.

(3) Shingles shall have not less than a 25 mm head lap.

**9.27.8.5. Joints in Panels**

(1) Vertical joints of asbestos-cement panels shall be protected with batten strips, caulking or other suitable method.

(2) Horizontal joints shall be lapped, flashed, caulked or otherwise suitably protected.

**9.27.9. Plywood**

**9.27.9.1. Material Standards.** Plywood siding shall be exterior type conforming to

- (a) CSA 0115, "Hardwood and Decorative Plywood,"
- (b) CSA 0121, "Douglas Fir Plywood,"
- (c) CSA 0151, "Canadian Softwood Plywood," or
- (d) CSA 0153, "Poplar Plywood."

**9.27.9.2. Thickness**

(1) Plywood siding shall be not less than 6 mm thick when applied directly to sheathing.

(2) When applied directly to framing or over furring strips, plywood thickness shall conform to Table 9.27.9.A.

**Table 9.27.9.A.**  
Forming Part of Sentence 9.27.9.2.(2)

Minimum Plywood Thickness, Exterior Wall Finish		
	Face Grain Parallel to Supports, mm	Face Grain Right Angles to Supports, mm
400	8	6
600	11	8
Column 1	2	3

(3) The thickness of grooved or textured plywood shall be measured at the point of least thickness.

**9.27.9.3. Edge Treatment.** The edges of plywood siding shall be treated with a suitable paint or sealer.

**9.27.9.4. Panel Siding**

- (1) Plywood applied in panels shall have all edges supported.
- (2) Not less than a 2 mm gap shall be provided between panels referred to in Sentence (1).
- (3) Vertical joints in siding referred to in Sentence (1) shall be protected with batten strips or caulking when the plywood joints are not matched.
- (4) Horizontal joints in siding referred to in Sentence (1) shall be lapped not less than 25 mm or shall be suitably flashed.

**9.27.9.5. Lapped Strip Siding**

- (1) Plywood applied in horizontal lapped strips shall have not less than a 2 mm gap provided at the butted ends, which shall be caulked.
- (2) The horizontal joints of siding described in Sentence (1) shall be lapped not less than 25 mm.
- (3) Wedges shall be inserted under all vertical butt joints and at all corners when horizontal lapped plywood is applied without sheathing.

**9.27.10. Hardboard****9.27.10.1. Material Standards**

(1) Factory-finished hardboard siding shall conform to CAN/CGSB 11.5-M, "Hardboard, for Exterior Cladding."

(2) Hardboard siding which is not factory finished shall conform to Types 1, 2 or 5 in CAN/CGSB 11.3-M, "Hardboard."

**9.27.10.2. Thickness**

(1) Type 1 or 2 hardboard siding shall be not less than 6.0 mm thick when applied over sheathing that provides continuous support and not less than 7.5 mm thick when applied to furring or framing members not more than 400 mm o.c.

(2) Type 5 hardboard siding shall be not less than 9.0 mm thick when applied over sheathing that provides continuous support or over furring or framing members spaced not more than 400 mm o.c.

(3) Where hardboard siding is grooved, the grooves shall not extend more than 1.5 mm into the required thickness.

**9.27.10.3. Panel Siding**

(1) Hardboard siding applied in panels shall have all edges supported with not less than a 5 mm gap provided between sheets.

(2) Vertical joints described in Sentence (1) shall be protected with batten strips or caulking when the joints are not matched.

(3) Horizontal joints described in Sentence (1) shall be lapped not less than 25 mm or shall be suitably flashed.

**9.27.10.4. Lapped Strip Siding**

(1) Hardboard applied in horizontal lapped strips shall have not less than a 5 mm gap provided at the butted ends, which shall be caulked or otherwise protected with suitable mouldings.

(2) The horizontal joints of siding described in Sentence (1) shall overlap not less than 1 mm per 16 mm width of siding board but not less than 9.5 mm for matched joint siding or 25 mm for lapped siding.

**9.27.10.5. Clearance.** Not less than 3 mm clearance shall be provided between hardboard siding and door or window frames.

**9.27.11. Waferboard and Strandboard**

**9.27.11.1. Material Standard.** Waferboard and strandboard siding shall conform to CAN3-0437.0, "Waferboard and Strandboard."

**9.27.11.2. Thickness**

(1) Waferboard and strandboard conforming to grade O-2 shall be not less than 6.0 mm thick where applied directly to sheathing.

(2) Grade O-2 waferboard and strandboard applied directly to framing or over furring strips, shall conform to the thickness shown for plywood in Table 9.27.9.A.

(3) Waferboard and strandboard conforming to grades R-1 and O-1 shall be not less than 7.9 mm thick where applied directly to sheathing.

(4) Where applied directly to framing or over furring strips, waferboard and strandboard conforming to grades R-1 and O-1 shall be not less than 9.5 mm thick on supports spaced not more than 400 mm o.c. and 12.7 mm thick on supports spaced not more than 600 mm o.c.

**9.27.11.3. Panel Siding**

(1) Waferboard and strandboard applied in panels shall have all edges supported and treated with a primer or sealer.

(2) Not less than a 3 mm gap shall be provided between sheets in siding described in Sentence (1).

(3) Vertical joints in siding described in Sentence (1) shall be pro-

ected with batten strips or caulking when the waferboard joints are not matched.

(4) Horizontal joints in siding described in Sentence (1) shall be lapped not less than 25 mm or shall be suitably flashed.

**9.27.11.4. Clearance.** At least a 3 mm clearance shall be provided between waferboard and strandboard siding and door or window frames.

### 9.27.12. Metal Siding

#### 9.27.12.1. Material Standards

(1) Horizontal and vertical strip steel siding, including flashing and trim accessories, shall conform to CGSB 93-GP-4M, "Siding, Soffits and Fascia, Steel, Galvanized, Prefinished, Residential."

(2) Steel sheet siding shall have a minimum thickness of 0.3 mm and conform to CGSB 93-GP-3M, "Sheet, Steel, Galvanized, Prefinished, Residential."

(3) Horizontal and vertical strip aluminum siding, including flashing and trim accessories, shall conform to CGSB 93-GP-2Ma, "Siding, Soffits and Fascia, Aluminum, Prefinished, Residential."

(4) Aluminum sheet siding shall conform to CAN/CGSB 93.1-M, "Sheet, Aluminum Alloy, Prefinished, Residential" and shall have a minimum thickness of 0.58 mm, except that siding supported by backing or sheathing shall have a minimum thickness of 0.46 mm.

### 9.27.13. Vinyl Siding

**9.27.13.1. Material Standard.** Vinyl siding, including flashing and trim accessories, shall conform to CGSB 41-GP-24Ma, "Siding, Soffits and Fascia, Rigid Vinyl."

**9.27.13.2. Attachment.** The attachment of vinyl siding shall conform to the requirements in Subsection 9.27.5. for metal siding.

## Section 9.28 Stucco

### 9.28.1. General

#### 9.28.1.1. Sheathing Beneath Stucco

(1) Sheathing shall be provided beneath stucco applied over wood-frame walls except as permitted in Article 9.28.4.2.

(2) Where applied beneath stucco, sheathing shall conform to Subsection 9.23.16.

#### 9.28.1.2. Lath and Reinforcing

(1) Stucco lath or reinforcing shall be used to attach stucco to wood-frame construction.

(2) Stucco lath or reinforcing shall also be used to attach stucco to masonry where the masonry is soft-burned tile or brick of less strength than the stucco or if the masonry surface is not sound, clean and sufficiently rough to provide a good key.

(3) Stucco applied over *masonry chimneys* shall be reinforced.

**9.28.1.3. Concrete Masonry Units.** Stucco finish shall not be applied over concrete masonry units less than one month old unless the units have been cured by the autoclave process.

**9.28.1.4. Clearance over Ground Level.** Stucco shall be not less than 200 mm above finished ground level except when it is applied over concrete or masonry.

**9.28.1.5. Flashing and Caulking.** Flashing and caulking used with stucco shall conform to Subsections 9.27.3. and 9.27.4., except that if

aluminum flashing is used, it shall be separated from the stucco by an impervious membrane or coating.

### 9.28.2. Stucco Materials

**9.28.2.1. Portland Cement.** Portland cement shall conform to CAN3-A5, "Portland Cements."

#### 9.28.2.2. Aggregate

(1) Aggregate shall be clean, well-graded natural sand or sand manufactured from crushed stone, gravel or air-cooled blast furnace slag and shall contain no significant amounts of deleterious material.

(2) Aggregate grading shall conform to Table 9.28.2.A.

**Table 9.28.2.A.**  
Forming Part of Sentence 9.28.2.2.(2)

Aggregate Grading for Stucco		
Sieve Sizes, mm	Per Cent Passing	
	Maximum	Minimum
4	—	100
2	—	90
1	90	60
0.5	60	45
0.25	30	10
0.125	5	—
Column 1	2	3

**9.28.2.3. Water.** Water shall be clean and free of significant amounts of deleterious material.

### 9.28.3. Fasteners

**9.28.3.1. Materials.** Fasteners for stucco lath or reinforcing shall be corrosion-resistant and of a material other than aluminum.

#### 9.28.3.2. Nails and Staples

(1) Nails for stucco lath or reinforcing shall be not less than 3.2 mm diam with a head diameter of not less than 11.1 mm.

(2) Staples for stucco lath reinforcing shall be not less than 1.98 mm diam or thickness.

(3) Staples and nails for attaching stucco lath or reinforcing to vertical surfaces shall be of sufficient length to penetrate 24 mm into framing members or to the full depth of the sheathing where the sheathing is used for attachment.

(4) On horizontal surfaces nails for stucco lath or reinforcing shall be not less than 38 mm long.

### 9.28.4. Stucco Lath

#### 9.28.4.1. Materials

(1) Rib lath or expanded metal stucco mesh shall be copper-alloy steel coated with rust-inhibitive paint after fabrication or shall be galvanized.

(2) Woven or welded wire mesh shall be galvanized.

**9.28.4.2. No Sheathing Required.** Sheathing need not be provided beneath stucco where not less than 1.19 mm diam galvanized wire is applied horizontally to the framing at vertical intervals not exceeding 150 mm, or where paper-backed welded wire metal lath is used.

**9.28.4.3. Stucco Lath Specifications.** Stucco lath shall conform to Table 9.28.4.A.

**Table 9.28.4.A.**  
Forming Part of Article 9.28.4.3.

Stucco Lath				
Location	Type of Lath	Min. Diam of Wire, mm	Max. Mesh Opening	Min. Mass, kg/m <sup>2</sup>
Vertical surfaces	Welded or woven wire	1.19	24 mm	—
		1.35	38 mm	—
1.60		51 mm	—	
	Stucco mesh reinforcing (expanded metal)	—	25.8 cm <sup>2</sup>	0.98
Horizontal surfaces (1)	9.5 mm rib lath	—	—	1.84
	cedar lath	—	—	—
Column 1	2	3	4	5

**9.28.4.4. Self-Furring Devices.** Stucco lath shall be held not less than 6 mm away from the backing by means of suitable self-furring devices.

#### 9.28.4.5. Application of Stucco Lath

(1) Stucco lath shall be applied with the long dimension horizontal. Horizontal and vertical joints shall be lapped not less than 50 mm.

(2) End joints of stucco lath shall be staggered and shall occur over framing members.

(3) External corners of stucco lath shall be reinforced with a vertical strip of lath or reinforcing extending not less than 150 mm on both sides of the corner, or the lath or reinforcing shall extend around corners not less than 150 mm.

#### 9.28.4.6. Fastening

(1) Stucco lath shall be fastened in conformance with Subsection 9.27.5.

(2) Fasteners on vertical surfaces shall be spaced not more than 150 mm o.c. vertically and 400 mm o.c. horizontally, or 100 mm o.c. vertically and 600 mm o.c. horizontally.

(3) Nailing patterns other than those required in Sentence (1) are permitted to be used provided there are not fewer than 20 fasteners per square metre of wall surface.

(4) Fasteners on horizontal surfaces shall be spaced not more than 150 mm o.c. along the framing members when members are spaced not more than 400 mm o.c., and 100 mm o.c. along members when members are spaced not more than 600 mm o.c.

#### 9.28.5. Stucco Mixes

**9.28.5.1. Mixes.** Stucco mixes shall conform to Table 9.28.5.A.

**Table 9.28.5.A.**  
Forming Part of Article 9.28.5.1.

Stucco Mixes (by volume)			
Portland Cement	Masonry Cement Type H	Lime	Aggregate
1	—	0.25 to 1	3.25 to 4 parts per part of cementitious material
1	1	—	
Column 1	2	3	4

#### 9.28.5.2. Pigments

(1) Pigment if used shall consist of pure mineral oxides inert to the action of sun, lime and cement.

(2) Pigment shall not exceed 6 per cent of the portland cement by weight.

#### 9.28.5.3. Mixing

(1) Materials shall be thoroughly mixed before and after water is added.

(2) Stucco shall be applied not later than 3 h after the initial mixing.

#### 9.28.6. Stucco Application

##### 9.28.6.1. Low Temperature Conditions

(1) The base for stucco shall be maintained above freezing.

(2) Stucco shall be maintained at a temperature of not less than 10°C during application and for not less than 48 h afterwards.

**9.28.6.2. Number of Coats and Total Thickness.** Stucco shall be applied with not less than 2 base coats and 1 finish coat, providing a total thickness of not less than 15 mm, measured from the face of the lath or face of the masonry where no lath is used.

##### 9.28.6.3. First Coat

(1) The first coat shall be not less than 6 mm thick, measured from the face of the lath or masonry, fully embedding the lath.

(2) The surface of the first coat shall be scored to provide a key with the second coat.

##### 9.28.6.4. Second Coat

(1) The second coat shall be not less than 6 mm thick.

(2) The surface shall be lightly roughened to provide a key with the finish coat if the finish coat is other than stone dash.

##### 9.28.6.5. Finish Coat

(1) When the finish coat is other than stone dash, the base shall be dampened but not saturated before the finish coat is applied.

(2) The thickness of the finish coat shall be not less than 3 mm.

(3) When a stone dash finish is used, the stone shall be partially embedded in the second coat before the second coat starts to set or stiffen.

#### Section 9.29 Interior Wall and Ceiling Finishes

##### 9.29.1. General

**9.29.1.1. Conform to Other Sections.** A wall or ceiling finish shall also conform to the appropriate requirements in Sections 9.10 and 9.11 in addition to the requirements in this Section.

##### 9.29.2. Waterproof Wall Finish

**9.29.2.1. Where Required.** Waterproof finish shall be provided to a height of not less than 1.8 m above the floor in shower stalls, 1.2 m above the rims of bathtubs equipped with showers and 400 mm above the rims of bathtubs not equipped with showers.

**9.29.2.2. Materials.** Waterproof finish shall consist of ceramic, plastic or metal tile, sheet vinyl, tempered hardboard, laminated thermosetting decorative sheets or linoleum.

### 9.29.3. Wood Furring

**9.29.3.1. Size and Spacing of Furring.** Wood furring for the attachment of wall and ceiling finishes shall conform to Table 9.29.3.A.

**Table 9.29.3.A.**  
Forming Part of Article 9.29.3.1.

Minimum Size and Maximum Spacing of Furring, mm			
Maximum Spacing of Furring, mm	Maximum Spacing of Furring Supports		
	Continuous Support	400 mm (o.c.)	600 mm (o.c.)
300	19 × 38	19 × 38	19 × 64
400	19 × 38	19 × 38	19 × 64
600	19 × 38	19 × 64	19 × 89
Column 1	2	3	4

**9.29.3.2. Fastening.** Furring shall be fastened to the framing or to wood blocks with not less than 51 mm nails.

### 9.29.4 Plastering

**9.29.4.1. Standard for Plaster Finish.** Application of plaster wall and ceiling finishes including installation of metal or gypsum lath, shall conform to CSA A82.30, "Interior Furring, Lathing and Gypsum Plastering."

### 9.29.5. Gypsum Board Finish (Taped Joints)

#### 9.29.5.1. Application

(1) The requirements for application of gypsum board in this Subsection apply to the single layer application of gypsum board to wood furring or framing using nails or screws.

(2) Gypsum board applications not described in this Subsection shall conform to CSA A82.31, "Gypsum Board Application."

**9.29.5.2. Materials.** Gypsum board shall conform to CSA A82.27, "Gypsum Board Products."

**9.29.5.3. Maximum Spacing of Supports.** Maximum spacing of supports for gypsum board applied as a single layer shall conform to Table 9.29.5.A.

**Table 9.29.5.A.**  
Forming Part of Article 9.29.5.3.

Maximum Spacing of Supports for Gypsum Board				
Thickness, mm	Orientation of Board to Framing	Max. Spacing of Supports o.c., mm		
		Walls	Ceilings Painted Finish	Ceilings Water Based Texture Finish
9.5	parallel perpendicular	— 400	— 400	— —
12.7	parallel perpendicular	600 600	400 600	— 400
15.9	parallel perpendicular	600 600	400 600	— 600
Column 1	2	3	4	5

**9.29.5.4. Support of Insulation.** Gypsum board supporting insulation shall be at least 12.7 mm thick.

**9.29.5.5. Length of Fasteners.** The length of fasteners for gypsum board shall conform to Table 9.29.5.B., except that lesser depths of penetration are permitted for assemblies required to have a

*fire-resistance rating* provided it can be shown, on the basis of fire tests, that such depths are adequate for the required rating.

**Table 9.29.5.B.**  
Forming Part of Article 9.29.5.5.

Minimum Fastener Penetration into Wood Supports, mm				
Required Fire-Resistance Rating of Assembly	Walls		Ceilings	
	Nails	Screws	Nails	Screws
<i>Fire-resistance rating not required</i>	20	15	20	15
45 min	20	20	30	30
1 h	20	20	45	45
1.5 h	20	20	60	60
Column 1	2	3	4	5

**9.29.5.6. Nails.** Nails for fastening gypsum board to wood supports shall conform to CSA Standard B111, "Wire Nails, Spikes and Staples."

**9.29.5.7. Screws.** Screws for fastening gypsum board to wood supports shall conform to ASTM C1002, "Steel Drill Screws for the Application of Gypsum Board or Metal Plaster Bases."

#### 9.29.5.8. Spacing of Nails

(1) For single-layer application nails shall be spaced not more than 180 mm o.c. on ceiling supports, and not more than 200 mm apart along vertical wall supports, except that nails may be spaced in pairs about 50 mm apart every 300 mm along such wall or ceiling supports.

(2) Where the ceiling sheets are supported by the wall sheets around the perimeter of the ceiling, this support may be considered as equivalent to nailing at this location.

(3) The uppermost wall nails shall be not more than 200 mm below the ceiling.

(4) Nails shall be located not less than 10 mm from the side or edge of the board.

(5) Nails shall be driven so that the heads are below the plane of the board surface but do not puncture the paper.

**9.29.5.9. Spacing of Screws.** Where gypsum board is applied with drywall screws, the screws shall be spaced not more than 300 mm o.c. along supports, except that on vertical surfaces the screws may be spaced 400 mm o.c. where the supports are not more than 400 mm o.c.

**9.29.5.10. Low Temperature Conditions.** In cold weather, heat shall be provided to maintain a temperature of not less than 10°C for 48 h prior to taping and finishing and maintained for at least 48 h thereafter.

### 9.29.6. Plywood Finish

#### 9.29.6.1. Thickness

(1) The minimum thickness of plywood interior finish shall conform to Table 9.29.6.A., except that no minimum thickness is required when the plywood is applied over solid backing.

(2) Thicknesses listed in Table 9.29.6.A. shall permit a manufacturing tolerance of ± 0.4 mm.

**Table 9.29.6.A.**  
Forming Part of Articles 9.29.6.1. and 9.29.6.2.

Minimum Thickness of Plywood Interior Finish		
Maximum Spacing of Supports, mm (o.c.)	On Supports with no Horizontal Blocking, mm	
400	4.7	4.0
600	8.0	4.7
Column 1	2	3

#### 9.29.6.2. Grooved Plywood

(1) Except as permitted in Sentence (2), where plywood for interior finish is grooved, the grooves shall not extend through the face ply and into the plies below the face ply unless the groove is supported by framing or furring.

(2) If the grain of the face ply is at right angles to the supporting members, the groove is permitted to extend into the plies below the face ply provided the thickness of the plywood exceeds the value shown in Table 9.29.6.A. by an amount equal to at least the depth of penetration of the grooves into the plies below the face ply.

**9.29.6.3. Nails and Staples.** Nails for attaching plywood finishes shall not be less than 38 mm casing or finishing nails spaced not more than 150 mm o.c. along edge supports and 300 mm o.c. along intermediate supports, except that staples providing equivalent lateral resistance may also be used.

**9.29.6.4. Edge Support.** All plywood edges shall be supported by furring, blocking or framing.

#### 9.29.7. Hardboard Finish

**9.29.7.1. Material Standard.** Hardboard shall conform to CAN/CGSB 11.3-M, "Hardboard."

**9.29.7.2. Thickness.** Hardboard shall be not less than 3 mm thick where applied over continuous back-up, 6 mm thick where applied to supports spaced not more than 400 mm o.c. and 9 mm thick where applied to supports spaced not more than 600 mm o.c.

**9.29.7.3. Nails.** Nails for fastening hardboard shall be casing or finishing nails not less than 38 mm long, spaced not more than 150 mm o.c. along edge supports and 300 mm o.c. along intermediate supports.

**9.29.7.4. Edge Support.** All hardboard edges shall be supported by furring, blocking or framing where the back-up is not continuous.

#### 9.29.8. Insulating Fibreboard Finish

**9.29.8.1. Material Standard.** Insulating fibreboard shall conform to CAN3-A247-M, "Insulating Fibreboard."

##### 9.29.8.2. Thickness

(1) Insulating fibreboard sheets shall be not less than 11.1 mm thick on supports not more than 400 mm o.c.

(2) Insulating fibreboard tile shall be not less than 12.7 mm thick on supports spaced not more than 400 mm o.c.

##### 9.29.8.3. Nails

(1) Nails for fastening fibreboard sheets shall be not less than 2.6 mm shank diameter casing or finishing nails of sufficient length to penetrate at least 20 mm into the supports.

(2) Nails shall be spaced not more than 100 mm o.c. along edge supports and 200 mm o.c. along intermediate supports.

**9.29.8.4. Edge Support.** All fibreboard edges shall be supported by blocking, furring or framing.

#### 9.29.9. Particleboard, Waferboard or Strandboard Finish

##### 9.29.9.1. Material Standard

(1) Particleboard finish shall conform to CAN3-O188.1, "Interior Mat-Formed Wood Particleboard."

(2) Waferboard and strandboard finish shall conform to CAN3-O437.0, "Waferboard and Strandboard."

##### 9.29.9.2. Minimum Thickness

(1) The minimum thickness of O-2 grade waferboard and strandboard used as an interior finish shall conform to that shown for plywood in Table 9.29.6.A., except that no minimum thickness is required when applied over solid backing.

(2) Thickness listed in Table 9.29.6.A. shall permit a manufacturing tolerance of  $\pm 0.4$  mm

(3) Waferboard and strandboard conforming to grades R-1 and O-1 and particleboard shall be

- not less than 6.35 mm thick on supports not more than 400 mm o.c.,
- not less than 9.5 mm thick on supports not more than 600 mm o.c., and
- not less than 6.35 mm thick on supports not more than 600 mm o.c. in walls where blocking is provided at midwall height.

**9.29.9.3. Nails.** Nails for fastening particleboard, waferboard or strandboard shall be not less than 38 mm casing or finishing nails spaced not more than 150 mm o.c. along edge supports and 300 mm o.c. along intermediate supports.

**9.29.9.4. Edge Support.** All particleboard, waferboard or strandboard edges shall be supported by furring, blocking or framing.

#### 9.29.10. Wall Tile Finish

##### 9.29.10.1. Tile Application

(1) Ceramic tile shall be set in a mortar base or applied with an adhesive.

(2) Plastic tile shall be applied with an adhesive.

##### 9.29.10.2. Mortar Base

(1) When ceramic tile is applied to a mortar base the cementitious material shall consist of 1 part portland cement to not more than one-quarter part lime by volume.

(2) The cementitious material described in Sentence (1) shall be mixed with not less than 3 nor more than 5 parts of aggregate per part of cementitious material by volume.

(3) Mortar shall be applied over metal lath or masonry.

(4) Ceramic tile applied to a mortar base shall be thoroughly soaked and pressed into place forcing the mortar into the joints while the tile is wet.

**9.29.10.3. Adhesives.** Adhesives to attach ceramic and plastic tile shall be applied to the finish coat or brown coat of plaster that has been steel-trowelled to an even surface or to gypsum board or to masonry provided the masonry has an even surface.

**9.29.10.4. Moisture Resistant Backing.** Ceramic and plastic tile

installed on walls around bathtubs or showers shall be applied over moisture resistant backing.

**9.29.10.5. Joints between Tiles and Bathtub.** The joints between wall tiles and a bathtub shall be suitably caulked with material conforming to CGSB 19-GP-22M, "Sealing Compound, Mildew Resistant, for Tubs and Tile."

### Section 9.30 Flooring

#### 9.30.1. General

**9.30.1.1. Required Finish Flooring.** Finished flooring shall be provided in all *residential occupancies*.

**9.30.1.2. Water Resistance.** Finished flooring in bathrooms, kitchens, public entrance halls, laundry and general storage areas shall consist of resilient flooring, felted-synthetic-fibre floor coverings, concrete, terrazzo, ceramic tile, mastic or other types of flooring providing similar degrees of water resistance.

**9.30.1.3. Sleepers.** Wood sleepers supporting finished flooring over a concrete base supported on the ground shall be not less than 19 mm by 38 mm and shall be treated with a wood preservative.

**9.30.1.4. Finish Quality.** Finished flooring shall have a surface that is smooth, even and free from roughness or open defects.

#### 9.30.2. Panel-Type Underlay

##### 9.30.2.1. Required Underlay

(1) A panel-type underlay shall be provided under resilient flooring, parquet flooring, ceramic tile, felted-synthetic-fibre floor coverings or carpeting laid over lumber subflooring.

(2) A panel-type underlay shall be provided under resilient flooring, parquet flooring, felted-synthetic-fibre floor coverings, carpeting or ceramic tile on panel-type subflooring whose edges are unsupported.

(3) Panel-type underlay shall be provided under resilient flooring on waferboard or strandboard subflooring.

(4) Panel-type underlay shall be provided under ceramic tile applied with adhesive.

##### 9.30.2.2. Materials and Thickness

(1) Panel-type underlay shall be not less than 6 mm thick and shall conform to

- (a) CSA O115, "Hardwood and Decorative Plywood",
- (b) CSA O121, "Douglas Fir Plywood",
- (c) CSA O151, "Canadian Softwood Plywood",
- (d) CSA O153, "Poplar Plywood",
- (e) CAN3-O188.1, "Interior Mat-Formed Wood Particle-board",
- (f) CAN3-O437.0, "Waferboard and Strandboard", or
- (g) CAN/CGSB 11.3-M87, "Hardboard."

(2) Reserved.

##### 9.30.2.3. Fastening

(1) Panel-type underlay shall be fastened to the subfloor with staples, annular grooved flooring nails or spiral nails, spaced not more than 150 mm o.c. along the edges and 200 mm o.c. both ways at other locations.

(2) Nails for panel-type underlay shall be not less than 19 mm long for 6 mm thick underlay and 22 mm long for 7.9 mm thick underlay.

(3) Staples for panel-type underlay shall have not less than a 1.2 mm shank diameter or thickness with a 4.7 mm crown and shall be not less than 22 mm long for 6 mm underlay and 28 mm long for 7.9 mm and 9.5 mm underlay.

**9.30.2.4. Joints Offset.** Where panel-type underlay is required to be installed over plywood, waferboard or strandboard, the joints in the underlay shall be offset at least 200 mm from the joints in the underlying subfloor.

**9.30.2.5. Surface Defects.** Underlay beneath resilient or ceramic floors applied with an adhesive shall have all holes or open defects on the surface patched so that the defects will not be transmitted to the finished surface.

#### 9.30.3. Wood Strip Flooring

**9.30.3.1. Thickness.** The thickness of wood strip flooring shall conform to Table 9.30.3.A.

**Table 9.30.3.A.**  
Forming Part of Article 9.30.3.1.

Wood Strip Flooring			
Type of Flooring	Maximum Joist Spacing, mm	Minimum Thickness of Flooring, mm	
		With Subfloor	No Subfloor
Matched hardwood (interior use only)	400	7.9	19.0
	600	7.9	33.3
Matched softwood (interior or exterior use)	400	19.0	19.0
	600	19.0	31.7
Square edge softwood (exterior use only)	400	—	25.4
	600	—	38.1
Column 1	2	3	4

##### 9.30.3.2. Strip Direction and End Joints

(1) Wood strip flooring shall not be laid parallel to lumber subflooring unless a separate underlay is provided.

(2) If wood strip flooring is applied without a subfloor, it shall be laid at right angles to the joists so that the end joints are staggered and occur over supports or are end matched.

(3) If the flooring is end matched, it shall be laid so that no two adjoining strips break joints in the same space between supports and each strip bears on no fewer than two supports.

##### 9.30.3.3. Nailing

(1) When nails are used, wood strip flooring shall be toe nailed or face nailed with not less than one nail per strip at the spacings shown in Table 9.30.3.B., except that face nailed strips of more than 25 mm in width shall have no fewer than two nails per strip.

(2) Face nails shall be countersunk and the holes filled with suitable filler.



**Table 9.30.3.B.**  
Forming Part of Article 9.30.3.3.

Nailing of Wood Strip Flooring		
Finish Floor Thickness, mm	Minimum length of Flooring Nails, mm	Maximum Spacing of Flooring Nails, mm
7.9	38 (1)	200
11.1	51	300
19.0	57	400
25.4	63	400
31.7	70	600
38.1	83	600
Column 1	2	3

**Note to Table 9.30.3.B.:**

(1) See Article 9.30.3.4

**9.30.3.4. Staples.** Staples may be used to fasten wood strip flooring not more than 7.9 mm in thickness provided the staples are not less than 29 mm long with a shank diameter of 1.19 mm and with 4.7 mm crowns.

**9.30.4. Parquet Flooring**

**9.30.4.1. Adhesive.** Adhesive used to attach parquet block flooring shall be suitable for bonding wood to the applicable subfloor material.

**9.30.5. Resilient Flooring**

**9.30.5.1. Materials**

(1) Resilient flooring used on concrete slabs supported on ground shall consist of asphalt, rubber, vinyl-asbestos, unbacked vinyl or vinyl with an inorganic type backing.

(2) Flooring described in Sentence (1) shall be attached to the base with a suitable waterproof and alkali-resistant adhesive.

**9.30.6. Ceramic Tile**

**9.30.6.1. Application.** Ceramic tile shall be set in a mortar bed or applied to a sound smooth base with a suitable adhesive.

**9.30.6.2. Mortar Bed**

(1) When ceramic tile is set in mortar bed, the bed shall be not less than 32 mm thick. A 50 mm x 50 mm galvanized wire mesh shall be placed in the mortar bed, and asphalt sheathing paper, felt or polyethylene film shall be applied under the mortar bed when the mortar is applied over wood subfloors.

(2) The mortar bed described in Sentence (1) shall consist of by volume

- (a) 1 part portland cement,
- (b) 4 parts sand, and
- (c) 1 part water.

(3) The tile joints for the ceramic tile in Sentence (1) shall be grouted with cement grout which shall be compressed into joints between the tiles and then wiped smooth.

**9.30.6.3. Reinforcement for Panel-Type Wood Sheathing.** When ceramic floor tiles are set on panel-type wood sheathing, one of the following assemblies for reinforcing the floor assembly shall be used

- (a) 20 mm thick plywood or waferboard with all edges sup-

ported by at least 38 mm x 38 mm blocking with floor joists spaced not more than 400 mm o.c., with 6 mm underlay,

- (b) sheathing thickness which conforms to Table 9.23.14.A. and having an underlay consisting of 15.9 mm plywood or waferboard with offsetting joints. A 4 mm gap shall be provided between sheets, or
- (c) sub-floor sheathing reinforced with close spaced 38 mm x 38 mm blocking at spacings at least half that of the floor joist spacing.

**Section 9.31 Plumbing Facilities**

**9.31.1. Scope**

**9.31.1.1. Application**

(1) This Section applies to plumbing facilities and *plumbing systems* within *dwelling units* that are not within a *recreational camp* or a *camp for housing of workers*.

(2) Plumbing facilities other than those required in *dwelling units* shall conform to Subsection 3.6.4.

**9.31.2. General**

**9.31.2.1. Reserved.**

**9.31.2.2. Corrosion Protection.** Metal pipes in contact with cinders or other corrosive material shall be protected by a heavy coating of bitumen or other corrosion protection.

**9.31.2.3. Grab Bars.** When provided, grab bars shall be capable of resisting a load of not less than 1.3 kN applied vertically or horizontally.

**9.31.3. Water Supply and Distribution**

**9.31.3.1. Required Water Supply.** Every *dwelling unit* shall be supplied with potable water from an approved public or community system where these systems are available.

**9.31.3.2. Required Connections**

(1) Where a piped water supply is available, piping for hot and cold water shall be connected to every kitchen sink, lavatory, bathtub, shower, slop sink and laundry area.

(2) Piping for cold water shall be run to every water closet and hose bib.

**9.31.4. Required Facilities**

**9.31.4.1. Required Fixtures.** A kitchen sink, lavatory, water closet and bathtub or shower stall shall be provided for every *dwelling unit* where a piped water supply is available.

**9.31.4.2. Laundry Fixtures.** Laundry facilities or a space for laundry facilities shall be provided in every *dwelling unit* or grouped elsewhere in the *building* in a location conveniently accessible to occupants of every *dwelling unit*.

**9.31.4.3. Hot Water Supply**

(1) Where a piped water supply is available a hot water supply shall be provided in every *dwelling unit*.

(2) A water distribution system supplying hot water to bathtubs, showers and hand basins that are accessible to residents of a group home, a home for special care or a residence for developmentally-handicapped adults shall have one or more temperature gauges and control devices that are

- (a) accessible only to supervisory staff, and

- (b) capable of being adjusted to ensure that the temperature of the water supply to the fixtures does not exceed 49°C.

#### 9.31.4.4. Floor Drains

(1) Where gravity drainage to a sewer, drainage ditch or dry well is possible, a floor drain shall be installed in a *basement* forming part of a *dwelling unit*.

(2) A floor drain shall be provided in a public laundry room, garage room, incinerator room, *boiler* or heating room, serving more than one *dwelling unit*.

#### 9.31.4.5. Required Facilities at Recreational Camps and a Camp for Housing of Workers

- (1) A minimum of one water closet or privy shall be provided
- for every ten campers of each sex in a *recreational camp*, and
  - for every ten employees of each sex in a *camp for housing of workers*.
- (2) In *recreational camps* and a *camp for housing of workers*, at least two lavatories or provision for a pail or other portable container of sound construction shall be provided for each of the water closets or privies required in Sentence (1).
- (3) A *camp for housing of workers* shall
- have at least one shower or other area of bathing, and
  - provide for at least one washing machine or laundry tub for every fifteen beds.

#### 9.31.5. Sewage Disposal

9.31.5.1. **Building Sewer.** Wastes from every plumbing fixture shall be piped to the *building sewer*.

#### 9.31.5.2. Discharge of Sewage

(1) *Building sewers* shall discharge into a public sewage system where such system is available.

(2) Where a public sewage system is not available, the *building sewer* shall discharge into a *private sewage disposal system*.

#### 9.31.6. Service Water Heating Facilities

9.31.6.1. **Hot Water Temperature.** Where a hot water supply is required by Article 9.31.4.3., equipment shall be installed to provide to every *dwelling unit* an adequate supply of service hot water with a temperature range from 45°C to 60°C.

9.31.6.2. **Supply Source.** Service hot water may be distributed from a centrally located heater to supply the entire *building* or may be supplied by an individual *service water heater* for each *dwelling unit*.

9.31.6.3. **Equipment and Installation Requirements.** Every *service water heater* and its installation shall conform to Part 6.

9.31.6.4. **Corrosion-Resistant Coating.** Where storage tanks for *service water heaters* are steel, they shall be coated with zinc, vitreous enamel (glass lined), hydraulic cement or other corrosion-resistant material.

9.31.6.5. **Fuel-Burning Heaters.** Fuel-burning *service water heaters* shall be connected to a *chimney flue* conforming to Section 9.21.

9.31.6.6. **Heating Coils.** Heating coils of *service water heaters* shall not be installed in a *flue* or in the combustion chamber of a *boiler* or *furnace* heating a *building*.

#### Section 9.32 Ventilation

##### 9.32.1. General

##### 9.32.1.1. Application

(1) This Section applies to the ventilation of rooms and spaces in *residential occupancies* by natural ventilation and to self-contained mechanical ventilation systems serving only one *dwelling unit*.

(2) Mechanical ventilation systems serving more than one *dwelling unit* shall conform to Part 6.

(3) Ventilation of rooms and spaces in other than *residential occupancies* shall conform to Part 6.

(4) A *storage garage* for more than five cars shall be ventilated in accordance with Part 6.

9.32.1.2. **General.** Rooms or spaces in *dwelling units* shall be ventilated during the non-heating season by natural means in accordance with Subsection 9.32.2. or by a mechanical ventilation system conforming to Subsection 9.32.3.

##### 9.32.2. Natural Ventilation

##### 9.32.2.1. Natural Ventilation Area

(1) The unobstructed openable ventilation area to the outdoors for rooms and spaces in residential *buildings* ventilated by natural means shall conform to Table 9.32.2.A.

**Table 9.32.2.A.**  
Forming Part of Sentence 9.32.2.1.(1)

Natural Ventilation		
	Location	Minimum Unobstructed Area
Within <i>dwelling unit</i>	Bathrooms or water-closet rooms	0.09 m <sup>2</sup>
	Unfinished <i>basement</i> space	0.2 per cent of the floor area
	Dining rooms, living rooms, Bedrooms, kitchens, combined rooms Dens, recreation rooms and all other finished rooms	0.28 m <sup>2</sup> per room or combination of rooms
Other than within <i>dwelling unit</i>	Bathrooms or water-closet rooms	0.09 m <sup>2</sup> per water-closet
	Sleeping areas	0.14 m <sup>2</sup> per occupant
	Laundry rooms, kitchens, recreation rooms	4 per cent of the floor area
	Corridors, storage rooms and other similar public rooms or spaces	2 per cent of the floor area
	Unfinished <i>basement</i> space not used on a shared basis	0.2 per cent of the floor area
Column 1	2	3

(2) Where a vestibule opens directly off a living or dining room within a *dwelling unit*, ventilation to the outdoors for such rooms may be through the vestibule.

##### 9.32.2.2. Protection from Weather and Insects

(1) Openings for natural ventilation other than windows shall be constructed to provide protection from the weather and insects.

- (2) Screening shall be of rust-proof material.

### 9.32.3. Mechanical Ventilation

#### 9.32.3.1. Required Mechanical Ventilation for Dwelling Units

(1) Every *dwelling unit* shall be provided with a mechanical ventilation system having a capacity to exhaust inside air or to introduce outside air at the rate of not less than 0.3 air change per hour, averaged over any 24-hour period.

(2) The rate of air change in Sentence (1) shall be based on the total interior volume of all storeys including the basement, but excluding any attached or built-in garage or unheated crawl space.

**9.32.3.2. Mechanical Ventilation of Rooms and Spaces.** Where a habitable room or space in a *dwelling unit* is not provided with natural ventilation described in Article 9.32.1.2., mechanical ventilation shall be provided to exhaust inside air or to introduce outside air to that room or space at the rate of one-half air change per hour if the room or space is mechanically cooled in summer, and one air change per hour if it is not.

#### 9.32.3.3. Design and Installation Requirements

(1) Except as provided in Sentence (2), mechanical ventilation shall conform to the requirements in Part 6.

(2) Mechanical ventilation required in Articles 9.32.3.1. and 9.32.3.2., and consisting of one or more exhaust fans without an air circulating ductwork system, need not conform with Part 6, provided

- (a) each exhaust fan conforms to CSA C22.2 No. 113, "Fans and Ventilators",
- (b) except as permitted in Sentences (3) and (4), air intake openings for make-up air are installed and are of a size to prevent excessive depressurization in the *dwelling unit* when all exhaust fans of the system are operating, and
- (c) the exhaust fans are controlled either manually by a switch or automatically by a humidistat.

(3) The mechanical ventilation capacity of the system described in Sentence (1) shall be assumed to be the sum of the capacities of the individual fans, as rated at a differential static pressure of at least 25 Pa.

(4) The air intake openings described in Clause (2) (b) are not required if spillage susceptible fuel-fired heating *appliances* which are required to be vented are not installed in the *dwelling unit*.

(5) The air intake openings described in Clause (2) (b) are not required if it can be shown by test that air leakage is sufficient to prevent excessive depressurization in the *dwelling unit* when all exhaust fans of the system are operating.

(6) Special purpose air exhausting equipment such as central vacuum cleaning systems, downdraft cook tops and clothes dryers shall not be included in the calculation of the capacity of the system described in Sentence (2).

**9.32.3.4. Combustion and Dilution Air.** Systems designed to provide combustion and/or dilution air for fuel-burning *appliances* shall not be used to supply make-up air for ventilation systems unless their capacity is sufficient to serve both functions simultaneously without creating excessive depressurization in the *dwelling unit*.

#### 9.32.3.5. Exhaust Ducts

- (1) *Exhaust ducts* shall discharge directly to the outdoors.
- (2) Where the *exhaust duct* passes through or is adjacent to unheated space, the duct shall be insulated to prevent moisture condensation in the duct.

#### 9.32.3.6. Accessibility

(1) Ventilation equipment shall be accessible for inspection, maintenance repair and cleaning.

(2) Kitchen *exhaust ducts* shall be designed and installed so that the entire duct can be cleaned where the duct is not equipped with a filter at the intake end.

#### 9.32.3.7. Protection from Weather and Insects

(1) Outdoor air intake and exhaust outlets shall be shielded from weather and insects.

(2) Screening shall be of rust-proof material.

**9.32.3.8. Requirements for Ducts.** Ventilating ducts shall conform to the requirements of Part 6 for *supply ducts*, except *exhaust ducts* that serve only a bathroom or water-closet room may be of *combustible* material provided the duct is reasonably air-tight and constructed of a material impervious to water.

### Section 9.33 Heating and Air-Conditioning

#### 9.33.1. General

##### 9.33.1.1. Design and Installation Requirements

(1) The design and installation of central heating systems including requirements for combustion air, shall conform to the requirements in Part 6 and to this Section.

(2) The design and installation of *air-conditioning* systems shall conform to the requirements in Part 6.

(3) Repairs, adjustments or component replacements that change the capacity or extent of safety of an existing heating, ventilating or *air-conditioning* system and that alter the method of operation shall conform to this Code.

**9.33.1.2. Solid Fuel-Burning Appliances.** The installation of solid-fuel burning *stoves*, *ranges* and *space heaters*, including the requirements for combustion air, shall conform to CAN/CSA-B365-M, "Installation Code for Solid-Fuel Burning Appliances and Equipment".

##### 9.33.1.3. Design Temperatures

(1) Residential *buildings* intended for occupancy in the winter months on a continuing basis shall be equipped with heating facilities capable of maintaining an indoor air temperature of 22°C at the outside winter design temperature except as provided in Sentences (4) and (5).

(2) All *buildings* other than those described in Sentence (1) intended for *occupancy* in the winter months on a continuing basis shall be equipped with heating facilities to maintain a minimum indoor air temperature of 18°C or commensurate with the use of the building at the outside winter design temperature.

(3) The outside conditions to be used in designing heating, ventilating and *air-conditioning* systems shall be the appropriate values for the municipality as set out in Section 2.5 Climatic Data, using 2.5 per cent design temperature criteria.

(4) Heating facilities shall be provided which shall be capable of maintaining a temperature of not less than 18°C in an unfinished *basement* in *buildings* of residential *occupancy*.

(5) Where crawl spaces are required to be heated, the heating facilities shall be capable of maintaining a temperature of not below 15°C.

**9.33.2. Fire Protection for Gas and Electric Ranges**

**9.33.2.1. Vertical Clearance**

(1) Except as provided in Sentence (2), a vertical clearance of not less than 750 mm shall be provided above the elements or burners of electric- and gas-fired domestic ranges.

(2) Where cabinets located above the elements or burners referred to in Sentence (1) are *noncombustible* or are protected with asbestos millboard at least 6 mm thick, covered with sheet metal not less than 0.33 mm thick, or by a metal hood with a 125 mm projection beyond the upper cabinets, the vertical clearance may be reduced to 600 mm.

**9.33.2.2. Clearance to Wall Framing.** *Combustible* wall framing members within 450 mm of the area where the range is to be located shall be protected above the level of the heating elements by material providing fire resistance at least equivalent to a 9.5 mm thickness of gypsum board.

**Section 9.34 Electrical Facilities**

**9.34.1. General**

**9.34.1.1. Standard for Electrical Installations.** Reserved.

**9.34.1.2. Required Facilities.** Where electrical services are available, electrical facilities shall be provided for every *building* in conformance with this Section.

**9.34.1.3. Location of Equipment in Public Areas.** Entrance switches, meters, panel boxes, splitter boxes, time clocks and other similar equipment shall not be located in any public area unless adequate precautions are taken to prevent interference with the equipment.

**9.34.1.4. Recessed Lighting Fixtures.** Recessed lighting fixtures shall not be located in insulated ceilings unless the fixtures are designed for such installations.

**9.34.1.5.** Reserved.

**9.34.2. Lighting Outlets**

**9.34.2.1. Lighting of Entrances.** An exterior lighting outlet with fixture controlled by a wall switch located within the *building* shall be provided at every entrance to *buildings of residential occupancy*.

**9.34.2.2. Outlets in Dwelling Units**

(1) Except as provided in Sentence (2), a lighting outlet with fixture controlled by a wall switch shall be provided in kitchens, bedrooms, living rooms, utility rooms, laundry rooms, dining rooms, bathrooms, water-closet rooms, vestibules and hallways in *dwelling units*.

(2) Where a receptacle controlled by a wall switch is provided in bedrooms or living rooms, such rooms need not conform to the requirements of Sentence (1).

**9.34.2.3. Stairways**

(1) Every stairway shall be lighted.

(2) Except as provided in Sentence (3), 3-way wall switches located at the head and foot of every stairway shall be provided to control not less than one lighting outlet with fixture for stairways with 4 or more risers in *dwelling units*.

(3) The stairway lighting for *basements* that do not contain finished space or lead to an outside entrance or built-in garage and which serve not more than one *dwelling unit* may be controlled by a single switch located at the head of the stairs.

**9.34.2.4. Basements**

(1) A lighting outlet with fixture shall be provided for each 30 m<sup>2</sup> or fraction thereof of floor area in unfinished *basements*.

(2) The outlet required in Sentence (1) nearest the stairs shall be controlled by a wall switch located at the head of the stairs.

**9.34.2.5. Storage Rooms.** A lighting outlet with fixture shall be provided in storage rooms.

**9.34.2.6. Garages and Carports**

(1) A lighting outlet with fixture shall be provided for an attached, built-in or detached garage or carport.

(2) Outlets required in Sentence (1) shall be controlled by a wall switch near the doorway where the fixture is ceiling mounted above an area normally occupied by a parked car; otherwise a switched lampholder may be used.

(3) Where a carport is lighted by a light at the entrance to a *dwelling unit*, additional carport lighting is not required.

**9.34.2.7. Public and Service Areas**

(1) Every public or service area in *buildings*, including a *recreational camp* and a *camp for housing of workers*, shall have lighting outlets with fixtures controlled by a wall switch or panel.

(2) When provided by incandescent lighting, illumination required in Sentence (1) shall conform to Table 9.34.2.A.

(3) When other types of lighting are used, illumination equivalent to that shown in Table 9.34.2.A. shall be provided.

**Table 9.34.2.A.**  
Forming Part of Sentences 9.34.2.7.(2) and (3)

Minimum Lighting for Public Areas		
Room or Space	lx	W/m <sup>2</sup> of floor area (Incandescent Lighting)
Storage rooms	50	5
Service rooms and laundry areas	200	20
Garages	50	5
Public water-closet rooms	100	10
Service hallways and stairways	50	5
Recreation rooms	100	10
<i>Recreational camps and camps for housing of workers:</i>		
Hallways, corridors, stairways and sleeping areas	100	10
Kitchens	500	50
All other rooms	250	25
Column 1	2	3

**9.34.3. Emergency Lighting**

**9.34.3.1. Emergency Lighting.** Emergency lighting shall conform to Subsection 9.9.11.

**9.34.4. Service Entrance Requirements**

**9.34.4.1. Meter Mounting Device**

(1) Except in the case of externally mounted read-outs, each new residential consumer service of 200 amperes or less shall have a meter mounting device located outdoors in an accessible location.

(2) For the purposes of this Subsection, the front of the *building* is the side nearest the utility distribution line.

**9.34.4.2. Location of Meter Mounting Device**

(1) Meter mounting devices shall be installed on the wall of the *building* or where that is not possible, on a separate support, so that the midpoint of the meter after installation will be 1.75 m plus or minus 100 mm from finished *grade*.

(2) Meter mounting devices shall be located not more than 3.00 m back from the front of the single family and semi-detached homes.

**9.34.4.3. Location of Consumer Service Standpipe**

(1) For an underground supply, the bottom of the consumer service standpipe shall be located not more than 3.00 m from the corner of the *building*.

(2) For an overhead supply, the top of the consumer service standpipe shall be located not more than 3.00 m from the corner of the *building* except that where this location does not permit a 4.50 m clearance at the point of attachment of the service conductors to the *building*, the top of the standpipe may be extended to a point not more than half way along the *building*.

**9.34.4.4. Meter Mounting Device.** The meter mounting device shall be

- (a) one hundred ampere capacity except when the service equipment is to be greater,
- (b) standardized for each service size, and
- (c) capable of accepting 2 in. IPS conduit of steel, aluminum, copper or PVC if intended for underground service entrance.

**9.34.4.5. Underground Service.** For consumer services supplied underground

- (a) a 2 in. IPS steel, aluminum, copper or PVC conduit shall be attached to the bottom of the meter mounting device and shall terminate in the earth at a point at least 900 mm below *grade* and a conduit bushing shall be attached to the conduit in the earth, and
- (b) the conductors on the line side of the meter and those on the load side of the meter shall not be installed in the same conduit.

**Section 9.35 Garages and Carports****9.35.1. Scope**

**9.35.1.1. Application.** This Section applies to garages and carports serving not more than 1 *dwelling unit*.

**9.35.1.2. Construction Requirements.** The construction of a garage or carport shall conform to the requirements for other *buildings* in this Part except as provided in this Section.

**9.35.2. General**

**9.35.2.1. Roofed Enclosure Considered as Garage.** Where a roofed enclosure used for the storage or parking of a car or cars has more than 60 per cent of the total perimeter enclosed by walls, doors or windows, the enclosure shall be considered a garage.

**9.35.2.2. Garage Floor.** Where an attached or built-in garage is provided, the garage floor shall be sloped to drain liquids to the out-doors.

**9.35.3. Foundations**

**9.35.3.1. Foundation Required.** Except as permitted in this Subsection, *foundations* conforming to Sections 9.12 and 9.15 shall be pro-

vided for the support of carport and garage super-structures, including that portion beneath garage doors.

**9.35.3.2. Protection from Damage due to Soil Movement**

(1) In clay-type *soils* subject to significant movement with a change in *soil* moisture content, the *foundation* depth of carports or garages connected to a *dwelling unit* by a breezeway shall be approximately the same depth as the main *building foundation*.

(2) Where slab-on-ground construction is used, a construction joint shall be provided between the main *building* slab and the garage or breezeway or carport slab.

(3) *Foundations* for attached unheated garages or carports shall be below frost level, except as provided in Section 9.12.

**9.35.3.3. Small Garages.** Detached garages of less than 50 m<sup>2</sup> floor area and not more than 1 *storey* in height may be supported on wood mud sills provided the garage is not of masonry or masonry veneer construction.

**9.35.3.4. Column Piers**

(1) Piers for the support of carport columns shall extend not less than 150 mm above ground level.

(2) Piers shall project not less than 25 mm beyond the base of the column but in no case be less than 190 mm by 190 mm in size.

**9.35.4. Walls and Columns**

**9.35.4.1. Interior Finish.** Interior finish need not be applied to garage and carport walls.

**9.35.4.2. Columns.** Columns for garages and carports shall conform to Section 9.17, except that 89 mm by 89 mm wood columns may be used.

**9.35.4.3. Anchorage.** Garage or carport walls and columns shall be anchored to the *foundation* to resist wind uplift in conformance with Subsection 9.23.6., except that where a garage is supported on the surface of the ground, ground anchors shall be provided to resist wind uplift.

**Section 9.36 Cottages****9.36.1. Scope****9.36.1.1. Application**

(1) This Section applies to *buildings* of *residential occupancy* used or intended to be used as seasonal recreational *buildings*.

(2) The *buildings* described in Sentence (1) shall comply with all the requirements of this Part, except where they are specifically exempted in this Section.

**9.36.2. General****9.36.2.1. Exclusions**

(1) Except as provided in Article 9.36.3.1. and Subsection 9.10.15., *buildings* used or intended to be used as seasonal recreational *buildings* need not comply with Sections 9.5 to 9.7 and 9.9 to 9.11.

(2) Flooring need not comply with Section 9.31, but tight-fitting floors shall be provided to support the *live* and *dead loads*.

(3) Thermal insulation, vapour barrier, interior finishes, plumbing, heating, *air-conditioning* and electrical facilities, need not be provided, but where any of these are provided, they shall comply with the requirements of this Part.

(4) Where heating and *air-conditioning* are provided, Articles 9.33.1.3. and 9.33.1.4. need not be complied with.

#### 9.36.2.2. Foundations

(1) Continuous perimeter *foundation* walls are not required, but when they are provided, they shall comply with the requirements of this Part.

(2) Where unit masonry columns are used, the height of such columns shall not exceed

- (a) in the case of hollow masonry units, 4 times the least dimension of the units,
- (b) in the case of solid masonry units or hollow units with voids filled with concrete, 10 times the least dimension of the column, or
- (c) where the column is reinforced with at least four 13 mm diameter bars and filled with concrete, 18 times the least dimension of the column.

(3) Columns in excess of the height limitations of Clause (2) (a), (b) or (c) shall be designed in accordance with Part 4.

**9.36.2.3. Waterproofing and Dampproofing.** Where *foundations* below ground level and concrete floors on *grade* are used, they shall comply with Section 9.13.

#### 9.36.3. Tourist Accommodation

**9.36.3.1. Buildings for Seasonal Tourist Accommodation or for Rent.** Where *buildings* are used or intended to be used for seasonal tourist accommodation or for rent, they shall comply with Sections 9.5 to 9.8 in addition to the requirements of this Section.

#### Section 9.37 Log Construction

##### 9.37.1. General

**9.37.1.1. Material Requirements.** Logs which are sound and free of fractures may be used for *foundations*, beams, posts and similar members providing it can be shown by a structural analysis or tests or previous experience that the strength of the member is adequate for its intended purposes.

**9.37.1.2. Requirement for Wood Preservative.** The portion of any log coming in contact with masonry or concrete at or below *grade* shall be treated with a wood preservative to prevent decay.

**9.37.1.3. Exterior Joints.** All exterior joints between logs shall be rendered water-tight by methods such as machined joints, oakum packing, cement parging, chinking, caulking or a combination of these.

##### 9.37.2. Walls

**9.37.2.1. Logs.** Walls may be built of natural or manufactured logs.

**9.37.2.2. Attachment of Logs.** Walls made of logs in a horizontal position shall have interlocking inter-sections which will prevent the collection of water in the joints, or the horizontal logs shall butt to a vertical corner post to which the horizontal logs shall be firmly attached.

**9.37.2.3. Joining Logs.** Each log in a horizontal position shall be scribed as close as possible to its bearer and fastened to the bearer in at least three places throughout its length, by dowels, continuous machined joints, vertical framing members or interlocking inter-sections or any combination of these, but in no case shall the distance between fastenings exceed 1.80 m.

**9.37.2.4. Vertical Logs.** Each log in a wall built of vertical logs shall be scribed to fit as closely as possible to the adjacent logs.

**9.37.2.5. Plates.** Logs used in a vertical position shall have a plate the top and a plate at the bottom, which are at least as wide as the largest end diameter of any of the logs.

##### 9.37.3. Lintels

**9.37.3.1. Support Over Openings.** Logs placed in vertical position shall be supported over window and door openings by lintels meeting the requirements of Table 9.23.12.A.

**9.37.3.2. Clearance.** At every opening in a wall made of logs in a horizontal position where shrinkage can occur there shall be a clearance between the rough buck header and the lintel log of not less than 13 mm in width for each 300 mm of height to allow for settlement.

#### Section 9.38 Thermal Design

##### 9.38.1. Scope

**9.38.1.1. Application.** This Section applies to the thermal design of a *building of residential occupancy* where such design is an alternative to the thermal insulation requirements of Section 9.25.

##### 9.38.2. General

**9.38.2.1. Materials and Installation.** The materials for, and the installation of, thermal insulation and vapour barrier protection shall conform to Section 9.25.

**9.38.2.2. Protection of Foamed Plastic.** Foamed plastic thermal insulation shall be protected as described in Article 9.10.16.10.

**9.38.2.3. Crawl Spaces.** Crawl spaces shall comply to Section 9.18.

**9.38.2.4. Roof Spaces.** Roof spaces shall comply to Section 9.19.

**9.38.2.5. Ventilation.** Ventilation requirements shall comply to Section 9.32 except as provided in Subsection 9.38.7.

**9.38.2.6. Heating and Air Conditioning.** Heating and *air conditioning* requirements shall comply to Section 9.33.

##### 9.38.3. Thermal Resistance of Assemblies

**9.38.3.1.** Except as provided in Articles 9.38.3.2. to 9.38.3.6., and except for doors, windows, skylights and other *closures*, the thermal resistance of each *building* assembly through any portion that does not include framing or furring shall conform to Table 9.38.3.A.

**Table 9.38.3.A.**  
Forming Part of Article 9.38.3.1.

Building Assembly	Minimum Thermal Resistance (RSI-Value) m <sup>2</sup> C/W	
	Maximum Number of Celsius Degree Days	
	Up to 5000	Above 5000
Exposed walls	3.0	3.4
Exposed roof or ceiling		
— frame	5.6	6.4
— solid	3.0	3.4
Foundation walls		
— solid	1.5	1.5
— frame	3.0	3.4
Exposed floors		
— frame	4.7	4.7
— solid	3.0	3.4
Slab-on-ground at grade		
— unheated	1.3	1.7
— heated	1.7	2.1
Column 1	2	3

Notes to Table 9.38.3.A.:

- (1) "Exposed" means exposed to outdoor temperature or unheated area.
- (2) "Solid" means brick concrete blocks or concrete.
- (3) "Frame" means a wood or steel stud frame to which interior and exterior cladding is applied.
- (4) "RSI value" shown for slab-on-ground at grade is for rigid insulation.
- (5) Slab-on-ground at grade - "heated" means a concrete floor containing heating ducts or pipes, "unheated" means a concrete floor not containing ducts or pipes.

**9.38.3.2.** Except as provided in Article 9.38.3.3., the thermal resistance of the insulated portion of a *building* assembly in Sentence 9.38.1.1.(1) that incorporates metal framing elements, such as steel studs and steel joists, that act as thermal bridges to facilitate heat flow through the assembly, shall be 20 per cent greater than the values shown in Table 9.38.3.A., unless it can be shown that the heat flow is not greater than the heat flow through a wood frame assembly of the same thickness.

**9.38.3.3.** Article 9.38.3.2. for *building* assemblies incorporating thermal bridges does not apply where the thermal bridges are insulated to restrict heat flow through the thermal bridges by a material providing a thermal resistance at least equal to 25 per cent of the thermal resistance required for the insulated portion of the assembly in Article 9.38.3.1.

**9.38.3.4.** The thermal resistance of a *building* assembly may be reduced by not more than 20 per cent from that required in Articles 9.38.3.1. and 9.38.3.2., and the amount of glazing may be increased to more than permitted in Article 9.38.4.3., where it can be shown that the total calculated heat loss from the *building* enclosure does not exceed the heat loss that would result if the enclosure were constructed in conformance with the minimum thermal resistance requirements in Articles 9.38.3.1. and 9.38.3.2. and with the maximum amount of glazing permitted in Article 9.38.4.3., provided no allowance is made for solar heat gains or for the orientation of the glazing as described in Article 9.38.4.5.

**9.38.3.5.** The thermal resistance values in Article 9.38.3.1. and 9.38.3.2. for roof or ceiling assemblies separating heated space from unheated space or the exterior may be reduced near the eaves to the extent made necessary by the roof slope and required ventilation clearances, except that the thermal resistance at the location directly above the inner surface of the exterior wall shall be at least 2.1 m<sup>2</sup>C/W.

**9.38.3.6.** The thermal resistance values required in Article 9.38.3.1. may be reduced to take into account the effect of thermal inertia resulting from the mass of the *building* in conformance with Building Research Note No. 126, published by the Division of Building Research, National Research Council of Canada, January 1978.

**9.38.3.7.** Insulation applied to the exterior of a *foundation* wall or slab-on-ground floor shall extend down at least 600 mm below the adjacent exterior ground level or shall extend down and outward from the floor or wall for a total distance of at least 600 mm measured from the adjacent finished ground level.

**9.38.3.8.** Insulation applied to the interior of a *foundation* wall shall extend from the underside of the flooring above such walls, down to at least 600 mm below the exterior adjacent ground level.

**9.38.3.9.** Every *foundation* wall face having more than 50 per cent of its area exposed to outside air and those parts of foundation walls of wood-frame construction above exterior ground level shall have a thermal resistance conforming to the requirement for wall assemblies above ground level in Table 9.38.3.A.

#### 9.38.4. Glazing

**9.38.4.1.** Except as provided in Articles 9.38.4.2. and 9.38.4.4., all glazing that separates heated space from unheated space or the exterior shall have a thermal resistance of at least 0.30 m<sup>2</sup>C/W.

**9.38.4.2.** Where an enclosed unheated space, such as a sun porch, enclosed verandah or vestibule, is separated from a heated space by glazing, the unheated enclosure may be considered to provide ther-

mal resistance of 0.16 m<sup>2</sup>C/W, or the equivalent of one layer of glazing.

**9.38.4.3.** Except as provided in Articles 9.38.4.4. and 9.38.4.5., the total area of glazing, including glazing for doors and skylights, that separates heated space from unheated space or the exterior shall not exceed 20 per cent of the *floor area* of the *storey* served by the glazed areas and shall not exceed 40 per cent of the total area of the walls of that *storey* separating heated space from unheated space or the exterior. (In the case of a sloping wall, the area of the opaque portion of the wall is calculated as its projected area on a vertical plane.)

**9.38.4.4.** Where the thermal resistance of glazing is different from that required in Articles 9.38.4.1. and 9.38.4.2., the area of such glazing for the purpose of applying Article 9.38.4.3. may be assumed as being equal to the actual area multiplied by the ratio of the required thermal resistance divided by the actual thermal resistance of the glazing.

**9.38.4.5.** Except as provided in Article 9.38.4.6., the area of glazing that contains clear glass or that has a shading coefficient of more than 0.70 that is unshaded in the winter and faces a direction within 45° of due South may be assumed to be 50 per cent of its unshaded area in calculating the maximum area of glazing in Articles 9.38.4.3. and 9.38.4.4. provided the *building* is designed with a system that is capable of distributing the solar heat gain from such glazed areas throughout the *building*. For the purpose of determining whether or not the glazing is shaded in the winter, the shading shall be calculated using the noon sun angles of December 21.

**9.38.4.6.** Article 9.38.4.5. shall not apply where the *building* is designed to be cooled unless the glazing described in Article 9.38.4.5. is shaded in the summer with exterior devices. For the purpose of determining whether or not the glazing is shaded in the summer, the shading shall be calculated using the noon sun angles of June 21.

#### 9.38.5. Doors and Windows

**9.38.5.1.** Air curtains shall not be used in place of exterior doors.

**9.38.5.2.** Except for doors used primarily to facilitate the movement of vehicles or handling of material, infiltration around doors shall conform to the appropriate requirements in Subsection 9.38.6.

**9.38.5.3.** Except for doors on enclosed unheated vestibules, all doors separating heated space from the outside shall conform to the appropriate requirements of Section 9.6.

**9.38.5.4.** Windows shall conform to the appropriate requirements of Section 9.7.

#### 9.38.6. Infiltration

**9.38.6.1.** Windows separating heated space from unheated space or the exterior shall be designed to limit the rate of air infiltration to not more than 0.775 dm<sup>3</sup>/s for each metre of sash crack when tested at pressure differential of 75 Pa in conformance with ASTM E283, "Standard Method of Test for Rate of Air Leakage through Exterior Windows, Curtain Walls and Doors".

**9.38.6.2.** Manually operated exterior sliding glass door assemblies that separate heated space from unheated space or the exterior shall be designed to limit air infiltration to not more than 2.5 dm<sup>3</sup>/s for each square metre of door area when tested in conformance with Article 9.38.6.1.

**9.38.6.3.** Except where the door is weather-stripped on all edges and protected with a storm door or by an enclosed unheated space, exterior swing type door assemblies for *dwelling units*, individually rented hotel and motel rooms and suites shall be designed to limit the rate of air infiltration to not more than 6.35 dm<sup>3</sup>/s for each square metre of door area when tested in conformance with Article 9.38.6.1.



9.38.6.4. Door assemblies other than those described in Articles 9.38.6.2. and 9.38.6.3. that separate heated space from unheated space or the exterior shall be designed to limit the rate of air infiltration to not more than 17.0 dm<sup>3</sup>/s for each metre of door crack when tested in conformance with Article 9.38.6.1.

9.38.6.5. Caulking material to reduce air infiltration shall conform to the requirements in Subsection 9.27.4.

9.38.6.6. The junction between the sill plate and the *foundation*, joints between exterior wall panels and any other location where there is a possibility of air leakage into heated spaces in a *building*

through the exterior walls, such as at utility service entrances, shall be caulked, gasketed or sealed to restrict such air leakage.

9.38.6.7. Air leakage between heated space and adjacent roof or attic space caused by the penetration of services shall be restricted in conformance with the requirements of Subsection 9.25.5.

#### 9.38.7. Ventilation

9.38.7.1. Fresh air for the ventilation of rooms and spaces in *buildings of residential occupancy* shall be provided at a rate of at least 0.3 air change per hour by a combination of natural and mechanical ventilation.

**Table A-1**  
Forming Part of Sentence 9.23.4.1.(1)

Floor Joists - Living Quarters											
Commercial Designation	Grade	Member Size, mm	Strapping Only			Bridging Only			Strapping and Bridging		
			Joist Spacing			Joist Spacing			Joist Spacing		
			300 mm	400 mm	600 mm	300 mm	400 mm	600 mm	300 mm	400 mm	600 mm
			m	m	m	m	m	m	m	m	m
Douglas Fir-Larch (includes Douglas Fir and Western Larch)	Select Structural	38x89	2.13	1.97	1.73	2.19	1.99	1.73	2.19	1.99	1.73
		38x140	3.23	3.07	2.73	3.44	3.12	2.73	3.44	3.12	2.73
		38x184	3.88	3.69	3.51	4.18	3.92	3.59	4.37	4.07	3.59
		38x235	4.57	4.34	4.13	4.86	4.57	4.29	5.05	4.70	4.39
		38x286	5.21	4.95	4.71	5.49	5.16	4.85	5.66	5.28	4.92
	No. 1 and No. 2	38x89	2.00	1.85	1.66	2.09	1.90	1.66	2.09	1.90	1.66
		38x140	3.09	2.91	2.62	3.29	2.99	2.62	3.29	2.99	2.62
		38x184	3.71	3.53	3.36	4.00	3.76	3.44	4.19	3.90	3.44
		38x235	4.38	4.16	3.96	4.66	4.38	4.11	4.84	4.51	4.20
		38x286	4.99	4.75	4.52	5.26	4.94	4.65	5.43	5.06	4.72
	No. 3	38x89	1.90	1.69	1.38	1.95	1.69	1.38	1.95	1.69	1.38
		38x140	2.78	2.41	1.97	2.78	2.41	1.97	2.78	2.41	1.97
		38x184	3.38	2.93	2.39	3.38	2.93	2.39	3.38	2.93	2.39
		38x235	4.14	3.58	2.93	4.14	3.58	2.93	4.14	3.58	2.93
		38x286	4.80	4.16	3.39	4.80	4.16	3.39	4.80	4.16	3.39
	Construction	38x89	1.90	1.77	1.61	2.03	1.84	1.61	2.03	1.84	1.61
	Standard	38x89	1.81	1.68	1.55	1.96	1.78	1.55	1.96	1.78	1.55
	Hemlock - Fir (includes Western Hemlock and Amabilis Fir)	Select Structural	38x89	2.08	1.93	1.71	2.16	1.96	1.71	2.16	1.96
38x140			3.18	3.03	2.69	3.39	3.08	2.69	3.39	3.08	2.69
38x184			3.82	3.64	3.46	4.12	3.87	3.54	4.31	4.02	3.54
38x235			4.50	4.28	4.08	4.80	4.51	4.23	4.98	4.64	4.33
38x286			5.14	4.89	4.65	5.42	5.09	4.78	5.59	5.21	4.86
No. 1 and No. 2		38x89	2.00	1.85	1.66	2.09	1.90	1.66	2.09	1.90	1.66
		38x140	3.09	2.91	2.62	3.29	2.99	2.62	3.29	2.99	2.62
		38x184	3.71	3.53	3.36	4.00	3.76	3.44	4.19	3.90	3.44
		38x235	4.38	4.16	3.96	4.66	4.38	4.11	4.84	4.51	4.20
		38x286	4.99	4.75	4.52	5.26	4.94	4.65	5.43	5.06	4.72
No. 3		38x89	1.90	1.77	1.61	2.03	1.84	1.61	2.03	1.84	1.61
		38x140	2.99	2.78	2.43	3.19	2.90	2.43	3.19	2.90	2.43
		38x184	3.60	3.42	2.95	3.88	3.61	2.95	4.06	3.61	2.95
		38x235	4.24	4.03	3.61	4.51	4.24	3.61	4.68	4.37	3.61
		38x286	4.84	4.60	4.19	5.10	4.79	4.19	5.26	4.90	4.19
Construction		38x89	1.90	1.77	1.61	2.03	1.84	1.61	2.03	1.84	1.61
Standard		38x89	1.81	1.68	1.55	1.96	1.78	1.55	1.96	1.78	1.55



Table A-1—Continued

Floor Joists - Living Quarters											
Commercial Designation	Grade	Member Size, mm	Strapping Only			Bridging Only			Strapping and Bridging		
			Joist Spacing			Joist Spacing			Joist Spacing		
			300 mm	400 mm	600 mm	300 mm	400 mm	600 mm	300 mm	400 mm	600 mm
			m	m	m	m	m	m	m	m	m
Spruce - Pine - Fir (includes Spruce (all species except Coast Sitka Spruce) Jack Pine, Lodgepole Pine, Balsam Fir and Alpine Fir)	Select Structural	38x89	1.95	1.81	1.64	2.06	1.87	1.64	2.06	1.87	1.64
		38x140	3.05	2.85	2.57	3.24	2.95	2.57	3.24	2.95	2.57
		38x184	3.66	3.48	3.31	3.94	3.70	3.38	4.12	3.84	3.38
		38x235	4.31	4.10	3.90	4.59	4.31	4.05	4.76	4.44	4.14
		38x286	4.91	4.67	4.45	5.18	4.87	4.57	5.34	4.98	4.64
	No. 1 and No. 2	38x89	1.86	1.72	1.58	1.99	1.81	1.58	1.99	1.81	1.58
		38x140	2.92	2.71	2.49	3.14	2.85	2.49	3.14	2.85	2.49
		38x184	3.54	3.36	3.20	3.81	3.58	3.27	3.99	3.72	3.27
		38x235	4.17	3.96	3.77	4.44	4.17	3.92	4.60	4.29	4.00
		38x286	4.75	4.52	4.30	5.01	4.71	4.42	5.17	4.82	4.49
	No. 3	38x89	1.81	1.68	1.55	1.96	1.78	1.55	1.96	1.78	1.55
		38x140	2.84	2.64	2.43	3.08	2.80	2.43	3.08	2.80	2.43
		38x184	3.47	3.30	2.95	3.74	3.52	2.95	3.92	3.61	2.95
		38x235	4.09	3.89	3.61	4.36	4.09	3.61	4.52	4.22	3.61
		38x286	4.67	4.44	4.19	4.92	4.62	4.19	5.08	4.73	4.19
	Construction	38x89	1.81	1.68	1.55	1.96	1.78	1.55	1.96	1.78	1.55
	Standard	38x89	1.70	1.58	1.47	1.88	1.71	1.50	1.88	1.71	1.50
	Northern Species (includes any Canadian soft wood covered by the NLGA Standard Grading Rules)	Select Structural	38x89	1.65	1.53	1.42	1.84	1.68	1.46	1.84	1.68
38x140			2.59	2.41	2.24	2.90	2.63	2.30	2.90	2.63	2.30
38x184			3.27	3.11	2.94	3.52	3.31	3.03	3.69	3.44	3.03
38x235			3.85	3.66	3.48	4.10	3.85	3.62	4.26	3.97	3.70
		38x286	4.39	4.18	3.97	4.63	4.35	4.09	4.78	4.45	4.15
No. 1 and No. 2		38x89	1.59	1.48	1.37	1.80	1.64	1.43	1.80	1.64	1.43
		38x140	2.51	2.33	2.16	2.83	2.57	2.25	2.83	2.57	2.25
		38x184	3.19	3.04	2.84	3.44	3.23	2.96	3.60	3.36	2.96
		38x235	3.76	3.58	3.41	4.01	3.77	3.54	4.16	3.88	3.62
		38x286	4.29	4.08	3.88	4.53	4.25	4.00	4.67	4.35	4.06
No. 3		38x89	1.54	1.43	1.32	1.74	1.57	1.36	1.76	1.60	1.36
		38x140	2.42	2.24	1.94	2.74	2.38	1.94	2.75	2.28	1.94
		38x184	3.12	2.90	2.37	3.35	2.90	2.37	3.35	2.90	2.37
		38x235	3.67	3.49	2.89	3.91	3.54	2.89	4.06	3.54	2.89
		38x286	4.19	3.98	3.36	4.42	4.11	3.36	4.55	4.11	3.36
Construction		38x89	1.54	1.43	1.32	1.74	1.57	1.40	1.76	1.60	1.40
Standard		38x89	1.48	1.37	1.27	1.67	1.51	1.36	1.71	1.55	1.36

**Table A-2**  
Forming Part of Sentence 9.23.4.1.(1)

Floor Joists - Bedrooms and Accessible Attics											
Commercial Designation	Grade	Member Size, mm	Strapping Only			Bridging Only			Strapping and Bridging		
			Joist Spacing			Joist Spacing			Joist Spacing		
			300 mm	400 mm	600 mm	300 mm	400 mm	600 mm	300 mm	400 mm	600 mm
			m	m	m	m	m	m	m	m	m
<b>Douglas Fir-Larch</b> (includes Douglas Fir and Western Larch)	Select Structural	38x89	2 <sup>9</sup> / <sub>16</sub>	1.97	1.83	2.42	2.20	1.92	2.42	2.20	1.92
		38x140	3.23	3.07	2.88	3.53	3.31	3.02	3.72	3.46	3.02
		38x184	3.88	3.69	3.51	4.18	3.92	3.69	4.37	4.07	3.80
		38x235	4.57	4.34	4.13	4.86	4.57	4.29	5.05	4.70	4.39
		38x286	5.21	4.95	4.71	5.49	5.16	4.85	5.66	5.28	4.92
	No. 1 and No. 2	38x89	2.00	1.85	1.72	2.31	2.09	1.84	2.32	2.11	1.84
		38x140	3.09	2.91	2.70	3.38	3.17	2.90	3.57	3.31	2.90
		38x184	3.71	3.53	3.36	4.00	3.76	3.53	4.19	3.90	3.64
		38x235	4.38	4.16	3.96	4.66	4.38	4.11	4.84	4.51	4.20
		38x286	4.99	4.75	4.52	5.26	4.94	4.65	5.43	5.06	4.72
	No. 3	38x89	1.90	1.77	1.57	2.19	1.93	1.57	2.23	1.93	1.57
		38x140	2.99	2.75	2.25	3.18	2.75	2.25	3.18	2.75	2.25
		38x184	3.60	3.35	2.73	3.86	3.35	2.73	3.86	3.35	2.73
		38x235	4.24	4.03	3.34	4.51	4.09	3.34	4.68	4.09	3.34
		38x286	4.84	4.60	3.88	5.10	4.75	3.88	5.26	4.75	3.88
	Construction	38x89	1.90	1.77	1.64	2.19	1.98	1.78	2.25	2.04	1.78
	Standard	38x89	1.81	1.68	1.56	2.07	1.88	1.70	2.17	1.97	1.72
	<b>Hemlock - Fir</b> (includes Western Hemlock and Amabilis Fir)	Select Structural	38x89	2.08	1.93	1.80	2.39	2.17	1.89	2.39	2.17
38x140			3.18	3.03	2.82	3.48	3.27	2.98	3.67	3.41	2.98
38x184			3.82	3.64	3.46	4.12	3.87	3.64	4.31	4.02	3.75
38x235			4.50	4.28	4.08	4.80	4.51	4.23	4.98	4.64	4.33
38x286			5.14	4.89	4.65	5.42	5.09	4.78	5.59	5.21	4.86
No. 1 and No. 2		38x89	2.00	1.85	1.72	2.31	2.09	1.84	2.32	2.11	1.84
		38x140	3.09	2.91	2.70	3.38	3.17	2.90	3.57	3.31	2.90
		38x184	3.71	3.53	3.36	4.00	3.76	3.53	4.19	3.90	3.64
		38x235	4.38	4.16	3.96	4.66	4.38	4.11	4.84	4.51	4.20
		38x286	4.99	4.75	4.52	5.26	4.94	4.65	5.43	5.06	4.72
No. 3		38x89	1.90	1.77	1.64	2.19	1.98	1.78	2.25	2.04	1.78
		38x140	2.99	2.78	2.58	3.27	3.08	2.77	3.46	3.21	2.77
		38x184	3.60	3.42	3.26	3.88	3.64	3.37	4.06	3.78	3.37
		38x235	4.24	4.03	3.84	4.51	4.24	3.98	4.68	4.37	4.07
		38x286	4.84	4.60	4.37	5.10	4.79	4.50	5.26	4.90	4.57
Construction		38x89	1.90	1.77	1.64	2.19	1.98	1.78	2.25	2.04	1.78
Standard		38x89	1.81	1.68	1.56	2.07	1.88	1.70	2.17	1.97	1.72

Table A-2—Continued

Floor Joists - Bedrooms and Accessible Attics											
Commercial Designation	Grade	Member Size, mm	Strapping Only			Bridging Only			Strapping and Bridging		
			Joist Spacing			Joist Spacing			Joist Spacing		
			300 mm	400 mm	600 mm	300 mm	400 mm	600 mm	300 mm	400 mm	600 mm
			m	m	m	m	m	m	m	m	m
Spruce - Pine - Fir (includes Spruce (all species except Coast Sitka Spruce) Jack Pine, Lodgepole Pine, Balsam Fir and Alpine Fir)	Select Structural	38x89	1.95	1.81	1.68	2.25	2.04	1.81	2.28	2.07	1.81
		38x140	3.05	2.85	2.64	3.33	3.13	2.85	3.51	3.26	2.85
		38x184	3.66	3.48	3.31	3.94	3.70	3.48	4.12	3.84	3.58
		38x235	4.31	4.10	3.90	4.59	4.31	4.05	4.76	4.44	4.14
		38x286	4.91	4.67	4.45	5.18	4.87	4.57	5.34	4.98	4.64
	No. 1 and No. 2	38x89	1.86	1.72	1.60	2.14	1.93	1.75	2.21	2.01	1.75
		38x140	2.92	2.71	2.51	3.22	3.02	2.75	3.40	3.16	2.76
		38x184	3.54	3.36	3.20	3.81	3.58	3.36	3.99	3.72	3.47
		38x235	4.17	3.96	3.77	4.44	4.17	3.92	4.60	4.29	4.00
		38x286	4.75	4.52	4.30	5.01	4.71	4.42	5.17	4.82	4.49
	No. 3	38x89	1.81	1.68	1.56	2.07	1.88	1.70	2.17	1.97	1.72
		38x140	2.84	2.64	2.45	3.16	2.95	2.67	3.34	3.10	2.71
		38x184	3.47	3.30	3.14	3.74	3.52	3.30	3.92	3.65	3.37
		38x235	4.09	3.89	3.70	4.36	4.09	3.85	4.52	4.22	3.93
		38x286	4.67	4.44	4.22	4.92	4.62	4.34	5.08	4.73	4.41
	Construction	38x89	1.81	1.68	1.56	2.07	1.88	1.70	2.17	1.97	1.72
	Standard	38x89	1.70	1.58	1.47	1.95	1.76	1.59	2.09	1.89	1.66
	Northern Species (includes any Canadian soft wood covered by the NLGA Standard Grading Rules)	Select Structural	38x89	1.65	1.53	1.42	1.88	1.70	1.54	2.04	1.83
38x140			2.59	2.41	2.24	2.96	2.67	2.42	3.14	2.88	2.55
38x184			3.27	3.11	2.94	3.52	3.31	3.11	3.69	3.44	3.20
38x235			3.85	3.66	3.48	4.10	3.85	3.62	4.26	3.97	3.70
38x286			4.39	4.18	3.97	4.63	4.35	4.09	4.78	4.45	4.15
No. 1 and No. 2		38x89	1.59	1.48	1.37	1.81	1.64	1.48	1.98	1.76	1.56
		38x140	2.51	2.33	2.16	2.85	2.58	2.33	3.07	2.77	2.46
		38x184	3.19	3.04	2.84	3.44	3.23	3.04	3.60	3.36	3.13
		38x235	3.76	3.58	3.41	4.01	3.77	3.54	4.16	3.88	3.62
		38x286	4.29	4.08	3.88	4.53	4.25	4.00	4.67	4.35	4.06
No. 3		38x89	1.54	1.43	1.32	1.74	1.57	1.42	1.90	1.69	1.50
		38x140	2.42	2.24	2.08	2.74	2.48	2.22	2.99	2.65	2.22
		38x184	3.12	2.95	2.70	3.36	3.16	2.70	3.51	3.28	2.72
		38x235	3.67	3.49	3.31	3.91	3.67	3.31	4.06	3.78	3.31
		38x286	4.19	3.98	3.79	4.42	4.15	3.84	4.55	4.25	3.84
Construction		38x89	1.54	1.43	1.32	1.74	1.57	1.42	1.90	1.69	1.50
Standard		38x89	1.48	1.37	1.27	1.67	1.51	1.36	1.82	1.61	1.43

**Table A-3**  
Forming Part of Sentence 9.23.4.1.(1)

Ceiling Joists - Attic Not Accessible by a Stairway					
Commercial Designation	Grade	Member Size, mm	All Ceilings		
			Joist Spacing		
			300 mm	400 mm	600 mm
			m	m	m
<b>Douglas Fir-Larch</b> (includes Douglas Fir and Western Larch)	Select Structural	38x89	3.41	3.10	2.71
		38x140	5.37	4.88	4.26
		38x184	7.05	6.40	5.59
		38x235	9.01	8.18	7.15
		38x286	10.96	9.96	8.70
	No. 1 and No. 2	38x89	3.27	2.97	2.59
		38x140	5.14	4.67	4.08
		38x184	6.76	6.14	5.36
		38x235	8.63	7.84	6.85
	No. 3	38x89	3.17	2.88	2.42
		38x140	4.89	4.23	3.46
		38x184	5.95	5.15	4.20
		38x235	7.27	6.30	5.14
	Construction	38x89	3.17	2.88	2.51
		Standard	38x89	3.06	2.78
<b>Hemlock - Fir</b> (includes Western Hemlock and Amabilis Fir)	Select Structural	38x89	3.36	3.06	2.67
		38x140	5.29	4.81	4.20
		38x184	6.96	6.32	5.52
		38x235	8.88	8.07	7.05
		38x286	10.81	9.82	8.58
	No. 1	38x89	3.27	2.97	2.59
		38x140	5.14	4.67	4.08
		38x184	6.76	6.14	5.36
		38x235	8.63	7.84	6.85
	No. 3	38x89	3.17	2.88	2.51
		38x140	4.98	4.53	3.95
		38x184	6.55	5.95	5.19
		38x235	8.36	7.60	6.34
	Construction	38x89	3.17	2.88	2.50
		Standard	38x89	3.06	2.78

Table A-3—Continued

## Ceiling Joists - Attic Not Accessible by a Stairway

Commercial Designation	Grade	Member Size, mm	All Ceilings		
			Joist Spacing		
			300 mm	400 mm	600 mm
			m	m	m
Spruce-Pine - Fir (includes Spruce (all species except Coast Sitka Spruce) Jack Pine, Lodgepole Pine, Balsam Fir and Alpine Fir)	Select Structural	38x89	3.22	2.92	2.55
		38x140	5.06	4.60	4.02
		38x184	6.65	6.05	5.28
		38x235	8.50	7.72	6.74
		38x286	10.34	9.40	8.21
	No. 1 and No. 2	38x89	3.11	2.83	2.47
		38x140	4.90	4.45	3.89
		38x184	6.44	5.85	5.11
		38x235	8.22	7.47	6.52
	No. 3	38x286	10.00	9.09	7.94
		38x89	3.06	2.78	2.43
		38x140	4.81	4.37	3.82
		38x184	6.32	5.74	5.02
	Construction	38x235	8.07	7.33	6.34
		38x286	9.82	8.93	7.36
38x89		3.06	2.78	2.43	
Standard	38x89	2.94	2.67	2.33	
Northern Species (includes any Canadian Softwood covered by the NLGA Standard Grading Rules)	Select Structural	38x89	2.88	2.61	2.28
		38x140	4.53	4.11	3.59
		38x184	5.95	5.40	4.72
		38x235	7.60	6.90	6.03
		38x286	9.25	8.40	7.34
	No. 1 and No. 2	38x89	2.81	2.55	2.23
		38x140	4.42	4.02	3.51
		38x184	5.81	5.81	4.61
		38x235	7.42	6.74	5.89
	No. 3	38x286	9.03	8.21	7.17
		38x89	2.74	2.49	2.18
		38x140	4.31	3.92	3.42
		38x184	5.67	5.09	4.16
	Construction	38x235	7.19	6.23	5.08
		38x286	8.34	7.23	5.90
38x89		2.74	2.49	2.18	
Standard	38x89	2.67	2.43	2.12	

**Table A-4**  
Forming Part of Sentence 9.23.4.1.(1)

Roof Joists - (Design Roof Snow Loads 1.0 and 1.5 kPa)									
Commercial Designation	Grade	Member Size, mm	1.0 kPa			1.5 kPa			
			Joist Spacing			Joist Spacing			
			300 mm	400 mm	600 mm	300 mm	400 mm	600 mm	
			m	m	m	m	m	m	
<b>Douglas Fir-Larch</b> (includes Douglas Fir and Western Larch)	Select Structural	38x89	2.71	2.46	2.15	2.37	2.15	1.88	
		38x140	4.26	3.87	3.38	3.72	3.38	2.95	
		38x184	5.60	5.09	4.44	4.89	4.44	3.88	
		38x235	7.15	6.49	5.67	6.24	5.67	4.96	
		38x286	8.70	7.90	6.91	7.60	6.91	6.03	
	No. 1 and No. 2	38x89	2.59	2.36	2.06	2.27	2.06	1.80	
		38x140	4.08	3.71	3.24	3.57	3.24	2.83	
		38x184	5.36	4.87	4.26	4.69	4.26	3.72	
		38x235	6.85	6.22	5.44	5.98	5.44	4.74	
		38x286	8.34	7.57	6.40	7.28	6.62	5.50	
	No. 3	38x89	2.49	2.16	1.76	2.14	1.85	1.51	
		38x140	3.56	3.08	2.51	3.06	2.65	2.16	
		38x184	4.33	3.75	3.06	3.72	3.22	2.63	
		38x235	5.29	4.58	3.74	4.55	3.94	3.22	
	Construction	38x89	2.51	2.28	1.99	2.20	1.99	1.74	
		Standard	38x89	2.43	2.20	1.93	1.12	1.93	1.68
	<b>Hemlock-Fir</b> (includes Western Hemlock and Amabilis Fir)	Select Structural	38x89	2.67	2.43	2.12	2.33	2.12	1.85
			38x140	4.20	3.82	3.33	3.67	3.33	2.91
38x184			5.52	5.02	4.38	4.82	4.38	3.83	
38x235			7.05	6.41	5.60	6.16	5.60	4.89	
38x286			8.58	7.80	6.81	7.50	6.81	5.95	
No. 1 and No. 2		38x89	2.59	2.36	2.06	2.27	2.06	1.80	
		38x140	4.08	3.71	3.24	3.57	3.24	2.83	
		38x184	5.36	4.87	4.26	4.69	4.26	3.72	
		38x235	6.85	6.22	5.44	5.98	5.44	4.75	
		38x286	8.34	7.57	6.62	7.28	6.62	5.77	
No. 3		38x89	2.51	2.28	1.99	2.20	1.99	1.74	
		38x140	3.95	3.59	3.10	3.45	3.14	2.67	
		38x184	5.20	4.62	3.77	4.54	3.97	3.24	
		38x235	6.53	5.65	4.61	5.61	4.86	3.97	
Construction		38x89	2.51	2.28	1.99	2.20	1.99	1.74	
		Standard	38x89	2.43	2.20	1.93	2.12	1.93	1.68

Table A-4—Continued

Roof Joists - (Design Roof Snow Loads 1.0 and 1.5 kPa)								
Commercial Designation	Grade	Member Size, mm	Strapping Only			Bridging Only		
			1.0 kPa			1.5 kPa		
			300 mm	400 mm	600 mm	300 mm	400 mm	600 mm
			m	m	m	m	m	m
Spruce - Pine - Fir (includes Spruce (all species except Coast Sitka Spruce) Jack Pine, Lodgepole Pine, Balsam Fir and Alpine Fir)	Select Structural	38x89	2.55	2.32	2.03	2.23	2.03	1.77
		38x140	4.02	3.65	3.19	3.51	3.19	2.79
		38x184	5.28	4.80	4.19	4.61	4.19	3.66
		38x235	6.74	6.13	5.35	5.89	5.35	4.68
		38x286	8.21	7.46	6.52	7.17	6.52	5.69
	No. 1 and No. 2	38x89	2.47	2.24	1.96	2.16	1.96	1.71
		38x140	3.89	3.53	3.08	3.40	3.08	2.69
		38x184	5.11	4.64	4.05	4.46	4.05	3.54
		38x235	6.52	5.93	5.18	5.70	5.18	4.52
		38x286	7.94	7.21	6.30	6.94	6.30	5.50
	No. 3	38x89	2.43	2.20	1.93	2.12	1.93	1.68
		38x140	3.82	3.47	3.03	3.33	3.03	2.65
		38x184	5.02	4.56	3.77	4.38	3.97	3.24
		38x235	6.41	5.65	4.61	5.60	4.86	3.97
		38x286	7.57	6.56	5.35	6.51	5.64	4.60
Construction	38x89	2.43	2.20	1.93	2.12	1.93	1.68	
Standard	38x89	2.33	2.12	1.85	2.04	1.85	1.62	
Northern Species (includes any Canadian soft wood covered by the NLGA Standard Grading Rules)	Select Structural	38x89	2.28	2.07	1.81	1.99	1.81	1.58
		38x140	3.59	3.26	2.85	3.14	2.85	2.49
		38x184	4.72	4.29	3.75	4.12	3.75	3.27
		38x235	6.03	5.48	4.79	5.27	4.79	4.18
		38x286	7.34	6.67	5.82	6.41	5.82	5.09
	No. 1 and No. 2	38x89	2.23	2.03	1.77	1.95	1.77	1.55
		38x140	3.51	3.19	2.79	3.07	2.79	2.43
		38x184	4.61	4.19	3.66	4.03	3.66	3.20
		38x235	5.89	5.35	4.68	5.15	4.68	4.09
		38x286	7.17	6.52	5.58	6.26	5.69	4.80
	No. 3	38x89	2.18	1.98	1.73	1.90	1.73	1.50
		38x140	3.42	3.05	2.49	2.99	2.62	2.14
		38x184	4.28	3.71	3.03	3.68	3.19	2.60
		38x235	5.23	4.53	3.70	4.50	3.90	3.18
		38x286	6.07	5.26	4.29	5.22	4.52	3.69
Construction	38x89	2.18	1.98	1.73	1.90	1.73	1.51	
Standard	38x89	2.12	1.93	1.68	1.85	1.68	1.47	

**Table A-5**  
Forming Part of Sentence 9.23.4.1.(1)

Roof Joists - (Design Roof Snow Loads 2.0 and 2.5 kPa)								
Commercial Designation	Grade	Member Size, mm	2.0 kPa			2.5 kPa		
			Joist Spacing			Joist Spacing		
			300 mm	400 mm	600 mm	300 mm	400 mm	600 mm
			m	m	m	m	m	m
<b>Douglas Fir-Larch</b> (includes Douglas Fir and Western Larch)	Select Structural	38x89	2.15	1.95	1.71	1.99	1.81	1.58
		38x140	3.38	3.07	2.68	3.14	2.85	2.49
		38x184	4.44	4.04	3.53	4.12	3.75	3.27
		38x235	5.67	5.15	4.50	5.27	4.79	4.18
		38x286	6.91	6.27	5.48	6.41	5.82	5.09
	No. 1 and No. 2	38x89	2.06	1.87	1.63	1.91	1.74	1.52
		38x140	3.24	2.94	2.57	3.01	2.73	2.39
		38x184	4.26	3.87	3.38	3.95	3.59	3.14
		38x235	5.44	4.94	4.22	5.05	4.59	3.84
		38x286	6.62	6.00	4.90	6.14	5.46	4.46
	No. 3	38x89	1.91	1.65	1.35	1.74	1.50	1.23
		38x140	2.72	2.36	1.92	2.48	2.15	1.75
	Construction	38x89	1.99	1.81	1.58	1.85	1.68	1.47
		Standard	38x89	1.93	1.75	1.53	1.79	1.62
<b>Hemlock-Fir</b> (includes Western Hemlock and Amabilis Fir)	Select Structural	38x89	2.12	1.93	1.68	1.97	1.79	1.56
		38x140	3.33	3.03	2.65	3.10	2.81	2.46
		38x184	4.38	3.98	3.48	4.07	3.70	3.23
		38x235	5.60	5.09	4.44	5.20	4.72	4.12
		38x286	6.81	6.19	5.41	6.32	5.75	5.02
	No. 1 and No. 2	38x89	2.06	1.87	1.63	1.91	1.74	1.52
		38x140	3.24	2.94	2.57	3.01	2.73	2.39
		38x184	4.26	3.87	3.38	3.95	3.59	3.14
		38x235	5.44	4.94	4.32	5.05	4.59	4.01
		38x286	6.62	6.01	5.25	5.14	5.58	4.68
	No. 3	38x89	1.99	1.81	1.58	1.85	1.68	1.47
		38x140	3.14	2.85	2.37	2.91	2.65	2.16
	Construction	38x89	1.99	1.81	1.58	1.85	1.68	1.47
		Standard	38x89	1.93	1.75	1.53	1.79	1.62



Table A-5—Continued

Roof Joists - (Design Roof Snow Loads 2.0 and 2.5 kPa)								
Commercial Designation	Grade	Member Size, mm	2.0 kPa			2.5 kPa		
			Joist Spacing			Joist Spacing		
			300 mm	400 mm	600 mm	300 mm	400 mm	600 mm
			m	m	m	m	m	m
Spruce - Pine - Fir (includes Spruce (all species except Coast Sitka Spruce), Jack Pine, Lodgepole Pine, Balsam Fir and Alpine Fir)	Select Structural	38x89	2.03	1.84	1.61	1.88	1.71	1.49
		38x140	3.19	2.90	2.53	2.96	2.69	2.35
		38x184	4.19	3.81	3.33	3.89	3.54	3.09
		38x235	5.35	4.86	4.25	4.97	4.52	3.94
		38x286	6.52	5.92	5.17	6.05	5.50	4.80
	No. 1 and No. 2	38x89	1.96	1.78	1.56	1.82	1.65	1.44
		38x140	3.08	2.80	2.45	2.86	2.60	2.27
		38x184	4.05	3.68	3.22	3.76	3.42	2.99
		38x235	5.18	4.70	4.11	4.81	4.37	3.82
		38x286	6.30	5.73	5.00	5.85	5.31	4.64
	No. 3	38x89	1.93	1.75	1.53	1.79	1.62	1.42
		38x140	3.03	2.75	2.37	2.81	2.56	2.16
		38x184	3.98	3.54	2.89	3.70	3.22	2.63
		38x235	5.00	4.33	3.53	4.55	3.94	3.22
		38x286	5.80	5.02	4.10	5.28	4.57	3.73
	Construction	38x89	1.93	1.75	1.53	1.79	1.62	1.42
	Standard	38x89	1.85	1.68	1.47	1.72	1.56	1.36
	Northern Species (includes any Canadian soft wood covered by the NLGA Standard Grading Rules)	Select Structural	38x89	1.81	1.65	1.44	1.68	1.53
38x140			2.85	2.59	2.26	2.65	2.40	2.10
38x184			3.75	3.40	2.97	3.48	3.16	2.76
38x235			4.79	4.35	3.80	4.44	4.04	3.53
38x286			5.82	5.29	4.62	5.41	4.91	4.29
No. 1 and No. 2		38x89	1.77	1.61	1.41	1.64	1.49	1.31
		38x140	2.79	2.53	2.21	2.59	2.35	2.05
		38x184	3.66	3.33	2.91	3.40	3.09	2.70
		38x235	4.68	4.25	3.68	4.34	3.94	3.35
		38x286	5.69	5.17	4.27	5.28	4.76	3.89
No. 3		38x89	1.73	1.57	1.33	1.60	1.46	1.21
		38x140	2.69	2.33	1.90	2.45	2.12	1.73
		38x184	3.28	2.84	2.32	2.98	2.58	2.11
		38x235	4.01	3.47	2.83	3.65	3.16	2.58
		38x286	4.65	4.03	3.29	4.23	3.66	2.99
Construction		38x89	1.73	1.57	1.37	1.60	1.46	1.27
Standard		38x89	1.68	1.53	1.34	1.56	1.42	1.24

**Table A-6**  
Forming Part of Sentence 9.23.4.1.(1)

Roof Rafters - (Design Roof Snow Loads 1.0 and 1.5 kPa)								
Commercial Designation	Grade	Member Size, mm	1.0 kPa			1.5 kPa		
			Rafter Spacing			Rafter Spacing		
			300 mm	400 mm	600 mm	300 mm	400 mm	600 mm
			m	m	m	m	m	m
<b>Douglas Fir-Larch</b> (includes Douglas Fir and Western Larch)	Select Structural	38x89	3.41	3.10	2.71	2.98	2.71	2.37
		38x140	3.38	3.07	2.68	3.14	2.85	2.49
		38x184	4.44	4.04	3.53	4.12	3.75	3.27
		38x235	5.67	5.15	4.50	5.27	4.79	4.18
		38x286	6.91	6.27	5.48	6.41	5.82	5.09
	No. 1 and No. 2	38x89	2.06	1.87	1.63	1.91	1.74	1.52
		38x140	3.24	2.94	2.57	3.01	2.73	2.39
		38x184	4.26	3.87	3.38	3.95	3.59	3.14
		38x235	5.44	4.94	4.22	5.05	4.59	3.84
		38x286	6.62	6.00	4.90	6.14	5.46	4.46
	No. 3	38x89	1.91	1.65	1.35	1.74	1.50	1.23
		38x140	2.72	2.36	1.92	2.48	2.15	1.75
		38x184	3.31	2.87	2.34	3.01	2.61	2.13
		38x235	4.05	3.51	2.86	3.69	3.19	2.61
		38x286	4.70	4.07	3.32	4.28	3.70	3.03
Construction	38x89	1.99	1.81	1.58	1.85	1.68	1.47	
Standard	38x89	1.93	1.75	1.53	1.79	1.62	1.42	
<b>Hemlock-Fir</b> (includes Western Hemlock and Amabilis Fir)	Select Structural	38x89	2.12	1.93	1.68	1.97	1.79	1.56
		38x140	3.33	3.03	2.65	3.10	2.81	2.46
		38x184	4.38	3.98	3.48	4.07	3.70	3.23
		38x235	5.60	5.09	4.44	5.20	4.72	4.12
		38x286	6.81	6.19	5.41	6.32	5.75	5.02
	No. 1 and No. 2	38x89	2.06	1.87	1.63	1.91	1.74	1.52
		38x140	3.24	2.94	2.57	3.01	2.73	2.39
		38x184	4.26	3.87	3.38	3.95	3.59	3.14
		38x235	5.44	4.94	4.32	5.05	4.59	4.01
		38x286	6.62	6.01	5.25	5.14	5.58	4.68
	No. 3	38x89	1.99	1.81	1.58	1.85	1.68	1.47
		38x140	3.14	2.85	2.37	2.91	2.65	2.16
		38x184	4.09	3.54	2.89	3.72	3.22	2.63
		38x235	5.00	4.33	3.53	4.55	3.94	3.22
		38x286	5.80	5.02	4.10	5.28	4.57	3.73
Construction	38x89	1.99	1.81	1.58	1.85	1.68	1.47	
Standard	38x89	1.93	1.75	1.53	1.79	1.62	1.42	

Table A-6—Continued

Roof Rafters - (Design Roof Snow Loads 1.0 and 1.5 kPa)								
Commercial Designation	Grade	Member Size, mm	1.0 kPa			1.5 kPa		
			Rafter Spacing			Rafter Spacing		
			300 mm	400 mm	600 mm	300 mm	400 mm	600 mm
			m	m	m	m	m	m
Spruce - Pine - Fir (includes Spruce (all species except Coast Sitka Spruce) Jack Pine, Lodgepole Pine, Balsam Fir and Alpine Fir)	Select Structural	38x89	3.22	2.92	2.55	2.81	2.55	2.23
		38x140	5.06	4.60	4.02	4.42	4.02	3.51
		38x184	6.65	6.05	5.28	5.81	5.28	4.61
		38x235	8.50	7.72	6.74	7.42	6.74	5.89
		38x286	10.34	9.40	8.21	9.03	8.21	7.17
	No. 1 and No. 2	38x89	3.11	2.83	2.47	2.72	2.47	2.16
		38x140	4.90	4.45	3.89	4.28	3.89	3.40
		38x184	6.44	5.85	5.11	5.62	5.11	4.41
		38x235	8.22	7.47	6.38	7.18	6.52	5.39
	No. 3	38x89	3.06	2.78	2.31	2.67	2.39	1.95
		38x140	4.67	4.04	3.30	3.95	3.42	2.79
		38x184	5.68	4.92	4.02	4.80	4.16	3.40
		38x235	6.95	6.02	4.91	5.87	5.08	4.15
	Construction	38x89	3.06	2.78	2.43	2.67	2.43	2.12
Standard		38x89	2.94	2.67	2.33	2.57	2.33	2.04
Northern Species (includes any Canadian soft wood covered by the NLGA Standard Grading Rules)	Select Structural	38x89	2.88	2.61	2.28	2.51	2.28	1.99
		38x140	4.53	4.11	3.59	3.95	3.59	3.14
		38x184	5.95	5.40	4.72	5.20	4.72	4.12
		38x235	7.60	6.90	6.03	6.64	6.03	5.11
		38x286	9.25	8.40	7.01	8.08	7.26	5.93
	No. 1 and No. 2	38x89	2.81	2.55	2.23	2.46	2.23	1.95
		38x140	4.42	4.02	3.44	3.86	3.51	2.91
		38x184	5.81	5.13	4.16	5.00	4.33	3.54
		38x235	7.27	6.27	5.12	6.12	5.30	4.33
	No. 3	38x89	8.40	7.27	5.94	7.10	6.15	5.02
		38x89	2.62	2.27	1.85	2.22	1.92	1.57
		38x140	3.74	3.24	2.65	3.16	2.74	2.24
		38x184	4.56	3.94	3.22	3.85	3.33	2.72
	Construction	38x235	5.57	4.82	3.94	4.71	4.08	3.33
38x286		6.46	5.60	4.57	5.46	4.73	3.86	
Standard	38x89	2.74	2.49	2.18	2.40	2.18	1.90	
	38x89	2.67	2.43	2.05	2.33	2.12	1.73	

**Table A-7**  
Forming Part of Sentence 9.23.4.1.(1)

Roof Rafters - (Design Roof Snow Loads 2.0 and 2.5 kPa)								
Commercial Designation	Grade	Member Size, mm	2.0 kPa			2.5 kPa		
			Rafter Spacing			Rafter Spacing		
			300 mm	400 mm	600 mm	300 mm	400 mm	600 mm
			m	m	m	m	m	m
<b>Douglas Fir-Larch</b> (includes Douglas Fir and Western Larch)	Select Structural	38x89	2.71	2.46	2.15	2.51	2.28	1.99
		38x140	4.26	3.87	3.38	3.95	3.59	3.14
		38x184	5.60	5.09	4.44	5.20	4.72	4.12
		38x235	7.15	6.49	5.62	6.64	6.03	5.08
		38x286	8.70	7.90	6.52	8.08	7.23	5.90
	No. 1 and No. 2	38x89	2.59	2.36	2.06	2.41	2.19	1.86
		38x140	4.08	3.60	2.94	3.76	3.26	2.66
		38x184	5.06	4.38	3.58	4.58	3.96	3.24
		38x235	6.19	5.36	4.38	5.60	4.85	3.96
		38x286	7.18	6.22	5.08	6.50	5.63	4.59
	No. 3	38x89	1.98	1.71	1.40	1.79	1.55	1.26
		38x140	2.82	2.44	1.99	2.55	2.21	1.80
		38x184	3.43	2.97	2.43	3.10	2.69	2.20
		38x235	4.20	3.64	2.97	3.80	3.29	2.68
		38x286	4.87	4.22	3.44	4.41	3.82	3.12
	Construction	38x89	2.51	2.28	1.99	2.33	2.12	1.85
	Standard	38x89	2.43	2.16	1.76	2.25	1.95	1.59
	<b>Hemlock-Fir</b> (includes Western Hemlock and Amabilis Fir)	Select Structural	38x89	2.67	2.43	2.12	2.48	2.25
38x140			4.20	3.82	3.33	3.90	3.54	3.10
38x184			5.52	5.02	4.38	5.13	4.66	4.07
38x235			7.05	6.41	5.54	6.55	5.95	5.01
38x286			8.58	7.80	6.42	7.97	7.12	5.81
No. 1 and No. 2		38x89	2.59	2.36	2.06	2.41	2.19	1.91
		38x140	4.08	3.71	3.08	3.79	3.42	2.79
		38x184	5.31	4.60	3.75	4.80	4.16	3.40
		38x235	6.49	5.62	4.59	5.87	5.08	4.15
		38x286	7.53	6.52	5.33	6.81	5.90	4.82
No. 3		38x89	2.44	2.11	1.72	2.21	1.91	1.56
		38x140	3.48	3.01	2.46	3.15	2.73	2.23
		38x184	4.23	3.67	2.99	3.83	3.32	2.71
		38x235	5.18	4.48	3.66	4.68	4.06	3.31
		38x286	6.01	5.20	4.25	5.43	4.71	3.84
Construction		38x89	2.51	2.28	1.99	2.33	2.12	1.85
Standard		38x89	2.43	2.20	1.84	2.25	2.04	1.67

Table A-7—Continued

Roof Rafters - (Design Roof Snow Loads 2.0 and 2.5 kPa)								
Commercial Designation	Grade	Member Size, mm	2.0 kPa			2.5 kPa		
			Rafter Spacing			Rafter Spacing		
			300 mm	400 mm	600 mm	300 mm	400 mm	600 mm
			m	m	m	m	m	m
Spruce - Pine - Fir (includes Spruce (all species except Coast Sitka Spruce) Jack Pine, Lodgepole Pine, Balsam Fir and Alpine Fir)	Select Structural	38x89	2.55	2.32	2.03	2.37	2.15	1.88
		38x140	4.02	3.65	3.19	3.73	3.39	2.96
		38x184	5.28	4.80	4.19	4.90	4.45	3.89
		38x235	6.74	6.13	5.35	6.26	5.69	4.97
		38x286	8.21	7.46	6.52	7.62	6.92	5.90
	No. 1 and No. 2	38x89	2.47	2.24	1.96	2.29	2.08	1.82
		38x140	3.89	3.53	3.08	3.61	3.28	2.86
		38x184	5.11	4.64	3.89	4.74	4.31	3.52
		38x235	6.52	5.82	4.75	6.06	5.27	4.30
	No. 3	38x286	7.80	6.76	5.52	7.06	6.11	4.99
		38x89	2.43	2.11	1.72	2.21	1.91	1.56
		38x140	3.48	3.01	2.46	3.15	2.73	2.23
		38x184	4.23	3.67	2.99	3.83	3.32	2.71
	Construction	38x235	5.18	4.48	3.66	4.68	4.06	3.31
		38x286	6.01	5.20	4.25	5.43	4.71	3.84
	Standard	38x89	2.43	2.20	1.93	2.25	2.05	1.79
	Standard	38x89	2.33	2.12	1.85	2.17	1.97	1.72
	Northern Species (includes any Canadian soft wood covered by the NLGA Standard Grading Rules)	Select Structural	38x89	2.28	2.07	1.81	2.12	1.93
38x140			3.59	3.26	2.85	3.33	3.03	2.65
38x184			4.72	4.29	3.68	4.38	3.98	3.33
38x235			6.03	5.48	4.51	5.60	4.99	4.08
38x286			7.34	6.40	5.23	6.69	5.79	4.73
No. 1 and No. 2		38x89	2.23	2.03	1.77	2.07	1.88	1.62
		38x140	3.51	3.14	2.56	3.26	2.84	2.32
		38x184	4.41	3.82	3.12	3.99	3.46	2.82
		38x235	5.40	4.67	3.82	4.88	4.23	3.45
No. 3		38x286	6.26	5.42	4.43	5.66	4.90	4.00
		38x89	1.95	1.69	1.38	1.77	1.53	1.25
		38x140	2.79	2.42	1.97	2.52	2.19	1.78
		38x184	3.40	2.94	2.40	3.07	2.66	2.17
Construction		38x235	4.15	3.60	2.94	3.76	3.25	2.66
		38x286	4.82	4.17	3.41	4.36	3.77	3.08
Standard	38x89	2.18	1.98	1.73	2.02	1.84	1.60	
Standard	38x89	2.12	1.87	1.53	1.95	1.69	1.38	

**Table A-8**  
Forming Part of Sentence 9.23.4.1.(1)

Maximum Spans (m) for Built-up Floor Beams Supporting not more than One Floor in Houses								
Commercial Designation	Grade	Supported Joist Length, m	Size of Built-Up Beam, mm					
			3-38x184	4-38x184	3-38x235	4-38x235	3-38x286	4-38x286
			m	m	m	m	m	m
<b>Douglas Fir- Larch</b> (includes Douglas Fir and Western Larch)	Select Structural	2.4	3.84	4.43	4.70	5.42	5.45	6.29
		3.0	3.43	3.97	4.20	4.85	4.87	5.63
		3.6	3.14	3.62	3.83	4.43	4.45	5.14
		4.2	2.90	3.35	3.55	4.10	3.95	4.76
		4.8	2.67	3.14	3.13	3.83	3.46	4.45
	No. 2	2.4	2.99	3.45	3.66	4.22	4.24	4.90
		3.0	2.67	3.09	3.27	3.78	3.79	4.38
		3.6	2.44	2.82	2.98	3.45	3.46	4.00
		4.2	2.26	2.61	2.76	3.19	3.21	3.70
		4.8	2.11	2.44	2.59	2.98	3.00	3.46
<b>Hemlock - Fir</b> (includes Western Hemlock and Amabilis Fir)	Select Structural	2.4	3.78	4.37	4.62	5.34	5.37	6.20
		3.0	3.38	3.91	4.09	4.78	4.53	5.54
		3.6	2.91	3.57	3.41	4.36	3.78	5.03
		4.2	2.50	3.30	2.92	3.90	3.24	4.31
		4.8	2.19	2.91	2.56	4.41	2.83	3.78
	No. 2	2.4	3.14	3.62	3.83	4.43	4.45	5.14
		3.0	2.80	3.24	3.43	3.96	3.98	4.60
		3.6	2.56	2.96	3.13	3.61	3.63	4.19
		4.2	2.37	2.74	2.90	3.35	3.24	3.88
		4.8	2.19	2.56	2.56	3.13	2.834	3.63
<b>Spruce - Pine- Fir</b> (includes Spruce (all species except Coast Sitka Spruce), Jack Pine, Lodgepole Pine, Balsam Fir and Alpine Fir)	Select Structural	2.4	3.84	4.43	4.70	5.42	5.45	6.29
		3.0	3.43	3.97	4.20	4.85	4.87	5.63
		3.6	3.14	3.62	3.79	4.43	4.19	5.14
		4.2	2.78	3.35	3.25	4.10	3.60	4.76
		4.8	2.43	3.14	2.84	3.79	3.15	4.19
	No. 2	2.4	3.25	3.75	3.97	4.59	4.61	5.32
		3.0	2.90	3.35	3.55	4.10	4.12	4.76
		3.6	2.65	3.06	3.24	3.74	3.76	4.34
		4.2	2.45	3.83	3.00	3.47	3.48	4.02
		4.8	2.30	2.65	2.81	3.24	3.15	3.76
<b>Northern Species</b> (includes any softwood covered by the NLGA Standard Grading Rules)	Select Structural	2.4	3.08	3.55	3.76	4.35	4.37	5.04
		3.0	2.75	3.18	3.37	3.89	3.91	4.51
		3.6	2.51	2.90	3.07	3.55	3.57	4.12
		4.2	2.33	2.69	2.85	3.29	3.24	3.81
		4.8	2.18	2.51	2.56	3.07	2.83	3.57
	No. 2	2.4	2.61	3.01	3.19	3.68	3.70	4.27
		3.0	2.33	2.69	2.85	3.29	3.31	3.82
		3.6	2.13	2.46	2.60	3.00	3.02	3.49
		4.2	1.97	2.27	2.41	2.78	2.80	3.23
		4.8	1.84	2.13	2.25	2.60	2.61	3.02

**Table A-9**  
Forming Part of Sentence 9.23.4.1.(1)

Maximum Spans (m) for Built-up Floor Beams Supporting not more than Two Floors in Houses								
Commercial Designation	Grade	Supported Joist Length, m	Size of Built-Up Beam, mm					
			3-38x184	4-38x184	3-38x235	4-38x235	3-38x286	4-38x286
			m	m	m	m	m	m
<b>Douglas Fir- Larch</b> (includes Douglas Fir and Western Larch)	Select Structural	2.4	2.91	3.36	3.56	4.11	3.98	4.77
		3.0	2.46	3.01	2.88	3.68	3.19	4.25
		3.6	2.05	2.73	2.40	3.20	2.66	3.54
		4.2	1.76	2.84	2.06	2.74	2.28	3.04
		4.8	1.54	2.05	1.80	2.40	1.99	2.66
	No. 2	2.4	2.97	2.62	2.77	3.20	3.22	3.72
		3.0	2.03	2.34	2.48	2.86	2.88	3.32
		3.6	1.85	2.14	2.26	2.62	2.63	3.03
		4.2	1.71	1.98	2.06	2.42	2.28	2.81
		4.8	1.54	1.85	1.80	2.26	1.99	2.63
<b>Hemlock - Fir</b> (includes Western Hemlock and Amabilis Fir)	Select Structural	2.4	2.52	3.31	2.95	3.93	3.26	4.35
		3.0	2.01	2.68	2.36	3.14	2.61	3.48
		3.6	1.68	2.24	1.96	2.62	2.17	2.90
		4.2	1.44	1.92	1.68	2.25	1.86	2.48
		4.8	1.26	1.68	1.47	1.96	1.63	2.17
	No. 2	2.4	2.38	2.75	2.91	3.36	3.26	3.90
		3.0	2.01	2.46	2.36	3.00	2.61	3.48
		3.6	1.68	2.24	1.96	2.62	2.17	2.90
		4.2	1.44	1.92	1.68	2.25	1.86	2.48
		4.8	1.26	1.68	1.47	1.96	1.63	2.17
<b>Spruce - Pine- Fir</b> (includes Spruce (all species except Coast Sitka Spruce), Jack Pine, Lodgepole Pine, Balsam Fir and Alpine Fir)	Select Structural	2.4	2.80	3.36	3.27	4.11	3.62	4.77
		3.0	2.24	2.98	2.62	3.49	2.90	3.86
		3.6	1.86	2.49	2.18	2.91	2.42	3.22
		4.2	1.60	2.13	1.87	2.49	2.07	2.76
		4.8	1.40	1.86	1.64	2.18	1.81	2.42
	No. 2	2.4	2.46	2.85	3.01	3.48	3.50	4.04
		3.0	2.20	2.55	2.62	3.11	2.90	3.61
		3.6	1.86	2.32	2.18	2.84	2.42	3.22
		4.2	1.60	2.13	1.87	2.49	2.07	2.76
		4.8	1.40	1.86	1.64	2.18	1.81	2.42
<b>Northern Species</b> (includes any softwood covered by the NLGA Standard Grading Rules)	Select Structural	2.4	2.34	2.70	2.86	3.30	3.26	3.83
		3.0	2.01	2.41	2.36	2.95	2.61	3.42
		3.6	1.68	2.20	1.96	2.62	2.17	2.90
		4.2	1.44	1.92	1.68	2.25	1.86	2.48
		4.8	1.26	1.68	1.47	1.96	1.63	2.17
	No. 2	2.4	1.98	2.28	2.42	2.79	2.81	3.24
		3.0	1.77	2.04	2.16	2.50	2.51	2.90
		3.6	1.61	1.86	1.96	2.28	2.17	2.65
		4.2	1.44	1.73	1.68	2.11	1.86	2.45
		4.8	1.26	1.61	1.47	1.96	1.63	2.17

**Table A-10**  
Forming Part of Article 9.23.13.14

Maximum Clear Spans (m) between End Supports for Fink Trusses										
Top Member Size, mm	Bottom Member Size, mm	Roof Slope	No. 1 Grade Lumber				No. 2 Grade Lumber			
			Design Roof Snow Load, kPa				Design Roof Snow Load, kPa			
			1.0	1.5	2.0	2.5	1.0	1.5	2.0	2.5
38x89	38x89	1 in 4.8	6.75	4.87	—	—	5.84	4.01	—	—
		1 in 4	9.57	8.12	6.01	4.54	8.02	7.13	5.18	3.78
		1 in 3	9.60	8.83	7.62	6.75	8.91	7.69	6.60	5.84
		1 in 2.4	9.80	9.04	7.79	6.93	9.11	7.87	6.78	6.01
	38x114	1 in 4.8	7.74	5.74	3.78	—	6.75	4.85	—	—
		1 in 4	9.27	8.53	7.06	5.48	8.58	7.36	6.14	4.67
		1 in 3	9.60	8.83	7.62	6.75	8.91	7.69	6.60	5.84
		1 in 2.4	9.80	9.04	7.79	6.93	9.11	7.87	6.78	6.01
	38x140	1 in 4.8	8.50	6.35	4.39	—	7.44	5.46	3.47	—
1 in 4		9.27	8.53	7.28	5.89	8.58	7.36	6.29	5.08	
1 in 3		9.60	8.83	7.62	6.75	8.91	7.69	6.60	5.84	
1 in 2.4		9.80	9.04	7.79	6.93	9.11	7.87	6.78	6.01	
38x114	38x89	1 in 4.8	7.97	5.91	3.96	—	6.95	5.02	—	—
		1 in 4	9.57	8.66	7.18	5.56	8.02	7.16	6.24	4.77
		1 in 3	0.54	9.75	8.81	7.97	8.96	8.20	7.31	6.57
		1 in 2.4	1.20	9.90	9.65	8.89	9.57	8.91	8.10	7.41
	38x114	1 in 4.8	9.27	6.98	4.95	3.30	8.12	6.04	4.08	—
		1 in 4	1.91	10.23	8.48	6.68	10.31	9.24	7.44	5.79
		1 in 3	2.19	10.64	9.14	8.66	10.74	9.24	8.48	7.49
		1 in 2.4	2.19	10.89	9.39	8.91	10.99	9.49	8.71	7.74
	38x140	1 in 4.8	0.23	7.79	5.63	4.08	9.01	6.78	4.77	—
1 in 4		1.91	10.23	9.11	7.23	10.31	9.47	8.05	6.29	
1 in 3		2.19	10.64	9.14	8.66	10.74	9.47	8.48	7.49	
1 in 2.4		2.19	10.89	9.39	8.91	10.99	9.49	8.71	7.74	
38x140	38x89	1 in 4.8	8.98	6.73	4.72	—	7.39	5.81	3.86	—
		1 in 4	9.57	8.66	7.62	6.35	8.02	7.16	6.24	5.48
		1 in 3	0.54	9.75	8.81	7.97	8.96	8.20	7.31	6.57
		1 in 2.4	1.20	10.49	9.65	8.89	9.57	8.91	8.10	7.41
	38x114	1 in 4.8	0.46	7.97	5.79	4.24	9.22	6.95	4.92	3.27
		1 in 4	2.19	11.12	9.62	7.64	10.33	9.24	8.02	6.68
		1 in 3	2.19	12.19	11.17	9.90	11.50	10.54	9.42	8.45
		1 in 2.4	2.19	12.19	11.48	10.18	12.19	11.45	9.98	9.44
	38x140	1 in 4.8	1.68	8.96	6.60	5.00	10.33	7.84	5.68	4.14
1 in 4		2.19	12.19	10.43	8.33	12.19	10.82	9.22	7.31	
1 in 3		2.19	12.19	11.17	9.90	12.19	11.30	9.67	9.16	
1 in 2.4		2.19	12.19	11.48	10.18	12.19	11.60	9.98	9.44	
Column 1	2	3	4	5	6	7	8	9	10	11



**Table A-11**  
Forming Part of Article 9.23.13.14

Maximum Clear Spans (m) between End Supports for Howe Trusses											
Top Member Size, mm	Bottom Member Size, mm	Roof Slope	No. 1 Grade Lumber				No. 2 Grade Lumber				
			Design Roof Snow Load, kPa				Design Roof Snow Load, kPa				
			1.0	1.5	2.0	2.5	1.0	1.5	2.0	2.5	
38x89	38x89	1 in 4.8	9.44	7.31	5.48	4.24	8.30	6.45	4.77	3.63	
		1 in 4	9.44	8.50	7.28	6.42	8.55	7.36	6.27	5.53	
		1 in 3	9.57	8.83	7.59	6.73	8.89	7.67	6.57	5.84	
		1 in 2.4	9.77	9.04	7.79	6.93	9.09	7.87	6.78	6.01	
	38x114	38x114	1 in 4.8	9.62	8.15	6.17	4.82	8.30	7.11	5.41	4.19
			1 in 4	9.62	8.50	7.28	6.42	8.55	7.36	6.27	5.53
			1 in 3	9.62	8.83	7.59	6.73	8.89	7.67	6.57	5.84
			1 in 2.4	9.77	9.04	7.79	6.93	9.09	8.87	6.78	6.01
	38x140	38x140	1 in 4.8	9.62	8.25	7.03	5.63	8.30	7.11	6.04	4.92
			1 in 4	9.62	8.50	7.28	6.42	8.55	7.36	6.27	5.53
			1 in 3	9.62	8.83	7.59	6.73	8.89	7.67	6.57	5.84
			1 in 2.4	9.77	9.04	7.79	6.93	9.09	7.87	6.78	6.01
38x114	38x89	1 in 4.8	10.18	8.28	6.27	4.92	8.35	7.16	5.48	4.26	
		1 in 4	11.20	9.85	8.45	7.34	9.27	8.07	6.83	5.89	
		1 in 3	12.19	10.64	9.14	8.66	10.64	9.22	8.28	7.28	
		1 in 2.4	12.19	10.89	9.37	8.89	10.97	9.47	8.71	7.72	
	38x114	38x114	1 in 4.8	11.53	9.37	7.15	5.66	9.95	8.30	6.27	4.92
			1 in 4	11.88	10.21	9.37	8.28	10.28	9.44	8.07	7.11
			1 in 3	12.19	10.64	9.37	8.66	10.71	9.44	8.45	7.49
			1 in 2.4	12.19	10.89	9.37	8.89	10.97	9.47	8.71	7.72
	38x140	38x140	1 in 4.8	11.53	9.90	8.35	6.68	9.95	9.14	7.39	5.86
			1 in 4	11.88	10.21	9.37	8.28	10.28	9.44	8.07	7.11
			1 in 3	12.19	10.64	9.37	8.66	10.71	9.44	8.45	7.49
			1 in 2.4	12.19	10.89	9.37	8.89	10.97	9.47	8.71	7.72
38x140	38x89	1 in 4.8	10.18	8.73	6.90	5.46	8.35	7.16	5.96	4.74	
		1 in 4	11.20	9.85	8.45	7.34	9.27	8.07	6.83	5.89	
		1 in 3	12.19	11.48	10.10	8.96	10.64	9.52	8.28	7.28	
		1 in 2.4	12.19	12.19	11.35	10.18	11.60	10.59	9.39	8.40	
	38x114	38x114	1 in 4.8	12.19	10.31	7.89	6.29	10.74	9.16	6.95	5.51
			1 in 4	12.19	12.19	10.69	9.42	11.91	10.38	8.78	7.59
			1 in 3	12.19	12.19	11.17	9.90	12.19	11.27	9.67	9.16
			1 in 2.4	12.19	12.19	11.45	10.18	12.19	11.58	9.95	9.44
	38x140	38x140	1 in 4.8	12.19	12.09	9.34	7.51	12.16	10.41	8.30	6.62
			1 in 4	12.19	12.19	10.43	9.42	12.19	10.79	9.19	8.68
			1 in 3	12.19	12.19	11.17	9.90	12.19	11.27	9.67	9.16
			1 in 2.4	12.19	12.19	11.45	10.18	12.19	11.58	9.95	9.44
Column 1	2	3	4	5	6	7	8	9	10	11	

**Part 10 Reserved****Part 11****Renovation**

Section 11.1 General  
11.1.1. Scope

Section 11.2 Building Systems  
11.2.1. Existing Building System  
11.2.2. New Building System  
11.2.3. Compliance Alternatives  
11.2.4. Alternative Measures

Section 11.3 Performance Level  
11.3.1. General  
11.3.2. Match Existing

11.3.3. Increase in Occupant Load  
11.3.4. Change in Major Occupancy  
11.3.5. Portions of Extended Buildings

Section 11.4 Construction and Occupancy  
11.4.1. Classification of Existing Buildings  
11.4.2. Multiple Occupancies

**Part 11 Renovation**

Section 11.1 General

11.1.1. Scope

11.1.1.1. The scope of this Part shall be as described in Section 2.1.

**11.1.1.2. Definitions.** In this Part,

*Alternative measure* means a substitute for a requirement in another Part of the Code, or a substitute for a *compliance alternative* in this Part, that an applicant for a permit proposes and “A.M.” has a corresponding meaning.

*Basic renovation* means *construction* to which less than 90 per cent of an entire *floor area* of an existing *building* is subjected and which does not adversely affect the *life safety systems* in the *building*, and where

- (a) a change in *major occupancy* does not require additional early warning or evacuation facilities,
- (b) the *occupant load* is not increased by more than 15 per cent, or
- (c) the *hazard index* of the new *major occupancy* is not greater than the *construction index* of the existing *building*.

*Building system* means a combination of elements or components that form a complete major division of *construction* in the design of a *building* or part of a *building*, including a structural or framing system, a waterproofing system, a drainage system, an exterior cladding system, a roofing system, a window system, a partition system, a corridor system, a stair system, a fire alarm and detection system, a sprinkler system or a heating, ventilation or *air conditioning* system, a foundation system, a standpipe and hose system, a flooring system, a *plumbing system*, or an electrical system.

*Compliance alternative* means a substitute for a requirement in another Part of the Code that is listed in this Part, and “C.A.” has a corresponding meaning.

*Construction index* means a level on a scale of 1 to 8 determined in accordance with Table 11.4.1.A. designating the expected fire protection *performance level* of the type of *construction* of an existing *building*, and “C.I.” has a corresponding meaning.

*Hazard index* means a level on a scale of 1 to 8 determined in accordance with Tables 11.4.1.B. to 11.4.1.M. designating the life safety hazard to occupants of the *building* based on

- (a) use and *occupancy*,
- (b) *occupant load*,
- (c) the use and function of floor spaces,
- (d) the difficulty of egress,
- (e) the fire load of contents, finishes and furnishings,
- (f) the configuration or compartmentation of floor spaces, and
- (g) the size of *building*,

and “H.I.” has a corresponding meaning.

*Heritage building* means a *building* designated under the *Ontario Heritage Act*, or a *building* that is certified to be of significant architectural or historical value by a recognized, non-profit public organization whose primary object is the preservation of structures of architectural or historical significance and which certification is accepted by the *chief official*.

*Life safety system* means a series of built-in components or an installation in an existing *building* designed to achieve early warning and evacuation or fire containment and suppression or structural adequacy or a healthy environment.

*Match existing* means maintaining the existing *performance level* of all or part of an existing *building*, including its components and

materials, by the reuse, relocation or extension of the same or similar compatible materials or components, to retain the existing character, structural uniqueness, heritage value, or aesthetic appearance of all or part of the *building*, including its materials and components.

*Performance level* means that level of safety under which all or part of an existing *building* functions with respect to its *life safety systems*.

*Public heritage building* means a *heritage building* where *occupancy* in whole or in part includes viewing thereof by the public provided that displays therein are limited to objects used or worn by the former occupants of the *building*.

**11.1.1.3. Alteration or Repair**

(1) Except as provided in Sentence (2), where an existing *building* is subject to material alteration or repair, the Code is applicable only to those parts of the *building* that are subject to the material alteration or repair.

(2) Where other parts of the *building* are adversely affected by the alteration or repair, additional *construction* may be required in conformance with Section 11.3.

**Section 11.2 Building Systems****11.2.1. Existing Building System**

**11.2.1.1. Alteration of Building System.** Where an existing *building system* is altered, the *performance level* of the *building* after the alteration shall be at least equal to the *performance level* prior to the alteration.

**11.2.1.2. Extension of Building System.** Where an existing *building system* is extended, the extension shall comply with Subsection 11.2.2.

**11.2.1.3. Structural Adequacy**

(1) Except as provided in Sentence (2), where after proposed *construction* in all or part of an existing *building*,

- (a) the *major occupancy* will change to a different *major occupancy*,
- (b) the *occupant load* will increase by more than 15 per cent, or
- (c) the *live load* will increase due to change in use within the same *major occupancy*,

the existing structural floor and roof framing systems and their supporting members after the *construction* shall be adequate to support the proposed *dead loads* and *live loads*.

(2) Where the existing structural floor or roof framing system and its supporting members are inadequate to support the proposed *dead loads* and *live loads*,

- (a) the portion of the floor affected by the proposed loads is restricted to the loading it will support and signs stating the restrictions are posted, or
- (b) remedial measures are taken to support the proposed loads.

(3) Except as provided in Subsection 11.2.4., where substantially all existing interior walls or ceilings or floor assemblies or roof assemblies are removed in an existing *building* and new interior walls, ceilings, floor assemblies are installed in the *building*, their structural and fire-resistant elements shall be constructed in compliance with the requirements of the other parts of the Code.

**11.2.2. New Building System**

**11.2.2.1. Design and Construction.** Except as provided in Subsections 11.2.3., 11.2.4. and 11.3.2. and Sentence 11.2.1.3.(3), the design and *construction* of a new *building system* or an extension to an existing *building system* shall comply with the requirements of the other Parts of the Code.

**11.2.3. Compliance Alternatives****11.2.3.1. Substitution**

(1) A *compliance alternative* to a requirement contained in Part 3, 4, or 6, shown in Tables 11.2.3.A., 11.2.3.B., 11.2.3.C., 11.2.3.D/E. or 11.2.3.F., may be substituted for the requirement where the *chief official* is satisfied that compliance with the requirement is impracticable because,

- (a) of structural or *construction* difficulties, or
- (b) it is detrimental to the preservation of a *heritage building*.

(2) A *compliance alternative* to a requirement contained in Part 9 shown in Tables 11.2.3.C., 11.2.3.D/E. or 11.2.3.F., may be substituted for the requirement without satisfying the *chief official* that the requirement is impracticable.

**11.2.4. Alternative Measures****11.2.4.1. Substitution.** An *alternative measure* to,

- (a) a requirement of Part 3, 4, 6 or 9 of the Code, or
- (b) a *compliance alternative*,

may be substituted for the requirement or the *compliance alternative*, as the case may be, and where the *chief official* is satisfied that compliance with the requirement or the *compliance alternative*, as the case may be, is impracticable because

- (c) of structural or *construction* difficulties, or
- (d) it is detrimental to the preservation of a *heritage building*.

**Section 11.3 Performance Level****11.3.1. General**

**11.3.1.1. Performance Level.** The *performance level* of a *building* after *construction* shall not be less than the *performance level* of the *building* prior to *construction*.

**11.3.1.2. Compensating Construction**

(1) Where, as a result of *construction*, the *performance level* of all or part of a *building* is reduced, compensating *construction* to restore the *performance level* of the *building* or part of the *building* shall be required in compliance with Tables 11.3.1.A., 11.3.1.B., 11.3.1.C. and 11.4.2.A.

(2) Compensating *construction* required under Sentence (1) applies to the part of the *building* being altered, and

- (a) shall include *fire separations*, with the required *fire-resistance ratings*, separating the part being altered from the *floor areas* immediately above and below and from the immediate adjacent areas, and
- (b) shall include *access to exits* and *exits* from the *building*, where the alteration adversely affects the *exit* system of the *building*.

**11.3.2. Match Existing**

**11.3.2.1. Conditions.** *Construction* may be carried out to *match existing* if,

- (a) *basic renovation* is proposed,
- (b) the *hazard index* of a new *major occupancy* is not greater than the *construction index* of the existing *building*, and
- (c) there is no increase in *occupant load* greater than 15 per cent.

**11.3.3. Increase in Occupant Load****11.3.3.1. Reduction in Performance Level**

(1) Except as provided in Sentence (2), proposed *construction* that increases the *occupant load* of an existing *building* by more than 15 per cent reduces the *performance level* of the *building*.

(2) Sentence (1) does not apply in a Group C *occupancy* where the new total *occupant load* is,

- (a) 14 persons or less in a *boarding, lodging or rooming house*, except that where the *occupant load* is between 10 and 15 persons, an interconnected system of *smoke alarms* in corridors near stairways is required, or
- (b) 16 persons or less in a *building* containing residential *suites* which are *dwelling units*, except that where the *occupant load* is between 10 and 17 persons, an interconnected system of *smoke alarms* in corridors near stairways is required.

**11.3.3.2. Restoring Performance Level.** Where the *performance level* of an existing *building* is reduced under Sentence 11.3.3.1.(1), the *performance level* shall be restored by compliance with Table 11.3.1.B.

**11.3.3.3. Fire Separations.** Nothing contained in this Subsection relieves an applicant from complying with requirements in other Parts of the Code for *fire separations* except as provided in Subsections 11.2.3. and 11.2.4.

**11.3.4. Change in Major Occupancy****11.3.4.1. Reduction in Performance Level**

(1) Proposed *construction* which will result in the change of the *major occupancy* of all or part of an existing *building* to another *major occupancy* of a greater hazard reduces the *performance level* of the *building*.

(2) Where proposed *construction* will change a *major occupancy* of all or part of an existing *building* to another *major occupancy*, the *building* shall be classified as to its *construction* and *occupancy* as set out in Section 11.4.

(3) Where a *major occupancy* of all or part of an existing *building* is changed to another *major occupancy* and the *hazard index* of the new *major occupancy* is equal to or less than the *construction index* of the existing *building*, and where the early warning and evacuation systems requirements of other Parts of the Code for the new *major occupancy* exceed those of the existing systems, upgrading of those systems shall be required in conformance with the applicable requirements of Tables 11.3.1.A., 11.3.1.B. and 11.4.2.A.

(4) Except as provided in Sentence (5), where a *major occupancy* of all or part of an existing *building* is changed to another *major occupancy* and the *hazard index* of the new *major occupancy* is greater than the *construction index* of the existing *building*, upgrading of early warning and evacuation systems and additional upgrading shall be required in conformance with Tables 11.3.1.A., 11.3.1.B., 11.3.1.C. and 11.4.2.A. so that the *construction index* of

the *building* is increased to at least equal the *hazard index* of the new *major occupancy* that the *building* is to support.

(5) Small or medium sized existing *buildings* as determined in Tables 11.4.1.B. to 11.4.1.M. facing multiple *streets* may be assigned a *hazard index* credit of 1, which may be subtracted from the *hazard index* of the new *major occupancy* to reduce the additional upgrading required by Table 11.3.1.C. provided

- (a) the *building* does not contain a Group B, Division 1, a Group C, or a Group F, Division 1 *occupancy*, and
- (b) fire fighting access complying with Articles 3.2.5.1., 3.2.5.2., 3.2.5.3., 3.2.5.4., 3.2.5.5. and 3.2.5.6. or Subsection 9.10.19., or an approved *alternative measure*, is provided from all streets.

(6) Where the *occupancy* of all or part of an existing *building*, not exceeding 6 *stories* in *building height* and constructed of *combustible construction*, is changed to a *residential occupancy* that would require the *building*, if it were a new building, to be constructed of *noncombustible construction*, such requirements for *noncombustible construction* are satisfied if the *building* is *sprinklered*.

### 11.3.5. Portions of Extended Buildings

#### 11.3.5.1. Application

(1) Where an existing *building* is extended, this Part applies to the *performance level* of the existing portion of the *building*.

(2) Except as required in Sentence (3), the extended portion of the *building* shall comply with all other Parts of the Code.

(3) Where the *occupant load* of the *building* after extension is increased by more than 15 per cent, the requirements of Subsection 11.3.3. shall apply to the *building* as extended.

### Section 11.4 Construction and Occupancy

#### 11.4.1. Classification of Existing Buildings

##### 11.4.1.1. Classification

(1) For the purposes of this Part, existing *buildings* shall be classified as to their *construction* and *occupancy* on the basis of *construction index* and *hazard index* as provided for in this Part, including Tables 11.4.1.A. to 11.4.1.M. and 11.3.1.A. to 11.3.1.C.

(2) The requirements of Articles 3.2.2.16. to 3.2.2.62. do not apply to this Part.

#### 11.4.2. Multiple Occupancies

##### 11.4.2.1. Classification

(1) Existing *buildings* of multiple *occupancy* shall be classified as to their *construction* and *occupancy* as provided for in Subsection 11.4.1.

(2) The classification of an existing *building* of multiple *occupancy* under Sentence (1) shall be applied according to Articles 3.1.3.2., 3.1.3.3., 3.1.3.4. and 3.1.3.5.

(3) The *major occupancies* in an existing *building* shall be separated from adjoining *major occupancies* by *fire separations* having *fire-resistance ratings* conforming to Tables 3.1.3.A. and 11.4.2.A.

TABLE 11.2.3.A. — ASSEMBLY  
COMPLIANCE ALTERNATIVES  
Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
A1	3.1.4.6.	Existing <i>heavy timber construction</i> acceptable where <i>construction</i> is within 90% of member sizes listed in Part 3.
A2	3.1.5.2.; 3.1.5.3.; 3.1.5.4.; 3.1.5.6.	Existing acceptable.
A3	3.1.5.7.; 3.1.5.8.; 3.1.5.9.; 3.1.5.10.	Except for exposed foamed plastics, existing acceptable. To match existing, materials may be added from on or off site.
A4	3.1.5.14.; 3.1.5.15.; 3.1.5.17.; 3.1.5.18.; 3.1.5.21.	Existing acceptable.
A5	3.1.7.1.	<i>Fire-resistance ratings</i> may also be used where they are based on: <ol style="list-style-type: none"> <li>1. HUD No. 8 Guideline on Fire Ratings of Archaic Materials and Assemblies.</li> <li>2. Fire Endurance of Protected Steel Columns and Beams, DBR Technical Paper No. 194.</li> <li>3. Fire Endurance of Unit Masonry Walls, DBR Technical Paper No. 207.</li> <li>4. Fire Endurance of Light-Framed and Miscellaneous Assemblies, DBR Technical Paper No. 222.</li> </ol>
A6	3.1.7.6.(3)	Existing assemblies required to be of <i>noncombustible construction</i> may be supported by <i>combustible construction</i> having at least the same <i>fire-resistance rating</i> as that supported.
Column 1	2	3

TABLE 11.2.3.A. — ASSEMBLY—Continued  
COMPLIANCE ALTERNATIVES  
Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
A7	3.1.8.5.(2)	(a) Existing functional and sound doors in existing <i>buildings</i> that are either hollow metal or kalamein and containing wired glass at least 6 mm thick and conforming to Sentence 3.1.8.14.(2) are permitted in lieu of doors not required to exceed 45 min, (b) all existing functional and sound hollow metal or kalamein doors which carry existing 1½ h labels are acceptable in lieu of current 1½ h labels and may contain wired glass panels not exceeding 645 cm <sup>2</sup> , at least 6 mm thick and conforming to Sentence 3.1.8.14.(2), and (c) every fire door, window assembly or glass block used as a <i>closure</i> in a required <i>fire separation</i> shall be installed in conformance with good engineering practice.
A8	3.1.8.7.; 3.1.8.8.; 3.1.8.9.	<i>Fire dampers</i> or <i>fire stop flaps</i> are not required to be installed in existing ducts at penetrations of existing <i>fire separations</i> .
A9	3.1.8.10.(1)	Existing 45 mm solid core wood doors acceptable.
A10	3.1.8.11.(1)	Existing functionally operable self-closing devices acceptable.
A11	3.1.8.13.	Existing functionally operable latching devices, excluding draw bolts, are acceptable.
A12	3.1.8.14.	Existing transoms or sidelights located in required <i>fire separations</i> may be retained if wired glass at least 6 mm thick is securely fixed to a steel frame with steel stops. Operable transoms shall be fixed closed.
A13	3.1.8.15.; 3.1.8.16.; 3.1.8.17.	Existing acceptable.
A14	3.1.11.	Where the concealed space is being materially altered, provide smoke or heat detection in that space in lieu of firestops and tie into fire alarm system.
A15	3.1.13.10.	Existing acceptable.
A16	3.2.2.12.(1) (b) and (c)	Existing sprinkler systems need not comply.
A17	3.2.3.	Area of existing windows need not conform to Table 3.2.3.A. (a) Existing windows in walls may be relocated to another part of the wall, provided the existing opening is blocked up to provide the same fire rating for the wall, and the projection of the new opening, at a right angle to the property line onto another <i>building</i> , lies not closer than 300 mm from a window in such other <i>building</i> , where the “opposite” window is less than 2.4 m from the opposite new opening, and (b) except relocation of units, to be restricted to the same <i>fire compartment</i> , or (c) Where a <i>building</i> does not satisfy the requirements of Subsection 3.2.3. for the amount of openings facing a yard or space that does not have sufficient <i>limiting distance</i> , such existing openings are allowed to be materially altered or reinstalled provided: (i) such openings are not increased in size and they are protected with wired glass in steel frames conforming to Sentence 3.1.8.14.(2), or (ii) the <i>building</i> is <i>sprinklered</i> .
A18	3.2.4.	(a) Existing fire alarm system may remain except that Article 3.2.4.5. does not apply where the “Fire Safety Plan” (as described in Subsection 2.8.2. of the Ontario Fire Code) for the building addresses the intent of Subsection 3.2.4. (i.e., “stage” system, electrical supervision, detection as required, Fire Department connection and emergency power supply), and (b) extension of an existing system must ensure continuity and compatibility, and integrity of the system.
A19	3.2.5.4.(1) and (2)	Existing acceptable.
A20	3.2.5.5.; 3.2.5.6.; 3.2.5.7.	Sprinkler the <i>building</i> .
Column 1	2	3

TABLE 11.2.3.A. — ASSEMBLY—Continued  
COMPLIANCE ALTERNATIVES  
Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
A21	3.2.5.8.	Does not apply, except where a change in <i>major occupancy</i> occurs from a lesser <i>hazard index</i> .
A22	3.2.5.13.	Existing sprinkler systems in existing <i>buildings</i> that do not conform to NFPA 13 may be altered, added to, or extended from the existing system without complying with NFPA 13, provided the system is operational and adequate with respect to coverage, water supply and controls, and provided the system is evaluated by a qualified designer.
A23	3.2.6. ADDITIONAL REQUIREMENTS FOR HIGH BUILDINGS	(See Appendix A under “ <i>Alternative Measures</i> ”.)
A24	3.2.9.	(a) Does not apply to <i>buildings</i> 6 storeys and less. (b) Does not apply to <i>sprinklered buildings</i> .
A25	3.3.1.5.	1 egress door is allowed where the <i>occupant load</i> is not greater than 100 persons, provided <i>floor area</i> is <i>sprinklered</i> and travel distance does not exceed 25 m.
A26	3.3.1.9.	Existing width of <i>public corridors</i> of not less than 914 mm is acceptable.
A27	3.3.1.9.(8)	An existing dead-end corridor is permitted where the <i>occupant load</i> is not greater than 20 persons, provided travel distance is not greater than 6 m plus corridor width to “ <i>exit choice</i> ” point.
A28	3.3.1.10.; 3.3.1.11.	Existing door swings may remain in <i>heritage buildings</i> , existing or being restored, with no change in <i>major occupancy</i> and with <i>occupant load</i> no greater than 100.
A29	3.3.1.12.	Existing doors may remain in a <i>heritage building</i> , existing or being restored, with no change in <i>major occupancy</i> .
A30	3.3.1.18.	Existing stained, etched, bevelled, leaded or figured glass acceptable.
A31	3.3.2.12.	Does not apply to existing bowling alleys.
A32	3.3.5.5.(1); 3.3.5.8.(1) to (3)	Need not comply where a gasketed door and self closer are provided in the existing <i>fire separation</i> .
A33	3.4.1.5.	Existing acceptable.
A34	3.4.1.8.	Existing stained, etched, bevelled, leaded or figured glass acceptable.
A35	3.4.2.5.(1)	Existing travel distance acceptable where <i>floor area</i> is <i>sprinklered</i> and where there is no change in <i>major occupancy</i> .
A36	3.4.3.1.(2)	Existing width of <i>exits</i> acceptable.
A37	3.4.3.4.(1)	Need not comply where there is no increase in <i>occupant load</i> .
A38	3.4.3.6.	Existing acceptable.
A39	3.4.3.7.	Existing headroom clearance of not less than 1980 mm is acceptable.
A40	3.4.4.4.(7)	Existing washrooms opening directly into an <i>exit</i> stairwell shall be separated from the <i>exit</i> stairwell by a 45 min <i>closure</i> .
A41	3.4.5.1.(2) and (7)	Existing illuminated legible <i>exit</i> signs are acceptable.
A42	3.4.6.2.	Existing acceptable, if visually apparent.
A43	3.4.6.3.	Existing acceptable.
A44	3.4.6.4.(2) to (8)	Existing acceptable.
A45	3.4.6.5.(2), (4) and (5)	Existing acceptable.
A46	3.4.6.6.(1)	Existing acceptable.
A47	3.4.6.7.; 3.4.6.8.	Existing acceptable.
A48	3.4.6.10.(1), (2) and (4)	Existing acceptable.
A49	3.4.6.11.	Existing acceptable in <i>public heritage buildings</i> .
Column 1	2	3

**TABLE 11.2.3.A. — ASSEMBLY—Continued**  
**COMPLIANCE ALTERNATIVES**  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
A50	3.4.6.15.(1) and (2)	Existing functionally operable panic hardware acceptable.
A51	3.4.7.2.	<i>Combustible</i> fire escapes which are protected from fire in accordance with Sentence 3.2.3.13.(2) are permitted or may be reconstructed or recreated (as in the case of a <i>heritage building</i> ).
A52	3.5.2.1.(3)	Existing <i>fire separation</i> acceptable.
A53	3.5.2.4.	Existing acceptable where explosion- resistant <i>construction</i> or venting is provided.
A54	3.5.2.8.	Existing acceptable.
A55	3.5.2.9.(1)	2 h <i>fire separation</i> acceptable.
A56	3.5.3.1.(1) to (6)	45 min <i>fire separation</i> acceptable.
A57	3.5.3.3.(1) to (5) and (8)	Existing acceptable.
A58	3.5.3.3.(9)	1 h if <i>sprinklered</i> .
A59	3.5.3.3.(10)	Existing acceptable.
A60	3.5.3.4.	Existing acceptable.
A61	3.5.4.	Existing acceptable.
A62	3.5.5.	Existing acceptable.
A63	3.6.1.	The requirements under this Subsection do not apply.
A64	3.6.2.	The requirements under this Subsection do not apply.
A65	3.6.4.2.	Existing plumbing facilities are acceptable except where the <i>major occupancy</i> is changed or where the <i>occupant load</i> is increased. Where <i>occupant load</i> is increased, facilities to be added to accommodate the increase. Exception to where there is a change in <i>major occupancy</i> : <i>Public heritage buildings</i> up to 3 storeys, limited in size to 250 m <sup>2</sup> in building area, limited in <i>occupant load</i> to + or – 50 persons.
Column 1	2	3

NUMBER	PART 4 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
A66	4.1.9.	The requirements under this Subsection do not apply.
Column 1	2	3

**TABLE 11.2.3.B. — INSTITUTIONAL**  
**COMPLIANCE ALTERNATIVES**  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
B1	3.1.5.2.; 3.1.5.3.; 3.1.5.4.; 3.1.5.6.	Existing acceptable.
B2	3.1.5.7.; 3.1.5.8.; 3.1.5.9.; 3.1.5.10.	Except for exposed foamed plastics, existing acceptable.
B3	3.1.5.13.; 3.1.5.14.; 3.1.5.15.; 3.1.5.17.; 3.1.5.18.; 3.1.5.21.	Existing acceptable.
Column 1	2	3

**TABLE 11.2.3.B. — INSTITUTIONAL—Continued**  
**COMPLIANCE ALTERNATIVES**  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART II COMPLIANCE ALTERNATIVE
B4	3.1.7.1.	<i>Fire-resistance ratings</i> may also be used where they are based on: 1. HUD No. 8 Guideline on Fire Ratings of Archaic Materials and Assemblies. 2. Fire Endurance of Protected Steel Columns and Beams, DBR Technical Paper No. 194. 3. Fire Endurance of Unit Masonry Walls, DBR Technical Paper No. 207. 4. Fire Endurance of Light-Framed and Miscellaneous Assemblies, DBR Technical Paper No. 222.
B5	3.1.7.6.(3)	Existing assemblies required to be of <i>noncombustible construction</i> may be supported by <i>combustible construction</i> having at least the same <i>fire-resistance rating</i> as that supported.
B6	3.1.8.5.(2)	(a) Existing functional and sound doors in existing <i>buildings</i> that are either hollow metal or kalamein and containing wired glass at least 6 mm thick and conforming to Sentence 3.1.8.14.(2) are permitted in lieu of doors not required to exceed 45 min, (b) all existing functional and sound hollow metal or kalamein doors which carry existing 1½ h labels are acceptable in lieu of current 1½ h labels and may contain wired glass panels not exceeding 645 cm <sup>2</sup> , at least 6 mm thick and conforming to Sentence 3.1.8.14.(2), and (c) every fire door, window assembly or glass block used as a <i>closure</i> in a required <i>fire separation</i> shall be installed in conformance with good engineering practice.
B7	3.1.8.7.; 3.1.8.8.; 3.1.8.9.	<i>Fire dampers</i> or <i>fire stop flaps</i> are not required to be installed in existing ducts at penetrations of existing <i>fire separations</i> .
B8	3.1.8.10.(1)	For existing unlabelled doors in existing <i>buildings</i> , at least 45 mm solid core wood or metal clad are acceptable.
B9	3.1.8.11.(1)	Existing functionally operable self-closing devices acceptable, including devices with “pause” hardware.
B10	3.1.8.12.(1) and (2)	Between patient or inmate rooms, and corridors, existing “pause” type self-closing devices may be used as hold-open devices where functionally operable.
B11	3.1.8.13.	Existing functionally operable latching devices, excluding draw bolts, are acceptable.
B12	3.1.8.14.(1) and (2)	Except in zone or <i>exit fire separations</i> not required to be greater than 1 h, existing wired glass installations may be acceptable, provided they are set in steel or metal-clad frames.
B13	3.1.8.14.(3)	Existing glass block acceptable.
B14	3.1.8.15.; 3.1.8.16.; 3.1.8.17.	Existing acceptable.
B15	3.1.9.5.(1) and (2)	Existing openings in existing ceiling membranes to remain. Existing openings may be moved to another location in the same ceiling provided the aggregate area of openings does not increase and are not cumulative, and the existing opening is blocked up to provide the same rating as the ceiling assembly.
B16	3.1.11.	Where the concealed space is being materially altered, provide smoke or heat detection in that space in lieu of firestops and tie into fire alarm system.
B17	3.1.14.; 3.1.15.	Existing roof assemblies and roof coverings acceptable.
Column 1	2	3



**TABLE 11.2.3.B. — INSTITUTIONAL—Continued**  
**COMPLIANCE ALTERNATIVES**  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
B18	3.2.3.	<p>Area of existing windows need not conform to Table 3.2.3.A.</p> <p>(a) Existing windows in walls may be relocated to another part of the wall, provided the existing opening is blocked up to provide the same fire rating for the wall, and the projection of the new opening, at a right angle to the property line onto another <i>building</i>, lies no closer than 300 mm from a window in such other <i>building</i>, where the “opposite” window is less than 2.4 m from the opposite new opening, and</p> <p>(b) except relocation of units, to be restricted to the same <i>fire compartment</i>, or</p> <p>(c) where a <i>building</i> does not satisfy the requirements of Subsection 3.2.3. for the amount of openings facing a yard or space that does not have sufficient <i>limiting distance</i>, such existing openings are allowed to be materially altered or reinstalled provided:</p> <p>(i) such openings are not increased in size and they are protected with wired glass in steel frames conforming to Sentence 3.1.8.14.(2) or</p> <p>(ii) the <i>building</i> is <i>sprinklered</i>.</p>
B19	3.2.4.	<p>(a) Existing fire alarm system may remain except that Article 3.2.4.5. does not apply where the “Fire Safety Plan” (as described in Subsection 2.8.2. of the Ontario Fire Code) for the building addresses the intent of Subsection 3.2.4. (i.e. “stage” system, electrical supervision, detection as required, Fire Department connection, and emergency power supply), and</p> <p>(b) extension of an existing system must ensure continuity and compatibility, and integrity of the system.</p>
B20	3.2.5.1.; 3.2.5.2.; 3.2.5.3.	Existing access to an existing <i>occupancy</i> acceptable. Where the existing <i>building</i> is changed to a “B” <i>occupancy</i> , existing access may be acceptable.
B21	3.2.5.4.(1)	Existing acceptable, except where a change in <i>occupancy</i> occurs to a “B1” or “B2” <i>occupancy</i> .
B22	3.2.5.4.(2)	Existing acceptable.
B23	3.2.5.5.; 3.2.5.6.; 3.2.5.7.	Existing access route to existing <i>occupancy</i> is acceptable if the <i>building</i> is <i>sprinklered</i> . Where existing <i>building</i> is changed to a “B” <i>occupancy</i> , access route shall be provided.
B24	3.2.5.8.; 3.2.5.18.	Does not apply except where a change in <i>occupancy</i> occurs to a “B1” or “B2” <i>occupancy</i> , where occupants are not normally evacuated from the <i>building</i> .
B25	3.2.5.13.	Existing sprinkler systems in existing <i>buildings</i> that do not conform to NFPA 13 may be altered, added to, or extended from the existing system without complying with NFPA 13, provided the system is operational and adequate with respect to coverage, water supply and controls, and provided the system is evaluated by a qualified <i>designer</i> .
B26	3.2.6. ADDITIONAL REQUIREMENTS FOR HIGH BUILDINGS.	(See Appendix A under “ <i>Alternative Measures</i> ”.)
B27	3.2.9.	Does not apply except where a change in <i>occupancy</i> occurs to a “B1” or “B2” <i>occupancy</i> , where occupants are not normally evacuated from the <i>building</i> .
B28	3.3.1.5.(1) (c); Table 3.3.1.A.	Column 2 to read: 100 m <sup>2</sup> for “B1” and “B2” (sleeping rooms) and 200 m <sup>2</sup> for “B2” (other rooms).
B29	3.3.1.9.	Existing width of <i>public corridors</i> of not less than 914 mm is acceptable, except as provided in Sentence 3.3.3.3.(2).
B30	3.3.1.10.; 3.3.1.11.	Existing door swings may remain in <i>heritage buildings</i> , existing or being restored, with no change in <i>major occupancy</i> and with <i>occupant load</i> no greater than 100.
Column 1	2	3

**TABLE 11.2.3.B. — INSTITUTIONAL—Continued**  
**COMPLIANCE ALTERNATIVES**  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
B31	3.3.1.12.	Existing doors acceptable.
B32	3.3.1.15.	Existing acceptable.
B33	3.3.1.16.	Existing non-conforming capacities of <i>access to exits</i> are acceptable, provided that the excessive capacity is no greater than 15%, and (a) <i>corridor separations</i> are rated to Code plus early warning system provided, or (b) there are sprinklers, plus <i>smoke alarms in suites</i> .
B34	3.3.1.17.	Existing acceptable.
B35	3.3.1.18.	Existing stained, etched, bevelled, leaded or figured glass acceptable.
B36	3.3.3.3.(1)	Existing dead end corridors acceptable with 30 min <i>fire separation</i> of corridor plus sprinklering of <i>floor area</i> , provided the <i>occupant load</i> is not greater than 10 persons and travel distance not greater than 6 m plus corridor width to “ <i>exit choice</i> ” point.
B37	3.3.3.4.; 3.3.3.6.(3)	45 min <i>fire separation</i> acceptable.
B38	3.3.5.5.(1); 3.3.5.8.(1) and (3)	Need not comply where a gasketed door and self closer are provided in the existing <i>fire separation</i> .
B39	3.4.1.8.	Existing stained, etched, bevelled, leaded or figured glass acceptable.
B40	3.4.2.5.(1)	Existing travel distance acceptable where <i>floor area</i> is <i>sprinklered</i> and provided <i>fire separations</i> comply with Part 3 of the Code.
B41	3.4.3.1.(2)	Existing width of <i>exits</i> acceptable.
B42	3.4.3.6.	Existing acceptable.
B43	3.4.3.7.	Existing headroom clearance of not less than 1980 mm is acceptable.
B44	3.4.5.1.(2) and (7)	Existing illuminated legible <i>exit</i> signs are acceptable.
B45	3.4.6.2.	Existing acceptable, if visually apparent.
B46	3.4.6.3.(1)	Existing acceptable with a rise of no greater than 3.7 m.
B47	3.4.6.3.(2)	Existing acceptable provided there is no change in <i>occupancy</i> to a “B2”.
B48	3.4.6.4.(2) to (9)	Existing acceptable.
B49	3.4.6.5.(2) to (5)	Existing acceptable.
B50	3.4.6.6.(1)	Existing acceptable.
B51	3.4.6.7.	Existing acceptable.
B52	3.4.6.8.	Existing acceptable where there is no change in <i>major occupancy</i> or increase in <i>occupant load</i> greater than 15%.
B53	3.4.6.10.(1), (2) and (4)	Existing acceptable.
B54	3.4.6.11.	Existing acceptable in <i>public heritage buildings</i> .
B55	3.4.6.15.(1) and (2)	Existing functionally operable panic hardware acceptable.
B56	3.4.6.16.(1) (c)	Existing access to existing <i>occupancy</i> is acceptable. Where the existing <i>building</i> is changed to a “B” <i>occupancy</i> , existing access may be acceptable.
B57	3.4.7.2.	<i>Combustible</i> fire escapes which are protected from fire in accordance with Sentence 3.2.3.13.(2) are permitted or may be reconstructed or recreated (as in the case of a <i>heritage building</i> ). Where serving non-ambulatory persons, minimum width shall be 1100 mm.
B58	3.5.2.1.(3)	45 min <i>fire separation</i> acceptable.
B59	3.5.2.8.	Existing acceptable.
B60	3.5.2.9.(1)	2 h <i>fire separation</i> acceptable.
Column 1	2	3

**TABLE 11.2.3.B. — INSTITUTIONAL—Continued**  
**COMPLIANCE ALTERNATIVES**  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
B61	3.5.3.1.(1) to (6)	45 min <i>fire separation</i> acceptable.
B62	3.5.3.3.(1), (3), (4) (a), (5) and (10)	Existing acceptable.
B63	3.5.3.3.(2) (a)	45 min <i>fire separation</i> acceptable.
B64	3.5.4.	Existing acceptable, except where a change in <i>occupancy</i> occurs to a "B1" or "B2" <i>occupancy</i> .
B65	3.5.5.	Existing acceptable, except where <i>building</i> is classified under Subsection 3.2.6.
B66	3.6.1.3.(1)	Existing acceptable.
B67	3.6.2.1.	Existing acceptable.
B68	3.6.4.2.	Existing plumbing facilities are acceptable except where the <i>major occupancy</i> is changed or where the <i>occupant load</i> is increased. Where <i>occupant load</i> is increased, facilities to be added to accommodate the increase.
Column 1	2	3

NUMBER	PART 4 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
B69	4.1.9.	The requirements under this Subsection do not apply.
Column 1	2	3

**TABLE 11.2.3.C. — RESIDENTIAL**  
**COMPLIANCE ALTERNATIVES**  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
C1	3.1.4.6.	Existing <i>heavy timber construction</i> acceptable where <i>construction</i> is within 90% of member sizes listed in Part 3.
C2	3.1.5.2.; 3.1.5.3.; 3.1.5.4.; 3.1.5.6.	Existing acceptable.
C3	3.1.5.7.; 3.1.5.8.; 3.1.5.9.; 3.1.5.10.	Except for exposed foamed plastics, existing acceptable. To match existing, materials may be added from on or off site.
C4	3.1.5.13.; 3.1.5.14.; 3.1.5.15.; 3.1.5.17.; 3.1.5.18.; 3.1.5.21.	Existing acceptable.
C5	3.1.7.1.	<i>Fire-resistance ratings</i> may also be used where they are based on: <ol style="list-style-type: none"> <li>1. HUD No. 8 Guideline on Fire Ratings of Archaic Materials and Assemblies.</li> <li>2. Fire Endurance of Protected Steel Columns and Beams, DBR Technical Paper No. 194.</li> <li>3. Fire Endurance of Unit Masonry Walls, DBR Technical Paper No. 207.</li> <li>4. Fire Endurance of Light-Framed and Miscellaneous Assemblies, DBR Technical Paper No. 222.</li> </ol>
C6	3.1.7.6.(3)	Existing assemblies required to be of <i>noncombustible construction</i> may be supported by <i>combustible construction</i> having at least the same <i>fire-resistance rating</i> as that supported.
C7	3.1.8.1.(2); 3.1.8.6.(1) and (2)	Existing functional <i>closures</i> are acceptable and may be relocated within the same existing <i>fire separation</i> .
C8	3.1.8.5.(2)	(a) Existing functional and sound doors in existing <i>buildings</i> that are either hollow metal or kalamein and containing wired glass at least 6 mm thick and conforming to Sentence 3.1.8.14.(2) are permitted in lieu of doors not required to exceed 45 min,
Column 1	2	3

TABLE 11.2.3.C. — RESIDENTIAL—Continued  
COMPLIANCE ALTERNATIVES  
Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
		(b) all existing functional and sound hollow metal or kalamein doors which carry existing 1½ h labels are acceptable in lieu of current 1½ h labels and may contain wired glass panels not exceeding 645 cm <sup>2</sup> , at least 6 mm thick and conforming to Sentence 3.1.8.14.(2), and (c) every fire door, window assembly or glass block used as a <i>closure</i> in a required <i>fire separation</i> shall be installed in conformance with good engineering practice.
C9	3.1.8.7.; 3.1.8.8.; 3.1.8.9.	<i>Fire dampers</i> or <i>fire stop flaps</i> are not required to be installed in existing ducts at penetrations of existing <i>fire separations</i> .
C10	3.1.8.10.(1)	For existing unlabelled doors in existing <i>buildings</i> , at least 45 mm solid core wood or metal clad are acceptable. For existing <i>closures</i> , ratings of 20 min will not be required where the entire <i>floor area</i> is <i>sprinklered</i> .
C11	3.1.8.13.	Existing functionally operable latching devices, excluding draw bolts, are acceptable.
C12	3.1.8.14.	Existing transoms or sidelights located in <i>fire separations</i> not required to be greater than 1 h may be retained if wired glass, at least 6 mm thick, is securely fixed to a wood frame of at least 50 mm thickness with steel stops. Operable transoms shall be fixed closed.
C13	3.1.8.15.; 3.1.8.16.; 3.1.8.17.	Existing acceptable.
C14	3.1.11.	Where the concealed space is being materially altered, provide smoke or heat detection in that space in lieu of firestops and tie into fire alarm system.
C15	3.2.2.12.(1) (b) and (c)	Existing sprinkler systems in 1 <i>storey buildings</i> need not comply.
C16	3.2.3.	Area of existing windows need not conform to Table 3.2.3.A. (a) Existing windows in walls may be relocated to another part of the wall, provided the existing opening is blocked up to provide the same fire rating for the wall, and the projection of the new opening, at a right angle to the property line onto another <i>building</i> , lies no closer than 300 mm from a window in such other <i>building</i> , where the “opposite” window is less than 2.4 m from the opposite new opening, and (b) except relocation of units, to be restricted to the same <i>fire compartment</i> , or (c) where a <i>building</i> does not satisfy the requirements of Subsection 3.2.3. for the amount of openings facing a yard or space that does not have sufficient <i>limiting distance</i> , such existing openings are allowed to be materially altered or reinstalled provided: (i) such existing openings are not increased in size and they are protected with wired glass in steel frames conforming to Sentence 3.1.8.14.(2), or (ii) the <i>building</i> is <i>sprinklered</i> .
C17	3.2.4.	(a) Existing fire alarm system may remain except that Article 3.2.4.5. does not apply where the “Fire Safety Plan” (as described in Subsection 2.8.2. of the Ontario Fire Code) for the building addresses the intent of Subsection 3.2.4. (i.e. “stage” system, electrical supervision, detection as required, Fire Department connection, and emergency power supply), and (b) extension of an existing system must ensure continuity and compatibility, and integrity of the system.
C18	3.2.4.21.	Such <i>smoke alarms</i> may be battery operated.
C19	3.2.5.1.; 3.2.5.2.; 3.2.5.3.	Existing acceptable.
C20	3.2.5.4.(1)	Existing access acceptable.
C21	3.2.5.4.(2)	Existing acceptable.
Column 1	2	3

TABLE 11.2.3.C. — RESIDENTIAL—Continued  
COMPLIANCE ALTERNATIVES  
Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
C22	3.2.5.5.; 3.2.5.6.; 3.2.5.7.	(a) For <i>buildings</i> 6 storeys and less, existing access to existing <i>occupancy</i> is acceptable, and (b) where existing <i>building</i> is changed to a “C” <i>occupancy</i> , an access route shall be provided, or the existing access is acceptable provided the building is <i>sprinklered</i> .
C23	3.2.5.8.	Existing water supply and hydrants are acceptable in <i>buildings</i> up to 6 storeys in <i>building height</i> .
C24	3.2.5.13.	Existing sprinkler systems in existing <i>buildings</i> that do not conform to NFPA 13 may be altered, added to, or extended from the existing system without complying with NFPA 13, provided the system is operational and adequate with respect to coverage, water supply and controls, and provided the system is evaluated by a qualified designer.
C25	3.2.6. ADDITIONAL REQUIREMENTS FOR HIGH BUILDINGS	(See Appendix A under “ <i>Alternative Measures</i> ”.)
C26	3.2.9.	Does not apply to <i>buildings</i> 4 storeys and less. For existing <i>buildings</i> over 4 storeys in <i>building height</i> , existing standpipe and hose systems water supply is acceptable provided it can deliver a minimum flow rate of 265 L/min for 30 min at 345 kPa (gauge) at the two highest and most remote hose valves, with not less than 132 L/min from each of the two simultaneously.
C27	3.3.1.4.(1)	30 min is acceptable to separate <i>public corridor</i> or <i>exits</i> in <i>buildings</i> not exceeding 6 storeys in <i>building height</i> , except that 45 min is required for <i>exits</i> in <i>buildings</i> exceeding 3 storeys in <i>building height</i> .
C28	3.3.1.5.(1) (c); Table 3.3.1.A.	In Column 2, maximum area of room or <i>suite</i> to be unlimited.
C29	3.3.1.9.	Existing width of <i>public corridors</i> of not less than 914 mm is acceptable.
C30	3.3.1.10.; 3.3.1.11.	Existing door swings may remain in <i>heritage buildings</i> , existing or being restored, with no change in <i>major occupancy</i> and with <i>occupant load</i> no greater than 100.
C31	3.3.1.12.	Existing doors acceptable.
C32	3.3.1.15.	Existing curved or spiral stairs acceptable.
C33	3.3.1.16.	Existing non-conforming capacities of <i>access to exits</i> are acceptable, provided that the excessive capacity is no greater than 15%, (a) <i>corridor fire separations</i> are to be rated to Code plus early warning system provided, or (b) there are sprinklers, plus <i>smoke alarms</i> in <i>suites</i> .
C34	3.3.1.17.	Does not apply to <i>heritage buildings</i> .
C35	3.3.1.18.	Existing stained, etched, bevelled, leaded or figured glass acceptable.
C36	3.3.4.2.(1)	For <i>buildings</i> exceeding 6 storeys in <i>building height</i> , 30 min is acceptable between <i>suites</i> and between <i>suites</i> and <i>public corridors</i> where <i>smoke detectors</i> are installed in corridors, except 1 h is required in <i>exits</i> .
C37	3.3.4.2.(2) (a) (b) (c)	30 min <i>fire separation</i> acceptable. 45 min <i>fire separation</i> acceptable. 1½ h <i>fire separation</i> acceptable.
C38	3.3.4.4.(5) and (6)	For <i>buildings</i> 6 storeys and less, doorway from <i>dwelling unit</i> will be permitted to open directly into <i>exit</i> stairway or interior corridor served by a single <i>exit</i> if a fire alarm system complying with Subsection 3.2.4. is installed and the <i>dwelling unit</i> has a second and separate means of egress.
C39	3.3.5.5.(1) and 3.3.5.8.(3)	Need not comply where a gasketed door and self closer are provided in the existing <i>fire separation</i> .
Column 1	2	3

**TABLE 11.2.3.C. — RESIDENTIAL—Continued**  
**COMPLIANCE ALTERNATIVES**  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
C40	3.4.1.4.	The following types of <i>exits</i> may also be used for <i>buildings</i> not over 6 storeys in <i>building height</i> : (a) connected balconies, which connect across <i>firewalls</i> , or connect to another <i>exit</i> , or with access to grade, (b) areas of refuge where fire service rescue is possible and that comply with Measure L of Sentences (4) to (10), (18) and (20) (a), (b) and (d) in the Supplement to the NBC 1990.
C41	3.4.1.8.	Existing stained, etched, bevelled, leaded or figured glass acceptable.
C42	3.4.2.5.(1)	Existing travel distance acceptable where <i>floor area</i> is <i>sprinklered</i> and provided <i>fire separations</i> comply with Part 3 of the Code.
C43	3.4.3.1.(2)	Existing width of <i>exits</i> acceptable.
C44	3.4.3.6.	Existing acceptable.
C45	3.4.3.7.	Existing headroom clearance of not less than 1980 mm is acceptable.
C46	3.4.4.1.(1)	Except for <i>exits</i> , no rating required where <i>floor areas</i> are <i>sprinklered</i> .
C47	3.4.4.1.	<i>Fire separations</i> of <i>exits</i> permitted in <i>buildings</i> : – 30 min, up to 3 storeys in <i>building height</i> ; – 45 min, up to 6 storeys in <i>building height</i> ; – 1 h, over 6 storeys in <i>building height</i> .
C48	3.4.4.4.(7)	Existing washrooms opening directly into an <i>exit</i> stairwell shall be separated from the <i>exit</i> stairwell by a 45 min <i>closure</i> .
C49	3.4.5.1.(2) and (7)	Existing illuminated legible <i>exit</i> signs are acceptable.
C50	3.4.6.1.	Existing acceptable.
C51	3.4.6.2.	Existing acceptable, if visually apparent.
C52	3.4.6.3.(1) and (2)	Existing acceptable with rise no greater than 3.7 m.
C53	3.4.6.3.(3) and (4)	Existing acceptable.
C54	3.4.6.4.(2) and (8)	Existing acceptable.
C55	3.4.6.5.	Existing acceptable.
C56	3.4.6.6.(1)	Existing acceptable.
C57	3.4.6.7.; 3.4.6.8.	Existing acceptable.
C58	3.4.6.9.(2) to (7)	Existing acceptable.
C59	3.4.6.10.(1), (2) and (4)	Existing acceptable.
C60	3.4.6.11.	Existing acceptable in <i>public heritage buildings</i> .
C61	3.4.6.15.(1) to (3)	Existing functionally operable panic hardware acceptable.
C62	3.4.7.2.	<i>Combustible</i> fire escapes which are protected from fire in accordance with Sentence 3.2.3.13.(2) are permitted or may be reconstructed or recreated (as in the case of a <i>heritage building</i> ).
C63	3.5.2.1.(3)	45 min <i>fire separation</i> acceptable.
C64	3.5.2.4.	Existing acceptable where explosion- resistant <i>construction</i> or venting is provided.
C65	3.5.2.8.	Existing acceptable.
C66	3.5.2.9.(1)	2 h <i>fire separation</i> acceptable.
C67	3.5.3.1.(1) to (6)	45 min <i>fire separation</i> acceptable up to 6 storeys.
C68	3.5.3.3.(2)	Where 2 h <i>fire separation</i> is required, 1 h is acceptable. Except for linen discharge rooms where 1 h <i>fire separation</i> is required, 45 min is acceptable.
C69	3.5.3.3.(4) and (5)	Existing sizes acceptable.
Column 1	2	3

**TABLE 11.2.3.C. — RESIDENTIAL—Continued**  
**COMPLIANCE ALTERNATIVES**  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
C70	3.5.3.3.(9)	Where 2 h <i>fire separation</i> is required, 1 h is acceptable.
C71	3.5.4.2.	Ceiling <i>fire separation</i> need not be fire-resistance rated where sprinklering, subject to C.A. C24, of <i>fire compartments</i> on both sides of vertical <i>fire separation</i> is provided and where such <i>fire separation</i> is not required to exceed 1 h.
C72	3.5.4.3.(1)	Existing to meet <i>flame-spread rating</i> of 25 or to be <i>sprinklered</i> .
C73	3.5.4.4.; 3.5.4.5.; 3.5.4.6.	Existing access acceptable.
C74	3.5.5.	Existing acceptable except where <i>building</i> is classified under Subsection 3.2.6.
C75	3.6.1.1.; 3.6.1.2.	The requirements under these Articles do not apply.
C76	3.6.2.1.	(a) Where windows are not used as <i>means of egress</i> and where they do not conflict with ventilation requirements, the minimum glass areas as shown in Table 9.7.1.A. may be reduced by 50%, or (b) an existing room converted to an interior room, created by an addition, shall not require a window, provided there is an opening in a dividing wall to an adjoining room, where the adjoining room has a minimum of 5% window area of the combined floor areas, and provided the required ventilation for the combined rooms is maintained.
C77	3.6.4.2.	Existing plumbing facilities are acceptable except where the <i>major occupancy</i> is changed or where the <i>occupant load</i> is increased. Where <i>occupant load</i> is increased, facilities to be added to accommodate the increase. Exception to where there is a change in <i>major occupancy</i> : <i>Public heritage buildings</i> up to 3 storeys, limited in size to 250 m <sup>2</sup> in <i>building area</i> , limited in <i>occupant load</i> to + or – 50 persons.
Column 1	2	3

NUMBER	PART 4 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
C78	4.1.9.	The requirements under this Subsection do not apply.
Column 1	2	3

NUMBER	PART 6 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
C79	6.2.3.2.; 6.2.3.4.; 6.2.3.5.; 6.2.3.10.	Existing acceptable.
C80	6.2.3.11.(3)	In a <i>building</i> containing not more than four <i>dwelling units</i> , the existing heating or <i>air conditioning</i> system may serve, or be altered to serve more than one <i>dwelling unit</i> , provided <i>smoke alarms</i> are installed in each <i>dwelling unit</i> and provided <i>smoke detectors</i> are installed in the supply and return air duct system serving the entire <i>building</i> which would turn off the fuel supply and electrical power to the heating system upon activation of such detectors.
C81	6.2.3.13.	Existing openings, grilles and diffusers acceptable.
C82	6.2.4.2.(1); 6.2.4.3.(1) to (3)	Existing acceptable.
C83	6.2.4.2.(10)	Where the duct system is being altered, lesser amounts and extent of insulation will be permitted.
C84	6.2.9.2.	Existing acceptable.
C85	6.3.1.	Existing acceptable, provided products of combustion are safely vented.
Column 1	2	3

**TABLE 11.2.3.C. — RESIDENTIAL—Continued**  
**COMPLIANCE ALTERNATIVES**  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 9 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
C86	9.3.0.1.; 9.3.0.2.	Sound used materials; systems, components of systems and equipment may be accepted for reuse without requirements for testing.
C87	9.3.2.1.	Sound used lumber may be acceptable for reuse without a grade stamp provided that: (a) visual examination shows no excessive weakening by holes, notches, nail splits or other damage, (b) where the grade or species is unknown, the minimum grade shall apply for span table use, and (c) lumber has not been subjected to termite infestation.
C88	9.5	The requirements under this Section do not apply.
C89	9.6.3.1.	Doors may be lesser heights to suit ceiling heights.
C90	9.6.3.2.	Existing acceptable.
C91	9.6.4.	Existing acceptable.
C92	9.6.5.2.; 9.6.5.3.	Existing doors and sidelights being reused or relocated need not conform if identified or protected.
C93	9.7.1.2.	(a) Where windows are not used as a <i>means of egress</i> and where they do not conflict with ventilation requirements, the minimum glass areas as shown in Table 9.7.1.A. may be reduced by 50%, and (b) an existing room converted to an interior room created by an addition shall not require a window, provided there is an opening in a dividing wall to an adjoining room where the adjoining room has a minimum of 5% window area of the combined <i>floor areas</i> , and provided the required ventilation for the combined room is maintained.
C94	9.7.1.6.	Existing acceptable.
C95	9.7.5.1.	Existing acceptable, if marked to indicate their existence and position.
C96	9.8	Replacement or extension of existing stair systems shall be exempt from the provisions of this Section, except that they shall have: (a) a minimum width between wall faces of 700 mm, and (b) a minimum clear height over tread nosing of 1800 mm.
C97	9.8.5.2.	Existing curved or spiral stairs are acceptable.
C98	9.8.5.3.	Where a stair complies with Subsection 9.8.3., an extension to a stair may contain two sets of winders provided that they are separated by at least 3 treads or a landing.
C99	9.8.6.	Existing ramps acceptable, where practical.
C100	9.8.7.	Existing handrails acceptable, unless considered unsafe by <i>chief official</i> .
C101	9.8.8.	Existing <i>guards</i> acceptable, unless considered unsafe by <i>chief official</i> .
C102	9.8.9.5.(2)	Existing acceptable.
C103	9.9.2.2.	The following types of <i>exits</i> may also be used: (a) connected balconies, which connect across <i>firewalls</i> , or connect to another <i>exit</i> , or with access to grade, (b) areas of refuge approved by the <i>chief official</i> , where fire service rescue is possible, or (c) <i>combustible</i> or <i>noncombustible</i> exterior stairways or fire escapes which are protected in accordance with Sentence 3.2.3.13.(2). These may be reconstructed or recreated (as in the case of a <i>heritage building</i> ).
C104	9.9.2.6.	Existing acceptable, provided that the enclosure has a 45 min <i>fire-resistance rating</i> .
C105	9.9.2.8.	Existing acceptable.
Column 1	2	3



TABLE 11.2.3.C. — RESIDENTIAL—Continued  
COMPLIANCE ALTERNATIVES  
Forming Part of Article 11.2.3.1.

NUMBER	PART 9 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
C106	9.9.3.2.	(a) In a <i>building</i> containing not more than four <i>dwelling units</i> , the width of every <i>exit</i> facility may be as the existing, but not less than 800 mm, or (b) in a <i>building</i> containing more than four <i>dwelling units</i> , the width of every <i>exit</i> facility may be as the existing, but not less than 900 mm.
C107	9.9.3.3.	(a) In a <i>building</i> containing not more than four <i>dwelling units</i> , the minimum width of a <i>public corridor</i> may be 800 mm, or (b) in a <i>building</i> containing more than four <i>dwelling units</i> , the minimum width of a <i>public corridor</i> may be 900 mm.
C108	9.9.3.4.	Existing headroom clearance of not less than 1950 mm is acceptable.
C109	9.9.4.2.	In a <i>building</i> that contains not more than four <i>dwelling units</i> , one <i>exit</i> need not be separated from the remainder of the <i>building</i> at the <i>first storey</i> where there are one or more other <i>exits</i> complying with C.A. C110.
C110	9.9.4.2.(1) and (2)	30 min <i>fire separation</i> acceptable.
C111	9.9.5.4.	Existing acceptable.
C112	9.9.5.8.	Existing <i>fire separation</i> of not less than 1 h is acceptable.
C113	9.9.6.2.	Existing acceptable.
C114	9.9.6.3.	Existing headroom clearance of not less than 1950 mm is acceptable, with existing door heights to be acceptable.
C115	9.9.6.4.	Existing door widths and heights are acceptable, provided <i>exit</i> widths and heights conform to C.A.'s C106 and C108.
C116	9.9.6.5.	Existing door swings acceptable. Existing acceptable in <i>public heritage buildings</i> , where approved by <i>chief official</i> .
C117	9.9.6.6.(1)	Where <i>exit</i> doors open onto a landing, they shall not extend beyond the face of the first riser.
C118	9.9.6.10.	Existing functionally operable passage or panic hardware acceptable.
C119	9.9.7.3.(1) (a)	Maximum area of existing room or <i>suite</i> does not apply.
C120	9.9.8.2.(1)	Existing travel distance acceptable where <i>floor area</i> is <i>sprinklered</i> and provided <i>fire separations</i> comply with Part 9 of the Code.
C121	9.9.8.5.	In a <i>building</i> containing not more than four <i>dwelling units</i> , existing glazed solid wood doors to lobby may remain in lieu of new 20 minute doors, provided the <i>fire separations</i> for the floor above or below are provided as per C.A. C129, and a second <i>means of egress</i> from the <i>dwelling units</i> complies with the Code requirements.
C122	9.9.10.6.	Existing illuminated legible signs are acceptable for <i>exit</i> signs, if approved by <i>chief official</i> .
C123	9.10.1.1.	Assemblies required to be of <i>noncombustible construction</i> may be supported by <i>combustible construction</i> having at least the same <i>fire-resistance rating</i> as that supported.
C124	9.10.1.10.	Existing installations acceptable subject to C.A.'s C23, C24 and C26.
C125	9.10.3.	<i>Fire-resistance ratings</i> may also be used where they are based on: 1. HUD No. 8 Guideline on Fire Ratings of Archaic Materials and Assemblies. 2. Fire Endurance of Protected Steel Columns and Beams, DBR Technical Paper No. 194. 3. Fire Endurance of Unit Masonry Walls, DBR Technical Paper No. 207. 4. Fire Endurance of Light-Framed and Miscellaneous Assemblies, DBR Technical Paper No. 222.
Column 1	2	3

TABLE 11.2.3.C. — RESIDENTIAL—Continued  
COMPLIANCE ALTERNATIVES  
Forming Part of Article 11.2.3.1.

NUMBER	PART 9 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
C126	9.10.5.1.	Existing openings in existing wall or ceiling membranes to remain. Existing openings may be moved to another location in the same wall or ceiling, provided the aggregate area of openings does not increase and are not accumulative, and the existing opening is blocked up to provide the same rating as the existing wall or ceiling assembly.
C127	9.10.6.2.	Existing <i>heavy timber construction</i> acceptable where <i>construction</i> is within 90% of member sizes listed in Part 3.
C128	9.10.7.	Existing acceptable for <i>heritage buildings</i> , subject to approval of <i>chief official</i> .
C129	9.10.8.1.; 9.10.8.3.; 9.10.8.7.	Existing 30 min rating acceptable.
C130	9.10.9.7.; 9.10.9.9.	Existing acceptable.
C131	9.10.9.10.(1)	Ceiling <i>fire separation</i> need not be <i>fire-resistance rated</i> where sprinklering, subject to C.A. C24, of <i>fire compartments</i> on both sides of vertical <i>fire separation</i> is provided and where such <i>fire separation</i> is not required to exceed 1 h.
C132	9.10.9.11.(1)	30 min <i>fire separation</i> acceptable.
C133	9.10.9.11.(2)	In lieu of the 2 h <i>fire separation</i> , sprinklers may be used in the <i>mercantile occupancy</i> or <i>medium hazard industrial occupancy</i> , with a 1 h <i>fire separation</i> .
C134	9.10.9.14.(1) and (3); 9.10.9.15.(1)	30 min <i>fire separation</i> acceptable.
C135	9.10.10.3.	45 min <i>fire separation</i> acceptable.
C136	9.10.13.1.	Existing functional <i>closures</i> are acceptable subject to C.A. C8.
C137	9.10.13.2.(1)	In a <i>building</i> containing not more than four <i>dwelling units</i> , existing glazed solid wood doors to corridors may remain in lieu of new 20 min doors.
C138	9.10.13.3.	Existing acceptable provided that wood door frames are secured with hinge screws going through frame into the stud.
C139	9.10.13.5.	Existing wired glass acceptable. Existing transoms or sidelights located in required <i>fire separations</i> may be retained if wired glass at least 6 mm thick is securely fixed to a wood frame of at least 50 mm thickness with steel stops. Operable transoms shall be fixed closed.
C140	9.10.13.6.	Existing steel door frames acceptable.
C141	9.10.13.7.	Existing glass block acceptable.
C142	9.10.13.8.	Existing sizes acceptable.
C143	9.10.13.9.	Existing operable latches acceptable.
C144	9.10.13.10.(1)	Existing functionally operable self-closing devices acceptable.
C145	9.10.13.11.	Existing operable self-releasing electromagnetic and fusible link hold-open devices acceptable.
C146	9.10.13.12.	Existing swings acceptable.
C147	9.10.13.13.(1)	In a <i>building</i> containing not more than four <i>suites</i> , where the existing heating or <i>air conditioning</i> system serves, or is altered to serve more than one <i>suite</i> , <i>fire dampers</i> are not required in the ducts penetrating required <i>fire separations</i> , provided <i>smoke alarms</i> are installed in each <i>suite</i> and provided <i>smoke detectors</i> are installed in the supply and return air duct system serving the entire <i>building</i> which would turn off the fuel supply and electrical power to the heating system upon activation of such detectors.
Column 1	2	3

**TABLE 11.2.3.C. — RESIDENTIAL—Continued**  
**COMPLIANCE ALTERNATIVES**  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 9 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
C148	9.10.13.14.; 9.10.5.1.	In a <i>building</i> containing not more than four <i>suites</i> , where the existing heating or <i>air conditioning</i> system serves, or is altered to serve more than one <i>suite</i> , <i>fire stop flaps</i> are not required in the pierced ceiling membrane provided <i>smoke alarms</i> are installed in each <i>suite</i> and provided <i>smoke detectors</i> are installed in the supply and return air duct system serving the entire <i>building</i> which would turn off the fuel supply and electrical power to the heating system upon activation of such detectors.
C149	9.10.14.1.	Area of existing windows need not conform to Table 9.10.14.A. (a) existing <i>windows</i> in walls may be relocated to another part of the wall, provided the existing opening is blocked up to provide the same fire rating for the wall, and the projection of the new opening, at a right angle to the property line onto another <i>building</i> , lies no closer than 300 mm from a window in such other <i>building</i> , where the “opposite” window is less than 2.4 m from the opposite new opening, and (b) except relocation of units, to be restricted to the same <i>fire compartment</i> , or (c) where a <i>building</i> does not satisfy the requirements of Subsection 9.10.14. for the amount of openings facing the yard or space that does not have sufficient <i>limiting distance</i> , such existing openings are allowed to be materially altered or reinstalled provided: (i) such openings are not increased in size and they are protected with wired glass in steel frames conforming to Sentence 3.1.8.14.(2), or (ii) the <i>building</i> is <i>sprinklered</i> .
C150	9.10.14.7.; 9.10.14.8.	Where an addition to an existing residential <i>building</i> has its <i>exposing building face</i> further distant from the line than the existing <i>exposing building face</i> and the <i>limiting distance</i> is at least 1.2 m, the total area of allowable <i>unprotected openings</i> may be determined under Article 9.10.14.7. for the combined new and existing <i>exposing building faces</i> , and (a) where the existing <i>exposing building face</i> has no <i>unprotected openings</i> , or the existing <i>unprotected openings</i> are to be filled in, the total allowable area of <i>unprotected openings</i> may be installed in the new <i>exposing building face</i> , or (b) where the existing <i>unprotected openings</i> are to remain, their area shall be deducted from the total allowable area of <i>unprotected openings</i> , and the balance may be installed in the new <i>exposing building face</i> , and (c) Article 9.10.14.8. applies only to the new <i>exposing building face</i> .
C151	9.10.15.2.(1)	Where balloon framing is exposed during renovation, fire stopping shall be provided.
C152	9.10.17.	(a) Subject to approval by the <i>chief official</i> , existing fire alarm system may remain where the Fire Safety Plan for the <i>building</i> addresses the intent of Subsection 3.2.4. (i.e. “stage” system, electrical supervision, detection as required, Fire Department connection, and emergency power supply), and (b) extension of an existing system must ensure continuity and compatibility, and integrity of the system.
C153	9.10.19.	Existing access acceptable.
C154	9.10.18.3.	<i>Smoke alarms</i> may be battery operated.
C155	9.18.2.	Existing access acceptable.
C156	9.18.3.	Existing vents and ventilation acceptable.
C157	9.19	Existing acceptable.
C158	9.20.2.2.	Used masonry may be reused for patching and filling openings to match adjacent work. Used interior brick may not be used for exterior applications.
Column 1	2	3

**TABLE 11.2.3.C. — RESIDENTIAL—Continued**  
**COMPLIANCE ALTERNATIVES**  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 9 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
C159	9.20.3.	Archaic mortars may be used to match existing jointing.
C160	9.20.4.1.	Sound jointing techniques may be employed to match existing archaic joints.
C161	9.20.12.1.	Corbelling may be constructed to match existing or original details, provided that it is structurally adequate for the proposed use.
C162	9.21	Existing acceptable, provided the products of combustion are safely vented, and provided no fire hazard is created.
C163	9.22.1. to 9.22.7.	Sound period materials, designs and techniques may be employed in recreated fireplaces, provided no fire hazard is created. Article 9.22.1.4. need not comply.
C164	9.23	Existing acceptable.
C165	9.24	Existing acceptable.
C166	9.25	Where the framing systems are being altered, lesser amounts and extent of insulation and vapour barrier will be permitted. A vapour barrier may consist of paint or other coating with specified perm rating such as two coats of leafing aluminum pigmented paint. Existing acceptable for Sentences 9.25.2.7.(2) to (4). Existing previously occupied log houses that are dismantled and reconstructed are exempt from Article 9.25.2.8.
C167	9.26	Existing acceptable, except when removing and replacing shingles, comply with the eave protection requirements of Subsection 9.26.5.
C168	9.27	Existing acceptable.
C169	9.28	All replacement or recreation of existing stucco may be compatible with the existing materials and application.
C170	9.29.4.	Existing acceptable. All replacement or recreation of existing plaster may be compatible with the existing materials and application.
C171	9.33.1.1.	In a <i>building</i> containing not more than four <i>dwelling units</i> , the existing heating or <i>air conditioning</i> system may serve, or be altered to serve more than one <i>dwelling unit</i> , provided <i>smoke alarms</i> are installed in each <i>dwelling unit</i> and provided <i>smoke detectors</i> are installed in the supply and return air duct system serving the entire <i>building</i> which would turn off the fuel supply and electrical power to the heating system upon activation of such detectors.
C172	9.33.1.2.	Sound, used or antique <i>appliances</i> are acceptable, provided that: (a) visual examination shows no excessive weakening by corrosion or other damage, (b) no structural parts are missing, (c) no cracks are present in the components intended to support the <i>appliance</i> or enclose the fire, and (d) loading and ash removal door latches and hinges hold the door closed.
C173	9.34.4.1.	Existing meter mounting devices need not be relocated to these requirements during renovations.
C174	9.34.4.3.	Existing overhead and underground supply need not be relocated to these requirements during renovation.
C175	9.34.4.4.; 9.34.4.5.	Existing acceptable.
C176	9.37	Sound used materials shall be acceptable for reuse, subject to the following limitations: (a) visual examination shows no excessive weakening by holes, notches, nail splits or other damage, and (b) logs have not been subjected to termite infestation.
Column 1	2	3

TABLE 11.2.3.D/E. — BUSINESS/MERCANTILE  
COMPLIANCE ALTERNATIVES  
Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
DE1	3.1.4.6.	Existing <i>heavy timber construction</i> acceptable where <i>construction</i> is within 90% of member sizes listed in Part 3.
DE2	3.1.5.2.; 3.1.5.3.; 3.1.5.4.; 3.1.5.6.	Existing acceptable.
DE3	3.1.5.7.; 3.1.5.8.; 3.1.5.9.; 3.1.5.10.	Except for exposed foamed plastics, existing acceptable. To match existing, materials may be added from on or off site.
DE4	3.1.5.14.; 3.1.5.15.; 3.1.5.17.; 3.1.5.18.; 3.1.4.21.	Existing acceptable.
DE5	3.1.7.1.	<i>Fire-resistance ratings</i> may also be used where they are based on: <ol style="list-style-type: none"> <li>1. HUD No. 8 Guideline on Fire Ratings of Archaic Materials and Assemblies.</li> <li>2. Fire Endurance of Protected Steel Columns and Beams, DBR Technical Paper No. 194.</li> <li>3. Fire Endurance of Unit Masonry Walls, DBR Technical Paper No. 207.</li> <li>4. Fire Endurance of Light-Framed and Miscellaneous Assemblies, DBR Technical Paper No. 222.</li> </ol>
DE6	3.1.7.6.(3)	Existing assemblies required to be of <i>noncombustible construction</i> may be supported by <i>combustible construction</i> having at least the same <i>fire-resistance rating</i> as that supported.
DE7	3.1.8.1.(2); 3.1.8.6.	Existing functional <i>closures</i> are acceptable and may be relocated within the same existing <i>fire separation</i> .
DE8	3.1.8.5.(2)	<p>(a) Existing functional and sound doors in existing <i>buildings</i> that are either hollow metal or kalamein and containing wired glass at least 6 mm thick and conforming to Sentence 3.1.8.14.(2) are permitted in lieu of doors not required to exceed 45 min,</p> <p>(b) all existing functional and sound hollow doors which carry existing 1½ h labels are acceptable in lieu of current 1½ h labels and may contain wired glass panels not exceeding 645 cm<sup>2</sup>, at least 6 mm thick and conforming to Sentence 3.1.8.14.(2), and</p> <p>(c) every fire door, window assembly or glass block used as a <i>closure</i> in a required <i>fire separation</i> shall be installed in conformance with good engineering practice.</p>
DE9	3.1.8.7.; 3.1.8.9.	<i>Fire dampers</i> or <i>fire stop flaps</i> are not required to be installed in existing ducts at penetrations of existing <i>fire separations</i> .
DE10	3.1.8.10.(1)	For existing unlabelled doors in existing <i>buildings</i> , at least 45 mm solid core wood or metal clad are acceptable.
DE11	3.1.8.13.	Existing functionally operable latching devices, excluding draw bolts, are acceptable.
DE12	3.1.8.14.	Existing transoms or sidelights located in required <i>fire separations</i> may be retained if wired glass, at least 6 mm thick, is securely fixed to a wood frame of at least 50 mm thickness with steel stops. Operable transoms shall be fixed closed.
DE13	3.1.8.15.; 3.1.8.16.; 3.1.8.17.	Existing acceptable.
DE14	3.1.11.	Where the concealed space is being materially altered, provide smoke or heat detection in that space in lieu of firestops and tie into fire alarm system.
DE15	3.2.2.12.(1) (b) and (c)	Existing sprinkler systems in 1 <i>storey buildings</i> need not comply.
DE16	3.2.3.	Area of existing windows need not conform to Table 3.2.3.A. <p>(a) Existing windows in walls may be relocated to another part of the wall, provided the existing opening is blocked up to provide the same fire rating for the wall, and the projection of the new opening, at a right angle to the property line onto another <i>building</i>, lies no closer than 300 mm from a window in such other <i>building</i>, where the “opposite” window is less than 2.4 m from the opposite new opening, and</p>
Column 1	2	3

TABLE 11.2.3.D/E. — BUSINESS/MERCANTILE—Continued  
 COMPLIANCE ALTERNATIVES  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
		(b) except relocation of units, to be restricted to the same <i>fire compartment</i> , or (c) where a <i>building</i> does not satisfy the requirements of Subsection 3.2.3. for the amount of openings facing a yard or space that does not have sufficient <i>limiting distance</i> , such existing openings are allowed to be materially altered or reinstalled provided: (i) such existing openings are not increased in size and they are protected with wired glass in steel frames conforming to Sentence 3.1.8.14.(2), or (ii) the <i>building</i> is <i>sprinklered</i> .
DE17	3.2.4.1.(1) (d)	(a) Existing fire alarm system may remain except that Article 3.2.4.5. does not apply where the “Fire Safety Plan” (as described in Subsection 2.8.2. of the Ontario Fire Code) for the building addresses the intent of Subsection 3.2.4. (i.e. “stage” system, electrical supervision, detection as required, Fire Department connection, and emergency power supply), and (b) extension of an existing system must ensure continuity and compatibility, and integrity of the system.
DE18	3.2.5.1.; 3.2.5.2.; 3.2.5.3.	Existing acceptable.
DE19	3.2.5.4.	Existing access acceptable.
DE20	3.2.5.5.; 3.2.5.6.; 3.2.5.7.	Sprinkler the <i>building</i> .
DE21	3.2.5.8.	Does not apply, except where a change in <i>major occupancy</i> occurs from a lesser <i>hazard index</i> .
DE22	3.2.5.13.	Existing sprinkler systems in existing <i>buildings</i> that do not conform to NFPA 13 may be altered, added to, or extended from the existing system without complying with NFPA 13, provided the system is operational and adequate with respect to coverage, water supply and controls, and provided the system is evaluated by a qualified designer.
DE23	3.2.6. ADDITIONAL REQUIREMENTS FOR HIGH BUILDINGS	(See Appendix A under “ <i>Alternative Measures</i> ”.)
DE24	3.2.9.	Does not apply to <i>buildings</i> 6 storeys and less. Does not apply to <i>sprinklered buildings</i> .
DE25	3.3.1.5.(1) (c); Table 3.3.1.A.	In Column 2, maximum area of room or <i>suite</i> to be unlimited.
DE26	3.3.1.9.(1)	Existing width of <i>public corridors</i> of not less than 914 mm is acceptable.
DE27	3.3.1.10.; 3.3.1.11.	Existing door swings may remain in <i>heritage buildings</i> , existing or being restored, with no change in <i>major occupancy</i> and with <i>occupant load</i> no greater than 100.
DE28	3.3.1.12.	Existing doors acceptable.
DE29	3.3.1.15.	Existing curved or spiral stairs acceptable.
DE30	3.3.1.16.	Existing non-conforming capacities of <i>access to exits</i> are acceptable, provided that: (a) the increase in <i>occupant load</i> is not greater than 15%, (b) the corridor <i>fire separations</i> are rated to Code, and (c) early warning systems are provided, or (d) there are sprinklers, plus <i>smoke alarms</i> in <i>suites</i> .
DE31	3.3.1.17.	Does not apply to <i>heritage buildings</i> .
DE32	3.3.1.18.	Existing stained, etched, bevelled, leaded or figured glass acceptable.
DE33	3.2.3.17.	Need not comply for “E” <i>occupancy</i> .
DE34	3.3.5.5.; 3.3.5.8.(3)	Need not comply where a gasketed door and self closer are provided in the existing <i>fire separation</i> .
Column 1	2	3

TABLE 11.2.3.D/E. — BUSINESS/MERCANTILE—*Continued*  
COMPLIANCE ALTERNATIVES  
Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
DE35	3.4.1.4.	The following types of <i>exits</i> may also be used for <i>buildings</i> not over 6 storeys in <i>building height</i> : Connected balconies, which connect across <i>firewalls</i> , or connect to another <i>exit</i> , or with access to grade. Areas of refuge where fire service rescue is possible and that comply with Measure L of Sentences (4) to (10), (18) and 20 (a), (b) and (d) in the Supplement to the NBC 1990.
DE36	3.4.1.8.	Existing stained, etched, bevelled, leaded or figured glass acceptable.
DE37	3.4.2.5.(1)	Existing travel distance acceptable where <i>floor area</i> is <i>sprinklered</i> .
DE38	3.4.3.1.(2)	Existing width of <i>exits</i> acceptable.
DE39	3.4.3.6.	Existing acceptable.
DE40	3.4.3.7.	Existing headroom clearance of not less than 1980 mm is acceptable.
DE41	3.4.4.1.	<i>Fire separations</i> of <i>exits</i> permitted in <i>buildings</i> : – 30 min, up to 3 storeys in <i>building height</i> ; – 45 min, up to 6 storeys in <i>building height</i> ; – 1 h, over 6 storeys in <i>building height</i> .
DE42	3.4.4.4.(7)	Existing washrooms opening directly into <i>exit</i> stairwell shall be separated from <i>exit</i> stairwell by a 45 min <i>closure</i> .
DE43	3.4.5.1.(2) and (7)	Existing illuminated legible <i>exit</i> signs are acceptable.
DE44	3.4.6.1.	Existing acceptable.
DE45	3.4.6.2.	Existing acceptable, if visually apparent.
DE46	3.4.6.3.(1) and (2)	Existing acceptable with rise no greater than 3.7 m.
DE47	3.4.6.4.(3) and (4)	Existing acceptable.
DE48	3.4.6.4.(2) to (8)	Existing acceptable.
DE49	3.4.6.5.(1) to (5)	Existing acceptable.
DE50	3.4.6.6.(1)	Existing acceptable.
DE51	3.4.6.7.; 3.4.6.8.	Existing acceptable.
DE52	3.4.6.9.(2) to (6)	Existing acceptable.
DE53	3.4.6.10.(1), (2) and (4)	Existing acceptable.
DE54	3.4.6.11.	Existing acceptable in <i>public heritage buildings</i> .
DE55	3.4.6.12.; 3.4.6.13.	Existing acceptable.
DE56	3.4.6.15.	Existing functionally operable panic hardware acceptable.
DE57	3.4.7.2.	<i>Combustible</i> fire escapes which are protected from fire in accordance with Sentence 3.2.3.13.(2) are permitted or may be reconstructed or recreated (as in the case of a <i>heritage building</i> .)
DE58	3.5.2.1.(3)	45 min <i>fire separation</i> acceptable.
DE59	3.5.2.4.	Existing acceptable where explosion- resistant <i>construction</i> or venting is provided.
DE60	3.5.2.8.	Existing acceptable.
DE61	3.5.2.9.(1)	2 h <i>fire separation</i> acceptable.
DE62	3.5.3.1.(1) to (6)	45 min <i>fire separation</i> acceptable up to 6 storeys.
DE63	3.5.3.3.	Where 2 h <i>fire separation</i> is required, 1 h is acceptable. Where 1 h <i>fire separation</i> is required, 45 min is acceptable. Existing need not comply with Sentence 3.5.3.3.(5).
Column 1	2	3

**TABLE 11.2.3.D/E. — BUSINESS/MERCANTILE—Continued**  
**COMPLIANCE ALTERNATIVES**  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
DE64	3.5.4.2.	Ceiling <i>fire separation</i> need not be <i>fire-resistance rated</i> where sprinklering, subject to C.A. DE24, of <i>fire compartments</i> on both sides of vertical <i>fire separation</i> is provided and where such <i>fire separation</i> is not required to exceed 1 h.
DE65	3.5.4.3.(1)	Existing to meet <i>flame-spread rating</i> of 25 or to be <i>sprinklered</i> .
DE66	3.5.4.4.; 3.5.4.5.; 3.5.4.6.	Existing access acceptable.
DE67	3.5.5.	Existing acceptable except where <i>building</i> is classified under Subsection 3.2.6.
DE68	3.6.4.2.	Existing plumbing facilities are acceptable except where the <i>major occupancy</i> is changed or where the <i>occupant load</i> is increased. Where <i>occupant load</i> is increased, facilities to be added to accommodate the increase. Exception to where there is a change in <i>major occupancy</i> : <i>Public heritage buildings</i> up to 3 storeys, limited in size to 250 m <sup>2</sup> in <i>building area</i> , limited in <i>occupant load</i> to + or - 50 persons.
Column 1	2	3

NUMBER	PART 4 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
DE69	4.1.9.	The requirements under this Subsection do not apply.
Column 1	2	3

NUMBER	PART 6 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
DE70	6.2.3.2.; 6.2.3.4.; 6.2.3.5.; 6.2.3.10.	Existing acceptable.
DE71	6.2.3.13.	Existing openings, grilles and diffusers acceptable, subject to approval of <i>chief official</i> .
DE72	6.2.4.2.(1); 6.2.4.3.(1) to (3)	Existing acceptable.
DE73	6.2.4.2.(10)	Where the duct system is being altered, lesser amounts and extent of insulation will be permitted.
DE74	6.2.9.2.	Existing acceptable.
Column 1	2	3

NUMBER	PART 9 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
DE75	9.3.0.1.; 9.3.0.2.	Sound used materials; systems and components of systems, and equipment may be accepted for reuse without requirements for testing.
DE76	9.3.2.1.	Sound used lumber may be acceptable for reuse without a grade stamp provided that: (a) visual examination shows no excessive weakening by holes, notches, nail splits or other damage, (b) where the grade or species is unknown, the minimum grade shall apply for span table use, and (c) lumber has not been subjected to termite infestation.
DE77	9.6.3.2.	Existing acceptable.
Column 1	2	3



TABLE 11.2.3.D/E. — BUSINESS/MERCANTILE—*Continued*  
COMPLIANCE ALTERNATIVES  
Forming Part of Article 11.2.3.1.

NUMBER	PART 9 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
DE78	9.6.4.	Existing acceptable.
DE79	9.6.5.2.; 9.6.5.3.	Existing doors and sidelights being reused or relocated need not conform if identified or protected.
DE80	9.7.1.6.	Existing acceptable.
DE81	9.7.5.	Existing acceptable.
DE82	9.8	Replacement or extension of existing stair systems shall be exempt from the provisions of this Section, except that they shall have: (a) a minimum width between wall faces of 700 mm, and (b) a minimum clear height over tread nosing of 1800 mm.
DE83	9.8.2.2.	Existing acceptable.
DE84	9.8.5.2.	Existing curved or spiral stairs acceptable.
DE85	9.8.6.	Existing ramps acceptable, where practical.
DE86	9.8.7.	Existing handrails acceptable, unless considered unsafe by <i>chief official</i> .
DE87	9.8.8.	Existing <i>guards</i> acceptable, unless considered unsafe by <i>chief official</i> .
DE88	9.9.1.1.	Existing acceptable.
DE89	9.9.2.2.	The following types of <i>exits</i> may also be used: (a) connected balconies, which connect across <i>firewalls</i> , or connect to another <i>exit</i> , or with access to grade, (b) areas of refuge, approved by the <i>chief official</i> , where fire service rescue is possible, or (c) <i>combustible</i> or <i>noncombustible</i> exterior stairways or fire escapes which are protected in accordance with Sentence 3.2.3.13.(2). These may be reconstructed or recreated (as in the case of a <i>heritage building</i> ).
DE90	9.9.2.6.	Existing acceptable, provided that the enclosure has a 45 min <i>fire-resistance rating</i> .
DE91	9.9.2.8.	Existing acceptable.
DE92	9.9.3.2.	Existing width of <i>exits</i> acceptable.
DE93	9.9.3.3.	Existing width of <i>public corridors</i> of not less than 965 mm is acceptable.
DE94	9.9.3.4.	Existing headroom clearance of not less than 1950 mm is acceptable.
DE95	9.9.4.2.	30 min <i>fire separation</i> acceptable.
DE96	9.9.5.4.; 9.9.5.5.	Existing acceptable.
DE97	9.9.5.8.	Existing <i>fire separation</i> of not less than 1 h is acceptable.
DE98	9.9.6.2.	Existing acceptable.
DE99	9.9.6.3.	Existing headroom clearance of not less than 1950 mm is acceptable, with existing door heights to be acceptable.
DE100	9.9.6.4.	Existing door widths and heights are acceptable, provided <i>exit</i> widths and heights comply with C.A.'s DE93 and DE94.
DE101	9.9.6.5.	Existing door swings are acceptable. Existing acceptable in <i>public heritage buildings</i> , where approved by <i>chief official</i> .
DE102	9.9.6.6.(1)	Where <i>exit</i> doors open onto a landing, they shall not extend beyond the face of the first riser.
DE103	9.9.6.10.	Existing functionally operable passage or panic hardware acceptable.
DE104	9.9.7.3.	Maximum area of existing room or <i>suite</i> to be unlimited.
Column 1	2	3

TABLE 11.2.3.D/E. — BUSINESS/MERCANTILE—*Continued*  
 COMPLIANCE ALTERNATIVES  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 9 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
DE105	9.9.8.2.(1)	Existing travel distance acceptable where <i>floor area</i> is <i>sprinklered</i> and provided <i>fire separations</i> comply with Part 9 of the Code.
DE106	9.9.10.6.	Existing illuminated legible signs are acceptable for <i>exit</i> signs, if approved by <i>chief official</i> .
DE107	9.10.1.1.	Assemblies required to be of <i>noncombustible construction</i> may be supported by <i>combustible construction</i> having at least the same <i>fire-resistance rating</i> as that supported.
DE108	9.10.1.10.	Existing installations acceptable subject to C.A.'s DE22 and DE24.
DE109	9.10.3.	<i>Fire-resistance ratings</i> may also be used where they are based on: 1. HUD No. 8 Guideline on Fire Ratings of Archaic Materials and Assemblies. 2. Fire Endurance of Protected Steel Columns and Beams, DBR Technical Paper No. 194. 3. Fire Endurance of Unit Masonry Walls, DBR Technical Paper No. 207. 4. Fire Endurance of Light-Framed and Miscellaneous Assemblies, DBR Technical Paper No. 222.
DE110	9.10.5.1.	Existing openings in existing wall or ceiling membranes to remain. Existing openings may be moved to another location in the same wall or ceiling, provided the aggregate area of openings does not increase and are not cumulative, and the existing opening is blocked up to provide the same rating as the existing wall or ceiling assembly.
DE111	9.10.6.2.	Existing <i>heavy timber construction</i> acceptable where <i>construction</i> is within 90% of the member sizes listed in Part 3.
DE112	9.10.7.	Existing acceptable for <i>heritage buildings</i> , subject to approval of <i>chief official</i> .
DE113	9.10.8.1.	Existing 30 min rating acceptable.
DE114	9.10.8.2.	Existing sprinkler systems complying with C.A. DE24 and Sentence 3.2.2.12.(1) are acceptable.
DE115	9.10.8.3.	Existing acceptable, subject to approval of the <i>chief official</i> .
DE116	9.10.8.7.	30 min rating acceptable.
DE117	9.10.9.7.; 9.10.9.9.	Existing acceptable.
DE118	9.10.9.10.(1)	<i>Ceiling fire separation</i> need not be <i>fire-resistance rated</i> where sprinklering of <i>fire compartments</i> on both sides of vertical <i>fire separation</i> is provided and where such <i>fire separation</i> is not required to exceed 1 h.
DE119	9.10.9.11.(2)	In lieu of the 2 h <i>fire separation</i> , sprinklers may be used in the <i>mercantile occupancy</i> with a 1 h <i>fire separation</i> .
DE120	9.10.9.13.	30 min <i>fire separation</i> acceptable.
DE121	9.10.9.15.(1)	30 min <i>fire separation</i> acceptable.
DE122	9.10.9.15.(3)	Need not comply for <i>mercantile occupancy</i> .
DE123	9.10.10.3.(1)	45 min <i>fire separation</i> acceptable.
DE124	9.10.12.1.	Need not comply for <i>mercantile occupancy</i> .
DE125	9.10.13.1.	Existing functional <i>closures</i> are acceptable subject to C.A. DE8.
DE126	9.10.13.2.	Existing acceptable.
DE127	9.10.13.3.	Existing acceptable, provided that wood door frames are secured with hinge screws going through frame into the stud.
Column 1	2	3

TABLE 11.2.3.D/E. — BUSINESS/MERCANTILE—*Continued*  
 COMPLIANCE ALTERNATIVES  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 9 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
DE128	9.10.13.5.	Existing acceptable. Existing transoms or sidelights located in required <i>fire separations</i> may be retained if wired glass, at least 6 mm thick, is securely fixed to a wood frame of at least 50 mm thickness with steel stops. Operable transoms shall be fixed closed.
DE129	9.10.13.6.	Existing steel door frames acceptable.
DE130	9.10.13.7.	Existing glass block acceptable.
DE131	9.10.13.8.	Existing sizes acceptable.
DE132	9.10.13.9.	Existing operable latches acceptable.
DE133	9.10.13.10.(1)	Existing functionally operable self-closing device acceptable.
DE134	9.10.13.10.(2)	Existing functionally operable self-closing devices acceptable in “E” occupancy.
DE135	9.10.13.11.	Existing operable self-releasing electromagnetic and fusible link hold-open devices acceptable.
DE136	9.10.13.12.	Existing swings acceptable.
DE137	9.10.14.1.; 9.10.14.2.	Area of existing windows need not conform to Table 9.10.14.A. (a) existing <i>windows</i> in walls may be relocated to another part of the wall, provided the existing opening is blocked up to provide the same fire rating for the wall, and the projection of the new opening, at a right angle to the property line onto another <i>building</i> , lies no closer than 300 mm from a window in such other <i>building</i> , where the “opposite” window is less than 2.4 m from the opposite new opening, and (b) except relocation of units, to be restricted to the same <i>fire compartment</i> , or (c) where a <i>building</i> does not satisfy the requirements of Subsection 9.10.14. for the amount of openings facing a yard or space that does not have sufficient <i>limiting distance</i> , such existing openings are allowed to be materially altered or reinstalled provided: (i) such openings are not increased in size and they are protected with wired glass in steel frames conforming to Sentence 3.1.8.14.(2), or (ii) the <i>building</i> is <i>sprinklered</i> .
DE138	9.10.15.2.(1)	Where balloon framing is exposed during renovation, fire stopping shall be provided.
DE139	9.10.17.	(a) Subject to approval by the <i>chief official</i> , existing fire alarm system may remain where the Fire Safety Plan for the <i>building</i> addresses the intent of Subsection 3.2.4. (i.e. “stage” system, electrical supervision, detection as required, Fire Department connection, and emergency power supply), and (b) extension of an existing system must ensure continuity and compatibility.
DE140	9.10.19.	Existing access acceptable.
DE141	9.18.2.	Existing access acceptable.
DE142	9.18.3.	Existing vents and ventilation acceptable.
DE143	9.19	Existing acceptable.
DE144	9.20.2.2.	Used masonry may be reused for patching and filling openings to match adjacent work. Used interior brick may not be used for exterior applications.
DE145	9.20.3.	Archaic mortars may be used to match existing jointing.
DE146	9.20.4.1.	Sound jointing techniques may be employed to match existing archaic joints.
Column 1	2	3

**TABLE 11.2.3.D/E. — BUSINESS/MERCANTILE—Continued**  
**COMPLIANCE ALTERNATIVES**  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 9 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
DE147	9.20.12.1	Corbelling may be constructed to match existing or original details, provided that it is structurally adequate for the proposed use.
DE148	9.21	Existing acceptable, provided the products of combustion are safely vented and provided no fire hazard is created.
DE149	9.22.1. to 9.22.7.	Sound period materials, designs and techniques may be employed in recreated fireplaces, provided no fire hazard is created. Existing need not comply with Article 9.22.1.4.
DE150	9.23	Existing acceptable.
DE151	9.24	Existing acceptable.
DE152	9.25.2.7.(2), (3) and (4)	Existing acceptable.
DE153	9.26	Existing acceptable, except when removing and replacing shingles, comply with eave protection requirements in Subsection 9.26.5.
DE154	9.27	Existing acceptable.
DE155	9.28	All replacement or recreation of existing stucco may be compatible with the existing materials and application.
DE156	9.29.4.	Existing acceptable. All replacement or recreation of existing plaster may be compatible with the existing materials and application.
DE157	9.33.1.2.	Sound, used or antique <i>appliances</i> are acceptable, provided that: (a) visual examination shows no excessive weakening by corrosion or other damage, (b) no structural parts are missing, (c) no cracks are present in the components intended to support the <i>appliance</i> or enclose the fire, and (d) loading and ash removal door latches and hinges hold the door closed.
DE158	9.34.4.1.; 9.34.4.3.	Existing meter mounting devices and overhead and underground supply need not be relocated to these requirements during renovations.
DE159	9.34.4.4.; 9.34.4.5.	Existing acceptable.
DE160	9.37	Sound used materials shall be acceptable for reuse, subject to the following limitations: (a) visual examination shows no excessive weakening by holes, notches, nail splits or other damage, and (b) logs have not been subjected to termite infestation.
Column 1	2	3

**TABLE 11.2.3.F. — INDUSTRIAL**  
**COMPLIANCE ALTERNATIVES**  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
F1	3.1.4.6.	Existing <i>heavy timber construction</i> acceptable where <i>construction</i> is within 90% of member sizes listed in Part 3.
F2	3.1.5.2.; 3.1.5.3.; 3.1.5.4.; 3.1.5.6.	Existing acceptable.
F3	3.1.5.7.; 3.1.5.8.; 3.1.5.9.; 3.1.5.10.	Except for exposed foamed plastics, existing acceptable for “F2” and “F3” <i>occupancies</i> . To match existing, materials may be added from on or off site.
F4	3.1.5.14.; 3.1.5.15.; 3.1.5.17.; 3.1.5.18.; 3.1.5.21.	Existing acceptable.
Column 1	2	3

TABLE 11.2.3.F. — INDUSTRIAL—Continued  
COMPLIANCE ALTERNATIVES  
Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART II COMPLIANCE ALTERNATIVE
F5	3.1.7.1.	<i>Fire-resistance ratings</i> may also be used where they are based on: 1. HUD No. 8 Guideline on Fire Ratings of Archaic Materials and Assemblies. 2. Fire Endurance of Protected Steel Columns and Beams, DBR Technical Paper No. 194. 3. Fire Endurance of Unit Masonry Walls, DBR Technical Paper No. 207. 4. Fire Endurance of Light-Framed and Miscellaneous Assemblies, DBR Technical Paper No. 222.
F6	3.1.7.6.(3)	Existing assemblies required to be of <i>noncombustible construction</i> may be supported by <i>combustible construction</i> having at least the same <i>fire-resistance rating</i> as that supported.
F7	3.1.8.1.(2); 3.1.8.6.	Existing functional <i>closures</i> are acceptable and may be relocated within the same <i>fire separation</i> .
F8	3.1.8.5.(2)	(a) Existing functional and sound doors in existing <i>buildings</i> that are either hollow metal or kalamein and containing wired glass at least 6 mm thick and conforming to Sentence 3.1.8.14.(2) are permitted in lieu of doors not required to exceed 45 min, (b) all existing functional and sound hollow metal or kalamein doors which carry existing 1½ h labels are acceptable in lieu of current 1½ h labels and may contain wired glass panels not exceeding 645 cm <sup>2</sup> , at least 6 mm thick and conforming to Sentence 3.1.8.14.(2), and (c) every fire door, window assembly or glass block used as a <i>closure</i> in a required <i>fire separation</i> shall be installed in conformance with good engineering practice.
F9	3.1.8.7.; 3.1.8.9.	<i>Fire dampers</i> or <i>fire stop flaps</i> are not required to be installed in existing ducts at penetrations of existing <i>fire separations</i> .
F10	3.1.8.10.(1)	For existing unlabelled doors in existing <i>buildings</i> , at least 45 mm solid core wood or metal clad are acceptable.
F11	3.1.8.11.(1)	Existing functionally operable devices acceptable for “F2” and “F3” <i>occupancies</i> .
F12	3.1.8.13.	Existing functionally operable latching devices, excluding draw bolts, are acceptable.
F13	3.1.8.14.	Existing transoms or sidelights located in required <i>fire separations</i> may be retained if wired glass, at least 6 mm thick, is securely fixed to a wood frame of at least 50 mm thickness with steel stops. Operable transoms shall be fixed closed.
F14	3.1.8.15.; 3.1.5.16.; 3.1.8.17.	Existing acceptable.
F15	3.1.11.	Where the concealed space is being materially altered, provide smoke or heat detection in that space in lieu of firestops and tie into fire alarm system.
F16	3.2.2.12.(1) (b) and (c)	Existing sprinkler systems in 1 <i>storey buildings</i> need not comply.
F17	3.2.3.	Existing need not comply with Article 3.2.3.17. for “F2” <i>occupancy</i> . Area of existing windows need not conform to Table 3.2.3.A. (a) Existing windows in walls may be relocated to another part of the wall, provided the existing opening is blocked up to provide the same fire rating for the wall, and the projection of the new opening, at a right angle to the property line onto another <i>building</i> , lies no closer than 300 mm from a window in such other <i>building</i> , where the “opposite” window is less than 2.4 m from the opposite new opening, and (b) except relocation of units, to be restricted to the same <i>fire compartment</i> , or
Column 1	2	3

TABLE 11.2.3.F. — INDUSTRIAL—Continued  
COMPLIANCE ALTERNATIVES  
Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART II. COMPLIANCE ALTERNATIVE
		(c) where a <i>building</i> does not satisfy the requirements of Subsection 3.2.3. for the amount of openings facing a yard or space that does not have sufficient <i>limiting distance</i> , such existing openings are allowed to be materially altered or reinstalled provided: <ul style="list-style-type: none"> <li>(i) such existing openings are not increased in size and they are protected with wired glass in steel frames conforming to Sentence 3.1.8.14.(2), or</li> <li>(ii) the <i>building</i> is <i>sprinklered</i>.</li> </ul>
F18	3.2.3.17.	Need not comply for “F2” <i>occupancy</i> .
F19	3.2.4.	(a) Existing fire alarm system may remain except that Article 3.2.4.5. does not apply where the “Fire Safety Plan” (as described in Subsection 2.8.2. of the Ontario Fire Code) for the building addresses the intent of Subsection 3.2.4. (i.e. “stage” system, electrical supervision, detection as required, Fire Department connection, and emergency power supply), and (b) extension of an existing system must ensure continuity and compatibility, and integrity of the system.
F20	3.2.5.1; 3.2.5.2.; 3.2.5.3.	Existing acceptable.
F21	3.2.5.4.	Existing access acceptable.
F22	3.2.5.5.; 3.2.5.6.; 3.2.5.7.	Sprinkler the <i>building</i> .
F23	3.2.5.8.	Does not apply, except where a change in <i>major occupancy</i> occurs from a lesser <i>hazard index</i> .
F24	3.2.5.13.	Existing sprinkler systems in existing <i>buildings</i> that do not conform to NFPA 13 may be altered, added to, or extended from the existing system without complying with NFPA 13, provided the system is operational and adequate with respect to coverage, water supply and controls, and provided the system is evaluated by a qualified designer.
F25	3.2.6. ADDITIONAL REQUIREMENTS FOR HIGH BUILDINGS.	(See Appendix A under “ <i>Alternative Measures</i> ”.)
F26	3.2.9.	May not apply to <i>buildings</i> 6 storeys and less of “F2” and “F3” <i>occupancies</i> . Does not apply to <i>sprinklered buildings</i> .
F27	3.3.1.4.(1)	30 min is acceptable to separate <i>public corridors</i> or <i>exits</i> in <i>buildings</i> not exceeding 6 storeys in <i>building height</i> , except that 45 min is required for <i>exits</i> in <i>buildings</i> exceeding 3 storeys in <i>building height</i> . Except for <i>exits</i> , no rating required where <i>floor areas</i> are <i>sprinklered</i> .
F28	3.3.1.5.(1) (c); Table 3.3.1.A.	For “F2” and “F3” <i>occupancies</i> in Column 2, maximum area of room or <i>suite</i> to be unlimited.
F29	3.3.1.9.	Existing width of <i>public corridors</i> of not less than 914 mm is acceptable.
F30	3.3.1.9.(13) and (14)	Need not comply where connected balcony or area of refuge is provided complying with C.A. F36.
F30	3.3.1.10.; 3.3.1.11.	Existing door swings may remain in <i>heritage buildings</i> , existing or being restored, with no change in <i>major occupancy</i> and with <i>occupant load</i> no greater than 100.
F31	3.3.1.12.	Existing doors acceptable.
F32	3.3.1.15.	Existing curved or spiral staircase acceptable.
F33	3.3.1.18.	Existing stained, etched, bevelled, leaded or figured glass acceptable.
F34	3.3.5.5.(2), (3), (5) and (7)	Existing acceptable.
F35	3.3.5.7.; 3.3.5.8.	Need not comply where a gasketed door and self closer are provided in the existing <i>fire separation</i> .
Column 1	2	3

TABLE 11.2.3.F. — INDUSTRIAL—Continued  
COMPLIANCE ALTERNATIVES  
Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
F36	3.4.1.4.	For “F2” and “F3” <i>occupancies</i> , the following types of <i>exits</i> may also be used for <i>buildings</i> not over 6 storeys in <i>building height</i> : (a) connected balconies, which connect across <i>firewalls</i> , or connect to another <i>exit</i> , or with access to grade, (b) areas of refuge where fire service rescue is possible and that comply with Measure L in Sentences (4) to (10) and (20) (a), (b) and (d) in the Supplement to the NBC 1990.
F37	3.4.1.8.	Existing stained, etched, bevelled, leaded or figured glass acceptable.
F38	3.4.2.5.(1)	For “F2” and “F3” <i>occupancies</i> , existing travel distance acceptable where the <i>floor area</i> is <i>sprinklered</i> .
F39	3.4.3.1.(2)	For “F2” and “F3” <i>occupancies</i> , existing widths of <i>exits</i> acceptable.
F40	3.4.3.6.	Existing acceptable.
F41	3.4.3.7.	Existing headroom clearance of not less than 1980 mm is acceptable.
F42	3.4.4.1.	<i>Fire separations</i> of <i>exits</i> permitted in <i>buildings</i> : – 30 min, up to 3 storeys in <i>building height</i> ; – 45 min, up to 6 storeys in <i>building height</i> ; – 1 h, over 6 storeys in <i>building height</i> .
F43	3.4.4.4.(7)	Existing washrooms opening directly into <i>exit</i> stairwell shall be separated from <i>exit</i> stairwell by 45 min <i>closure</i> .
F44	3.4.5.1.(2) and (7)	Existing illuminated legible <i>exit</i> signs are acceptable.
F45	3.4.6.1.	Existing acceptable.
F46	3.4.6.2.	Existing acceptable, if visually apparent.
F47	3.4.6.3.(1) and (2)	Existing acceptable with rise no greater than 3.7 m.
F48	3.4.6.3.(3) and (4)	Existing acceptable.
F49	3.4.6.4.(2) to (8)	Existing acceptable.
F50	3.4.6.5.(1) to (5)	Existing acceptable.
F51	3.4.6.6.(1)	Existing acceptable.
F52	3.4.6.7.; 3.4.6.8.	Existing acceptable.
F53	3.4.6.9.(2) to (6)	Existing acceptable.
F54	3.4.6.10.(1), (2) and (4)	Existing acceptable.
F55	3.4.6.11.	Existing acceptable in <i>public heritage buildings</i> .
F56	3.4.6.12.; 3.4.6.13.	Existing acceptable.
F57	3.4.6.15.	Existing functionally operable panic hardware acceptable.
F58	3.4.7.2.	<i>Combustible</i> fire escapes which are protected from fire in accordance with Sentence 3.2.3.13.(2) are permitted or may be reconstructed or recreated (as in the case of a <i>heritage building</i> ).
F59	3.5.2.1.(3)	45 min <i>fire separation</i> acceptable.
F60	3.5.2.4.	Existing acceptable where explosion-resistant <i>construction</i> or venting is provided.
F61	3.5.2.8.	Existing acceptable.
F62	3.5.2.9.(1)	2 h <i>fire separation</i> acceptable.
F63	3.5.3.1.(1) to (6)	45 min <i>fire separation</i> acceptable up to 6 storeys.
F64	3.5.3.3.	Where 2 h <i>fire separation</i> is required, 1 h is acceptable. Where 1 h <i>fire separation</i> is required, 45 min is acceptable. Existing need not comply with Sentences 3.5.3.3.(4) and (5).
Column 1	2	3

**TABLE 11.2.3.F. — INDUSTRIAL—Continued**  
**COMPLIANCE ALTERNATIVES**  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 3 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
F65	3.5.4.2.	Ceiling <i>fire separation</i> need not be <i>fire-resistance rated</i> where sprinklering, subject to C.A. F24, of <i>fire compartments</i> on both sides of vertical <i>fire separation</i> is provided and where such <i>fire separation</i> is not required to exceed 1 h.
F66	3.5.4.3.(1)	Existing to meet <i>flame-spread rating</i> of 25 or to be <i>sprinklered</i> .
F67	3.5.4.4.; 3.5.4.5.; 3.5.4.6.	Existing access acceptable.
F68	3.5.5.	Existing acceptable, except where <i>building</i> classified under Subsection 3.2.6. and except where existing elevators are “open” type.
F69	3.6.4.2.	Existing plumbing facilities are acceptable except where the <i>major occupancy</i> is changed or where the <i>occupant load</i> is increased. Where <i>occupant load</i> is increased, facilities to be added to accommodate the increase. Exception to where there is a change in <i>major occupancy</i> : <i>Public heritage buildings</i> up to 3 <i>storeys</i> , limited in size to 250 m <sup>2</sup> in <i>building area</i> , limited in <i>occupant load</i> to + or – 50 persons.
Column 1	2	3

NUMBER	PART 4 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
F70	4.1.9.	The requirements under this Subsection do not apply.
Column 1	2	3

NUMBER	PART 6 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
F71	6.2.2.3.(1), (3) and (4)	<i>Storage garages</i> with a total capacity of less than 20 motor vehicles need not have mechanical ventilating systems if the downward slope of the floor to the outside door is 1 in 120 and the garage floor is above outside ground level.
F72	6.2.3.2.; 6.2.3.4.; 6.2.3.5.; 6.2.3.10.	Existing acceptable for “F2” and “F3” <i>occupancies</i> .
F73	6.2.3.13.	Existing openings, grilles and diffusers acceptable.
F74	6.2.4.2.(1); 6.2.4.3.(1) to (3)	Existing acceptable.
F75	6.2.4.3.(10)	Where the duct system is being altered, lesser amount and extent of insulation will be permitted.
F76	6.2.9.2.	Existing acceptable for “F2” and “F3” <i>occupancies</i> .
Column 1	2	3

NUMBER	PART 9 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
F77	9.3.0.1.; 9.3.0.2.	Sound used materials; systems and components of systems, and equipment may be accepted for reuse without requirements for testing.
F78	9.3.2.1.	Sound used lumber may be acceptable for reuse without a grade stamp provided that: (a) visual examination shows no excessive weakening by holes, notches, nail splits or other damage,
Column 1	2	3



TABLE 11.2.3.F. — INDUSTRIAL—Continued  
COMPLIANCE ALTERNATIVES  
Forming Part of Article 11.2.3.1.

NUMBER	PART 9 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
		(b) where the grade or species is unknown, the minimum grade shall apply for span table use, and (c) lumber has not been subjected to termite infestation.
F79	9.6.3.2.	Existing acceptable.
F80	9.6.4.	Existing acceptable.
F81	9.6.5.2.; 9.6.5.3.	Existing doors and sidelights being reused or relocated need not conform if identified or protected.
F82	9.7.1.6.	Existing acceptable.
F83	9.7.5.	Existing barriers acceptable.
F84	9.8	Replacement or extension of existing stair systems shall be exempt from the provisions of these Subsections, except that they shall have: (a) a minimum width between wall faces of 700 mm, and (b) a minimum clear height over tread nosing of 1800 mm.
F85	9.8.5.2.	Existing curved or spiral stairs acceptable.
F86	9.8.6.	Existing ramps acceptable, where practical.
F87	9.8.7.	Existing handrails acceptable, unless considered unsafe by <i>chief official</i> .
F88	9.8.8.	Existing <i>guards</i> acceptable, unless considered unsafe by <i>chief official</i> .
F89	9.8.9.5.(2)	Existing acceptable.
F90	9.9.1.1.	Existing acceptable.
F91	9.9.2.2.	The following types of <i>exits</i> may also be used: (a) connected balconies, which connect across <i>firewalls</i> , or connect to another <i>exit</i> , or with access to grade, (b) areas of refuge approved by the <i>chief official</i> where fire service rescue is possible, or (c) <i>combustible</i> or <i>noncombustible</i> exterior stairways or fire escapes which are protected in accordance with Sentence 3.2.3.13.(2). These may be reconstructed or recreated (as in the case of a <i>heritage building</i> ).
F92	9.9.2.6.	Existing acceptable, provided that the enclosure has a 45 min <i>fire-resistance rating</i> .
F93	9.9.2.8.	Existing acceptable.
F94	9.9.3.2.	Existing width of <i>exits</i> acceptable.
F95	9.9.3.3.	Existing width of <i>public corridors</i> of not less than 965 mm is acceptable.
F96	9.9.3.4.	Existing headroom clearance of not less than 1950 mm is acceptable.
F97	9.9.4.2.(1)	30 min <i>fire separation</i> acceptable.
F98	9.9.5.4.; 9.9.6.2.	Existing acceptable.
F99	9.9.5.8.	Existing acceptable provided minimum 1 h <i>fire separation</i> is provided.
F100	9.9.6.3.	Existing headroom clearance of not less than 1950 mm is acceptable, with existing door heights to be acceptable.
F101	9.9.6.4.	Existing door widths and heights are acceptable, provided <i>exit</i> widths and heights comply with C.A.'s F95 and F96.
F102	9.9.6.5.	Existing door swings acceptable. Existing acceptable in <i>public heritage buildings</i> , where approved by <i>chief official</i> .
F103	9.9.6.6.(1)	Where <i>exit</i> doors open onto a landing, such doors shall not extend beyond the face of the first riser.
Column 1	2	3

TABLE 11.2.3.F. — INDUSTRIAL—Continued  
COMPLIANCE ALTERNATIVES  
Forming Part of Article 11.2.3.1.

NUMBER	PART 9 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
F104	9.9.6.10.	Existing functionally operable passage or panic hardware acceptable.
F105	9.9.7.3.	Maximum area of existing room or <i>suite</i> does not apply.
F106	9.9.8.2.(1)	Existing travel distance acceptable where <i>floor area</i> is <i>sprinklered</i> and provided <i>fire separations</i> comply with Part 9 of the Code.
F107	9.9.10.6.	Existing illuminated legible signs are acceptable for <i>exit</i> signs, if approved by <i>chief official</i> .
F108	9.10.1.1.	Assemblies required to be of <i>noncombustible construction</i> may be supported by <i>combustible construction</i> having at least the same <i>fire-resistance rating</i> as that supported.
F109	9.10.1.10.	Existing acceptable subject to C.A.'s F24 and F26.
F110	9.10.3.	<i>Fire-resistance ratings</i> may also be used where they are based on: <ol style="list-style-type: none"> <li>1. HUD No. 8 Guideline on Fire Ratings of Archaic Materials and Assemblies.</li> <li>2. Fire Endurance of Protected Steel Columns and Beams, DBR Technical Paper No. 194.</li> <li>3. Fire Endurance of Unit Masonry Walls, DBR Technical Paper No. 207.</li> <li>4. Fire Endurance of Light-Framed and Miscellaneous Assemblies, DBR Technical Paper No. 222.</li> </ol>
F111	9.10.5.1.	Existing openings in existing wall or ceiling membranes to remain. Existing openings may be moved to another location in the same wall or ceiling, provided the aggregate area of openings does not increase and are not cumulative, and the existing opening is blocked up to provide the same rating as the existing wall or ceiling assembly.
F112	9.10.6.2.	Existing <i>heavy timber construction</i> acceptable where <i>construction</i> is within 90% of the member sizes listed in Part 3.
F113	9.10.7.	Existing acceptable for <i>heritage buildings</i> , subject to approval of <i>chief official</i> .
F114	9.10.8.1.	Existing 30 min rating acceptable.
F115	9.10.8.2.	Existing sprinkler systems complying with C.A. F24 and Sentence 3.2.2.12.(1) are acceptable.
F116	9.10.8.3.	Existing acceptable, subject to approval of <i>chief official</i> .
F117	9.10.8.7.	30 min rating acceptable.
F118	9.10.9.7.; 9.10.9.9.	Existing acceptable.
F119	9.10.9.10.(1)	Ceiling <i>fire separation</i> need not be <i>fire-resistance rated</i> where sprinklering of <i>fire compartments</i> on both sides of vertical <i>fire separation</i> is provided and where such <i>fire separation</i> is not required to exceed 1 h.
F120	9.10.9.11.(2)	In lieu of the 2 h <i>fire separation</i> , sprinklers may be used in the <i>medium hazard industrial occupancy</i> with a 1 h <i>fire separation</i> .
F121	9.10.9.13.; 9.10.9.15.(1)	30 min <i>fire separation</i> acceptable.
F122	9.10.10.3.(1)	45 min <i>fire separation</i> acceptable.
F123	9.10.12.1.	Need not comply for <i>medium hazard industrial occupancy</i> .
F124	9.10.13.1.	Existing functional <i>closures</i> are acceptable subject to C.A. F8.
F125	9.10.13.2.	Existing acceptable.
F126	9.10.13.3.	Existing acceptable, provided that wood door frames are secured with hinge screws going through frame into the stud.
Column 1	2	3

TABLE 11.2.3.F. — INDUSTRIAL—Continued  
COMPLIANCE ALTERNATIVES  
Forming Part of Article 11.2.3.1.

NUMBER	PART 9 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
F127	9.10.13.5.	Existing wired glass acceptable. Existing transoms or sidelights located in required <i>fire separations</i> may be retained if wired glass, at least 6 mm thick, is securely fixed to a wood frame of at least 50 mm thickness with steel stops. Operable transoms shall be fixed closed.
F128	9.10.13.6.	Existing steel door frames acceptable.
F129	9.10.13.7.	Existing glass block acceptable.
F130	9.10.13.8.	Existing sizes acceptable.
F131	9.10.13.9.	Existing operable latches acceptable.
F132	9.10.13.10.(1)	Existing operable self-closing devices acceptable.
F133	9.10.13.11.	Existing operable self-releasing electromagnetic and fusible link hold-open devices acceptable.
F134	9.10.13.12.	Existing swings acceptable.
F135	9.10.14.1.; 9.10.14.2.	Area of existing windows need not conform to Table 9.10.14.A. (a) existing <i>windows</i> in walls may be relocated to another part of the wall, provided the existing opening is blocked up to provide the same fire rating for the wall, and the projection of the new opening, at a right angle to the property line onto another <i>building</i> , lies not closer than 300 mm from a window in such other <i>building</i> , where the “opposite” window is less than 2.4 m from the opposite new opening, and (b) except relocation of units, to be restricted to the same <i>fire compartment</i> , or (c) where a <i>building</i> does not satisfy the requirements of Subsection 9.10.14. for the amount of openings facing a yard or space that does not have sufficient <i>limiting distance</i> , such existing openings are allowed to be materially altered or reinstalled provided: (i) such openings are not increased in size and they are protected with wired glass in steel frames conforming to Sentence 3.1.8.14.(2), or (ii) the <i>building</i> is <i>sprinklered</i> .
F136	9.10.15.2.(1)	Where balloon framing is exposed during renovation, fire stopping shall be provided.
F137	9.10.17.	(a) Subject to approval by the <i>chief official</i> , existing fire alarm system may remain where the Fire Safety Plan for the <i>building</i> addresses the intent of Subsection 3.2.4. (i.e. “stage” system, electrical supervision, detection as required, Fire Department connection, and emergency power supply), and (b) extension of an existing system must ensure continuity and compatibility, and integrity of the system.
F138	9.10.19.	Existing access acceptable.
F139	9.18.2.	Existing access acceptable.
F140	9.18.3.	Existing vents and ventilation acceptable.
F141	9.19	Existing acceptable.
F142	9.20.2.2.	Used masonry may be reused for patching and filling openings to match adjacent work. Used interior brick may not be used for exterior applications.
F143	9.20.3.	Archaic mortars may be used to match existing jointing.
F144	9.20.4.1.	Sound jointing techniques may be employed to match existing archaic joints.
F145	9.20.12.1.	Corbelling may be constructed to match existing or original details, provided that it is structurally adequate for the proposed use.
Column 1	2	3

**TABLE 11.2.3.F. — INDUSTRIAL—Continued**  
**COMPLIANCE ALTERNATIVES**  
 Forming Part of Article 11.2.3.1.

NUMBER	PART 9 REQUIREMENTS	PART 11 COMPLIANCE ALTERNATIVE
F146	9.21	Existing acceptable, provided the products of combustion are safely vented and provided no fire hazard is created.
F147	9.22.1. to 9.22.7.	Sound period materials, designs and techniques may be employed in recreated fireplaces provided no fire hazard is created. Existing need not comply with Article 9.22.1.4.
F148	9.23	Existing acceptable.
F149	9.24	Existing acceptable.
F150	9.25.2.7.(2) to (4)	Existing acceptable.
F151	9.26	Existing acceptable.
F152	9.27	Existing acceptable.
F153	9.28	All replacement or recreation of existing stucco may be compatible with the existing materials and application.
F154	9.29.4.	Existing acceptable. All replacement or recreation of existing plaster may be compatible with the existing materials and application.
F155	9.33.1.2.	Sound, used or antique <i>appliances</i> are acceptable, provided that: (a) visual examination shows no excessive weakening by corrosion or other damage, (b) no structural parts are missing, (c) no cracks are present in the components intended to support the <i>appliance</i> or enclose the fire, and (d) loading and ash removal door latches and hinges hold the door closed.
F156	9.34.4.1.; 9.34.4.3.	Existing meter mounting devices and overhead and underground supply need not be relocated to these requirements during renovations.
F157	9.34.4.4.; 9.34.4.5.	Existing acceptable.
F158	9.37	Sound used materials shall be acceptable for reuse, subject to the following limitations: (a) visual examination shows no excessive weakening by holes, notches, nail splits or other damage, and (b) logs have not been subjected to termite infestation.
Column 1	2	3

**TABLE 11.3.1.A.**  
 Forming Part of Sections 11.3 and 11.4

Renovation Activity		METHOD OF COMPLIANCE (1)				
		Match Existing	Evaluate and Upgrade Deficiencies For E.W./EVAC. (2)	Additional Upgrade	C.A.'s (3)	A.M.'s (4)
#1	Basic Renovation	0	—	—	**	**
#2	H.1. is equal to or less than C.1.	0	■	—	0	0
#3	Occupant load increase > 15%	—	■	—	0	0
#4	H.1. is 1 greater than C.1.	—	■	■	0	0
#5	H.1. is 2 or more greater than C.1.	—	■	■	0	0
Column 1		2	3	4	5	6

**Notes to Table 11.3.1.A.:**

The symbols used mean the following:

- (1) \*\* = Optional Compliance  
 0 = Alternative Compliance  
 ■ = Mandatory Compliance  
 (2) E.W./EVAC. = Early Warning and Evacuation Systems  
 (3) C.A. = Compliance Alternative  
 (4) A.M. = Alternative Measure

**TABLE 11.3.1.B.**  
 Forming Part of Article 11.3.3.2. and Sentences 11.3.4.1.(3) and (4)

FOR EVALUATION AND UPGRADING OF EARLY WARNING/EVACUATION		
RENOVATION ACTIVITY (1)	EW/EVAC, EVALUATION AND UPGRADING	PART 11 COMPLIANCE ALTERNATIVE (2)
#1 (3)	—	—
#2 (4)	Early Warning and Evacuation to be checked against (a) <i>access to exit</i> widths based on <i>occupant load</i> in Subsection 3.3.1 or 9.9.3.; (b) <i>exit</i> widths based on <i>occupant load</i> in Subsection 3.4.3. or 9.9.3.; (c) <i>exit</i> signs in Subsection 3.4.5. or 9.9.10.; (d) lighting of <i>exits</i> , lighting of <i>access to exits</i> and emergency lighting in Subsection 3.2.7. or 9.9.11.; (e) fire alarm system in Subsection 3.2.4. or 9.10.17.; and (f) travel distance and number of <i>exits</i> in other Parts of the Code, and deficiencies shall be upgraded.	EARLY WARNING (a) <i>Compliance alternatives</i> as listed may be used. EVACUATION (b) <i>Compliance alternatives</i> as listed to <i>access to exit</i> and <i>exit</i> widths, number of <i>exits</i> , and travel distance may be used.
#3,#4,#5 (5)	Early Warning and Evacuation to be checked against (a) <i>access to exit</i> widths based on <i>occupant load</i> in Subsection 3.3.1. or 9.9.3.; (b) <i>exit</i> widths based on <i>occupant load</i> in Subsection 3.4.3. or 9.9.3.; (c) <i>exit</i> signs in Subsection 3.4.5. or 9.9.10.; (d) lighting of <i>exits</i> , lighting of <i>access to exits</i> and emergency lighting in Subsection 3.2.7. or 9.9.11.; (e) fire alarm system in Subsection 3.2.4. or 9.10.17.; and (f) travel distance and number of <i>exits</i> in other Parts of the Code, and deficiencies shall be upgraded.	EARLY WARNING (a) <i>Compliance alternatives</i> as listed may be used. EVACUATION (b) <i>Compliance alternatives</i> as listed to <i>access to exit</i> and <i>exit</i> widths, number of <i>exits</i> , and travel distance may be used.
Column 1	2	3

**Notes to Table 11.3.1.B.:**

- (1) See Table 11.3.1.A.  
 (2) See Tables 11.2.3.A., 11.2.3.B., 11.2.3.C., 11.2.3.D/E and 11.2.3.F for *compliance alternatives* that may be used.  
 (3) Does not apply to Renovation Activity #1.  
 (4) Applies to change of *major occupancy* to one of equal or lesser hazard.  
 (5) Applies to change of *major occupancy* to one of greater hazard, and to increase in *occupant load* greater than 15%.

**TABLE 11.3.1.C.**  
 Forming Part of Sentence 11.3.4.1.(4)

ADDITIONAL UPGRADING				
New Major Occupancy (H.I.) Number	Increase of C.I. to Equal H.I. to Support New Major Occupancy	Additional Required Upgrading	Part 11 Compliance Alternative	Comments
H.I.2	C.I. 1 to 2	Comply with Table 11.4.1.A. ratings for C.I. of 2	(a) Provide Early Warning system or (b) Comply with any C.A.'s in Col. 4.	
H.I.3	C.I. (1 or 2) to 3	Comply with Table 11.4.1.A. ratings for C.I. of 3	(a) Provide Early Warning system or (b) Comply with any C.A.'s in Col. 4.	Renovation Activity #4 or #5 <i>Combustible to Combustible</i> only.
Column 1	2	3	4	5

**TABLE 11.3.1.C.—Continued**  
Forming Part of Sentence 11.3.4.1.(4)

<b>ADDITIONAL UPGRADING</b>				
<b>New Major Occupancy (H.I.) Number</b>	<b>Increase of C.I. to Equal H.I. to Support New Major Occupancy</b>	<b>Additional Required Upgrading</b>	<b>Part 11 Compliance Alternative</b>	<b>Comments</b>
H.I.4	C.I. (1, 2 or 3) to 4	Comply with Table 11.4.1.A. ratings for C.I. of 4	Provide sprinklers in locations where assemblies do not comply with Table 11.4.1.A.	Renovation Activity #4 or #5 <i>Combustible to Combustible. Noncombustible to Noncombustible.</i>
H.I.5	C.I. 4 to 5	Comply with Table 11.4.1.A. ratings for C.I. of 5	Provide sprinklers in locations where assemblies do not comply with Table 11.4.1.A.	Renovation Activity #4
H.I.5	C.I. (1, 2 or 3) to 5	Comply with Table 11.4.1.A. ratings for C.I. of 5	Provide sprinklers in locations where assemblies do not comply with Table 11.4.1.A.	Renovation Activity #5 <i>Combustible to Combustible. Noncombustible to Noncombustible.</i>
H.I.6	C.I. 5 ( <i>Noncombustible</i> ) to 6	Comply with Table 11.4.1.A. ratings for C.I. of 6	(a) Provide sprinkler system, plus ¾ h roof rating.	Renovation Activity #4
H.I.6	C.I. 5 ( <i>Heavy timber</i> ) to 6	Comply with C.A.	(b) Provide sprinkler system.	Renovation Activity #4
H.I.6	C.I. 5 ( <i>Combustible</i> ) to 6	Comply with C.A.	(c) Provide 1 h rating plus sprinkler system.	Renovation Activity #4
H.I.6	C.I. (3 or 4) to 6*	Comply with Table 11.4.1.A. ratings for C.I. of 6	(d) Provide sprinkler system, plus ¾ h rating.	Renovation Activity #5 *For <i>Noncombustible construction</i> only.
H.I.6	C.I. (1, 2, 3 or 4) to 6**	Comply with C.A.	(e) Provide 1 h rating plus sprinkler system.	Renovation Activity #5 **For <i>Combustible construction</i> only.
H.I.7	C.I. 6 to 7	Comply with Table 11.4.1.A. ratings for C.I. of 7	(a) Provide sprinkler system.	Renovation Activity #4
H.I.7	C.I. (3, 4 or 5) to 7*	Comply with Table 11.4.1.A. ratings for C.I. of 7	(b) Provide sprinkler system plus 1 h rating.	Renovation Activity #5 *For <i>Noncombustible construction</i> only.
H.I.8	C.I. 7 to 8	Comply with Table 11.4.1.A. ratings for C.I. of 8	(a) Provide sprinkler system.	Renovation Activity #4
H.I.8	C.I. 6 to 8	Comply with Table 11.4.1.A. ratings for C.I. of 8	(b) Provide supervised sprinkler system.	Renovation Activity #5
H.I.8	C.I. (3, 4 or 5) to 8*	Comply with Table 11.4.1.A. ratings for C.I. of 8	(c) Provide sprinkler system plus 1 h rating.	Renovation Activity #5 *For <i>Noncombustible construction</i> only.
Column 1	2	3	4	5

**Notes to Table 11.3.1.C.:**

- (1) One asterisk (\*) refers to *Noncombustible construction*.  
(2) Two asterisks (\*\*) refers to *Combustible construction*.

**TABLE 11.4.1.A.**  
Forming Part of Section 11.4

<b>CONSTRUCTION INDEX</b>				
<b>FIRE-RESISTANCE RATING</b>			<b>TYPE OF CONSTRUCTION</b>	<b>C.I.</b>
<b>FLOORS OVER BASEMENT</b>	<b>OTHER FLOORS</b>	<b>ROOF</b>		
3 h	3 h	1½ h	<i>Noncombustible</i>	8 (1)
2 h	2 h	1 h	<i>Noncombustible</i>	7
1 h	1 h	¾ h	<i>Noncombustible</i>	6
¾ h	¾ h	0 h	<i>Noncombustible</i>	5
¾ h	¾ h	¾ h	<i>Heavy Timber</i>	5
¾ h	¾ h	¾ h	<i>Combustible</i>	5
¾ h	0 h (6)	0 h	<i>Noncombustible</i>	4
¾ h	¾ h	0 h	<i>Combustible</i>	4
½ h	0 h (6)	0 h	<i>Noncombustible</i>	3
½ h	½ h	0 h	<i>Combustible</i>	3
0 h	½ h	0 h	<i>Combustible</i>	2
0 h	0 h	0 h	<i>Combustible</i>	1 (1)
Column 1	2	3	4	5

**Notes to Table 11.4.1.A.:**

- (1) C.I. of 1 is lowest fire protection *performance level* and C.I. of 8 is highest.
- (2) Take highest rating for C.I. from Table 11.4.1.A. for existing *building*.
- (3) For *residential occupancies* with a H.I. of 3, all floors shall have a minimum ½ h *fire-resistance rating*.
- (4) For *residential occupancies* with a H.I. of 4 or more, all floors shall have a minimum ¾ h *fire-resistance rating*.
- (5) For *institutional occupancies*, with any H.I., all floors shall have a minimum ¾ h *fire-resistance rating*.
- (6) Except for C.I. of 1 or 2, all floor assemblies with 0 h *fire-resistance rating* shall be *fire separations*.

**TABLE 11.4.1.B.**  
Forming Part of Subsection 11.4.1.

<b>HAZARD INDEX</b>			
<b>GROUP A DIVISION 1</b>	<b>OCCUPANCY H.I.</b>		
	<b>Small</b>	<b>Medium</b>	<b>Large</b>
Dinner Theatres	4	5	6
Live Theatres	4	5	6
Motion Picture Theatres	4	5	6
Opera Houses	4	5	6
Television Studios (With Audience)	4	5	6
Column 1	2	3	4

**Notes to Table 11.4.1.B.:**

(1)

<b>Building Size (Maximum) (2) (3)</b>	
- 300 <i>occupant load</i> maximum / 1 <i>storey</i>	Small
- 600 m <sup>2</sup> / 600 <i>occupant load</i> maximum / 1 <i>storey</i> with less than 40% 2 <i>storey</i> (6)	Medium
- Any area / not exceeding 18 m in <i>building height</i>	Large
- Over 18 m in <i>building</i>	H.I. = 7

(2) Sizes are *building area* and *building height*.

(3) *Building* size is based on the existing *building* facing one *street*.

(4) For existing *buildings* facing multiple *streets* see Sentences 11.3.4.1.(4) and (5) and Table 11.3.1.C.

(5) Take lowest rating for H.I. from Table for *major occupancy* change.

(6) *Building* may have less than 40% of its area as 2 *storey* for purposes as described in Clauses 3.2.2.17.(1) (b) and (c).

**Table 11.4.1.C.**  
Forming Part of Subsection 11.4.1.

<b>HAZARD INDEX</b>			
<b>GROUP A DIVISION 2</b>	<b>OCCUPANCY H.I.</b>		
	<b>Small</b>	<b>Medium</b>	<b>Large</b>
Art Galleries	3	4	6
Auditoria	3	4	6
Billiard Halls, Amusement Arcades	3	4	6
Bowling Alleys	3	4	6
Churches	3	4	6
Clubs, Lodges (Non-Residential)	3	4	6
Community Halls	3	4	6
Concert Halls	3	4	6
Court Rooms	3	4	6
Dance Halls	3	4	6
Daycare Centres	3	4	6
Exhibition Halls (Without Sales)	3	4	6
Exhibition Halls (With Sales)		See Group E	
Gymnasias (Multi-Purpose)	3	4	6
Gymnasias (Athletic)	3	4	6
Lecture Halls	3	4	6
Libraries	3	4	6
Licensed Beverage Establishments	3	4	6
Licensed Clubs, Lodges	3	4	6
Museums	3	4	6
Passenger Stations/Depots	3	4	6
Public Heritage Buildings	3	-	-
Recreational Piers	3	4	6
Restaurants	3	4	6
Schools, Colleges	3	4	6
Undertaking Premises	3	4	6
Column 1	2	3	4

## Notes to Table 11.4.1.C.:

(1)

Building Size (Maximum) (2) (3)	
- 400 m <sup>2</sup> / 1 storey	Small Small Medium Large H.I. = 7
- 250 m <sup>2</sup> / 3 storey (Public Heritage Building)	
- 800 m <sup>2</sup> / 2 storey	
- Any area / not exceeding 18 m in building height	
- Over 18 m in building height	

(2) Sizes are building area and building height.

(3) Building size is based on the existing building facing one street.

(4) For existing buildings facing multiple streets see Sentences 11.3.4.1.(4) and (5) and Table 11.3.1.C.

(5) Take lowest rating for H.I. from Table for major occupancy change.

(6) Buildings exceeding 3 storeys in building height and which are combustible shall be sprinklered.

Table 11.4.1.D.

Forming Part of Subsection 11.4.1.

HAZARD INDEX			
GROUP A DIVISION 3	OCCUPANCY H.I.		
	Small	Medium	Large
Arenas (No Occupancy On Activity Surface)	3	4	6
Armouries (No Occupancy On Activity Surface)	3	4	6
Enclosed Stadia or Grandstand	3	4	6
Ice Rinks (No Occupancy On Activity Surface)	3	4	6
Indoor Swimming Pools	3	4	6
Column 1	2	3	4

## Notes to Table 11.4.1.D.:

(1)

Building Size (Maximum) (2) (3)	
- 1000 m <sup>2</sup> / 1 storey	Small Medium Large H.I. = 7
- 2000 m <sup>2</sup> / 2 storey	
- Any area / not exceeding 18 m in building height	
- Over 18 m in building height	

(2) Sizes are building area and building height.

(3) Building size is based on the existing building facing one street.

(4) For existing buildings facing multiple streets see Sentences 11.3.4.1.(4) and (5) and Table 11.3.1.C.

(5) Take lowest rating for H.I. from Table for major occupancy change.

Table 11.4.1.E.

Forming Part of Subsection 11.4.1.

HAZARD INDEX			
GROUP A DIVISION 4	OCCUPANCY H.I.		
	Small	Medium	Large
Amusement Park Structures	2	3	5
Bleachers	1	3	5
Grandstands (Open)	1	3	5
Reviewing Stands	1	3	5
Stadia (Open)	1	3	5
Column 1	2	3	4

## Notes to Table 11.4.1.E.:

(1)

Building Size (Maximum) (2) (3)	
- 2500 occupant load max./min. limiting distance of 6 m (combustible)	Small  Medium Large
- 15,000 occupant load maximum (with roof at least ½ rating if combustible)	
- Unlimited occupant load	

(2) Sizes are building area and building height.

(3) Building size is based on the existing building facing one street.

(4) For existing buildings facing multiple streets see Sentences 11.3.4.1.(4) and (5) and Table 11.3.1.C.

(5) Take lowest rating for H.I. from Table for major occupancy change.

Table 11.4.1.F.

Forming Part of Subsection 11.4.1.

HAZARD INDEX			
GROUP B DIVISION 1	OCCUPANCY H.I.		
	Small	Medium	Large
Detention Facilities (Minimum Security) (4)	4	5	6
Detention Facilities (All other types of security)	6	6	7
Column 1	2	3	4

## Notes to Table 11.4.1.F.:

(1)

Building Size (Maximum) (2)	
- Any area / 1 storey	Small Medium Large  H.I. = 7 H.I. = 7
- Any area (noncombustible) / 2 storey	
- Any area (noncombustible); 500 m <sup>2</sup> (combustible) / 2 storey	
- Over 18 m in building height (noncombustible)	
- Over 500 m <sup>2</sup> (combustible) / over 2 storey	

(2) Sizes are building area and building height.

(3) Take lowest rating for H.I. from Table for major occupancy change.

(4) Minimum security - means occupants free to exit building in a fire emergency.

Table 11.4.1.G.

Forming Part of Subsection 11.4.1.

HAZARD INDEX			
GROUP B DIVISION 2	OCCUPANCY H.I.		
	Small	Medium	Large <sup>(7)</sup>
Hospital, Nursing Home, Geriatric, Sanatorium (6) (Immobile)	4	5	7
Hospital, Nursing Home, Geriatric, Sanatorium (6) (Non-Ambulatory)	4	5	6
Hospital, Nursing Home, Geriatric, Sanatorium (6) (Ambulatory)	3	4	6
Psychiatric Hospitals (Maximum Confinement)	4	5	7
Psychiatric Hospitals (Minimum Confinement)	3	4	6
Column 1	2	3	4



**Table 11.4.1.G.—Continued**  
Forming Part of Subsection 11.4.1.

HAZARD INDEX			
GROUP B DIVISION 2	OCCUPANCY H.I.		
	Small	Medium	Large <sup>(7)</sup>
Social Care Facilities (6) (Non-Ambulatory)	4	5	6
Social Care Facilities (6) (Ambulatory)	3	4	6
Police Station With Detention	3	3	—
Column 1	2	3	4

Notes to Table 11.4.1.G.:

(1)

Building Size (Maximum) (2) (3)	
– 250 m <sup>2</sup> / 1 storey – 500 m <sup>2</sup> / 2 storey; 1000 m <sup>2</sup> / 1 storey – 600 m <sup>2</sup> / 1 storey (Police Station With Detention, only) – Any area / not exceeding 18 m in building height – Over 18 m in building height	Small Medium  Medium  Large (7) H.I. = 7 (7)

(2) Sizes are building area and building height.

(3) Building size is based on the existing building facing one street.

(4) For existing buildings facing multiple streets see Sentences 11.3.4.1.(4) and (5) and Table 11.3.1.C.

(5) Take lowest rating for H.I. from Table for major occupancy change.

(6) Immobile - means patients attached to life support systems and cannot be moved. Non-Ambulatory - means patients confined to bed and require transportation. Ambulatory - means patients may walk on their own.

(7) Buildings fitting into the category of "Large" and which are combustible, shall be sprinklered.

**Table 11.4.1.H.**  
Forming Part of Subsection 11.4.1.

HAZARD INDEX			
GROUP C	OCCUPANCY H.I.		
	Small	Medium	Large
Apartments	3	4	6
Boarding Houses/Group Homes	3	-	-
Clubs, Residential	3	4	6
Colleges, Residential	3	4	6
Convents	3	4	6
Dormitories/Hostels	3	4	6
Houses, S.F.	2	2	-
Lodging Houses	3	-	-
Monasteries	3	4	6
Public Heritage Buildings	3	-	-
Rectories	2	-	-
Retirement Homes	3	4	6
Rooming Houses	3	-	-
Schools, Residential	3	4	6
Column 1	2	3	4

Notes to Table 11.4.1.H.:

(1)

Building Size (Maximum) (2)	
– 600 m <sup>2</sup> / 3 storey – 250 m <sup>2</sup> / 3 storey (Public Heritage Building) – 2000 m <sup>2</sup> / not exceeding 6 storeys – Any area / not exceeding 36 m in building height – Over 36 m in building height	Small Small Medium Large H.I. = 7

(2) Sizes are building area and building height.

(3) Buildings exceeding 3 storeys in building height and which are combustible shall be sprinklered.

(4) Take lowest rating for H.I. from Table for major occupancy change.

**Table 11.4.1.I.**  
Forming Part of Subsection 11.4.1.

HAZARD INDEX			
GROUP D	OCCUPANCY H.I.		
	Small	Medium	Large
Advertising and Sales Offices	3	3	5
Automatic Bank Deposit	3	4	5
Barber/Hairdresser Shops	3	4	5
Beauty Parlours	3	4	5
Branch Banks	3	4	5
Car Rental Premises	3	3	5
Chiropractic Offices	3	4	5
Communications Offices (Telephone E.)	3	4	5
Communications Offices (Telex)	3	4	5
Communications Offices (Courier)	3	3	5
Computer Centres	3	4	5
Construction Offices	3	3	5
Costume Rental Premises	3	4	5
Dental Offices (Denture Clinic)	3	4	5
Dental Offices (General)	3	4	5
Dental Offices (Surgical/Anaesthesia)	4	5	6
Dry Cleaning Depots	3	4	5
Dry Cleaning Premises (Self-Serve)	4	4	5
Health/Fitness Clubs	3	4	5
Laundries (Self-Serve)	4	4	5
Massage Parlours	3	4	5
Medical Offices (Examination)	3	4	5
Medical Offices (Surgical/Anaesthesia)	4	5	6
Offices (Business)	3	3	5
Offices (Charitable)	3	3	5
Offices (Legal/Accounting)	3	3	5
Offices/Studios (Design)	3	4	5
Pharmacy Offices	3	4	5
Column 1	2	3	4

**Table 11.4.1.I. — Continued**  
Forming Part of Subsection 11.4.1.

HAZARD INDEX			
GROUP D	OCCUPANCY H.I.		
	Small	Medium	Large
Photographic Studios	3	4	5
Physiotherapy Offices	3	4	5
Police Stations (No Detention)	3	4	5
Printing and Duplicating	4	5	6
Public Heritage Buildings	3	-	-
Public Saunas	3	4	5
Radio Stations (No Audience)	3	4	5
Small Tool Rental Premises	3	4	5
Suntan Parlours	3	4	5
Veterinary Offices	3	4	5
Column I	2	3	4

Notes to Table 11.4.1.I.:  
(1)

Building Size (Maximum) (2) (3)	
- 800 m <sup>2</sup> / 2 storey	Small
- 250 m <sup>2</sup> / 3 storey (Public Heritage Building)	Small
- 1600 m <sup>2</sup> / 3 storey	Medium
- Any area / not exceeding 18 m in building height	Large
- Over 18 m, but not exceeding 36 m in building height	H.I. = 6
- Over 36 m in building height	H.I. = 7

- (2) Sizes are building area and building height.
- (3) Building size is based on the existing building facing one street.
- (4) For existing buildings facing multiple streets see Sentences 11.3.4.1.(4) and (5) and Table 11.3.1.C.
- (5) Take lowest rating for H.I. from Table for major occupancy change.

**Table 11.4.1.J.**  
Forming Part of Subsection 11.4.1.

HAZARD INDEX			
GROUP E	OCCUPANCY H.I.		
	Small	Medium	Large
Automotive/Hardware Department Stores	4	5	7
China Shops	3	4	6
Department Stores	4	5	7
Electrical Stores (Fixtures)	3	3	5
Exhibition Halls (With Sales)	4	5	7
“Fast Food” Outlets	3	4	5
Feed And Seed Stores	4	5	7
Flea Markets	4	5	7
Flower Shops	3	4	6
“Food” and Vegetable Markets	3	4	6
Garden Shops	3	4	6
Column I	2	3	4

**Table 11.4.1.J. — Continued**  
Forming Part of Subsection 11.4.1.

HAZARD INDEX			
GROUP E	OCCUPANCY H.I.		
	Small	Medium	Large
“Gas” Bars	4	5	7
Gift Shops	3	4	6
Home Improvement Stores	4	5	7
Kitchen/Bathroom Cupboards Stores	3	4	6
Plumbing Stores (Fixtures/Accessories)	3	3	5
“Pop” Shops	3	4	6
Public Heritage Buildings	3	-	-
Rentals (See “D”)	-	-	-
Restaurants (Not More Than 30 Persons)	3	4	5
Shopping Malls	4	5	7
Stationery/Office Supply Stores	3	4	6
Stores (Art)	3	4	6
Stores (Baked Goods)	3	4	6
Stores (Beer)	3	4	6
Stores (Book)	3	4	6
Stores (Camera)	3	4	6
Stores (Candy)	3	4	6
Stores (Clothing)	3	4	6
Stores (Drugs)	4	4	6
Stores (Electronic)	3	4	6
Stores (Floor Coverings)	4	5	7
Stores (Food)	3	3	6
Stores (Furniture/Appliances)	3	4	6
Stores (Hardware)	4	5	7
Stores (Health)	4	4	6
Stores (Hobby)	3	4	6
Stores (Jewellery)	3	3	5
Stores (Paint/Wallpaper)	4	5	7
Stores (Pet)	3	4	6
Stores (Records/Tapes)	3	4	6
Stores (Spirits)	4	5	7
Stores (Toys)	4	5	7
Stores (Variety)	4	4	6
Stores (Video Sales/Rental)	3	4	6
Supermarkets	3	4	6
Column 1	2	3	4

## Notes to Table 11.4.1.J.:

(1)

Building Size (Maximum) (2) (3)	
- 600 m <sup>2</sup> / 2 storey	Small Small Medium Large H.I. = 7
- 250 m <sup>2</sup> / 3 storey (Public Heritage Building)	
- 800 m <sup>2</sup> / 3 storey	
- Any area / up to 18 m in building height	
- Over 18 m in building height	

(2) Sizes are *building area* and *building height*.(3) *Building size* is based on the existing *building facing one street*.(4) For existing *buildings* facing multiple *streets* see Sentences 11.3.4.1.(4) and (5) and Table 11.3.1.C.(5) Take lowest rating for H.I. from Table for *major occupancy change*.(6) All *buildings* 1,500 m<sup>2</sup> and over are to be *sprinklered*.

**Table 11.4.1.K.**  
Forming Part of Subsection 11.4.1.

HAZARD INDEX			
GROUP F DIVISION 1	OCCUPANCY H.I.		
	Small	Medium	Large
Ammunition Manufacturing and Storage	3	6	8
Black Powder Manufacturing and Storage	3	6	8
Bulk Plants for Flammable Liquids	3	6	8
Bulk Storage Warehouse (Hazardous Substances)	3	6	8
Cereal and Feed Mills	3	6	8
Chemical Manufacturing/Processing Plant	3	6	8
Distilleries	3	6	8
Dry Cleaning Plants (Flammable)	3	6	8
Explosives Manufacturing and Storage	3	6	8
Fertilizer Manufacturing Plants	3	6	8
Fireworks Manufacturing and Storage	3	6	8
Flour Mills	3	6	8
Gas (Flammable) Compressor Stations	3	6	8
Gas (Flammable) Manufacturing and Storage	3	6	8
Grain Elevators	3	6	8
Lacquer Factories	3	6	8
Loading Areas (for all Group F, Division 1)	3	6	8
Mattress Factories (High Fire Load)	3	6	8
Paint/Varnish/Pyroxylin Factories	3	6	8
Petrochemical Plants	3	6	8
Refineries	3	6	8
Rubber Processing Plants	3	6	8
Spray Painting Operations	3	6	8
Waste Paper Processing Plants (Dry)	3	6	8
Column 1	2	3	4

## Notes to Table 11.4.1.K.:

(1)

Building Size (Maximum) (2)	
- 400 m <sup>2</sup> / 2 storey	Small Medium Large
- 600 m <sup>2</sup> / 4 storey	
- 1500 m <sup>2</sup> / 4 storey	

(2) Sizes are *building area* and *building height*.(3) Take lowest rating for H.I. from Table for *major occupancy change*.(4) All *buildings* 1,500 m<sup>2</sup> and over are to be *sprinklered*.(5) All floor assemblies shall be *fire separations*.

**Table 11.4.1.L.**  
Forming Part of Subsection 11.4.1.

HAZARD INDEX			
GROUP F DIVISION 2	OCCUPANCY H.I.		
	Small	Medium	Large
Aircraft Hangars	3	5	6
Abattoirs	3	4	5
Bakeries	3	5	6
Body Shops	3	5	6
Candy Plants	3	4	5
<i>COLD STORAGE PLANTS</i>			
<i>Combustible Insulation</i>			
<i>Flammable Refrigerant</i>			
<i>Combustible Packaging</i>	3	5	7
<i>Combustible Insulation</i>			
<i>Flammable Refrigerant</i>			
<i>Noncombustible Packaging</i>	3	5	6
<i>Combustible Insulation</i>			
<i>Non-Flammable Refrigerant</i>			
<i>Noncombustible Packaging</i>	3	4	5
<i>Noncombustible Insulation</i>			
<i>Non-Flammable Refrigerant</i>			
<i>Noncombustible Packaging</i>	2	3	4
Dry Cleaning Establishments (non-flammable or non-explosive)	3	4	5
Electrical Substations	3	4	5
Factories (High Fire Load)	3	5	6
Freight Depots (High Fire Load)	3	5	6
Helicopter Landings (on roof)	3	4	5
Laboratories (High Fire Load)	3	5	6
Laundries (not self-serve)	3	4	5
Manufacturer Sales (High Fire Load)	3	5	6
Mattress Factories	3	4	5
Meat Packing Plants	3	4	5
Packaging Manufacturers (Cellulose)	3	4	5
Packaging Manufacturers (Noncombustible)	2	3	4
Packaging Manufacturers (Plastics)	3	5	6
Column 1	2	3	4

**Table II.4.1.L. — Continued**  
Forming Part of Subsection 11.4.1.

HAZARD INDEX			
GROUP F DIVISION 2	OCCUPANCY H.I.		
	Small	Medium	Large
Paper Processing Plants (Wet)	3	5	6
Planing Mills	3	5	6
Printing Plants	3	4	5
Public Heritage Buildings	3	3	-
Repair Garages	3	5	6
Sample Display Rooms (High Fire Load)	3	5	6
Self-Service Storage Buildings	3	4	5
Service Stations (no spray painting)	3	5	6
Storage Rooms (High Fire Load)	3	5	6
Television Studios (no audience)	3	4	5
Tire Storage	3	5	6
Warehouses (High Fire Load)	3	5	6
Welding Shops	3	5	6
Wholesale Rooms (High Fire Load)	3	5	6
Wood Working Factories	3	5	6
Workshops (High Fire Load)	3	5	6
Column 1	2	3	4

Notes to Table II.4.1.L.:  
(1)

Building Size (Maximum) (2) (3)	
- 600 m <sup>2</sup> / 2 storey	Small Medium Medium
- 800 m <sup>2</sup> / 4 storey	
- 600 m <sup>2</sup> / 3 storey (Public Heritage Building)	Large H.I. = 7
- 1500 m <sup>2</sup> / 6 storey not exceeding 18 m in building height	
- Over 18 m in building height	

- (2) Sizes are *building area* and *building height*.
- (3) *Building* size is based on the existing *building* facing one *street*.
- (4) For existing *buildings* facing multiple *streets* see Sentences 11.3.4.1.(4) and (5) and Table 11.3.1.C.
- (5) Take lowest rating for H.I. from Table for *major occupancy* change.
- (6) All *buildings* 1,500 m<sup>2</sup> and over are to be *sprinklered*.

**Table II.4.1.M.**  
Forming Part of Subsection 11.4.1.

HAZARD INDEX			
GROUP F DIVISION 3	OCCUPANCY H.I.		
	Small	Medium	Large
Creameries	2	2	3
Factories (Low Fire Load)	2	3	4
Freight Depots (Low Fire Load)	2	3	4
Laboratories (Low Fire Load)	2	3	4
Column 1	2	3	4

**Table II.4.1.M. — Continued**  
Forming Part of Subsection 11.4.1.

HAZARD INDEX			
GROUP F DIVISION 3	OCCUPANCY H.I.		
	Small	Medium	Large
Manufacturers Sales (Low Fire Load)	2	3	4
Power Plants	3	4	5
Public Heritage Buildings	3	3	-
Sample Display Rooms (Low Fire Load)	2	3	4
Storage Garages	2	3	4
Storage Rooms (Low Fire Load)	2	3	4
Warehouses (Low Fire Load)	2	3	4
Wholesale Rooms (Low Fire Load)	2	3	4
Workshops (Low Fire Load)	2	3	4
Column 1	2	3	4

Notes to Table II.4.1.M.:  
(1)

Building Size (Maximum) (2) (3)	
- 800 m <sup>2</sup> / 2 storey	Small Medium Medium
- 1200 m <sup>2</sup> / 4 storey	
- 600 m <sup>2</sup> / 3 storey (Public Heritage Building)	Large H.I. = 5 H.I. = 6
- Any area / 6 storey not exceeding 18 m in building height	
- Over 18 m, but not exceeding 36 m in building height	
- Over 36 m in building height	

- (2) Sizes are *building area* and *building height*.
- (3) *Building* size is based on the existing *building* facing one *street*.
- (4) For existing *buildings* facing multiple *streets* see Sentences 11.3.4.1.(4) and (5) and Table 11.3.1.C.
- (5) Take lowest rating for H.I. from Table for *major occupancy* change.

**Table II.4.2.A.**  
Forming Part of Subsection 11.4.2.

ADDITIONAL UPGRADING FOR MULTIPLE MAJOR OCCUPANCIES		
NEW MAJOR OCCUPANCY	CODE REQUIREMENTS	PART II COMPLIANCE ALTERNATIVE
All (2)	Table 3.1.3.A. and Subsection 9.10.9  Where: 1 h rating required 2 h rating required 3 h rating required	For Existing <i>Building</i> Reduce to If <i>Sprinklered</i> Reduce to  ¾ h      ½ h 1½ h     1 h 2 h      1½ h
Column 1	2	3

Notes to Table II.4.2.A.:

- (1) For *buildings* with multiple *major occupancies* only, where there is a change in *major occupancy*.
- (2) See Subsection 11.3.4. and Section 11.4.

## Part 12

### Transition

#### Section 12.1 Transition

- (a) for which a permit was issued before the 1st day of October, 1990, or
- (b) for which the working drawings, plans and specifications are substantially completed before the 1st day of October, 1990, and for which an application for a permit under Ontario Regulation 419/86 was made before the 1st of January, 1991

on condition that the *construction* is commenced within six months after the permit was issued.

## Part 12 Transition

### Section 12.1 Transition Rule

#### 12.1.1. Transition Rule

12.1.1.1. Despite the revocation of Ontario Regulation 419/86, that Regulation continues in force in respect of *construction*

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## Business Corporations Act *Loi sur les sociétés par actions*

### REGULATION 62

#### GENERAL

##### NAMES

1. In this Regulation, “trade-mark” means a trade-mark as defined in the *Trade-marks Act* (Canada). O. Reg. 446/83, s. 1.

2.—(1) “Name” when used in the expression “if the use of that name would be likely to deceive” used in clause 9 (1) (b) of the Act includes,

- (a) a name that would lead to the inference that the business or activities carried on or intended to be carried on by the corporation under the proposed name and the business or activities carried on by any other person are one business or one activity, whether or not the nature of the business or activity of each is generally the same;
- (b) a name that would lead to the inference that the corporation bearing the name or proposed name is or would be associated or affiliated with a person if the corporation and such person are not or will not be associated or affiliated; or
- (c) a name whose similarity to the name of a person would lead someone who has an interest in dealing with that person, to deal with the corporation bearing the name in the mistaken belief that they are dealing with the person.

(2) In this section,

- (a) “person” means a person, whether in existence or not; and
- (b) “use” means actual use by a person that carries on business in Canada or elsewhere. O. Reg. 446/83, s. 2.

3. For the purpose of section 12 of the Act, the matters the Director may consider when determining whether a name is contrary to section 9 of the Act include,

- (a) the distinctiveness of the whole or any element of any name or trade-mark and the extent to which the name or trade-mark has become known;
- (b) the length of time the trade-mark or name has been in use;
- (c) the nature of the goods or services associated with the trade-mark or the nature of the business carried on under or associated with a name, including the likelihood of any competition among businesses using such a trade-mark or name;
- (d) the nature of the trade with which a trade-mark or name is associated, including the nature of the goods or services and the means by which they are offered or distributed;
- (e) the degree of similarity between the corporate name and any trade-mark or name in appearance or sound or in the ideas suggested by them; and
- (f) the geographic area in Ontario in which the corporate name is likely to be used. O. Reg. 446/83, s. 3.

4. A corporation may have a name similar to that of another body

corporate where the corporation is not or will not be affiliated with the body corporate if,

- (a) that corporate name relates to a corporation that is the successor to the business of the body corporate and the body corporate has ceased or will cease to carry on business under that name; or
- (b) the body corporate undertakes in writing to dissolve forthwith or to change its name before the corporation proposing to use the name commences to use it,

and the corporate name sets out in numerals the year of acquisition of the name in parentheses, words, numerals, or initials are added, deleted or substituted, as the case may be, or the name is varied by substituting one of the legal elements required under subsection 10 (1) of the Act or their corresponding abbreviations. O. Reg. 446/83, s. 4.

5. A corporation may have a name similar to that of another body corporate where the corporation is affiliated with that body corporate. O. Reg. 446/83, s. 5.

6. Except as provided in section 10, no corporation may acquire a name identical to the name or former name of another body corporate, whether in existence or not, unless the body corporate was incorporated under the laws of a jurisdiction outside Canada and has never carried on any activities or identified itself in Canada. O. Reg. 148/85, s. 1, *part*; O. Reg. 748/88, s. 1 (1).

7. For the purpose of this Regulation, the addition or deletion of punctuation marks or other symbols does not make a name different but a name is not identical for the purpose of section 6 if words, numerals or initials are added, deleted or substituted or the legal element of the name is varied by substituting one of the other legal elements required under subsection 10 (1) of the Act or their corresponding abbreviations. O. Reg. 446/83, s. 7.

8. A corporation may have a name similar to that of a known,

- (a) trust;
- (b) association;
- (c) partnership; or
- (d) sole proprietorship,

or a known name under which any of them carries on business or identifies itself if,

- (e) the corporate name relates to a proposed corporation that is the successor to the business carried on under the name and the user of the name has ceased or will cease to carry on business under the name; or
- (f) the known trust, association, partnership or sole proprietor undertakes in writing to dissolve forthwith or to change its name before the corporation proposing to use the name commences to use it. O. Reg. 446/83, s. 8.

9. A corporate name containing a word that is the same as or similar to the distinctive element of a trade-mark or name of another body corporate shall not for that reason alone be prohibited if,

- (a) the body corporate consents to the use of the name; and

- (b) the corporate name contains additional words or expressions to differentiate it from the body corporate and other users of the trade-mark or name. O. Reg. 446/83, s. 9.

10. Where two or more corporations amalgamate, the name of the amalgamated corporation may be identical to the name of one of the amalgamating corporations if the name is not a number name. O. Reg. 446/83, s. 10.

11.—(1) A corporate name shall not be,

- (a) too general;
- (b) only descriptive, in any language, of the quality, function or other characteristics of the goods or services in which the corporation deals or intends to deal;
- (c) primarily or only the name or surname of an individual who is living or has died within thirty years preceding the date of filing the articles; or
- (d) primarily or only a geographic name used alone,

unless the proposed corporate name has been in continuous use for at least twenty years prior to the date of filing the articles or the proposed corporate name has through use acquired a meaning which renders the name distinctive.

(2) A corporate name shall not be primarily or only a combination of punctuation marks or other marks that are permitted under section 20 and the first character of the name shall be a numeral or arabic character. O. Reg. 446/83, s. 11.

12.—(1) A corporate name shall not contain a word or expression, an element of which is the family name of an individual whether or not preceded by his or her given name or initials, unless the individual or his or her heir, executor, administrator, assigns or guardian consents in writing to the use of the name and the individual has, had or will have a material interest in the business.

(2) Subsection (1) does not apply where the corporation that will use the proposed name is the successor or affiliate of a person other than an individual that has as an element of its name, the family name, where,

- (a) the person consents in writing to the use of the name;
- (b) if the proposed name would contravene clause 9 (1) (b) of the Act, the person undertakes in writing to dissolve forthwith or change its name to some other name that complies with clause 9 (1) (b) of the Act before the corporation proposing to use the name commences to use it; and
- (c) the proposed name does not contravene section 6. O. Reg. 446/83, s. 12.

13. No word or expression in any language, that is obscene or connotes a business that is scandalous, obscene or immoral or that is otherwise objectionable on public grounds, shall be used in a corporate name. O. Reg. 446/83, s. 13.

14. No word, expression or abbreviation, the use of which is prohibited or restricted under an Act or Regulation of the Parliament of Canada or a province or territory of Canada, unless the restriction is satisfied, shall be used in a corporate name. O. Reg. 446/83, s. 14.

15. The following words and expressions shall not be used in a corporate name:

- 1. "Amalgamated" unless the corporation is an amalgamated corporation resulting from the amalgamation of two or more corporations.
- 2. "Architect" or "Architectural" where the use suggests the practice of the profession or any variation thereof, except

with the written consent of the Council of the Ontario Association of Architects.

- 3. "Association".
- 4. "Club" unless the corporation carries on a sporting or athletic business and there is no inference that a member of the public may become a member of the corporation.
- 5. "College", "institute" or "university" if the word would lead to the inference that the corporation is a university, college of applied arts and technology or other post-secondary educational institution.
- 6. "Condominium" or any abbreviation or derivation thereof.
- 7. "Co-operative" or any abbreviation or derivation thereof.
- 8. "Council".
- 9. Digits or words that would lead to the inference that the name is a number name.
- 10. "Engineer" or "Engineering" where such word suggests the practice of the profession or any variation thereof, except with the written consent of the Association of Professional Engineers of the Province of Ontario.
- 11. "Housing" unless the corporation is sponsored by or connected with, the Government of Canada, the Government of Ontario, or a municipal government in Ontario and evidence thereof accompanies articles or an application sent to the Director.
- 12. "Veteran" or any abbreviation or derivation thereof unless there has been continuous use of the name for a period of at least twenty years prior to the acquisition of the name.
- 13. Numerals indicating the year of incorporation unless section 4 applies or it is a year of amalgamation of the corporation.
- 14. Any word or expression that would lead to the inference that the corporation is not a business corporation to which the Act applies. O. Reg. 446/83, s. 15.

16.—(1) No word or expression that suggests that a corporation,

- (a) is connected with the Crown or the Government of Canada, a municipality, any province or territory of Canada or any department, Ministry, branch, bureau, service, board, agency, commission or activity of any such government or municipality;
- (b) is sponsored or controlled by or is associated or affiliated with a university or an association of accountants, architects, engineers, lawyers, physicians, surgeons or any other professional association recognized by the laws of Canada or a province or territory of Canada; or
- (c) carries on the business of a bank, loan company, insurance company, trust company, other financial intermediary or a stock exchange that is regulated by a law of Canada or a province or territory of Canada,

shall be used in a corporate name without the consent in writing of the appropriate authority, university or professional association, as the case may be.

(2) No word or expression that suggests that a corporation is connected with a political party or leader of a political party, where the purpose for which the corporation is incorporated is of a political nature, shall be used in a corporate name. O. Reg. 446/83, s. 16.

- 17. No word or expression that misdescribes, in any language,



- (a) the business, goods or services in association with which the corporate name is proposed to be used;
- (b) the conditions under which goods or services will be produced or supplied or the persons to be employed in the production or supply of these goods or services; or
- (c) the place of origin of the goods or services produced or supplied by the corporation,

shall be used in a corporate name. O. Reg. 446/83, s. 17.

18.—(1) The following documents shall accompany any articles containing a proposed name for a corporation or a change of corporate name:

1. An original Ontario biased or weighted computer printed search report for the proposed name from the NUANS automated name search system maintained by the Department of Consumer and Corporate Affairs, Canada dated not more than ninety days prior to the submission of the articles.
2. Any consent or consent and undertaking required under the Act or this Regulation and, if applicable, in the Form prescribed.

(2) Where a proposed name is in,

- (a) an English form and a French form; or
- (b) a combined English and French form,

and the English and French forms of the name are phonetically dissimilar, a separate computer printed search report shall be provided for the English form and the French form of the name.

(3) Subsections (1) and (2) apply to an application for revival under section 241 of the Act.

(4) No name that is identified in a computer printed search report as "proposed" shall be used as a corporate name by a person other than the one who proposed the name unless a consent in writing has been obtained from the person who first proposed the name. O. Reg. 446/83, s. 18.

19. Where through the filing of articles, other than articles of amalgamation, the capital of a corporation is decreased by the cancellation or consolidation of issued shares and a number of the share certificates of the corporation are in the hands of the public and may not be promptly surrendered, the name of the corporation shall be changed to a different name. O. Reg. 446/83, s. 19.

20. For the purposes of subsection 10 (3) of the Act, the following punctuation marks and other marks are the only ones permitted as part of the name of a corporation:

! " # \$ % & ' ( ) \* + , -  
 . / : ; < = > ? [ ] \ ^ `

O. Reg. 446/83, s. 20.

21. The name of a corporation shall,

- (a) not exceed 120 characters in length, including punctuation marks and spaces; and
- (b) be set out in articles filed with the Director in block capital letters. O. Reg. 446/83, s. 21.

22. A name set out in the articles pursuant to subsection 10 (4) of the Act shall be a direct translation of the corporate name but changes may be made to ensure that the name is idiomatically correct. O. Reg. 446/83, s. 22.

## CAPITAL

23. Where shares of a class or series have attached thereto conditions, restrictions, limitations or prohibitions on the right to vote, the rights, privileges, restrictions and conditions attaching to the class or series of shares shall provide that the holders of that class are entitled to notice of meetings of shareholders called for the purpose of authorizing the dissolution of the corporation or the sale, lease or exchange of all or substantially all the property of the corporation other than in the ordinary course of business of the corporation under subsection 184 (3) of the Act. O. Reg. 681/85, s. 1.

## FORM OF DOCUMENTS

24.—(1) All documents sent to the Director or filed in the office of the Director including all affidavits, applications, assurances, balance sheets, by-laws, consents, dissents, forms, notices and statements shall be printed, typewritten or reproduced legibly and, in the opinion of the Director, suitable for photographing on microfilm, upon one side of good quality white paper that is,

- (a) 210 millimetres by 297 millimetres with a margin of 30 millimetres on the left-hand side; or
- (b) 8½ inches by 11 inches, with a margin of 1¼ inches on the left-hand side.

(2) A document consisting of two or more pages shall have no backing or binding, and be stapled in the upper left-hand corner and each page shall be numbered consecutively.

(3) Any document that is sent to the Director shall be on good quality white paper of the size prescribed in subsection (1) that is capable of being endorsed by the Director without smudging.

(4) Articles, applications or statements filed with the Director requiring the signature of one or more persons shall be signed manually by each such person and not by an attorney. O. Reg. 446/83, s. 24.

## DESIGNATING OFFICERS

25. The Deputy Director, the Senior Legal Officer, the Controller of Records or any Assistant Controller of Records of the Companies Branch of the Ministry may sign any certificate required or authorized by the Act. O. Reg. 446/83, s. 25.

## "RESIDENT CANADIAN" CLASS OF PERSONS PRESCRIBED

26. For the purposes of clause (b) of the definition of "resident Canadian" in subsection 1 (1) of the Act, the following classes of persons are prescribed:

1. Full-time employees of the Government of Canada, a province or a territory of Canada or of an agency of any such government or of a federal or provincial crown corporation.
2. Full-time employees of a body corporate,
  - i. of which more than 50 per cent of the voting securities are beneficially owned or over which control or direction is exercised by resident Canadians, or
  - ii. a majority of directors of which are resident Canadians,

where the principal reason for the residence outside Canada is to act as such employees.

3. Full-time students at a university or other educational institution recognized by the province who have been resident outside Canada less than ten consecutive years.
4. Full-time employees of an international association or organization of which Canada is a member.

5. Persons who were, at the time of reaching their sixtieth birthday, ordinarily resident in Canada and have been, since that time, resident outside of Canada less than ten consecutive years. O. Reg. 446/83, s. 26.

#### PROXIES AND PROXY SOLICITATION FORM OF PROXY

27.—(1) A form of proxy required by section 111 and subsection 112 (2) of the Act to be sent to shareholders and to be filed with the Commission shall indicate in bold-face type,

- (a) the meeting at which it is to be used; and
- (b) whether the proxy is solicited by or on behalf of the management of the offering corporation,

and shall provide a designated blank space for dating the form of proxy and if the date is not inserted in the space the proxy shall be deemed to be dated on the day on which it is mailed.

(2) A form of proxy shall indicate in bold-face type that the shareholder may appoint a proxyholder other than any person designated in the form of proxy to attend and act on the shareholder's behalf at the meeting and shall contain instructions as to the manner in which the shareholder may do so.

(3) If a form of proxy shows a person as designated proxyholder, it shall provide a means for the shareholder to designate some other person as proxyholder.

(4) A form of proxy shall provide a means for the shareholder to specify that the shares registered in the shareholder's name shall be voted for or against each matter or group of related matters identified in the notice of meeting, a management information circular, a dissident's information circular or a proposal under section 99 of the Act, other than the appointment of an auditor, the remuneration of the auditor and the election of directors.

(5) A form of proxy may confer authority as to a matter for which a choice is not specified by the shareholder in accordance with subsection (4) if the form of proxy, the management information circular or the dissident's information circular states in bold-face type how the proxyholder will vote the shares in respect of each matter or group of related matters.

(6) A form of proxy shall provide a means for the shareholder to specify that the shares registered in the shareholder's name shall be voted or withheld from voting in respect of the appointment of an auditor, the remuneration of the auditor or the election of directors.

(7) A form of proxy, a management information circular or a dissident's information circular shall state that the shares represented by the proxy will be voted or withheld from voting in accordance with the instructions of the shareholder on any ballot that may be called for and that, if the shareholder specifies a choice with respect to any matter to be acted upon, the shares shall be voted accordingly. O. Reg. 446/83, s. 27.

(8) Subsections (2) to (7) apply only to forms of proxy required by section 111 and subsection 112 (2) of the Act. O. Reg. 778/84, s. 1.

28.—(1) Discretionary authority may be conferred by way of a form of proxy in respect of amendments or variations to matters identified in the notice of meeting or other matters that may properly come before the meeting where,

- (a) the person by or on whose behalf the solicitation is made is not aware within a reasonable time before the solicitation that the amendments or other matters are to be presented for action at the meeting; and
- (b) the form of proxy, the management information circular or the dissident's information circular states specifically that it confers such discretionary authority.

(2) Authority to vote shall not be conferred,

(a) in respect of the appointment of an auditor or the election of a director unless a good faith proposed nominee for the appointment or election is named in the form of proxy, a management information circular, a dissident's information circular or a proposal under section 99 of the Act; or

(b) at any meeting other than the meeting specified in the notice of meeting or any adjournment thereof. O. Reg. 446/83, s. 28.

(3) This section applies only to forms of proxy required by section 111 and subsection 112 (2) of the Act. O. Reg. 778/84, s. 2.

29. A form of proxy, other than that required by section 111 and subsection 112 (2) of the Act, shall indicate,

- (a) the meeting at which it is to be used;
- (b) whether the proxy is solicited by or on behalf of management of the corporation; and
- (c) the powers granted under the proxy. O. Reg. 778/84, s. 3.

#### MANAGEMENT INFORMATION CIRCULAR

30. A management information circular shall contain the following information:

##### REVOCABILITY OF PROXY

- 1. A statement of the right of the shareholder to revoke a proxy under subsection 110 (4) of the Act and the method by which it may be exercised.

##### PERSONS MAKING THE SOLICITATION

- 2. Where applicable, a statement that the execution or exercise of a proxy does not constitute a written objection for the purposes of subsection 185 (6) of the Act.
- 3. A statement, in bold-face type, to the effect that the solicitation is made by or on behalf of the management of the corporation.
- 4. The name of every director of the corporation who has informed the management in writing that he or she intends to oppose any action intended to be taken by the management and the action that he or she intends to oppose.
- 5. The method of solicitation, if otherwise than by mail, and, if the solicitation is to be made by specially engaged employees or agents, the material features of any contract or arrangement and the cost or anticipated cost thereof.
- 6. The name of the person by whom the cost of the solicitation has been or will be borne, directly or indirectly.

##### INTEREST OF CERTAIN PERSONS IN MATTERS TO BE ACTED UPON

- 7. Details of every material interest, direct or indirect, of,
  - i. each person who was a director or officer of the corporation at any time since the beginning of its last completed financial year,
  - ii. each proposed management nominee for election as a director of the corporation, and
  - iii. each associate of every person referred to in subparagraphs i and ii,

in every matter to be acted upon at the meeting other than the election of directors or the appointment of an auditor.

## VOTING SECURITIES AND PRINCIPAL HOLDERS OF VOTING SECURITIES

8. The number of shares of each class of shares of the corporation entitled to be voted at the meeting and the number of votes to which each share of each such class is entitled on each matter to be acted upon at the meeting.
9. The name of each person who, to the knowledge of the directors or officers of the corporation, beneficially owns or exercises control or direction over securities carrying more than 10 per cent of the voting rights attached to any class of outstanding voting securities of the corporation entitled to be voted at the meeting, the approximate number of the securities so owned, controlled or directed by each such person and the percentage of the class of outstanding voting securities of the corporation represented by the number of voting securities so owned, controlled or directed.
10. If a change in the effective control of the corporation has occurred since the beginning of its last financial year, the name of the person who, to the knowledge of the directors or officers of the corporation, acquired control, the date and description of the transaction in which control was acquired and the percentage of voting rights attached to all outstanding voting securities entitled to be voted at the meeting now owned, controlled or directed by the person.
11. The percentage of votes required for the approval of any matter to be submitted to a vote of shareholders that requires approval by more than a majority of the votes cast on the matter at the meeting other than the election of directors or the appointment and remuneration of an auditor.

## ELECTION OF DIRECTORS

12. If directors are to be elected, a statement of any right of any class of shareholders to elect a specified number of directors or to cumulate their votes and of any conditions precedent to the exercise thereof.
13. In tabular form, if directors are to be elected, so far as practicable, with respect to each person proposed by management for nomination for election as a director and each director whose term of office will continue after the meeting,
  - i. the name of each person, the time when his or her term of office or the term of office for which he or she is a proposed nominee expires and all other major positions and offices with the corporation or any of its significant affiliates currently held by the person, indicating which of the persons are proposed nominees for election as directors at the meeting,
  - ii. the present principal occupation or employment of each such person, the name and principal business of any body corporate or other organization in which the occupation or employment is carried on and similar information as to all principal occupations or employments of each such person within the five preceding years, unless the person is now a director and was elected to his or her present term of office by a vote of shareholders at a meeting the notice of which was accompanied by an information circular containing that information,
  - iii. if any such person is or has been a director of the corporation, the period or periods during which the person has so served,
  - iv. the number of securities of each class of voting securities of the corporation and of its holding body corporate beneficially owned, directly or indirectly, or

over which control or direction is exercised by each such person, and

- v. if more than 10 per cent of the votes attached to voting securities of any class of the corporation or of its holding body corporate are beneficially owned or subject to control or direction by any such person and the person's associates, the number of each class of voting securities so owned, controlled or directed by the associates and the name of each associate.
14. The details of any contract, arrangement or understanding between any proposed management nominee and any other person, except the directors and officers of the corporation acting solely in such capacity, pursuant to which the nominee is to be elected, including the name of the other person.

## DIRECTORS' AND OFFICERS' REMUNERATION

15. A statement of executive compensation completed in accordance with Form 40 of Regulation 1015 of Revised Regulations of Ontario, 1990 under the *Securities Act* and for the purposes of this item a reference to an issuer in subitem 1.1 and items II to VI of the said Form 40 shall be deemed to read as a reference to a corporation.
16. If indemnification under section 136 of the Act was paid or became payable in the last complete financial period,
  - i. the amount paid or payable,
  - ii. the name and title of the individual indemnified or to be indemnified, and
  - iii. the circumstances that gave rise to the indemnity.
17. If insurance referred to in subsection 136 (4) of the Act was purchased during the last completed financial year,
  - i. the amount or, where there is a comprehensive liability policy, the approximate amount of premium paid by the corporation in respect of directors as a group and officers as a group,
  - ii. the aggregate amount of premium, if any, paid by the individuals in each such group,
  - iii. the total amount of insurance purchased for each such group, and
  - iv. a summary of any deductibility or co-insurance clause or other provision in the insurance contract that exposes the corporation to liability in addition to the payment of the premiums.

## INDEBTEDNESS OF DIRECTORS AND OFFICERS

18. A statement in respect of,
  - i. each director and senior officer of the corporation,
  - ii. each proposed management nominee for election as a director of the corporation, and
  - iii. each associate of any director, senior officer or proposed management nominee,

who is or has been indebted to the corporation or any of its subsidiaries at any time during the last completed financial year, of the largest aggregate amount of debt outstanding at any time since the beginning of the corporation's last completed financial year, the nature of the debt, details of the transaction in which it was incurred, the amount currently outstanding and the rate of interest paid or charged thereon, but no disclosure need be made of debts consid-

ered to be routine indebtedness in the circumstances or in respect of a person whose aggregate debt did not exceed \$10,000 at any time during the period.

19. State the name and home address in full or, alternatively, solely the municipality of residence or postal address of each person or company whose indebtedness is described in paragraph 18, 21, 22 or 23.
20. If a corporation makes loans to employees generally, whether or not in the ordinary course of business, loans shall be considered to be routine indebtedness if made on terms, including those as to interest or collateral, no more favourable to the borrower than the terms on which loans are made by the issuer to employees generally, but the amount at any time remaining unpaid under such loans to any one director, senior officer or proposed management nominee together with his or her associates that are treated as routine indebtedness hereunder shall not exceed \$25,000.
21. Whether or not the corporation makes loans in the ordinary course of business, a loan to a director or senior officer shall be considered to be routine indebtedness if,
  - i. the borrower is a full-time employee of the issuer,
  - ii. the loan is fully secured against the residence of the borrower, and
  - iii. the amount of the loan does not exceed the annual salary of the borrower.
22. Where a corporation makes loans in the ordinary course of business, a loan shall be considered to be routine indebtedness if it is made to a person or company, other than a full-time employee of the corporation, and if it,
  - i. is made on substantially the same terms, including those as to interest rate and collateral, as were available when the loan was made to other customers of the corporation with comparable credit ratings, and
  - ii. involves no more than usual risks of collectability.
23. Indebtedness arising by reason of purchases made on usual trade terms or of ordinary travel or expense advances or for similar reasons shall be considered to be routine indebtedness if the repayment arrangements are in accord with usual commercial practice.

#### INTERESTS OF INSIDERS IN MATERIAL TRANSACTIONS

24. The details including, where practicable, the approximate amount of any material interest, direct or indirect, of,
  - i. a director or senior officer of the corporation,
  - ii. a proposed management nominee for election as a director of the corporation,
  - iii. a shareholder required to be named by paragraph 9, and
  - iv. an associate or affiliate of every person referred to in subparagraphs i, ii and iii,

in any transaction since the beginning of the corporation's last completed financial year or in any proposed transaction that has materially affected or will materially affect the corporation or any of its affiliates, but,

- v. an interest arising from the ownership of securities of the corporation may be omitted unless the security holder receives a benefit or advantage not shared

rateably by all holders of the same class of security or all holders of the same class of security who are resident in Canada,

and any transaction or interest may be omitted where,

- vi. the rates or charges involved in the transaction are fixed by law or determined by competitive bids,
- vii. the interest of the person in the transaction is solely that of a director of another body corporate that is a party to the transaction,
- viii. the transaction involves services as a bank or other depository of funds, transfer agent, registrar, trustee under a trust indenture or other similar services, or
- ix. the transaction does not involve remuneration for services and,
  - A. the interest of the person results from the beneficial ownership of less than 10 per cent of any class of security of another body corporate that is a party to the transaction,
  - B. the transaction is in the ordinary course of business of the corporation or any of its affiliates, and
  - C. the amount of the transaction or series of transactions is less than 10 per cent of the total sales or purchases, as the case may be, of the corporation and its affiliates for the last completed financial year,

and details of transactions not omitted under subparagraphs v to ix that involve remuneration paid, directly or indirectly, to any of the persons referred to in this paragraph for services in any capacity shall be included, unless the interest of the person arises solely from the beneficial ownership of less than 10 per cent of any class of shares of another body corporate furnishing the services to the body corporation or its affiliates.

25. Details of each transaction referred to in paragraph 24, the name and address of each person whose interest in the transaction is disclosed and the nature of the relationship by reason of which the interest is required to be disclosed.
26. Where a transaction referred to in paragraph 24 involves the purchase or sale of assets by the corporation or any affiliate otherwise than in the ordinary course of business, the cost of the assets to the purchaser and the cost of the assets to the seller if acquired by the seller within the two years prior to the transaction.
27. Details of a material underwriting discount or commission with respect to the sale of securities by the corporation where any person referred to in paragraph 24 has contracted or will contract with the corporation in respect of an underwriting or is an associate or affiliate of a person that has so contracted or will so contract.

#### APPOINTMENT OF AUDITORS

28. If a new auditor is proposed for appointment, the name of the proposed auditor, the name of each auditor appointed within the preceding five years and the date on which each auditor was first appointed.

#### MANAGEMENT CONTRACTS

29. Where a person other than the directors or officers of the corporation or any of its affiliates manages the corporation or any of its subsidiaries,

- i. details of the management agreement or arrangement including the name and address of every person who is a party to the agreement or arrangement or who is responsible to perform it,
- ii. the names and addresses of the insiders of a body corporate with which the corporation or any of its subsidiaries has a management agreement or arrangement,
- iii. the amounts paid or payable by the corporation and any of its subsidiaries to a person named under subparagraph i since the beginning of the corporation's last completed financial year,
- iv. details of any debt owed to the corporation or any of its subsidiaries by a person referred to in subparagraphs i and ii and that person's associates and affiliates that was outstanding at any time since the beginning of the corporation's last completed financial year, and
- v. details of any transaction or arrangement, other than one referred to in subparagraph i, with the corporation or any of its subsidiaries since the beginning of the corporation's last completed financial year in which a person referred to in subparagraph i or ii has a material interest that would be required to be disclosed by paragraph 24,

and for the purposes of this paragraph,

- vi. "details" of debt include the largest aggregate amount of debt outstanding at any time during the period, the nature of the debt, the details of the transaction in which it was incurred, the amount currently outstanding and the rate of interest paid or charged thereon,
- vii. an amount owing for purchases, subject to usual trade terms, for ordinary travel and expense advances and for other transactions in the ordinary course of business may be omitted in determining debt, and
- viii. a matter that is not material may be omitted.

#### PARTICULARS OF MATTERS TO BE ACTED UPON

30. A statement of the rights of a shareholder to dissent under section 185 of the Act with respect to any matter to be acted upon at the meeting and a brief summary of the procedure to be followed.
31. If action is to be taken with respect to any matter other than the approval of minutes of an earlier meeting or the approval of financial statements, the substance of each such matter or group of related matters, to the extent it has not been described under another provision in this section, in sufficient detail to permit shareholders to form a reasoned judgment concerning the matter.
32. For the purpose of paragraph 31, where a reorganization or similar restructuring is involved, reference should be made to a prospectus form or other appropriate form under the *Securities Act*, including requirements with respect to financial statements, for guidance as to what is material.
33. For the purposes of paragraphs 30 and 31, if any such matter is not required to be submitted to a vote of the shareholders the reasons for so submitting it and the action intended to be taken by management in the event of a negative vote by the shareholders.

#### GENERAL

34. If the proceeds of an issue of securities were used for a purpose other than that stated in the document under which the securities were issued, the date of the document, the amount and designation of the securities so issued and details of the use made during the financial period of the proceeds.
35. If the corporation has amended its articles for a purpose set out in section 42 of the Act to restrict the issue, transfer or ownership of its shares, the general nature of the restrictions.
36. Details of every action brought or taken under section 246 or 248 of the Act to which the corporation is a party.
37. Details of any financial assistance, in circumstances permitted by subsection 20 (1) of the Act or referred to in clause 20 (2) (e) of the Act, given by a corporation since the beginning of its last completed financial year,
  - i. to a shareholder of the corporation or any of its affiliates who is not a director, officer or employee thereof, or to an associate of any shareholder,
  - ii. to any group of employees other than directors or officers in connection with the purchase of shares issued or to be issued by the corporation, or
  - iii. to any other person in connection with a purchase of shares issued or to be issued by the corporation,
 if the giving of the assistance was material to the corporation or any of its affiliates or to the recipient of the assistance.
38. A statement, signed by a director or officer of the corporation, that the contents and the sending of the circular have been approved by the directors. O. Reg. 446/83, s. 29; O. Reg. 778/84, s. 4; O. Reg. 495/85, s. 1; O. Reg. 681/85, s. 2.
31. A management information circular that is filed with the Commission pursuant to subsection 112 (2) of the Act shall be accompanied by a statement signed by a director or officer that a copy of the circular has been sent to,
  - (a) each director;
  - (b) each shareholder entitled to notice of the meeting to which the circular relates; and
  - (c) the auditor of the corporation. O. Reg. 446/83, s. 30.

#### DISSIDENT'S INFORMATION CIRCULAR

32. For the purposes of section 33, "dissident" means any person other than a person who is part of the management of the corporation or its affiliates and associates, by or on behalf of whom a solicitation is made, and includes a committee or group that solicits proxies, any members of the committee or group, and any person whether or not named as a member, who acting alone or with one or more other persons, directly or indirectly, engages in organizing, directing or financing any such committee or group, except,
  - (a) a person who contributes not more than \$250 and who does not otherwise participate in the solicitation;
  - (b) a bank or other lending institution or a broker or dealer that, in the ordinary course of business, lends money or executes orders for the purchase or sale of shares and that does not otherwise participate in the solicitation;
  - (c) a person who is employed to solicit and whose activities are

limited to the performance of duties in the course of such employment;

- (d) a person who only sends soliciting material or performs other ministerial or clerical duties;
- (e) a person employed in the capacity of lawyer, accountant, advertiser, public relations or financial adviser and whose activities are limited to the performance of duties in the course of such employment; and
- (f) an officer or director of, or person employed by, a person by or on behalf of whom a solicitation is made if he or she does not directly participate in the solicitation. O. Reg. 446/83, s. 31.

#### CONTENTS OF DISSIDENT'S INFORMATION CIRCULAR

33. A dissident's information circular shall contain the following information:

1. The name and address of the corporation to which the solicitation relates.
2. The information required by paragraphs 1, 2, 5 and 6 of section 30.
3. Details of the identity and background of each dissident, including,
  - i. the dissident's name and address,
  - ii. the dissident's present principal occupation or employment and the name, principal business and address of any body corporate or other person in which the occupation or employment is carried on,
  - iii. all material occupations, offices or employments during the preceding five years, with starting and ending dates of each and the name, principal business and address of the body corporate or other business organization in which each such occupation, office or employment was carried on, and
  - iv. whether the dissident is or has been a dissident within the preceding ten years and, if so, the body corporate involved, the principals and the dissident's relationship to them, the subject matter and the outcome of the solicitation.
4. The circumstances under which each dissident became involved in the solicitation and the nature and extent of activities as a dissident.
5. The information required by paragraphs 9, 10 and 11 of section 30, if known to a dissident.
6. Details of the interest of each dissident in the securities of the corporation to which the solicitation relates, including,
  - i. the number of securities of each class of voting securities of the corporation that the dissident owns beneficially, directly or indirectly, or over which the dissident exercises control or direction,
  - ii. the dates on which securities of the corporation were purchased or sold during the preceding two years, the amount purchased or sold on each date and the price at which they were purchased or sold,
  - iii. if any part of the purchase price or market value of any of the securities specified in subparagraph ii is represented by funds borrowed or otherwise obtained for the purpose of acquiring or holding the securities, the amount of the indebtedness as of the

latest practicable date and a brief description of the transaction including the names of the parties, other than a bank, broker or dealer acting in the transaction in the ordinary course of business,

- iv. whether the dissident is or was within the preceding year a party to a contract, arrangement or understanding with any person in respect of securities of the corporation, including joint ventures, loan or option arrangements, puts or calls, guarantees against loss or guarantees of profit, division of losses or profits or the giving or withholding of proxies and, if so, the names of the parties to, and the details of the contract, arrangement or understanding,
  - v. the number of each class of securities of an affiliate of the corporation that the dissident owns beneficially, directly or indirectly, or over which the dissident exercises control or direction, and
  - vi. the number of securities of each class of securities of the corporation that each associate of the dissident beneficially, directly or indirectly, owns or exercises control or direction over and the name and address of each such associate.
7. If directors are to be elected, information required by paragraphs 7, 13, 14 and 24 of section 30, in respect of each proposed nominee for election as a director and his or her associates.
  8. The information required by paragraphs 14 and 24 of section 30 in respect of each dissident and the dissident's associates.
  9. Details of any contract, arrangement or understanding, including the names of the parties, between a dissident or the dissident's associates and any person with respect to,
    - i. future employment by the corporation or any of its affiliates, or
    - ii. future transactions to which the corporation or any of its affiliates will or may be a party. O. Reg. 446/83, s. 32; O. Reg. 778/84, s. 5.

34. If a dissident is a partnership, body corporate, association or other organization, the information required by paragraphs 3, 4, 6, 8 and 9 of section 33 to be included in a dissident's information circular shall be given in respect of each partner, officer and director and of each person who controls the dissident and who is not a dissident. O. Reg. 446/83, s. 33.

35. Information that is not known to a dissident and that cannot be reasonably ascertained by the dissident may be omitted from a dissident's information circular but the circumstances that render the information unavailable shall be disclosed therein. O. Reg. 446/83, s. 34.

36.—(1) A dissident's information circular shall contain a statement, signed by a dissident or a person authorized by the dissident, that the contents and the sending of the circular have been approved by the dissident.

(2) A dissident's information circular that is filed with the Commission under subsection 112 (2) of the Act shall be accompanied by a statement signed by the dissident or person authorized by the dissident to the effect that,

- (a) the circular complies with this Regulation; and
- (b) a copy of the circular has been sent to each director, each shareholder entitled to notice of the meeting to which the circular relates, the auditor of the corporation and the corporation. O. Reg. 446/83, s. 35.

## INFORMATION CIRCULARS—GENERAL

37.—(1) The information in a management information circular or a dissident's information circular shall be given as of a specified date not more than thirty days prior to the date upon which the information circular is first sent to any of the shareholders of the corporation.

(2) The information contained in an information circular shall be clearly presented and the statements made therein shall be divided into groups according to subject matter and the various groups of statements shall be preceded by appropriate headings.

(3) The order of items set out in sections 30 and 33 need not be followed.

(4) Where practicable and appropriate, information required by sections 30 and 33 shall be presented in tabular form.

(5) All amounts required by sections 30 and 33 shall be stated in figures.

(6) Information required by more than one applicable item need not be repeated.

(7) No statement need be made in response to any item that is inapplicable and negative answers to any item may be omitted.

(8) There may be omitted from an information circular any information contained in any other information circular, notice of meeting or a form of proxy sent to the persons whose proxies were solicited in connection with the same meeting if reference is made to the particular document containing the information. O. Reg. 446/83, s. 36.

## FINANCIAL STATEMENTS IN INFORMATION CIRCULAR

38.—(1) Where financial statements accompany or form part of an information circular, the statements shall be prepared in the manner prescribed for financial statements in Part XII of the Act.

(2) The financial statements referred to in subsection (1), if not reported upon by the auditor of the corporation, shall be accompanied by a report of the chief financial officer of the corporation stating that the financial statements have not been audited but have been prepared in accordance with Part XII of the Act. O. Reg. 446/83, s. 37.

## AUDIT EXEMPTION

39.—(1) An application under subsection 148 (2) of the Act for exemption from the requirements of Part XII of the Act with respect to the appointment and duties of an auditor shall be in duplicate.

(2) The following schedules, which do not form part of the application, shall be submitted in support of an application under this section:

1. Schedule A containing internal corporate information.
2. Schedule B being a certified copy of the consent of the shareholders to the application.
3. Schedule C containing financial statements and related auditor's reports, if any, for the last completed financial year and for the preceding financial year.
4. Schedule D required where the date of the application is more than 120 days after the end of the last completed financial year and being an interim financial statement for the period that began immediately following the end of the last completed financial year and ended within ninety days before the date of the application.

(3) The Director shall afford the applicant an opportunity to be

heard within a reasonable time after submitting the application under this section. O. Reg. 446/83, s. 38 (1-3).

(4) The Director, concurrently with giving notice of hearing under subsection (3), may send a copy of the notice of hearing, the application and material that accompanied it to,

- (a) the Minister of Revenue;
- (b) the Minister of Industry, Trade and Technology; and
- (c) such other persons as the Director considers should be given an opportunity to be heard on the application. O. Reg. 199/84, s. 1.

(5) The Director shall cause notice of his or her decision to be published in *The Ontario Gazette*. O. Reg. 446/83, s. 38 (5).

## AUDITORS AND FINANCIAL STATEMENTS

40. The financial statements referred to in Part XII of the Act shall be prepared in accordance with the standards, as they exist from time to time, set forth in the Handbook of the Canadian Institute of Chartered Accountants. O. Reg. 446/83, s. 39.

41. The auditor's report referred to in Part XII of the Act shall be prepared in accordance with the standards, as they exist from time to time, set forth in the Handbook of the Canadian Institute of Chartered Accountants. O. Reg. 446/83, s. 40.

42.—(1) The financial statements referred to in clause 154 (1) (a) of the Act shall include at least,

- (a) a balance sheet;
- (b) a statement of retained earnings;
- (c) an income statement; and
- (d) a statement of changes in financial position.

(2) Financial statements need not be designated by the names set out in subsection (1). O. Reg. 446/83, s. 41.

## GENERAL

43. For the purposes of subclause 177 (2) (b) (ii) of the Act, articles of amalgamation may differ from the articles of the amalgamating subsidiary corporations by providing for,

- (a) a different name;
- (b) a different number or minimum and maximum number of directors;
- (c) a different address where the registered office is to be located; or
- (d) imposition, variation or elimination of any restrictions on the business that the amalgamated corporation may carry on or on the powers that the amalgamated corporation may exercise. O. Reg. 446/83, s. 42.

44.—(1) Notice to the holders of affected securities under subsection 190 (3) of the Act may be given by one publication a week for two consecutive weeks in a newspaper or newspapers having general circulation in the place where the corporation has,

- (a) its registered office;
- (b) its securities register;
- (c) its register of transfers;
- (d) any branch registers; and



(e) its principal place of business.

(2) The notice referred to in subsection (1) shall first be published not less than forty days prior to the date of the meeting and shall state,

- (a) the date, time, place and purpose of the meeting;
- (b) the place where the information circular and any other relevant material may be examined; and
- (c) that the material will be sent to any holder of affected securities upon request. O. Reg. 446/83, s. 43.

#### APPLICATION TO COURT—OPPRESSION REMEDY

45. The Director may apply to the court under subsection 248 (1) of the Act where,

- (a) it appears that conduct referred to in subsection 248 (2) constitutes or threatens to constitute a breach of the Act or the regulations;
- (b) the conduct requires the Director to perform a duty under the Act or the regulations and the performance of such duty would, in the opinion of the Director, effect a result that is oppressive or unfairly prejudicial to or that unfairly disregards the interests of the persons referred to in subsection 248 (2) of the Act; or
- (c) in the opinion of the Director,
  - (i) a person, who has the status of a complainant, is unable to make an application to the court, and
  - (ii) it is in the public interest that an application be made. O. Reg. 446/83, s. 44.

#### FORMS

46.—(1) Articles of incorporation shall be in Form 1.

(2) A consent to act as first director, where required under subsection 5 (2) of the Act, shall be in Form 2. O. Reg. 446/83, s. 45.

47. Articles of amendment under section 171 of the Act shall be in Form 3. O. Reg. 446/83, s. 46.

48. Articles of amalgamation under section 178 of the Act shall be in Form 4. O. Reg. 446/83, s. 47.

49. Restated articles of incorporation under section 173 of the Act shall be in Form 5. O. Reg. 446/83, s. 48.

50.—(1) Articles of continuance under section 180 of the Act shall be in Form 6.

- (2) Articles of continuance shall be accompanied by,
  - (a) a copy of the incorporating document of the body corporate, together with all amendments thereto, certified by the officer of the incorporating jurisdiction who is authorized to so certify;
  - (b) a letter of satisfaction, certificate of discontinuance or other document issued by the proper officer of the incorporating jurisdiction that indicates that the body corporate is authorized under the laws of the jurisdiction in which it was incorporated or continued to apply for articles of continuance; and
  - (c) except in the case of a body corporate incorporated or continued under the laws of Alberta, British Columbia, Manitoba, Saskatchewan or Canada, a legal opinion to the effect that the laws of the jurisdiction to which the body corporate

is subject authorize such a body corporate to apply for articles of continuance. O. Reg. 446/83, s. 49.

51.—(1) An application for authorization to continue in another jurisdiction under section 181 of the Act shall be in Form 7.

- (2) An application under subsection (1) shall be accompanied by,
  - (a) a consent from the Corporations Tax Branch of the Ministry of Revenue;
  - (b) where the Corporation is an offering corporation, a consent from the Ontario Securities Commission; and
  - (c) except in the case of continuance under the laws of Alberta, British Columbia, Manitoba, Saskatchewan or Canada, a legal opinion to the effect that the laws of the other jurisdiction meet the requirements set out in subsection 181 (9) of the Act. O. Reg. 446/83, s. 50.

52. Articles of arrangement under section 183 of the Act shall be in Form 8. O. Reg. 446/83, s. 51.

53. Articles of reorganization under section 186 of the Act shall be in Form 9. O. Reg. 446/83, s. 52.

54.—(1) Articles of dissolution under subsection 238 (1) or (2) of the Act shall be in Form 10 or 11, as the case may be.

(2) Articles of dissolution shall be accompanied by a consent of the Corporations Tax Branch of the Ministry of Revenue to the dissolution of the corporation. O. Reg. 446/83, s. 53.

55.—(1) An application under subsection 144 (3) of the Act to permit the removal of records from the registered office of the corporation shall be in Form 12.

(2) Where an application under subsection (1) is to remove the records of the corporation to a place outside of Ontario, it shall be accompanied by a bond of a guarantee company within the meaning of the *Guarantee Companies Securities Act* to the Treasurer of Ontario in Form 13. O. Reg. 446/83, s. 54.

56. An application under subsection 144 (4) of the Act rescinding an order made under subsection 144 (3) of the Act to remove records from the registered office of the corporation shall be in Form 14. O. Reg. 446/83, s. 55.

57.—(1) Articles of revival under section 241 of the Act shall be in Form 15.

- (2) Articles under subsection (1) shall be accompanied by,
  - (a) a consent from the Corporations Tax Branch of the Ministry of Revenue to the revival of the corporation;
  - (b) a statement in writing by the Public Trustee that he or she has no objection to the revival of the corporation;
  - (c) a consent from the Ontario Securities Commission where the corporation was dissolved by order under subsection 241 (2) of the Act or a predecessor thereof; and
  - (d) the documents required by subsection 18 (3). O. Reg. 446/83, s. 56.

58. A notice concerning the winding up of a corporation under subsection 193 (4) of the Act, a notice under subsection 205 (2) of the Act or a notice under subsection 210 (4) of the Act shall be in Form 16. O. Reg. 446/83, s. 57.

59. A consent or consent and undertaking given by a person pursuant to section 4, 8, 9 or 12 may be in Form 17. O. Reg. 446/83, s. 58.



60. A statutory declaration under subsection 52 (1) of the Act shall be in Form 18. O. Reg. 446/83, s. 59.

61. A statutory declaration under subsection 146 (1) of the Act shall be in Form 19. O. Reg. 446/83, s. 60.

62. An application for exemption from the requirements of Part XII of the Act regarding the appointment and duties of an auditor in respect of a financial year shall be in Form 20. O. Reg. 446/83, s. 61.

#### FEES

63.—(1) The fees set out in Schedule 1 shall be paid to the Treasurer of Ontario upon the filing, examination or copying of the document or before the Director takes the action for which the fee is prescribed, as the case may be.

(2) Where a cheque is tendered in payment of a fee set out in Schedule 1, the name of the corporation or the Ontario corporation number in respect of which the cheque is tendered shall be entered on the face of the cheque. O. Reg. 446/83, s. 62.

64.—(1) No fee is payable on delivery of articles of dissolution under section 238 of the Act for filing and endorsing a certificate by the Director.

(2) No fee is payable for the filing of a document required to be filed under the Act unless a fee for the filing is set out in Schedule 1. O. Reg. 446/83, s. 63.

65. No fee is payable in respect of a search under paragraph 4 of Schedule 1 or in respect of a copy of a document under paragraph 5 of Schedule 1 by,

- (a) any ministry of the Government of Ontario or any agency, board or commission thereof, including the offices of sheriff and land registrar;
- (b) a ministry or department of the Government of Canada or of a territory or another province of Canada that has reciprocal arrangements or an agency, board or commission of any of them; or
- (c) the police department, fire department or any licensing agency of a municipality in Ontario. O. Reg. 446/83, s. 64; O. Reg. 358/89, s. 1.

#### REFUNDS

66.—(1) Where a fee has been paid on delivery of articles or an application for an authorization or an order under the Act and the articles or application for an authorization or order are abandoned, refused or withdrawn, the sum of \$100 shall be retained and the balance, if any, repaid to the person who paid it or the legal representative of the person. O. Reg. 452/88, s. 1.

(2) Subsection (1) does not apply in respect of a fee paid on an application for an order under subsection 148 (2) of the Act. O. Reg. 446/83, s. 65 (2).

### Schedule 1

#### FEES

##### 1. On delivery of articles of,

i. incorporation, for filing and endorsing a certificate .....	\$270.00
ii. amalgamation or continuance, for filing and endorsing a certificate and for an authorization by the Director under section 181 of the Act .....	270.00
iii. arrangement, for filing and endorsing a certificate .....	270.00
iv. revival, for filing and endorsing a certificate .....	270.00

##### 2. On delivery of articles of,

i. amendment or reorganization, for filing and endorsing a certificate .....	105.00
ii. restated articles of incorporation, for filing and endorsing a certificate .....	105.00

##### 3. On an application for an order,

i. under subsection 144 (3) of the Act .....	105.00
ii. under subsection 144 (4) of the Act .....	21.00
iii. under subsection 148 (2) of the Act .....	525.00

4. For searches, in person or by letter, to determine if any documents are on file with the Director under the Act or a predecessor of it, including a diazo or microfilm copy of the contents of all such documents, for each corporation or, at the Director's discretion, production of the original documents on file for examination without copies being supplied .....

6.00

5. For each copy of the first page of each document filed or issued under the Act on a specified day or days if requested in advance and no search is required .....

0.60

6. For copies of the contents of papers, articles and orders on file under the Act or any predecessor of it in the Ministry, 60 cents a page with a minimum fee of \$6 in respect of each corporation.

##### 7. For certification of,

- i. copies of the contents of papers, articles and orders, \$21 in respect of each corporation, or
- ii. a diazo or microfilm copy of the contents of papers, articles and orders, \$21 in respect of each corporation.

8. For a certificate in respect of a corporation .....

21.00

9. For an application to the Commission for an exemption order under the Act .....

270.00

10. For the endorsement of a certificate under section 275 of the Act .....

270.00

O. Reg. 360/90, s. 1.



5. Restrictions, if any, on business the corporation may carry on or on powers the corporation may exercise.	<i>Limites, s'il y a lieu, imposées aux activités commerciales ou aux pouvoirs de la société :</i>	2
6. The classes and any maximum number of shares that the corporation is authorized to issue.	<i>Catégories et nombre maximal, s'il y a lieu, d'actions que la société est autorisée à émettre :</i>	
7. Rights, privileges, restrictions and conditions (if any) attaching to each class of shares and directors authority with respect to any class of shares which may be issued in series:	<i>Droits, privilèges, restrictions et conditions, s'il y a lieu, rattachés à chaque catégorie d'actions et pouvoirs des administrateurs relatifs à chaque catégorie d'actions qui peut être émise en série :</i>	
8. The issue, transfer or ownership of shares is/is not restricted and the restrictions (if any) are as follows:	<i>L'émission, le transfert ou la propriété d'actions est/n'est pas restreint. Les restrictions, s'il y a lieu, sont les suivantes :</i>	
9. Other provisions, if any, are:	<i>Autres dispositions, s'il y a lieu :</i>	
10. The names and addresses of the incorporators are:	<i>Nom et adresse des fondateurs :</i>	
First name, initials and surname or corporate name <i>Prénom, initiale et nom de famille ou dénomination sociale</i>	Full residence address or address of registered office or of principal place of business giving street & No. or R.R. No., municipality and postal code <i>Adresse personnelle au complet, adresse du siège social ou adresse de l'établissement principal, y compris la rue et le numéro ou le numéro de la R.R., le nom de la municipalité et le code postal</i>	
These articles are signed in duplicate.		<i>Les présents statuts sont signés en double exemplaire.</i>
Signatures of incorporators <i>Signatures des fondateurs</i>		

**Form 2**  
**Formule 2**

*Business Corporations Act*  
*Loi sur les sociétés par actions*

Form 2  
Business  
Corporations  
Act  
*Formule 2*  
*Loi sur les*  
*sociétés par*  
*actions*

**CONSENT TO ACT AS A FIRST DIRECTOR**  
**CONSETEMENT DU PREMIER ADMINISTRATEUR**

I/Je soussigné(e), .....  
(First name, initials and surname)  
(Prénom, initiales et nom de famille)

residing at/du .....  
(Street & No., R.R. No., Municipality & Postal Code)  
(Rue et numéro, numéro de la R.R., nom de la municipalité et code postal)

hereby consent to act as a first director of .....  
*accepte par la présente de devenir premier*  
*administrateur de*

.....  
(Name of Corporation)  
(Dénomination sociale de la société)

.....  
Signature of the Consenting Person  
*Signature de l'acceptant*

O. Reg. 446/83, Form 2, revised.

**Form 3**  
**Formule 3**

*Business Corporations Act*  
*Loi sur les sociétés par actions*

For Ministry Use Only  
*À l'usage exclusif du ministère*

I  
Ontario Corporation Number  
*Numéro de la société en Ontario*

Trans  
Code

C

18

Form 3  
Business  
Corporations  
Act  
  
*Formule 3  
Loi sur les  
sociétés par  
actions*

**ARTICLES OF AMENDMENT**  
**STATUTS DE MODIFICATION**

2

1. The present name of the corporation is: *Dénomination sociale actuelle de la société :*


2. The name of the corporation is changed to (if applicable): *Nouvelle dénomination sociale de la société (s'il y a lieu) :*


3. Date of incorporation/amalgamation: *Date de la constitution ou de la fusion :*

.....  
(Day, Month, Year) *(jour, mois, année)*

4. The articles of the corporation are amended as follows: *Les statuts de la société sont modifiés de la façon suivante :*

5. The amendment has been duly authorized as required by sections 168 and 170 (as applicable) of the *Business Corporations Act*. *La modification a été dûment autorisée conformément aux articles 168 et 170 (selon le cas) de la Loi sur les sociétés par actions.*

6. The resolution authorizing the amendment was approved by the shareholders/directors (as applicable) of the corporation on *Les actionnaires ou les administrateurs (selon le cas) de la société ont approuvé la résolution autorisant la modification le*

.....  
(Day, Month, Year) *(jour, mois, année)*

These articles are signed in duplicate.

*Les présents statuts sont signés en double exemplaire.*

.....  
(Name of Corporation)  
*(Dénomination sociale de la société)*

By/Par : .....

(Signature)  
*(Signature)*

(Description of Office)  
*(Fonction)*

O. Reg. 446/83, Form 3, revised.

**Form 4  
Formule 4**

*Business Corporations Act  
Loi sur les sociétés par actions*

For Ministry Use Only  
À l'usage exclusif du ministère

Ontario Corporation Number  
Numéro de la société en Ontario

1

Trans Code A 18	Line No. 0 20	Stat 0 28	Comp Type A 29	Method Incorp 3 30	Share S 31
Notice Req'd N 32	Jurisdiction ONTARIO 33				A 57

**ARTICLES OF AMALGAMATION  
STATUTS DE FUSION**

Form 4  
Business  
Corporations  
Act  
  
Formule 4  
Loi sur les  
sociétés par  
actions

1. The name of the amalgamated corporation is: *Dénomination sociale de la société issue de la fusion :*


2. The address of the registered office is: *Adresse du siège social :*

.....  
(Street & Number or R.R. Number & if Multi-Office Building give Room No.)  
(Rue et numéro ou numéro de la R.R. et, s'il s'agit d'un édifice à bureaux, numéro du bureau)

--	--	--	--	--	--

.....  
(Name of Municipality or Post Office) (Postal Code)  
(Nom de la municipalité ou du bureau de poste) (Code postal)

.....  
(Name of Municipality, Geographic Township) in the (County, District, Regional Municipality)  
(Nom de la municipalité, du canton géographique) dans le/la (Comté, district, municipalité régionale)

3. Number (or minimum and maximum number) of directors is: *Nombre (ou nombres minimal et maximal) d'administrateurs :*

4. The director(s) is/are: *Administrateur(s) :*

First name, initials and surname <i>Prénom, initiales et nom de famille</i>	Residence address, giving street & No. or R.R. No., municipality and postal code <i>Adresse personnelle, y compris la rue et le numéro, le numéro de la R.R. ou le nom de la municipalité et le code postal</i>	Resident Canadian State Yes or No <i>Résident canadien Oui/Non</i>

- |                                                                                                                                                                                                                                                                                                                   |                          |                                                                                                                                                                                                                                                                                                                      |          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| <p>5.A) The amalgamation agreement has been duly adopted by the shareholders of each of the amalgamating corporations as required by subsection 176 (4) of the <i>Business Corporations Act</i> on the date set out below.</p>                                                                                    | <input type="checkbox"/> | <p>A) <i>Les actionnaires de chaque société qui fusionne ont dûment adopté la convention de fusion conformément au paragraphe 176 (4) de la Loi sur les sociétés par actions à la date mentionnée ci-dessous.</i></p>                                                                                                | <p>2</p> |
| <div style="border: 1px solid black; padding: 5px; display: inline-block;">                 Check    Cocher<br/>                 A or B    A ou B             </div>                                                                                                                                              |                          |                                                                                                                                                                                                                                                                                                                      |          |
| <p>B) The amalgamation has been approved by the directors of each amalgamating corporation by a resolution as required by section 177 of the <i>Business Corporations Act</i> on the date set out below. The articles of amalgamation in substance contain the provisions of the articles of incorporation of</p> | <input type="checkbox"/> | <p>B) <i>Les administrateurs de chaque société qui fusionne ont approuvé la fusion par voie de résolution conformément à l'article 177 de la Loi sur les sociétés par actions à la date mentionnée ci-dessous. Les statuts de fusion reprennent essentiellement les dispositions des statuts constitutifs de</i></p> |          |

and are more particularly set out in these articles.

*et sont énoncés textuellement aux présents statuts.*

Names of amalgamating corporations <i>Dénomination sociale des sociétés qui fusionnent</i>	Ontario Corporation Number <i>Numéro de la société en Ontario</i>	Date of Adoption/Approval <i>Date d'adoption ou d'approbation</i>
6. Restrictions, if any, on business the corporation may carry on or on powers the corporations exercise.		<i>Limites, s'il y a lieu, imposées aux activités commerciales ou aux pouvoirs de la société :</i>
7. The classes and any maximum number of shares that the corporation is authorized to issue.		<i>Catégories et nombre maximal, s'il y a lieu, d'actions que la société est autorisée à émettre :</i>
8. Rights, privileges, restrictions and conditions (if any) attaching to each class of shares and directors authority with respect to any class of shares which is to be issued in series:		<i>Droits, privilèges, restrictions et conditions, s'il y a lieu, rattachés à chaque catégorie d'actions et pouvoirs des administrateurs relatifs à chaque catégorie d'actions qui peut être émise en série :</i>
9. The issue, transfer or ownership of shares is/is not restricted and the restrictions (if any) are as follows:		<i>L'émission, le transfert ou la propriété d'actions est/n'est pas restreint. Les restrictions, s'il y a lieu, sont les suivantes :</i>
10. Other provisions, (if any):		<i>Autres dispositions, s'il y a lieu :</i>
11. The statements required by subsection 178 (2) of the <i>Business Corporations Act</i> are attached as Schedule "A".		<i>Les déclarations exigées aux termes du paragraphe 178 (2) de la Loi sur les sociétés par actions constituent l'annexe "A".</i>

12. A copy of the amalgamation agreement or directors resolutions (as the case may be) is/are attached as Schedule "B". *Une copie de la convention de fusion ou les résolutions des administrateurs (selon le cas) constitue(nt) l'annexe "B".* 3

These articles are signed in duplicate.

*Les présents statuts sont signés en double exemplaire.*

Names of the amalgamating corporations and signatures and descriptions of office of their proper officers.

*Dénomination sociale des sociétés qui fusionnent, signature et fonction de leurs dirigeants régulièrement désignés.*

O. Reg. 446/83, Form 4, revised.

**Form 5**  
**Formule 5**

*Business Corporations Act*  
*Loi sur les sociétés par actions*

For Ministry Use Only  
*À l'usage exclusif du ministère*

1  
Ontario Corporation Number  
*Numéro de la société en Ontario*

**RESTATED ARTICLES OF INCORPORATION**  
**STATUTS CONSTITUTIFS MIS À JOUR**

Form 5  
Business  
Corporations  
Act  
*Formule 5*  
*Loi sur les*  
*sociétés par*  
*actions*

1. The name of the corporation is: *Dénomination sociale de la société :*


2. Date of incorporation/amalgamation: *Date de la constitution ou de la fusion :*

.....  
(Day, Month, Year) *(jour, mois, année)*

3. The address of the registered office is: *Adresse du siège social :*

.....  
(Street & Number or R.R. Number & if Multi-Office Building give Room No.)  
*(Rue et numéro ou numéro de la R.R. et, s'il s'agit d'un édifice à bureaux, numéro du bureau)*

.....  
(Name of Municipality or Post Office)  
*(Nom de la municipalité ou du bureau de poste)*

.....  
(Postal Code)  
*(Code postal)*

..... in the .....  
(Name of Municipality, Geographic Township) *dans le/la* (County, District, Regional Municipality)  
*(Nom de la municipalité, du canton géographique) (Comté, district, municipalité régionale)*



4.	Number (or minimum and maximum number) of directors is:	<i>Nombre (ou nombres minimal et maximal) d'administrateurs :</i>	2
5.	The director(s) is/are:	<i>Administrateur(s) :</i>	
	First name, initials and surname <i>Prénom, initiales et nom de famille</i>	Residence address, giving street & No. or R.R. No., municipality and postal code <i>Adresse personnelle, y compris la rue et le numéro, le numéro de la R.R., le nom de la municipalité et le code postal</i>	Resident Canadian State Yes or No <i>Résident canadien</i> Oui/Non
6.	Restrictions, if any, on business the corporation may carry on or on powers the corporation may exercise.	<i>Limites, s'il y a lieu, imposées aux activités commerciales ou aux pouvoirs de la société :</i>	
7.	The classes and any maximum number of shares that the corporation is authorized to issue.	<i>Catégories et nombre maximal, s'il y a lieu, d'actions que la société est autorisée à émettre :</i>	
8.	Rights, privileges, restrictions and conditions (if any) attaching to each class of shares and directors authority with respect to any class of shares which may be issued in series:	<i>Droits, privilèges, restrictions et conditions, s'il y a lieu, rattachés à chaque catégorie d'actions et pouvoirs des administrateurs relatifs à chaque catégorie d'actions qui peut être émise en série :</i>	
9.	The issue, transfer or ownership of shares is/is not restricted and the restrictions (if any) are as follows:	<i>L'émission, le transfert ou la propriété d'actions est/n'est pas restreint. Les restrictions, s'il y a lieu, sont les suivantes :</i>	
10.	Other provisions (if any):	<i>Autres dispositions, s'il y a lieu :</i>	
11.	These restated articles of incorporation correctly set out the corresponding provisions of the articles of incorporation as amended and supersede the original articles of incorporation and all the amendments thereto.	<i>Les présents statuts constitutifs mis à jour énoncent correctement les dispositions correspondantes des statuts constitutifs telles qu'elles sont modifiées et remplacent les statuts constitutifs et les modifications qui y ont été apportées.</i>	
	These articles are signed in duplicate.	<i>Les présents statuts sont signés en double exemplaire.</i>	
<p>.....</p> <p>(Name of Corporation) (Dénomination sociale de la société)</p>			
By/Par : .....			
		(Signature) (Signature)	(Description of Office) (Fonction)

**Form 6**  
**Formule 6**

*Business Corporations Act*  
*Loi sur les sociétés par actions*

1

For Ministry Use Only  
*À l'usage exclusif du ministère*

Ontario Corporation Number  
*Numéro de la société en Ontario*

Trans Code	Stat	Comp Type	Method Incorp	Share
A	7	A	3	S
18	28	29	30	31
	Notice Req'd		Jurisdiction	
	N		ONTARIO	
	32	33		47

Form 6  
Business  
Corporations  
Act

*Formule 6*  
*Loi sur les*  
*sociétés par*  
*actions*

**ARTICLES OF CONTINUANCE**  
**STATUTS DE MAINTIEN**

1. The name of the corporation is: *Dénomination sociale de la société :*


2. The corporation is to be continued under the name  
(if different from 1): *Nouvelle dénomination sociale de la société (si elle est*  
*différente de celle inscrite ci-dessus) :*


3. Name of jurisdiction the corporation is leaving: *Ressort de constitution de la société :*

.....  
(Name of Jurisdiction)  
*(Ressort de constitution)*

4. Date of incorporation/amalgamation: *Date de la constitution ou de la fusion :*

.....  
(Day, Month, Year) *(jour, mois, année)*

5. The address of the registered office in Ontario is: *Adresse du siège social en Ontario :*

.....  
(Street & Number or R.R. Number & if Multi-Office Building give Room No.)  
*(Rue et numéro ou numéro de la R.R. et, s'il s'agit d'un édifice à bureaux, numéro du bureau)*

.....  
(Name of Municipality or Post Office)  
*(Nom de la municipalité ou du bureau de poste)*

--	--	--	--	--	--

(Postal Code)  
*(Code postal)*

..... in the ..... (Name of Municipality, Geographic Township)      (County, District, Regional Municipality) <i>(Nom de la municipalité, du canton géographique)</i> <i>(Comté, district, municipalité régionale)</i>							
6. Number (or minimum and maximum number) of directors is:	<i>Nombre (ou nombres minimal et maximal) d'administrateurs :</i>						
7. The director(s) of the corporation are:	<i>Administrateur(s) :</i>						
<table border="1"> <thead> <tr> <th>First name, initials and surname <i>Prénom, initiales et nom de famille</i></th> <th>Residence address, giving street &amp; No. or R.R. No., municipality and postal code <i>Adresse personnelle, y compris la rue et le numéro, le numéro de la R.R. ou le nom de la municipalité et le code postal</i></th> <th>Resident Canadian State Yes or No <i>Résident canadien Oui/Non</i></th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	First name, initials and surname <i>Prénom, initiales et nom de famille</i>	Residence address, giving street & No. or R.R. No., municipality and postal code <i>Adresse personnelle, y compris la rue et le numéro, le numéro de la R.R. ou le nom de la municipalité et le code postal</i>	Resident Canadian State Yes or No <i>Résident canadien Oui/Non</i>				
First name, initials and surname <i>Prénom, initiales et nom de famille</i>	Residence address, giving street & No. or R.R. No., municipality and postal code <i>Adresse personnelle, y compris la rue et le numéro, le numéro de la R.R. ou le nom de la municipalité et le code postal</i>	Resident Canadian State Yes or No <i>Résident canadien Oui/Non</i>					
8. Restrictions, if any, on business the corporation may carry on or on powers the corporation may exercise:	<i>Limites, s'il y a lieu, imposées aux activités commerciales ou aux pouvoirs de la société :</i>						
9. The classes and any maximum number of shares that the corporation is authorized to issue.	<i>Catégories et nombre maximal, s'il y a lieu, d'actions que la société est autorisée à émettre :</i>						
10. Rights, privileges, restrictions and conditions (if any) attaching to each class of shares and directors authority with respect to any class of shares which may be issued in series:	<i>Droits, privilèges, restrictions et conditions, s'il y a lieu, rattachés à chaque catégorie d'actions et pouvoirs des administrateurs relatifs à chaque catégorie d'actions qui peut être émise en série :</i>						
11. The issue, transfer of ownership of shares is/is not restricted and the restrictions (if any) are as follows:	<i>L'émission, le transfert ou la propriété d'actions est/n'est pas restreint. Les restrictions, s'il y a lieu, sont les suivantes :</i>						
12. Other provisions (if any):	<i>Autres dispositions, s'il y a lieu :</i>						
13. The corporation has complied with subsection 180 (3) of the <i>Business Corporations Act</i> .	<i>La société s'est conformée au paragraphe 180 (3) de la Loi sur les sociétés par actions.</i>						
14. The continuation of the corporation under the laws of the Province of Ontario has been properly authorized under the laws of the jurisdiction in which the corporation was incorporated/amalgamated or previously continued on	<i>Le maintien de la société en vertu des lois de la province de l'Ontario a été dûment autorisé en vertu des lois de l'autorité législative sous le régime de laquelle la société a été constituée ou fusionnée ou antérieurement maintenue</i>						
..... (Day, Month, Year)      (jour, mois, année)							



- |     |                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                              |   |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| 7.  | The necessity therefor is as follows:                                                                                                                                                                         | <i>La présente demande se fonde sur les motifs suivants :</i>                                                                                                                                                                                                                                | 2 |
| 8.  | The laws of the jurisdiction to which the corporation will apply for an instrument of continuance provide in effect that                                                                                      | <i>Les lois de l'autorité législative à laquelle la société demandera un certificat de maintien prévoient ce qui suit :</i>                                                                                                                                                                  |   |
|     | (a) The property of the corporation continues to be the property of the body corporate;                                                                                                                       | <i>a) les biens de la société deviennent les biens de la personne morale;</i>                                                                                                                                                                                                                |   |
|     | (b) The body corporate continues to be liable for the obligations of the corporation;                                                                                                                         | <i>b) la personne morale continue d'être tenue des obligations de la société;</i>                                                                                                                                                                                                            |   |
|     | (c) An existing cause of action, claim or liability to prosecution is unaffected;                                                                                                                             | <i>c) le maintien n'a pas de conséquence sur les causes d'action, les créances et les poursuites dont la société est passible;</i>                                                                                                                                                           |   |
|     | (d) A civil, criminal, or administrative action or proceeding pending by or against the corporation may be continued to be prosecuted by or against the body corporate; and                                   | <i>d) les instances civiles, pénales ou administratives auxquelles la société est partie peuvent être continuées par la personne morale ou contre elle;</i>                                                                                                                                  |   |
|     | (e) A conviction against the corporation may be enforced against the body corporate or a ruling, order of judgement in favour of or against the corporation may be enforced by or against the body corporate. | <i>e) les condamnations prononcées à l'encontre de la société sont susceptibles d'exécution à l'encontre de la personne morale et les ordonnances ou les jugements prononcés en faveur de la société ou contre elle sont susceptibles d'exécution par la personne morale ou contre elle.</i> |   |
| 9.  | This application has been authorized by a special resolution.                                                                                                                                                 | <i>La présente demande a été autorisée par résolution spéciale.</i>                                                                                                                                                                                                                          |   |
| 10. | This application is accompanied by the consent of:                                                                                                                                                            | <i>La présente demande est accompagnée du consentement :</i>                                                                                                                                                                                                                                 |   |
|     | (a) The Corporations Tax Branch of the Ministry of Revenue and                                                                                                                                                | <i>a) d'une part, de la Direction de l'imposition des corporations du ministère du Revenu;</i>                                                                                                                                                                                               |   |
|     | (b) The Ontario Securities Commission.                                                                                                                                                                        | <i>b) d'autre part, de la Commission des valeurs mobilières de l'Ontario.</i>                                                                                                                                                                                                                |   |
|     | This application is signed in duplicate.                                                                                                                                                                      | <i>La présente demande est signée en double exemplaire.</i>                                                                                                                                                                                                                                  |   |

.....  
 (Name of Corporation)  
 (Dénomination sociale de la société)

By/Par : .....

(Signature)  
 (Signature)

(Description of Office)  
 (Fonction)

O. Reg. 446/83, Form 7, revised.



- 7. The terms and conditions to which the scheme is made subject by the Order have been complied with. *Les conditions que l'ordonnance impose au projet d'arrangement ont été respectées.* 2

These articles are signed in duplicate.

*Les présents statuts sont signés en double exemplaire.*

.....  
 (Name of Corporation)  
 (Dénomination sociale de la société)

By/Par : .....  
 (Signature) (Description of Office)  
 (Signature) (Fonction)

O. Reg. 446/83, Form 8, revised.

**Form 9**  
**Formule 9**

*Business Corporations Act*  
*Loi sur les sociétés par actions*

For Ministry Use Only  
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1

Ontario Corporation Number Numéro de la société en Ontario
---------------------------------------------------------------

Trans  
 Code

C
---

18

**ARTICLES OF REORGANIZATION**  
**STATUTS DE RÉORGANISATION**

Form 9  
 Business  
 Corporations  
 Act  
*Formule 9*  
*Loi sur les*  
*sociétés par*  
*actions*

1. The name of the corporation is: *Dénomination sociale de la société :*

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

2. The new name of the corporation if changed by the reorganization: *Nouvelle dénomination sociale de la société si elle est modifiée par suite de la réorganisation :*

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

3. Date of incorporation/amalgamation: *Date de la constitution ou de la fusion :*

.....  
 (Day, Month, Year) *(jour, mois, année)*

4. The reorganization was ordered by the court on *La cour a ordonné la réorganisation le*

.....  
 (Day, Month, Year) *(jour, mois, année)*

and a certified copy of the Order of the court is attached to these articles as Exhibit "A". *Une copie certifiée conforme de l'ordonnance de la cour constitue l'annexe "A".*

5. In accordance with the Order for reorganization the articles of the corporation are amended as follows:

*Conformément à l'ordonnance de réorganisation, les statuts de la société sont modifiés de la façon suivante :* 2

6. The terms and conditions to which the reorganization is made subject by the Order have been complied with.

*Les conditions que l'ordonnance impose à la réorganisation ont été respectées.*

These articles are submitted under section 186 of the *Business Corporations Act* and are signed in duplicate.

*Les présents statuts sont déposés en vertu de l'article 186 de la Loi sur les sociétés par actions. Ils sont signés en double exemplaire.*

.....  
(Name of Corporation)  
*(Dénomination sociale de la société)*

By/Par : .....  
(Signature)                                      (Description of Office)  
*(Signature)                                      (Fonction)*

O. Reg. 446/83, Form 9, revised.

**Form 10**  
**Formule 10**

*Business Corporations Act*  
*Loi sur les sociétés par actions*

For Ministry Use Only  
*À l'usage exclusif du ministère*

1

Ontario Corporation Number <i>Numéro de la société en Ontario</i>
----------------------------------------------------------------------

Trans Code	Stat
C	D
18	28

**ARTICLES OF DISSOLUTION**  
**STATUTS DE DISSOLUTION**

Form 10  
Business  
Corporations  
Act  
  
*Formule 10*  
*Loi sur les*  
*sociétés par*  
*actions*

1. The name of the corporation is: *Dénomination sociale de la société :*


2. Date of incorporation/amalgamation: *Date de la constitution ou de la fusion :*

.....  
(Day, Month, Year)                                      *(jour, mois, année)*

3. The dissolution has been duly authorized under clause 237 (a) or (b) (as applicable) of the *Business Corporations Act*. *La dissolution de la société a été dûment approuvée aux termes de l'alinéa 237 a) ou b) (le cas échéant) de la Loi sur les sociétés par actions.*



- |    |                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                  |   |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| 4. | The corporation has,<br>(A) no debts, obligations or liabilities;<br>(B) duly provided for its debts, obligations or liabilities in accordance with subsection 238 (3) of the <i>Business Corporations Act</i> ;<br>(C) obtained consent to its dissolution from its creditors or other persons having interests in its debts, obligations or liabilities.                                                                  | <i>La société, selon le cas :</i><br>(A) <i>n'a ni dettes, ni obligations, ni passif;</i><br>(B) <i>a pourvu à ses dettes, à ses obligations ou à son passif conformément au paragraphe 238 (3) de la Loi sur les sociétés par actions;</i><br>(C) <i>a obtenu de ses créanciers ou des autres intéressés à ses dettes, à ses obligations ou à son passif, le consentement à sa dissolution.</i> | 2 |
| 5. | After satisfying the interests of creditors in all its debts, obligations and liabilities, if any, the corporation has,<br>(A) no property to distribute among its shareholders; or<br>(B) distributed its remaining property rateably among its shareholders according to their rights and interests in the corporation or in accordance with subsection 238 (4) of the <i>Business Corporations Act</i> where applicable. | <i>Après avoir désintéressé tous ses créanciers, s'il y a lieu, la société, selon le cas :</i><br>(A) <i>n'a plus de biens à répartir entre ses actionnaires;</i><br>(B) <i>a réparti les biens qui lui restaient entre ses actionnaires au prorata de leurs droits dans la société ou conformément au paragraphe 238 (4) de la Loi sur les sociétés par actions, s'il y a lieu.</i>             |   |
| 6. | There are no proceedings pending in any court against the corporation.                                                                                                                                                                                                                                                                                                                                                      | <i>Aucune instance n'est en cours contre la société.</i>                                                                                                                                                                                                                                                                                                                                         |   |
| 7. | The corporation has given notice of its intention to dissolve by publication once in the <i>Ontario Gazette</i> and once in<br><br>.....<br>a newspaper having general circulation in the place where the corporation has its principal place of business or its registered office (as applicable).                                                                                                                         | <i>La société a donné avis de son intention de se dissoudre en publiant un avis à cet effet une fois dans la Gazette de l'Ontario et une fois dans</i><br><br><i>un journal généralement lu à l'endroit où est situé l'établissement principal ou le siège social de la société (selon le cas).</i>                                                                                              |   |
| 8. | The corporation has obtained the consent of the Corporations Tax Branch of the Ministry of Revenue to the dissolution and has filed all notices required under the <i>Corporations Information Act</i> .                                                                                                                                                                                                                    | <i>La Direction de l'imposition des corporations du ministère du Revenu a approuvé la dissolution de la société. La société a déposé tous les avis requis par la Loi sur les renseignements exigés des personnes morales.</i>                                                                                                                                                                    |   |
|    | These articles are signed in duplicate.                                                                                                                                                                                                                                                                                                                                                                                     | <i>Les présents statuts sont signés en double exemplaire.</i>                                                                                                                                                                                                                                                                                                                                    |   |

.....  
(Name of Corporation)  
(Dénomination sociale de la société)

By/Par : .....

(Signature)  
(Signature)

(Description of Office)  
(Fonction)

**Form 11**  
**Formule 11**

*Business Corporations Act*  
*Loi sur les sociétés par actions*

For Ministry Use Only  
À l'usage exclusif du ministère

1
Ontario Corporation Number Numéro de la société en Ontario

Trans Code	Stat
C	D
18	28

Form 11  
Business  
Corporations  
Act  
  
Formule 11  
Loi sur les  
sociétés par  
actions

**ARTICLES OF DISSOLUTION**  
**STATUTS DE DISSOLUTION**

- |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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| 1. | The name of the corporation is:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <i>Dénomination sociale de la société :</i>                                                                                                                                                                                               |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 2. | Date of incorporation/amalgamation:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <i>Date de la constitution ou de la fusion :</i>                                                                                                                                                                                          |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|    | <p>.....</p> (Day, Month, Year)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>.....</p> (jour, mois, année)                                                                                                                                                                                                          |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 3. | The corporation has not commenced business.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <i>La société n'a pas encore commencé ses opérations.</i>                                                                                                                                                                                 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 4. | None of the shares of the corporation has been issued.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <i>La société n'a émis aucune action.</i>                                                                                                                                                                                                 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 5. | The dissolution has been duly authorized under clause 237 (c) of the <i>Business Corporations Act</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <i>La dissolution de la société a été dûment approuvée aux termes de l'alinéa 237 c) de la Loi sur les sociétés par actions.</i>                                                                                                          |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 6. | The corporation has no debts, obligations or liabilities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <i>La société n'a ni dettes, ni obligations, ni passif.</i>                                                                                                                                                                               |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 7. | After satisfying the interests of creditors in all its debts, obligations and liabilities, if any, the corporation,<br><br>(a) has no property to distribute; or<br><br>(b) has distributed its remaining property to the persons entitled thereto.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <i>Après avoir désintéressé tous ses créanciers, s'il y a lieu, la société, selon le cas :</i><br><br><i>a) n'a plus de biens à répartir;</i><br><br><i>b) a réparti les biens qui lui restaient entre les personnes qui y ont droit.</i> |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 8. | There are no proceedings pending in any court against the corporation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <i>Aucune instance n'est en cours contre la société.</i>                                                                                                                                                                                  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

<p>9. The corporation has given notice of its intention to dissolve by publication once in the <i>Ontario Gazette</i> and once in</p> <hr/> <p>a newspaper having general circulation in the place where the corporation has its registered office.</p> <p>10. The corporation has obtained the consent of the Corporations Tax Branch of the Ministry of Revenue to the dissolution and has filed all notices required under the <i>Corporations Information Act</i>.</p> <p>These articles are signed in duplicate.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Signatures and names of all of the incorporators or their personal representatives</p> </div>	<p style="text-align: right;">2</p> <p><i>La société a donné avis de son intention de se dissoudre en publiant un avis à cet effet une fois dans la Gazette de l'Ontario et une fois dans</i></p> <hr/> <p><i>un journal généralement lu à l'endroit où est situé le siège social de la société.</i></p> <p><i>La Direction de l'imposition des corporations du ministère du Revenu a approuvé la dissolution de la société. La société a déposé tous les avis requis par la Loi sur les renseignements exigés des personnes morales.</i></p> <p><i>Les présents statuts sont signés en double exemplaire.</i></p> <div style="border: 1px solid black; padding: 5px;"> <p><i>Signature et nom de tous les fondateurs ou de leurs représentants</i></p> </div>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

O. Reg. 446/83, Form 11, revised.

**Form 12**  
**Formule 12**

*Business Corporations Act*  
*Loi sur les sociétés par actions*

For Ministry Use Only  
*À l'usage exclusif du ministère*

1

Ontario Corporation Number  
Numéro de la société en Ontario

<p>Form 12 Business Corporations Act</p> <p><i>Formule 12</i> <i>Loi sur les</i> <i>sociétés par</i> <i>actions</i></p>	<p><b>APPLICATION FOR AN ORDER PERMITTING REMOVAL OF RECORDS FROM REGISTERED OFFICE</b> <b>DEMANDE D'AUTORISATION DE RETIRER DES DOSSIERS DU SIÈGE SOCIAL</b></p>																																																																																				
	<p>1. Name of the applicant corporation: <span style="float: right;"><i>Dénomination sociale de la société :</i></span></p> <table border="1" style="width: 100%; height: 40px;"> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </table>																																																																																				
	<p>2. Date of incorporation/amalgamation: <span style="float: right;"><i>Date de la constitution ou de la fusion :</i></span></p> <hr/> <p style="text-align: center;">(Day, Month, Year) <span style="float: right;"><i>(jour, mois, année)</i></span></p>																																																																																				
	<p>3. The corporation is not in default in filing notices required under the <i>Corporations Information Act</i>. <span style="float: right;"><i>La société a déposé tous les avis requis par la Loi sur les renseignements exigés des personnes morales.</i></span></p>																																																																																				

4. It is requested that an Order under subsection 144 (3) of the *Business Corporations Act* be made permitting the corporation to remove the records mentioned in sections 140 and 141 of the *Business Corporations Act* from its registered office and to keep them at the following address:
- Aux termes du paragraphe 144 (3) de la Loi sur les sociétés par actions, la société demande l'autorisation de retirer de son siège social les dossiers visés aux articles 140 et 141 de cette loi et à les conserver à l'adresse suivante :*
- or at such other address within the same locale as may be determined by the Board of Directors of the corporation, a notice of which shall be filed, within 10 days after it has been passed, with the Director.
- ou à toute autre adresse dans la même localité que peut fixer le conseil d'administration de la société par résolution et dont un avis doit être déposé auprès du directeur dans les dix jours qui suivent son adoption.*
5. The necessity therefor is as follows:
- La présente demande se fonde sur les motifs suivants :*
6. This application has been duly authorized,
- La présente demande a été dûment autorisée d'une des deux façons suivantes :*
- (a) by a resolution approved by a majority of the votes cast at a general meeting of the shareholders of the corporation duly called for that purpose and held on
- a) par une résolution approuvée par une majorité des voix exprimées à une assemblée générale des actionnaires de la société dûment convoquée à cette fin et tenue le*
- .....
- (Day, Month, Year) (jour, mois, année)
- or
- (b) by the consent in writing of all of the shareholders of the corporation entitled to vote at such meeting.
- b) par tous les actionnaires de la société qui ont le droit de voter à une telle assemblée et qui ont donné leur consentement par écrit.*
7. It will be a condition of the Order that,
- L'autorisation sera subordonnée à ce qui suit :*
- (a) if requested by the Director, the corporation will return forthwith to its registered office or some other place in Ontario designated by the Director, such of the records as may have been removed;
- a) à la demande du directeur, la société rapportera sans délai à son siège social, ou à l'endroit en Ontario que désigne le directeur, les dossiers qui ont été retirés;*
- (b) such records will be open for examination, at the registered office of the corporation or some other place in Ontario designated by the Director, by any person who is entitled to examine them and who has applied to the Director for such examination.
- b) quiconque a le droit d'examiner ces dossiers et a présenté une demande à cet effet au directeur peut les consulter au siège social de la société ou à l'endroit en Ontario que désigne le directeur.*

This application is signed in duplicate.

*La présente demande est signée en double exemplaire.*

.....  
 (Name of Corporation)  
 (Dénomination sociale de la société)

By/Par : .....

(Signature)  
 (Signature)

(Description of Office)  
 (Fonction)

**Form 13**  
**Formule 13**

*Business Corporations Act*  
*Loi sur les sociétés par actions*

1

Form 13  
Business  
Corporations  
Act

*Formule 13*  
*Loi sur les*  
*sociétés par*  
*actions*

**BOND OF A GUARANTEE COMPANY**  
**CAUTIONNEMENT SOUSCRIT AUPRÈS D'UNE COMPAGNIE DE CAUTIONNEMENT**

Whereas

*Considérant que*

.....  
(Name of Corporation)  
(Dénomination sociale de la société)

(Hereinafter called the "corporation") has applied to the Director for an Order under subsection 144 (3) of the *Business Corporations Act*:

*(ci-après appelée la «société») a demandé au directeur l'autorisation prévue en vertu du paragraphe 144 (3) de la Loi sur les sociétés par actions :*

Now therefore these presents witness that

*Les présentes constatent que*

.....  
(Name of Surety)  
(Nom de la caution)

is held and firmly bound unto the Treasurer of Ontario for the time being in the penal sum of \$10,000, to be paid to the Treasurer of Ontario for the time being or to any person who may be entitled upon assignment from the Treasurer of Ontario for the time being to recover the sum hereby secured for which payment well and truly to be made.

*s'oblige à verser la somme forfaitaire de 10 000 \$ au trésorier de l'Ontario ou au cessionnaire des droits de ce dernier de réclamer cette somme.*

.....  
(Name of Surety)  
(Nom de la caution)

binds itself, its successors and assigns firmly by these presents.

*s'oblige et oblige par les présentes ses successeurs et ayants droit.*

The condition of this obligation is such that if

*La présente obligation n'entre en vigueur que dans le cas où*

.....  
(Name of Corporation)  
(Dénomination sociale de la société)

doth at all proper times allow the records mentioned in sections 140 and 141 of the *Business Corporations Act*, to be inspected at the registered office of the said corporation by any person entitled thereto as the director may direct from time to time by due notice to the said corporation, after application to him or her by such person for such inspection, and if the auditors of the said corporation are at all times persons who are licensed by the Public Accountants Council for the Province of Ontario or who are members in good standing in an institute or association of accountants incorporated under the authority of the Legislature or any province of Canada, then this obligation is to be void, otherwise to remain in full force and effect.

*ne remplit pas les conditions suivantes :*

*La société permet à quiconque est autorisé, sur demande à cet effet, par le directeur, dans un avis qu'il donne à la société, à examiner, à son siège social les dossiers visés aux articles 140 et 141 de la Loi sur les sociétés par actions, et les vérificateurs de la société sont agréés par le Conseil des comptables publics de la province de l'Ontario ou sont membres en règle d'un ordre ou d'une association de comptables constitués sous le régime des lois de la Législature ou d'une autre province.*

Provided that, if the said surety at any time gives two calendar months' notice in writing to the Treasurer of Ontario of intention to terminate this suretyship, then this obligation shall cease and determine as of the date of such termination except as to any claim hereunder arising prior to such last-mentioned date. Notice of any claim hereunder shall be made upon the surety within one year following the date of termination as herein provided.

*La caution peut, au moyen d'un préavis écrit de deux mois civils au trésorier de l'Ontario, résilier le cautionnement. Le cautionnement prend alors fin à la date de la résiliation, sauf pour ce qui est des réclamations nées avant cette date. Les avis de réclamations doivent être présentés à la caution dans l'année qui suit la date de la résiliation du cautionnement.*

Dated/*Fait le* : .....  
 (day, month, year) (Name of Surety)  
*(jour, mois, année) (Nom de la caution)*

By/*Par* : .....  
 (Signature) (Description of Office)  
*(Signature) (Fonction)*

O. Reg. 446/83, Form 13, *revised*.

**Form 14**  
**Formule 14**

*Business Corporations Act*  
*Loi sur les sociétés par actions*

For Ministry Use Only  
*À l'usage exclusif du ministère*

1  
Ontario Corporation Number  
Numéro de la société en Ontario

	<b>APPLICATION FOR AN ORDER RESCINDING ORDER PERMITTING REMOVAL OF RECORDS FROM REGISTERED OFFICE DEMANDE D'ANNULATION D'UNE AUTORIZATION DE RETIRER LES DOSSIERS DU SIÈGE SOCIAL</b>																																																																																								
Form 14 Business Corporations Act  Formule 14 Loi sur les sociétés par actions	1. The name of the applicant corporation:	<i>Dénomination sociale de la société :</i>																																																																																							
	<table border="1" style="width: 100%; height: 50px;"> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </table>																																																																																								
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..... (Day, Month, Year)		..... <i>(jour, mois, année)</i>																																																																																							
3. The corporation is not in default in filing notices required under the <i>Corporations Information Act</i> .	<i>La société a déposé tous les avis requis aux termes de la Loi sur les renseignements exigés des personnes morales.</i>																																																																																								
4. By an order dated	<i>Suite à une autorisation en date du</i>																																																																																								
..... (Day, Month, Year)		..... <i>(jour, mois, année)</i>																																																																																							
under subsection 144 (3) of the <i>Business Corporations Act</i> it was permitted to keep the records mentioned in subsection 144 (1) of the said Act at:	<i>aux termes du paragraphe 144 (3) de la Loi sur les sociétés par actions, il était permis de conserver les dossiers visés au paragraphe 144 (1) de la Loi à l'endroit suivant :</i>																																																																																								
..... (City/Town)		..... (Province/State and Country)																																																																																							
(Ville)		(Province/État et pays)																																																																																							
5. The corporation has returned to the registered office all records removed from the registered office of the corporation. The records are now located at the registered office of the corporation at:	<i>La société a rapporté à son siège social tous les dossiers qu'elle en avait retirés. Les dossiers sont maintenant conservés au siège social de la société au</i>																																																																																								



3.	Date of incorporation/amalgamation:	<i>Date de la constitution ou de la fusion :</i>	2						
		(Day, Month, Year)	<i>(jour, mois, année)</i>						
.....									
4.	Date of dissolution:	<i>Date de la dissolution :</i>							
		(Day, Month, Year)	<i>(jour, mois, année)</i>						
.....									
5.	The address of the registered office is:	<i>Adresse du siège social :</i>							
		(Street & Number or R.R. Number & if Multi-Office Building give Room No.) <i>(Rue et numéro ou numéro de la R.R. et, s'il s'agit d'un édifice à bureaux, numéro du bureau)</i>							
		(Name of Municipality or Post Office) <i>(Nom de la municipalité ou du bureau de poste)</i>	<table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> </table>						
		(Postal Code) <i>(Code postal)</i>							
.....									
6.	The following terms and conditions have been complied with:	<i>Les conditions suivantes ont été respectées :</i>							
(a)	All notices required to be filed by the corporation under the <i>Corporations Information Act</i> , have been filed and all other defaults of the corporation to the date of dissolution have been remedied.	a) <i>tous les avis exigés par la Loi sur les renseignements exigés des personnes morales ont été déposés et toutes autres omissions de la société à la date de la dissolution ont été corrigées;</i>							
(b)	The consent of the Corporations Tax Branch of the Ministry of Revenue to the requested revival has been obtained and is enclosed.	b) <i>la Direction de l'imposition des corporations du ministère du Revenu a approuvé la reconstitution. Son consentement est annexé;</i>							
(c)	The consent of the Public Trustee to the requested revival has been obtained and is attached.	c) <i>le curateur public a approuvé la reconstitution. Son consentement est annexé;</i>							
(d)	The consent of the Ontario Securities Commission to the requested revival has been obtained and is attached.	d) <i>la Commission des valeurs mobilières de l'Ontario a approuvé la reconstitution. Son consentement est annexé.</i>							
7.	Immediately before dissolution the interest of the applicant in the corporation was:	<i>L'intérêt de l'auteur de la demande dans la société immédiatement avant la dissolution était le suivant :</i>							
8.	The reasons for requesting revival of the corporation are:	<i>La reconstitution se fonde sur les motifs suivants :</i>							
These articles are signed in duplicate.		<i>Les présents statuts sont signés en double exemplaire.</i>							
First name, initials and surname, signature and full residence address of applicant		<i>Prénom, initiales et nom de famille, signature et adresse personnelle au complet de l'auteur de la demande</i>							





6. This notice is filed under subsection 210 (4) of the *Business Corporations Act*. The court has appointed the above named as the liquidator(s) of the corporation.

*Le présent avis est déposé conformément au paragraphe 210 (4) de la Loi sur les sociétés par actions. Le tribunal a nommé les personnes susmentionnées comme liquidateurs de la société.*

2

By/Par : .....  
(Signature of an Officer of the Corporation or the Liquidator)  
(Signature d'un dirigeant de la société ou du liquidateur)

O. Reg. 446/83, Form I6, revised.

**Form 17**

*Business Corporations Act*

CONSENT AND UNDERTAKING BY BODY CORPORATE,  
PARTNERSHIP, TRUST, ASSOCIATION, ETC.

TO: Companies Branch  
Ministry of Consumer and Commercial Relations

1. ....  
(name of consenting body corporate, partnership, trust, association, etc.)  
.....  
(address, giving street, number and municipality including postal code)  
.....

HEREBY CONSENTS TO THE FOLLOWING NAME FOR USE BY A CORPORATION:

.....  
(proposed name of corporation)

\*2. ....  
(name of consenting body corporate, partnership, trust, association, etc.)

FURTHER UNDERTAKES TO DISSOLVE FORTHWITH OR TO CHANGE ITS NAME TO SOME DISSIMILAR NAME BEFORE THE SAID CORPORATION PROPOSING TO USE THE NAME COMMENCES TO USE IT.

DATED: .....  
(day, month, year)

.....  
(name of body corporate, partnership, trust, association, etc.)

BY: .....  
(signature of authorized official)

.....  
(title of the authorized official)

\*strike out if does not apply

O. Reg. 446/83, Form 17.

**Formule 17**

*Loi sur les sociétés par actions*

CONSENTEMENT OU ENGAGEMENT D'UNE PERSONNE MORALE, D'UNE SOCIÉTÉ EN NOM COLLECTIF, D'UNE FIDUCIE, D'UNE ASSOCIATION, ETC.

À L'INTENTION DE : Direction des compagnies  
Ministère de la Consommation et du Commerce

1. ....  
(nom de la personne morale, de la société en nom collectif, de la fiducie, de l'association, etc. acceptante)  
.....  
(adresse—indiquer la rue, le numéro et la municipalité, y compris le code postal)  
.....

CONSENT À CE QUE LA DÉNOMINATION SOCIALE SUIVANTE SOIT UTILISÉE PAR UNE SOCIÉTÉ PAR ACTIONS :

.....  
(dénomination sociale proposée de la société par actions)

\*2. ....  
(nom de la personne morale, de la société en nom collectif, de la fiducie, de l'association, etc. acceptante)

S'ENGAGE DE PLUS À ANNULER SANS DÉLAI SON NOM OU À LE MODIFIER POUR EN ADOPTER UN DIFFÉRENT AVANT SON UTILISATION PAR LA SOCIÉTÉ PAR ACTIONS.

FAIT le .....  
(jour, mois, année)

.....  
(nom de la personne morale, de la société en nom collectif, de la fiducie, de l'association, etc.)

PAR : .....  
(signature du dirigeant autorisé)

.....  
(fonction)

\*Biffer si le point 2 n'est pas nécessaire.

O. Reg. 446/83, Form 17a, revised.

**Form 18**  
**Formule 18**

*Business Corporations Act*  
*Loi sur les sociétés par actions*

STATUTORY DECLARATION  
DÉCLARATION EXIGÉE PAR LA LOI

IN THE MATTER OF SECTION 52 OF THE  
*BUSINESS CORPORATIONS ACT*  
RELATIVEMENT À L'ARTICLE 52 DE LA  
*LOI SUR LES SOCIÉTÉS PAR ACTIONS*

AND IN THE MATTER OF  
ET CONCERNANT

.....  
(name of corporation)  
(dénomination sociale de la société)

CANADA  
PROVINCE OF ONTARIO  
PROVINCE DE L'ONTARIO  
COUNTY, DISTRICT, OR REGIONAL MUNICIPALITY OF/  
COMTÉ, DISTRICT OU MUNICIPALITÉ RÉGIONALE DE :

.....  
I,/Je soussigné(e),

.....  
(Name in full/Nom et prénom(s))

.....  
(Full residence address/Adresse du domicile au complet)

.....  
(Where this declaration is made on behalf of a body corporate set out the name of the body corporate, position as officer or director and the address for service of the body corporate)

(Si la présente déclaration est faite pour le compte d'une personne morale, indiquer sa dénomination sociale, la fonction de dirigeant ou d'administrateur du déposant et l'adresse de la personne morale aux fins de signification.)

SOLEMNLY DECLARE THAT:  
DÉCLARE SOLENNELLEMENT QUE :

1. I require, within 10 days after delivery of this statutory declaration, a list setting out,
- (a) the names and addresses of the registered holders of the outstanding debt obligations of the above named corporation;
  - (b) the principal amount of outstanding debt obligations owned by each such holder; and
  - (c) the aggregate principal amount of debt obligations outstanding,

as shown on the records maintained by the trustee on the day of delivery of this statutory declaration;

Je demande que me soit fournie, dans les 10 jours de la remise de la présente déclaration, une liste indiquant :

- a) les nom et adresse des détenteurs inscrits des titres de créance en circulation émis par la société mentionnée ci-dessus;
- b) le montant en principal des titres de créance en circulation de chaque détenteur;
- c) le montant total en principal des titres de créance en circulation,

tels qu'ils figurent aux dossiers du fiduciaire à la date à laquelle la déclaration lui est remise.

2. No person will use the list referred to in paragraph 1 except in connection with,
- (a) an effort to influence the voting of the holders of debt obligations;
  - (b) an offer to acquire debt obligations; or
  - (c) any other matter relating to the debt obligations or affairs of the issuer or guarantor thereof.

Il ne sera fait usage de la liste obtenue en vertu de la disposition 1 que dans les cas suivants :

- a) pour tenter d'influencer le vote de détenteurs de titres de créance;
- b) dans le cadre d'une offre d'acquisition de titres de créance;
- c) relativement à toute autre question se rapportant aux titres de créance ou aux affaires internes de l'émetteur ou de la caution.

AND I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

ET je fais cette déclaration solennelle, la croyant consciencieusement vraie et sachant qu'elle a la même force et le même effet que si elle était faite sous serment.

Declared before me  
Déclaré devant moi

at/à .....  
this/le ..... day of/jour de ....., 19.....

.....  
(Signature of deponent)  
(Signature du déposant)

.....  
(A Commissioner/Commissaire, etc.)

**Form 19**  
**Formule 19**

*Business Corporations Act*  
*Loi sur les sociétés par actions*

STATUTORY DECLARATION  
DÉCLARATION EXIGÉE PAR LA LOI

IN THE MATTER OF SECTION 146 OF THE  
*BUSINESS CORPORATIONS ACT*  
RELATIVEMENT À L'ARTICLE 146 DE LA  
*LOI SUR LES SOCIÉTÉS PAR ACTIONS*

AND IN THE MATTER OF  
ET CONCERNANT

.....  
(name of corporation)  
(dénomination sociale de la société)

CANADA  
PROVINCE OF ONTARIO  
PROVINCE DE L'ONTARIO  
COUNTY, DISTRICT OR REGIONAL MUNICIPALITY OF/  
COMTÉ, DISTRICT OU MUNICIPALITÉ RÉGIONALE DE :

.....  
I./Je soussigné(e),

.....  
(Name in full/Nom et prénom(s))

.....  
(Full residence address/Adresse du domicile au complet)  
.....  
.....

(Where this declaration is made on behalf of a body corporate, set out the name of the body corporate, position and address for service of the body corporate)

(Si la présente déclaration est faite pour le compte d'une personne morale, indiquer sa dénomination sociale, la fonction du déposant et l'adresse de la personne morale aux fins de signification.)

SOLEMNLY DECLARE THAT:  
DÉCLARE SOLENNELLEMENT QUE :

1. I am a shareholder, creditor, agent or legal representative of the shareholder or creditor, other person referred to in subsection 146 (1) of the *Business Corporations Act*. (delete the inapplicable).

Je suis actionnaire, créancier, mandataire ou représentant de l'actionnaire ou du créancier, ou toute autre personne visée au paragraphe 146 (1) de la *Loi sur les sociétés par actions*. (Rayez les mentions inutiles.)

2. I require, within 10 days following the receipt by the corporation or its transfer agent of this statutory declaration, a basic list setting out,
- (a) the names of the shareholder of the corporation;
  - (b) the number of shares of each class and series owned by each shareholder; and
  - (c) the address of each shareholder,

all as shown on the records of the corporation and made up to a date not more than 10 days before the date on which the list is actually furnished;

J'exige que me soit remise, dans les 10 jours de la réception par la société ou son agent des transferts de la présente déclaration, une liste principale dont la mise à jour ne peut remonter à plus de 10 jours de sa remise, énonçant:

- a) le nom des actionnaires de la société;
- b) le nombre d'actions de chaque catégorie et série dont chaque actionnaire est propriétaire;

c) l'adresse de chaque actionnaire,

tels qu'ils figurent aux dossiers de la société.

3. I require supplemental lists setting out any changes from the basic list referred to in Paragraph 1 in the names or addresses of the shareholders and the number of shares owned by each shareholder for each business day following the date to which the basic list is made up. (delete if not applicable).

J'exige que me soient remises des listes supplétives énonçant les modifications portant sur le nom ou l'adresse des actionnaires et le nombre d'actions dont chaque actionnaire est propriétaire qui sont apportées à la liste principale visée à la disposition 1 chaque jour ouvrable qui suit la date de la mise à jour de la liste principale. (Biffer s'il n'y a pas d'application.)

4. I require that the name and address of any known holder of an option or right to acquire shares of the corporation be included in the basic list/supplemental list referred to above. (delete if not applicable).

J'exige que soient insérés à la liste principale/liste supplétive visée ci-dessus, le nom et l'adresse des détenteurs connus d'une option ou d'un droit d'acquérir des actions de la société. (Biffer s'il n'y a pas d'application.)

5. No person will use the list basic list or any supplemental lists except in connection with,

- (a) an effort to influence the voting by shareholders of the corporation;
- (b) an offer to acquire shares of the corporation; or
- (c) any other matter relating to the affairs of the corporation.

Il ne sera fait usage de la liste principale ou de la liste supplétive que dans les cas suivants:

- a) pour tenter d'influencer le vote des actionnaires de la société;
- b) dans le cadre d'une offre d'acquisition d'actions de la société;
- c) relativement à toute autre question se rapportant aux affaires internes de celle-ci.

AND I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

ET je fais cette déclaration solennelle, la croyant consciencieusement vraie et sachant qu'elle a la même force et le même effet que si elle était faite sous serment.

Declared before me  
Déclaré devant moi

at/à .....

this/le ..... day of/jour de ....., 19.....

.....  
(Signature of deponent)  
(Signature du déposant)

.....  
(A Commissioner/Commissaire, etc.)

Form 20
Formule 20

Business Corporations Act
Loi sur les sociétés par actions

For Ministry Use Only
À l'usage exclusif du ministère

Ontario Corporation Number
Numéro de la société en Ontario

APPLICATION FOR AUDIT EXEMPTION
DEMANDE DE DISPENSE DE NOMMER UN VÉRIFICATEUR

Form 20
Business
Corporations
Act
Formule 20
Loi sur les
sociétés par
actions

1. The name of the applicant corporation: Dénomination sociale de la société : [Grid]
2. Ontario Corporation Number: Numéro de la société en Ontario :
3. Date of incorporation/amalgamation: Date de la constitution ou de la fusion : (Day, Month, Year) (jour, mois, année)
4. The corporation is not an offering corporation... La société n'est pas une société faisant appel au public...
5. The business of the applicant is briefly described as follows: Description sommaire des activités commerciales de l'auteur de la demande :
6. The applicant carries on its business in the following place(s): L'auteur de la demande exerce ses activités commerciales à(aux) l'endroit(s) suivant(s) :
7. All of the shareholders of the corporation consented in writing to this application on (Day, Month, Year) (jour, mois, année)
8. The business of the applicant is/is not (delete the inapplicable) economically significant in Canada... Les activités commerciales de l'auteur de la demande sont/ne sont pas...
9. The following bodies corporate are affiliated with the corporation as of the date of this application: Les personnes morales suivantes sont membres du même groupe que la société au jour de la présente demande :

a) Name and Registered Office Address of affiliate	b) Current Jurisdiction of Incorporation/Amalgamation/ Continuation	c) State whether affiliate is an offering corporation
<i>Dénomination sociale et adresse du siège social de la personne morale membre du même groupe</i>	<i>Autorité législative compétente lors de la constitution, de la fusion ou du maintien</i>	2 *Delete if inapplicable <i>La personne morale membre du même groupe est-elle une société faisant appel au public</i> *Rayez les mentions inutiles.
		*Not offering <i>*Ne fait pas appel au public</i> *Offering <i>*Fait appel au public</i>
		*Not offering <i>*Ne fait pas appel au public</i> *Offering <i>*Fait appel au public</i>
		*Not offering <i>*Ne fait pas appel au public</i> *Offering <i>*Fait appel au public</i>
10. The applicant is a subsidiary of (if not applicable state so)	<i>L'auteur de la demande est une filiale de (veuillez l'indiquer si tel n'est pas le cas)</i>	
	..... (name of parent) <i>(Nom de la personne morale mère)</i>	
which is the subject to the laws of	<i>laquelle est assujettie aux lois de</i>	
	..... (current jurisdiction of incorporation/amalgamation/continuation) <i>(Autorité législative compétente lors de la constitution, de la fusion ou du maintien)</i>	
and was incorporated/amalgamated on:	<i>et a été constituée ou fusionnée le :</i>	
	..... (Day, Month, Year) <i>(jour, mois, année)</i>	
11. This application for exemption from the audit requirements of Part XII of the Act is justified and will not prejudice the public interest on the following grounds:	<i>La présente demande de dispense de l'obligation de vérification imposée par la partie XII de la Loi est justifiée et le public n'en subira aucun préjudice pour les motifs suivants :</i>	
12. The franchises and licences granted to the applicant in connection with its business by the Government of Canada or a Province, or a Territory of Canada are: (If none state so)	<i>Les concessions et permis suivants relatifs à ses activités commerciales ont été accordés à l'auteur de la demande par le Gouvernement du Canada, d'une province ou d'un territoire au Canada : (Si tel n'est pas le cas, veuillez l'indiquer.)</i>	
Description of Franchise/Licence <i>Description de la concession/du permis</i>	Date Granted <i>Accordé(e) le</i>	Name of Grantor <i>Nom du concédant</i>
13. The following are grants or loans made to the applicant by the Government of Canada, a Province or Territory in Canada or by a Municipality, Board, Commission or Agency in Ontario:	<i>Les subventions ou prêts suivants ont été accordés à l'auteur de la demande par le Gouvernement du Canada, d'une province ou d'un territoire au Canada ou par une municipalité, un conseil, une commission ou un organisme de l'Ontario :</i>	



a) Name of lender or grantor <i>Nom du prêteur ou du concédant</i>	b) Address of lender or grantor <i>Adresse du prêteur ou du concédant</i>	c) Date of loan or grant <i>Date du prêt ou de la subvention</i>	d) Whether loan or grant <i>S'agit-il d'un prêt ou d'une subvention</i>	e) Amount of loan or grant <i>Montant du prêt ou de la subvention</i>

14. The following schedules are submitted in support of the application:

SCHEDULE "A": Internal corporate information.

SCHEDULE "B": A certified copy of the consent of the shareholders to this application.

SCHEDULE "C": The Financial Statements of the applicant and related auditor's reports.

SCHEDULE "D": Interim Financial Statement of the applicant for a period ending within 90 days preceding the date of this application. (Delete if not applicable).

*Les annexes suivantes sont déposées à l'appui de la demande :*

*ANNEXE "A": Renseignements sur le fonctionnement interne de la société.*

*ANNEXE "B": Copie certifiée conforme du consentement des actionnaires à la présente demande.*

*ANNEXE "C": États financiers de l'auteur de la demande et rapports du vérificateur qui s'y rattachent.*

*ANNEXE "D": État financier périodique de l'auteur de la demande pour la période se terminant dans les 90 jours qui précèdent la date de la présente demande. (Rayer si tel n'est pas le cas.)*

15. The corporation requests that it be exempted from the requirements of Part XII of the Act with respect to the appointment and duties of an auditor for the following financial year commencing:

*La société demande d'être dispensée de l'application de la partie XII de la Loi relativement à la nomination et aux obligations d'un vérificateur pour l'exercice suivant, commençant le :*

..... and ending .....  
 (Date) et se terminant le (Date)  
 (Date) (Date)

Dated/Fait le : .....  
 (Day, Month, Year)  
 (jour, mois, année)

.....  
 (Name of Corporation)  
 (Dénomination sociale de la société)

By/Par : .....  
 (Signature of Signing Officer/Director)  
 (Signature du dirigeant/de l'administrateur fondé de signature)

.....  
 (Description of Office)  
 (Fonction)

#### SCHEDULE "A"

#### ANNEXE "A"

#### INTERNAL CORPORATE INFORMATION RENSEIGNEMENTS SUR LE FONCTIONNEMENT INTERNE DE LA SOCIÉTÉ

1. The following are the shareholders of the corporation as of the date of this application

*Les personnes suivantes constituent les actionnaires de la société au jour de la présente demande :*

<p>a) Name and address of shareholder <i>Nom et adresse de l'actionnaire</i></p> <p>First name, initials and surname and full residence address <i>Prénom, initiales, nom et adresse personnelle au complet</i></p>	<p>b) Number of shares of each class and series owned <i>Nombre d'actions de chaque catégorie et série dont il est le propriétaire</i></p>	<p>c) Date first became a shareholder <i>Date à laquelle il est devenu actionnaire pour la première fois</i></p>
<p>2. The name of each affiliate and the relationship of the applicant to each affiliate named in the application and the nature of the business, the total assets and the amount of the sales or gross operating revenues as shown on the financial statement for the last completed financial year of each affiliate are as follows:</p> <p><i>Les dénominations sociales de chacune des personnes morales membres du même groupe, les liens de l'auteur de la demande avec chacune des personnes morales membres du même groupe mentionnées à la demande et le genre d'activités commerciales, l'actif total et le montant du chiffre d'affaires ou des revenus d'exploitation bruts tels qu'ils figurent à l'état financier pour le dernier exercice complet de chacune des personnes morales membres du même groupe sont les suivants :</i></p>		
<p>a) Name of affiliate and relationship of applicant to affiliate <i>Dénomination sociale de la personne morale membre du même groupe et lien de l'auteur de la demande</i></p>	<p>b) Nature of business of affiliate <i>Genre d'activités commerciales de la personne morale membre du même groupe</i></p>	<p>c) Total assets and amount of sale or gross operating revenues <i>L'actif total et montant du chiffre d'affaires ou des revenus d'exploitation bruts</i></p>
<p>3. The names and addresses of lenders and trade creditors or suppliers to whom the applicant is indebted in amounts in excess of \$50,000 are:</p> <p><i>L'auteur de la demande est endetté pour une somme supérieure à 50 000 \$ envers chacun des prêteurs, créanciers commerciaux ou fournisseurs suivants :</i></p>		
<p>a) Name of lender/trade creditor or supplier <i>Nom du prêteur/créancier commercial ou fournisseur</i></p>	<p>b) Address <i>Adresse</i></p>	<p>c) Amount of indebtedness <i>Montant de la dette</i></p>
<p>4. As of the date of this application, the number of employees of the applicant is</p> <p><i>Au jour de la présente demande, le nombre d'employés de l'auteur de la demande est de</i></p>		
<p>5. The names and addresses of trade or craft unions that have collective agreements with the applicant are: (If none state so)</p> <p><i>Les nom et adresse des syndicats ouvriers ou des corps de métier qui ont conclu une convention collective avec l'auteur de la demande sont les suivants : (Si tel n'est pas le cas veuillez l'indiquer.)</i></p>		
<p>a) Name of trade/craft union <i>Nom du syndicat/du corps de métier</i></p>	<p>b) Address of trade/craft union <i>Adresse du syndicat/du corps de métier</i></p>	

## Cemeteries Act *Loi sur les cimetières*

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### REGULATION 63

#### CLOSINGS

1. The cemeteries or parts of cemeteries described in the Schedules to Regulation 89 of Revised Regulations of Ontario, 1980, as that regulation read on the 31st day of December, 1990, are declared closed. R.R.O. 1980, Reg. 89, s. 1, *revised*.

### REGULATION 64

#### GENERAL

1. In this Regulation,

“cemetery services” includes, in respect of,

- (a) a cemetery, the opening and closing of graves, disinterments or removal of remains, provision of temporary storage in vaults or mortuaries, construction of foundations for monuments, grave markers or memorial plaques, setting corner posts, provision of a tent or canopy, carrying and lowering devices, ground cover for committal services, preparation of flower beds and planting of flowers and shrubs and any other services normally provided by the owner and where a lot was sold before a perpetual care contract was in force, cutting grass and the general care of the lot,
- (b) a mausoleum, the opening, closing and sealing of crypts and compartments, provision of temporary storage in vaults or crypts, provision of tent or canopy for committal services, provision of elevating devices and any other services normally provided by the owner, and
- (c) a columbarium, the opening, closing and sealing of crypts or compartments, provision of a tent or canopy for committal services, and any other services normally provided by the owner;

“cemetery supplies” includes concrete and metal burial vaults, monuments, grave markers or memorial plaques of stone or metal, corner posts, flowers, shrubs, artificial wreaths and any other articles normally supplied for use in a cemetery, mausoleum or columbarium;

“lot” includes plot, grave, burial site, mausoleum crypt or compartment, and columbarium niche or compartment. R.R.O. 1980, Reg. 90, s. 1.

2.—(1) An application for approval of a cemetery shall be accompanied by a general plan of the cemetery drawn to scale and showing the location and dimensions of every lot, walk, fence, road, water-course and building in the cemetery and adjoining roads, compass bearings and lot numbers.

(2) An application for approval of a mausoleum or columbarium shall be accompanied by,

- (a) a general plan of the buildings together with copies of all working drawings and architectural specifications; and
- (b) a metes and bounds description and survey of the property showing the location of the building.

(3) An application for approval of a crematorium shall be accompanied by,

- (a) a general plan of the building together with copies of all working drawings and architectural specifications;
- (b) a metes and bounds description and survey of the property showing the location of the building; and
- (c) copies of the plans and specifications of all mechanical equipment, including the combustion chamber, flues, fans and retorts. R.R.O. 1980, Reg. 90, s. 2.

3. Every plan of,

- (a) a cemetery that contains three or more acres of land or of an extension to an existing cemetery that contains three or more acres of land; and
- (b) a cemetery operated for gain or profit or an extension thereof,

shall be prepared by and the land shall be surveyed and subdivided by an Ontario Land Surveyor or a Professional Engineer. R.R.O. 1980, Reg. 90, s. 3.

4. Every plan of a cemetery, mausoleum or columbarium approved by the Ministry shall be deposited under Part II of the *Registry Act* by the owner in the Land Registry Office for the registry division in which the cemetery is situated and in the case of a cemetery, mausoleum or columbarium comprising land under the *Land Titles Act*, the plan shall be filed in the appropriate Land Registry Office. R.R.O. 1980, Reg. 90, s. 4.

5. No alteration of the location, lay-out or dimensions of any lot shall be made until a detailed plan of the proposed alteration has been approved by the Ministry and deposited or filed in accordance with section 6. R.R.O. 1980, Reg. 90, s. 5.

6. If a plan referred to in section 2 or 5 is approved by the Ministry, the approval shall be endorsed upon the plan. R.R.O. 1980, Reg. 90, s. 6.

7. Public walks in every cemetery shall be arranged to give access to every lot and roads shall be provided to give access to all parts of the cemetery. R.R.O. 1980, Reg. 90, s. 7.

8. Every owner shall keep available for public inspection during reasonable hours a copy of every plan of the cemetery that has been approved by the Ministry. R.R.O. 1980, Reg. 90, s. 8.

9.—(1) In this section, and section 11, “trustee” means the Public Trustee or a trust corporation registered under the *Loan and Trust Corporations Act*.

(2) Every owner who sells a lot shall at the time of the sale deliver to the purchaser a deed or certificate showing,

- (a) the name of the purchaser;
- (b) the location and area of dimensions of the lot purchased;
- (c) the date of the purchase;
- (d) the amount of the sale price;

- (e) the proportion of the sale price set aside for perpetual care; and
- (f) the name and address of the trustee holding the perpetual care funds. R.R.O. 1980, Reg. 90, s. 9.
- 10.** If a lot is sold on a pre-need or time-payment plan and the purchaser has not personally inspected the lot before signing the agreement to purchase, the agreement shall,
- (a) contain a provision that an alternative lot of equal value may be chosen by the purchaser anywhere in the cemetery, mausoleum or columbarium within sixty days after the date of signing on written notice to the owner that the purchaser is dissatisfied;
- (b) specify the number or designation of the lot by reference to the plan approved by the Ministry; and
- (c) specify the amount of the purchase price allocated to the perpetual care fund. R.R.O. 1980, Reg. 90, s. 10.
- 11.** If a lot is purchased on a time-payment plan, the proportion of each payment that is payable to the perpetual care fund shall be deposited with the trustee within one month after the date of the payment. R.R.O. 1980, Reg. 90, s. 11.
- 12.** If photographs, plans, maps or specifications are used in selling lots, the name and location of the cemetery, mausoleum or columbarium referred to therein shall be clearly indicated. R.R.O. 1980, Reg. 90, s. 12.
- 13.** No lot shall be sold or offered for sale in any part of a cemetery, mausoleum or columbarium until that part has been developed and made ready for interment purposes and the final plans for that part of the cemetery, mausoleum or columbarium have been approved by the Ministry. R.R.O. 1980, Reg. 90, s. 13.
- 14.—(1)** Every owner shall file with the Ministry a list of prices or rates charged for lots and cemetery services.
- (2) Every owner of a crematorium shall file with the Ministry a list of prices or rates charged for cremation and any other services normally provided by the owner. R.R.O. 1980, Reg. 90, s. 14.
- 15.—(1)** No new prices or rates or alteration in existing prices or rates shall be put into effect unless at least thirty days before putting the price, rate or alteration thereof into effect, the owner of the cemetery, mausoleum, columbarium or crematorium gives notice thereof to the Ministry by prepaid registered mail or by delivering the notice or causing it to be delivered to the Ministry.
- (2) If the Minister disallows any price or rate or alteration thereof, such new price or rate or alteration shall not be put into effect. R.R.O. 1980, Reg. 90, s. 15.
- 16.** An owner shall not refuse to install or refuse to permit the installation of any cemetery supplies if the material and erection comply with the regulations of the cemetery, mausoleum or columbarium. R.R.O. 1980, Reg. 90, s. 16.
- 17.** An owner shall not require any lot owner to provide any marker, corner post, monument, coping, gravestone or fence other than those specified in the regulations of the cemetery, mausoleum or columbarium. R.R.O. 1980, Reg. 90, s. 17.
- 18.** If The Last Post Fund arranges and pays for a burial, The Last Post Fund may provide and erect a monument, gravestone or other memorial, and in that case no other monument, gravestone or other memorial shall be placed upon the grave unless the owner obtains the consent in writing of The Last Post Fund. R.R.O. 1980, Reg. 90, s. 18.
- 19.** Every owner shall keep a register for public inspection in which shall be entered,
- (a) the name and address of every owner of a lot; and
- (b) every transfer of the ownership of a lot. R.R.O. 1980, Reg. 90, s. 19.
- 20.** Every owner shall keep a separate register for public inspection in which shall be entered,
- (a) the name of every deceased person whose body is interred in the cemetery, mausoleum or columbarium;
- (b) the location of every dead body interred in the cemetery, mausoleum or columbarium;
- (c) the date of the burial of every body; and
- (d) the particulars of every disinterment or removal of a body. R.R.O. 1980, Reg. 90, s. 20.
- 21.—(1)** Every transfer of the ownership of a lot after the original sale shall be made by the registered owner or his or her legal representative giving to the owner of the cemetery, mausoleum or columbarium a written notice containing a description of the lot, the date of the sale and the name and address of the transferee.
- (2) Upon receipt of the notice and payment of a fee not exceeding \$2, the owner shall forthwith enter in the register kept in accordance with section 19, the date of the transfer and the name and address of the transferee. R.R.O. 1980, Reg. 90, s. 21.
- 22.** No change in the ownership of a cemetery, mausoleum or columbarium shall become effective until written notice thereof has been given to the Ministry and the change has been approved by the Ministry. R.R.O. 1980, Reg. 90, s. 22.
- 23.** Every owner shall at the request of the Ministry furnish such information as the Minister requires in respect of the cemetery, columbarium or mausoleum and the care and management thereof. R.R.O. 1980, Reg. 90, s. 23.
- 24.** No body of a deceased person who had attained the age of sixteen years shall be buried in a grave that is less than eight feet in length and three feet in width, exclusive of space for monuments. R.R.O. 1980, Reg. 90, s. 24.
- 25.** Every burial or entombment shall be made in a lot that is shown on a plan approved by the Minister. R.R.O. 1980, Reg. 90, s. 25.
- 26.** No interment shall be made without the written consent of the owner of the lot or of a person who satisfies the owner of the cemetery, mausoleum or columbarium that he or she represents the owner of the lot. R.R.O. 1980, Reg. 90, s. 26.
- 27.** No dead body shall be disinterred or removed from a lot without the written consent of the local medical officer of health and the owner of the lot, but the consent of the owner of the lot is not required,
- (a) if the owner of the lot cannot conveniently be reached or the place of the lot owner's residence is unknown to the owner of the cemetery, and the written consent of the Minister has been obtained; or
- (b) if the cemetery has been closed by proclamation of the Lieutenant Governor in Council. R.R.O. 1980, Reg. 90, s. 27.
- 28.** A certificate of a coroner under section 80 of the Act shall be in Form 1. R.R.O. 1980, Reg. 90, s. 28.
- 29.** All cemeteries are exempt from the application of clause 13 (1) (a) of the Act. R.R.O. 1980, Reg. 90, s. 29.
- 30.** For the purpose of section 14 of the Act,

- (a) sections 10, 12, 22, 23, 25, 26, 38, 39, 40, 44, 49, 54, 55, 57, 58, 59, 60, 61, 62, 65, 68, 69, 70 and 75 of the Act apply with necessary modifications to mausolea;
- (b) sections 10, 12, 13, 15, 16, 17, 19, 22, 23, 25, 26, 38, 39, 40, 42, 44, 49, 54, 55, 58, 59, 62, 65, 68, 69, 70 and 75 of the Act apply with necessary modifications to columbaria; and
- (c) sections 15, 16, 17, 19, 38, 44, 45, 46, 49, 65, 68, 69 and 70 of the Act apply with necessary modifications to crematoria. R.R.O. 1980, Reg. 90, s. 30.

31. Every owner shall file with the Minister a list of all by-laws, rules and regulations made by the owner and any amendments thereof, and no by-law, rule or regulation shall have any force or effect unless approved by the Minister. R.R.O. 1980, Reg. 90, s. 31.

32. The Minister may revoke any approval given by him or her under section 31. R.R.O. 1980, Reg. 90, s. 32.

**Form 1**

*Cemeteries Act*

Certificate of a Coroner under section 80 of the Act

I, .....  
(name of coroner)

a coroner of .....  
(name of municipality)

certify that the cause of death of .....  
(name of deceased)

of ..... whose  
(residence) (occupation)

death took place at ..... on the ..... day

of ..... , 19...., has been definitely ascertained and that there exists no reason for further inquiry or examination.

Dated this ..... day of ....., 19....  
.....  
(signature of coroner)

NOTES:

- 1. This certificate is not a burial permit under the *Vital Statistics Act*. A burial permit under that Act is also required.
- 2. This certificate is made by a coroner of the municipality in which the death took place but, where the death took place outside Ontario, the certificate may be issued by a coroner of the municipality in which the body is to be cremated or incinerated. R.R.O. 1980, Reg. 90, Form 1.

**REGULATION 65**

**TRUST FUNDS**

1. In this Regulation,

“lot” includes plot, grave, burial site, mausoleum crypt or compartment and columbarium compartment or niche;

“special investments” means investments that are not trustee investments and in which an owner has invested perpetual care funds under authority of a special Act;

“trustee” means the Public Trustee or a trust corporation registered under the *Loan and Trust Corporations Act*;

“trustee investments” means the investments prescribed for investment of trust funds under the *Trustee Act*. R.R.O. 1980, Reg. 91, s. 1.

2.—(1) For the purposes of subsection 8 (1) of the Act, the amount that an owner shall set aside as a deposit to ensure the maintenance of,

- (a) a cemetery to be operated for gain or profit shall be \$30,000 or \$10,000 for each acre in the cemetery,

- (i) that is to be developed immediately for burial purposes, or

- (ii) in which lots or graves may be sold or offered for sale,

whichever amount is the greater;

- (b) a mausoleum to be operated for gain or profit shall be \$100 for each lot in the mausoleum; or

- (c) a columbarium to be operated for gain or profit shall be \$25 for each lot in the columbarium.

(2) The deposit referred to in subsection (1) shall be deposited by the owner with a trustee who shall place the deposit in a special account.

(3) The deposit referred to in subsection (1) may be reduced in units of,

- (a) \$5,000 in the case of a cemetery; or

- (b) \$1,000 in the case of a mausoleum or columbarium,

as the perpetual care fund is built up in equivalent amounts.

(4) All or any part of the deposit in respect of the enlargement of an existing cemetery or the establishment or enlargement of a mausoleum or columbarium within an existing cemetery may, subject to the approval of the Ministry, be waived where the owner is not in contravention of the Act or the regulations and satisfies the Ministry that the annual income from the perpetual care fund of the cemetery is sufficient to pay the cost of the annual maintenance of the cemetery, mausoleum or columbarium as prescribed in subsection 24 (4) of the Act and section 15 of this Regulation. R.R.O. 1980, Reg. 91, s. 2.

3.—(1) The trustee shall return the deposit referred to in subsection 2 (1) or any portion thereof to the owner when so directed by the Minister.

(2) The Minister shall issue the direction mentioned in subsection (1) where the trustee submits,

- (a) a certificate signed by the owner or, where the owner is a corporation, by two officers of the corporation, certifying that the balance of the deposit after the return of the sum to the owner together with the amount in the perpetual care fund will be equal to or greater than the deposit referred to in section 2; and

- (b) a certificate of the trustee verifying the amount of the deposit mentioned in clause (a).

(3) The trustee shall issue a certificate certifying the amount of the deposit of the owner at the request of the owner or the Ministry. R.R.O. 1980, Reg. 91, s. 3.

4.—(1) In this section and in section 5,

“contract” means a contract whereby an owner sells cemetery supplies or cemetery services to be furnished or supplied upon the death of a person who is alive at the time the sale is made;

“fund” means preneed assurance fund.

(2) For the purposes of subsection 38 (2) of the Act, the owner shall pay into the fund not less than 65 per cent of the consideration for each sale within one month from the day on which the funds come into the owner's possession. R.R.O. 1980, Reg. 91, s. 4.

5.—(1) The owner shall provide the Minister with a statement of account of the fund in duplicate certified by the owner or, where the owner is a corporation, by two officers of the corporation, quarterly within thirty days of the last days of the months on which the quarters of the owner's fiscal year end in each year, and the statement shall contain figures showing,

- (a) the total value of all contracts entered into,
  - (i) before the 1st day of January, 1966, and
  - (ii) after that date;
- (b) the total value of new contracts entered into during the three-month period;
- (c) the total value of the cemetery supplies and cemetery services furnished or supplied under contracts during the three-month period, showing the payments received,
  - (i) before the 1st day of January, 1966, and
  - (ii) after that date;
- (d) the total amount of money on deposit in the fund at the end of the three-month period, and the name and address of the trustee;
- (e) the total amount of money received under contracts during the three-month period, showing the payments received in respect of contracts entered into,
  - (i) before the 1st day of January, 1966, and
  - (ii) after that date;
- (f) the amount of money to be paid to the owner in accordance with subsection 6 (1); and
- (g) the total amount of money on deposit with the trustee at the end of the three-month period.

(2) A statement referred to in subsection (1) shall be in Form 1. R.R.O. 1980, Reg. 91, s. 5.

6.—(1) The trustee shall pay to the owner,

- (a) 50 per cent of the value referred to in clause 5 (1) (c) for which the payment was made before the 1st day of January, 1966; and
- (b) 65 per cent of the value referred to in clause 5 (1) (c) for which the payment was made after that date,

when so directed by the Minister.

(2) The Minister shall issue the direction mentioned in subsection (1) where the owner submits,

- (a) the statement of account referred to in subsection 5 (1); and
- (b) a certificate of the trustee verifying the amount of the deposit mentioned in subsection 5 (1). R.R.O. 1980, Reg. 91, s. 6.

7. Within six months of the end of,

- (a) each calendar year; or
- (b) each fiscal year,

the owner shall provide the Minister with a certificate signed by a public accountant licensed under the *Public Accountancy Act* certifying that the amounts as reported in accordance with section 5 are correct and that the amount on deposit with the trustee is at least equal to,

- (c) 50 per cent of the total amount received before the 1st day of January, 1966; and
- (d) 65 per cent of the total amount received after that date,

under contracts that have not been fulfilled. R.R.O. 1980, Reg. 91, s. 7.

8. Where a lot is sold or reserved or transferred without charge, the owner shall set aside in trust for perpetual care an amount that is at least the greater of,

- (a) in the case of a grave for burial of an adult, 35 per cent of all money received for the grave or \$35;
- (b) in the case of a grave for burial of a child or cremated remains, 35 per cent of all money received for the grave or an amount calculated by multiplying \$36 by the proportion that the area of the grave is of twenty-four square feet;
- (c) in the case of a crypt in a mausoleum other than a private family mausoleum, 20 per cent of all money received for the crypt or \$100;
- (d) in the case of a niche or compartment in a columbarium, 10 per cent of all money received for the niche or compartment or \$10; and
- (e) in the case of a private family mausoleum,
  - (i) 20 per cent of two-thirds of the purchase price of the building and the cemetery lots on which it stands,
  - (ii) \$500 per crypt, or
  - (iii) \$4,000. R.R.O. 1980, Reg. 91, s. 8.

9.—(1) Where the owner of a cemetery is a religious organization that,

- (a) owns or operates three or more cemeteries that have been duly approved under section 9 of the Act;
- (b) is responsible for the maintenance and operation of those cemeteries; and
- (c) invests its perpetual care funds under the direction of its executive committee,

the cemetery is exempt from the application of section 27 of the Act.

(2) A cemetery owned by,

- (a) a municipality where the perpetual care funds are invested by the Treasurer of the municipality under the direction of the municipal council; or
- (b) the Trustees of the Toronto General Burying Grounds;
- (c) the Trustees of Vineland Cemetery,

is exempt from the application of section 27 of the Act. R.R.O. 1980, Reg. 91, s. 9; O. Reg. 222/81, s. 1.

10. A cemetery owned by the Trustees of the Toronto General Burying Grounds is exempt from the application of section 28 of the Act. R.R.O. 1980, Reg. 91, s. 10.

- 11.—(1) A cemetery, mausoleum or columbarium owned by,
- (a) a municipality where the perpetual care funds are invested by the Treasurer of the municipality under the direction of the municipal council;
  - (b) the Trustees of the Toronto General Burying Grounds; or
  - (c) a religious organization that,
    - (i) owns or operates three or more cemeteries, mausolea or columbaria under section 9 of the Act,
    - (ii) is responsible for the maintenance and operation of those cemeteries, mausolea or columbaria, and
    - (iii) invests its perpetual care funds under the direction of its executive committee,

is exempt from the application of section 29 of the Act.

(2) Except where the Ministry is of the opinion that the owner or trustee of a perpetual care fund has contravened any provision of the Act or the regulations, and subject to subsection (6), every owner of a cemetery, mausoleum or columbarium operated in compliance with the Act and the regulations and every trustee is exempt from the application of section 29 of the Act where accounts in a form acceptable to the Ministry have been received by the Ministry not more than six months after the closing date of the accounts and have been examined, audited and approved by the Ministry.

(3) The Ministry may in writing continue an exemption under subsection (2) so long as the owner or trustee submits his, her or its accounts at intervals not exceeding three years and six months from the closing date of the period covered by the last approval of the accounts.

(4) On an examination and audit of accounts referred to in subsection (2) or (3), the Ministry may require the submission of additional accounts for any time period and an owner or trustee shall make full disclosure of all matters relating to the perpetual care funds and the income therefrom.

(5) The Ministry may in writing extend the periods of time prescribed in subsections (2) and (3) by not more than twelve months in each case.

(6) When twenty-five or more owners of lots in a cemetery exempted under subsection (1), (2) or (3) petition the Minister in writing to remove the exemption, the Minister may withdraw the exemption for such period of time as he or she considers proper. R.R.O. 1980, Reg. 91, s. 11.

12.—(1) Every owner shall file annually with the Ministry a return in Form 2, certified by the owner or, where the owner is a corporation, by two officers of the corporation, within three months of the end of,

- (a) each calendar year; or
  - (b) each fiscal year.
- (2) Within six months of the end of,
- (a) each calendar year; or
  - (b) each fiscal year,

every owner of a cemetery, mausoleum or columbarium operated for gain or profit, shall provide the Ministry with a certificate signed by a public accountant licensed under the *Public Accountancy Act*, certi-

fying that the amounts as reported in the annual return are correct. R.R.O. 1980, Reg. 91, s. 12.

13. The provisions of the Act and this Regulation with respect to perpetual care funds and preneed assurance funds shall apply with necessary modifications to a person who does not own a cemetery, but who sells or offers for sale cemetery lots or cemetery supplies and services. R.R.O. 1980, Reg. 91, s. 13.

14. Every owner of a cemetery operated for gain or profit shall file annually with the Ministry an audited financial statement signed by a public accountant licensed under the *Public Accountancy Act* in respect of the operation of the cemetery during the preceding financial year. R.R.O. 1980, Reg. 91, s. 14.

15.—(1) After providing for the preservation and maintenance in a proper manner in perpetuity of the cemetery, mausoleum or columbarium as prescribed by subsection 24 (4) of the Act, an owner may use any remaining income from perpetual care trust funds to preserve and maintain tombs, monuments, enclosures and fences, walks, roads, drains, waterworks and water courses and buildings used exclusively for burial purposes as are shown on the plans of the cemetery, mausoleum or columbarium approved by the Ministry.

(2) The cost of maintenance of a cemetery, mausoleum or columbarium,

- (a) includes all wages and benefits paid to workers who are directly engaged in maintenance and the supervision of maintenance but does not include benefits, wages or salaries paid to salespersons or office personnel or for opening and closing graves or crypts; and
- (b) includes supplies and materials used strictly for the maintenance of lots and the repair of tools and equipment used only for such maintenance, but does not include the cost of purchasing equipment or a depreciation in its value.

(3) An owner may out of the income from perpetual care trust funds pay compensation to a trustee but shall not pay accounting, auditing or office expenses or any other compensation out of such income.

(4) An owner of more than one cemetery may apply income from the perpetual care fund of a cemetery towards the perpetual care of another cemetery if the first-mentioned cemetery is being properly maintained without using all the income from its perpetual care fund and the income from the perpetual care fund established for the other cemetery is insufficient to maintain it. R.R.O. 1980, Reg. 91, s. 15.

16. The cemetery owned by the Nashville Cemetery Company Limited and situated in Lot 24, Concession IX, in the Township of Vaughan in the County of York, as it existed on the 31st day of December, 1970, is exempt from the application of section 29 of the Act. R.R.O. 1980, Reg. 91, s. 16.

17. St. Felician Sisters Cemetery in the Township of Toronto in the County of Peel, as it existed on the 31st day of December, 1967, more particularly described in Schedule 1, is exempt from subsections 24 (1) and (2) of the Act. R.R.O. 1980, Reg. 91, s. 17.

18. St. Bernard's Cemetery, comprising part of Lot 20, Concession 11 west of Yonge Street in the City of North York in The Municipality of Metropolitan Toronto, is exempt from the application of subsections 24 (1) and (2) of the Act. R.R.O. 1980, Reg. 91, s. 18.

19. The mausoleum owned by the Municipal Corporation of the City of Hamilton and located on the premises of the Stoney Creek Cemetery in the Township of Saltfleet in the County of Wentworth as it existed on the 31st day of December, 1973 is exempt from the application of section 24 of the Act. R.R.O. 1980, Reg. 91, s. 19.

20. The cemetery owned by The Society of St. John the Evangelist in Canada, comprising lots 5 and 6 on the south side of Cedar

Street, in the Town of Bracebridge, in The District Municipality of Muskoka, is exempt from the application of section 24 of the Act. R.R.O. 1980, Reg. 91, s. 20.

21. The Metropolitan Toronto and Region Conservation Authority, McMichael Conservation Area, in the Township of Vaughan in the County of York, as it existed on the 31st day of December, 1970, more particularly described in Schedule 2, is exempt from subsections 24 (1) and (2) of the Act. R.R.O. 1980, Reg. 91, s. 21.

22. The cemetery owned by the trustees of Bethesda Cemetery Board, Moorefield, comprising part of Lot 9, in Concession 10 in the Township of Maryborough in the County of Wellington, is exempt from the application of section 47 of the Act. R.R.O. 1980, Reg. 91, s. 22.

23. The following cemeteries are exempt from the application of subsections 24 (1) and (2) of the Act:

1. Amish Mennonite (Aylmer) Cemetery, part of Lot 25 in Concession 8 in the Township of Malahide in the County of Elgin.
2. Maple Dell Cemetery of the Norwich Amish Mennonite Church, part of Lot 21 in Concession 6 in the Township of Norwich in the County of Oxford, formerly in the Township of North Norwich.
3. Mount Elgin District Amish Mennonite Cemetery, part of Lot 25 in Concession 5 in the Township of South-West Oxford in the County of Oxford, formerly in the Township of Dereham.
4. East Nissouri Amish Mennonite Cemetery, part of Lot 27 in Concession 9 in the Township of Zorra in the County of Oxford, formerly in the Township of East Nissouri.
5. Amish Mennonite Cemetery, part of Lot 4 in Concession 7 in the Township of Mornington in the County of Perth.
6. Fairhaven Mennonite Cemetery, part of Lot 15 in Concession 9 in the Township of Mornington in the County of Perth.
7. Mornington Amish Mennonite Cemetery, part of Lot 24 in Concession 2 in the Township of Mornington in the County of Perth.
8. Brotherston Mennonite Church Cemetery, part of Lot 43 in Concession 7 in the Township of Wallace in the County of Perth.
9. Weaverland Mennonite Cemetery, part of Lot 2 in Concession 12 in the Township of Wellesley, Western Section in The Regional Municipality of Waterloo.
10. Amish Mennonite Cemetery, part of Lot 3 in Concession 6 in the Township of Wellesley, Western Section in The Regional Municipality of Waterloo.
11. Orthodox Mennonite Cemetery, part of Lot 6 in Concession 14 in the Township of Wellesley, Eastern Section in The Regional Municipality of Waterloo.
12. Martins Mennonite Cemetery, part of Lot 9 in the German Company Tract in the City of Waterloo in The Regional Municipality of Waterloo, formerly in the Township of Waterloo.
13. Cedar Grove Amish Mennonite Cemetery, part of Lot 12 in Concession 3 in the Township of Wellesley, Western Section in The Regional Municipality of Waterloo.
14. Linwood Mennonite Cemetery, part of Lot 12 in Concession 10 in the Township of Wellesley, Western Section in The Regional Municipality of Waterloo.
15. Winterbourne Mennonite Cemetery, part of Lot 2 in Broken Front Concession East of the Grand River in Crooks Tract in the Township of Woolwich in The Regional Municipality of Waterloo.
16. Conestoga Mennonite Cemetery, part of Lot 39 in the German Company Tract in the Township of Woolwich in The Regional Municipality of Waterloo.
17. West Montrose Mennonite Cemetery, part of Lot 72 in the German Company Tract in the Township of Woolwich in The Regional Municipality of Waterloo.
18. North Woolwich Mennonite Cemetery, part of Lot 99 in the German Company Tract in the Township of Woolwich in The Regional Municipality of Waterloo.
19. Elmira Mennonite Cemetery, part of Lot 104 in the German Company Tract in the Township of Woolwich in The Regional Municipality of Waterloo.
20. Mount Forest Mennonite Cemetery, part of Lot 2 in Concession 7 in the Township of Arthur in the County of Wellington.
21. Goshen Mennonite Cemetery, part of Lot 9 in Concession 7 in the Township of Peel in the County of Wellington.
22. Olivet Mennonite Cemetery, part of Lot 12 in Concession 5 in the Township of Peel in the County of Wellington.
23. Alma Mennonite Cemetery, part of Lot 21 in Concession 14 in the Township of Peel in the County of Wellington.
24. South Peel Mennonite Cemetery, part of Lot 16 in Concession 1 in the Township of Peel in the County of Wellington.
25. Farewell Old Order Mennonite Cemetery, part of the south half of Lot 14 in Concession 10 in the Township of Arthur in the County of Wellington.
26. Cedarview Old Order Mennonite Cemetery, being part of Lot 5, Concession 10, in the Township of Egremont in the County of Grey. R.R.O. 1980, Reg. 91, s. 23; O. Reg. 223/81, s. 1.

#### Schedule 1

In the Township of Toronto Gore, in the County of Peel, as it existed on the 31st day of December, 1973, and being composed of Part of Lot 10 in the 3rd Range of the Credit Indian Reserve in the said Township, which parcel is more particularly described as follows:

Premising that the northerly limit of the Mississauga Road, formerly known as the Streetsville Gravel Road, has a bearing of north 54° 44' east, and relating all bearings herein thereto;

Beginning at a point where an iron pipe is planted in the interior of said Lot 10, which said point is located as follows: Beginning at a point in the northerly limit of the Mississauga Road where it is intersected by the limit between the said Lot 10 and Lot 11 in the said 3rd Range of the Credit Indian Reserve; thence north 54° 44' east along said northerly limit, 671 feet 7 inches to a point where an iron pipe is planted; thence north 68° 10' west, along the southwesterly limit of the lands of the Felician Sisters, 374 feet 2 inches to a point; thence north 2° 14' 20" east, 92 feet 6 inches to a point where an iron pipe is planted, which said point is the place of beginning; thence north 2° 14' 20" east, 66 feet 1½ inches to the beginning of a curve to the right of radius 60 feet; thence following along said curve to the right, 55 feet 8¼ inches, the chord equivalent being 53 feet 8½ inches, to a point marking the end of said curve; thence north 55° 25' east, 138



feet 7¼ inches to a point where an iron pipe is planted; thence north 69° 18' 40" west, 136 feet 6 inches to a point where an iron pipe is planted; thence south 31° 27' 30" west, 234 feet 7½ inches to a point where an iron pipe is planted; thence south 69° 38' 20" east, 114 feet 9 inches to the place of beginning. R.R.O. 1980, Reg. 91, Sched. 1.

Premising that all bearings shown herein are astronomical in origin and are referred to the meridian passing through the northwesterly angle of a Plan registered in the Registry Office for the Registry Division of Toronto Boroughs and York South (No. 64) as Number 6087:

Schedule 2

In the Township of Vaughan, in the County of York, as it existed on the 31st day of December, 1970, and containing by admeasurement an area of 0.129 acre, be the same more or less, and being composed of Part of Lot 23 in Concession 8 in the said Township, the limits of which said parcel of land may be more particularly described as follows:

Beginning at a survey monument marking the northeasterly angle of Lot 142 as shown on the said Registered Plan 6087; thence north 60° 18' 50" west, a distance of 324.50 feet to a survey monument at the place of beginning; thence north 86° 14' 30" west, a distance of 75 feet to a survey monument; thence north 03° 45' 30" east, a distance of 75 feet to a survey monument; thence south 86° 14' 30" east, a distance of 75 feet to a survey monument; thence south 03° 45' 30" west, a distance of 75 feet to the place of beginning. R.R.O. 1980, Reg. 91, Sched. 2.

Form 1

Cemeteries Act

STATEMENT OF ACCOUNT OF PRENEED ASSURANCE FUND FOR THREE-MONTH PERIOD ENDING DAY OF , 19

Name of Owner (Corporation, Partnership, Individual) .....

Postal Address .....

Name of Cemetery .....

Mausoleum .....

Columbarium .....

Location: ..... (Municipality and County, etc. or District)

PART 1—CONTRACTS

- 1. Total value of all preneed contracts in force at the end of the three-month period,
i. entered into before the 1st day of January, 1966 ..... \$.....
ii. entered into after the 1st day of January, 1966 ..... \$..... \$
2. Total value of new preneed contracts entered into during the three-month period ..... \$
3. Add 1 and 2 ..... \$
4. Total contract value of sales prices of cemetery supplies and cemetery services furnished or supplied during the three-month period,
i. on contracts entered into before the 1st day of January, 1966 ..... \$
ii. on contracts entered into after the 1st day of January, 1966 ..... \$
5. Total sales value of all preneed contracts in force at the end of this period (deduct 4 from 3) ..... \$
Owner's fiscal period ends .....

PART 2—TRUST ACCOUNT

Name of Trustee .....

Postal Address .....

6. Total amount on deposit in preneed assurance fund at the end of the preceding three-month period ..... \$

7. Total amount received under contracts during the three-month period,

    i. on contracts entered into before the 1st day of January, 1966 ..... \$

    ii. on contracts entered into after the 1st day of January, 1966 ..... \$

8. Add,

    i. 50 per cent of the amount shown in subparagraph i of paragraph 7 ..... \$

    ii. 65 per cent of the amount shown in subparagraph ii of paragraph 7 ..... \$

---

9. Add 6 and 8 ..... \$

10. Deduct from the total amount shown in paragraph 9,

    i. 50 per cent of the amount shown in subparagraph i of paragraph 4 ..... \$

    ii. 65 per cent of the amount shown in subparagraph ii of paragraph 4 ..... \$

(Total Trust Account) \$ \_\_\_\_\_

11. Total amount on deposit with the Trustee at end of the three-month period ..... \$ \_\_\_\_\_

(NOTE: if there is a variation in the figures shown in 10 and 11, attach explanation).

12. CERTIFICATE:

I (we) certify that to the best of my (our) knowledge and belief the above statements are true and correct and are in agreement with the records of the cemetery (mausoleum, columbarium) with respect to the preneed assurance fund and are in accordance with the regulations under the *Cemeteries Act*.

.....  
(owner)

.....  
(secretary-treasurer)

.....  
(President or Vice-President)

Date ....., 19.....

R.R.O. 1980, Reg. 91, Form 1.

**Form 2**

*Cemeteries Act*

**ANNUAL RETURN ON THE RECEIPT AND INVESTMENT OF PERPETUAL CARE FUNDS**

CEMETERY OWNER MUST SEND ONE COMPLETED COPY OF THIS FORM TO THE CEMETERIES BRANCH OF THE MINISTRY OF CONSUMER AND COMMERCIAL RELATIONS ANNUALLY WITHIN THREE MONTHS OF THE END OF OWNER'S FISCAL YEAR

Name of Cemetery .....

Location .....  
(Municipality and County, District, etc.)

Name of Owner .....

Postal Address .....

Who holds perpetual care assets in trust?    Public Trustee  or

Name of Trust Corporation .....

Postal Address .....

Please answer all of the following questions and insert amounts where required. Owner must be able to verify the amounts shown from records on an inspection or supply copies of accounts upon request. Owners of more than one cemetery may file one return for all cemeteries if a list is attached showing details for each cemetery.

This return covers the period from ..... 19.....  
to ..... 19.....

1. What amount of the perpetual care portion of lot sales did you still hold at the end of the period last year? ..... \$ .....
  2. What was the total amount received from all sales of plots in this year? ..... \$ .....
  3. What was the total amount of perpetual care included in 2? ..... \$ .....
  4. What was the total amount of perpetual care received:
    - (a) from the sale of wooden boxes? ..... \$ .....
    - (b) for lots sold before 1955? ..... \$ .....
    - (c) from bequests or other sources?..... \$ .....
  5. Add 1, 3 and 4 ..... \$ .....
  6. What was the total amount of perpetual care refunded or transferred out? ..... \$ .....
  7. Subtract 6 from 5 ..... \$ .....
  8. What amount had you sent to the trustee at the end of this period? ..... \$ .....
  9. Subtract 8 from 7 AMOUNT YOU OWED TRUSTEE AT END OF PERIOD ..... \$ .....
- HAS THIS AMOUNT BEEN SENT YET?    YES     NO  .....
- 
10. What amount had trustee received for all years to end of period last year? ..... \$ .....
  11. Amount sent to the trustee in this period from 8? ..... \$ .....
  12. Add 10 and 11 ..... AMOUNT HELD BY TRUSTEE  
 AT END OF PERIOD ..... \$ .....
- 
13. Total income received from trustee in this period? ..... \$ .....
  14. Total amount of 13 spent on perpetual care? ..... \$ .....
  15. Subtract 14 from 13 BALANCE OF INCOME NOT SPENT ..... \$ .....
  16. How much of 14 is made up of wages paid to workers? ..... \$ .....
  17. What is the area you are maintaining? .....

**CERTIFICATE:**

I (we) certify that to the best of my (our) knowledge and belief the above statements are true and correct and are in agreement with the records of the cemetery with respect to perpetual care funds and are in accordance with the regulations under the *Cemeteries Act*.

.....  
(owner)

DATE .....

.....  
(Secretary-Treasurer)

NAME OF AUDITORS .....

ADDRESS OF AUDITORS .....

.....  
(President or Vice-President)

R.R.O. 1980, Reg. 91, Form 2.

**Centennial Centre of Science and Technology Act**  
***Loi sur le Centre Centennial des sciences et de la technologie***

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**REGULATION 66**

**FEES**

DEFINITIONS

**1.** In this Regulation,

“adult” means a person eighteen years of age or over;

“Canadian prebooked school group” means a group that has made an appointment to visit the Centre on a specific date and that is composed of ten or more students who are in full-time attendance at an educational institution in Canada that is not a post secondary educational institution and includes any teachers or other persons who are supervising the group;

“child” means a person under the age of thirteen years;

“family” means one or two adults plus one or more children, not to exceed eight children, who are apparently under the care and control of the adult or adults;

“member” means a member of the Centre;

“senior citizen” means a person sixty-five years of age or over;

“student” means,

- (a) a person who is at least thirteen years of age but who has not yet attained the age of eighteen, or
- (b) a person eighteen years of age or over who is in full-time attendance at an educational institution in Canada and is in possession of a student registration card for the current academic year. R.R.O. 1980, Reg. 92, s. 1; O. Reg. 211/82, s. 1; O. Reg. 575/89, s. 1.

**2.—(1)** The fee for entrance to the Centre is,

- (a) for a child, \$2;
- (b) for a student, \$4.50;
- (c) for an adult, \$5.50; and
- (d) for a family, \$14.

(2) Any member, senior citizen or person who is part of a Canadian prebooked school group may enter the Centre free of charge.

(3) In this section, “entrance to the Centre” includes entrance to the film theatre. O. Reg. 575/89, s. 2.

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## Certification of Titles Act *Loi sur la certification des titres*

### REGULATION 67

#### GENERAL

#### I. In this Regulation,

“adjoining land” means land immediately adjacent to the subject land;

“application” means an application for a certificate of title under section 4 of the Act;

“land” means land, tenements, hereditaments and appurtenances and any estate or interest therein;

“subject land” means the land in respect of which an application is made. R.R.O. 1980, Reg. 93, s. 1; O. Reg. 134/84, s. 1.

2.—(1) An application shall be in Form 1 and shall be submitted to the Director together with,

- (a) an affidavit by each applicant in Form 2 but, where an applicant is a corporation, the affidavit shall be sworn by an officer of the applicant or the solicitor for the applicant;
- (b) a typewritten abstract of the title to the subject land, prepared by a solicitor in accordance with good conveyancing practice and containing, with respect to each registered instrument or deposited document,
  - (i) the registration number or deposit number of the instrument or document,
  - (ii) the nature of the instrument or document,
  - (iii) the date of the instrument or document,
  - (iv) the date of registration or deposit,
  - (v) a full description of the parties named in the instrument or document, the relationship between them, where given, and the nature of their tenure,
  - (vi) a full description of the subject land, including any easement or other right to which the land is subject or that is appurtenant to the land with which the instrument or document purports to deal, or a reference to an identical description previously set out in full,
  - (vii) particulars in respect of each encumbrance,
  - (viii) the particulars of every claim, interest or omission that may adversely affect the title, and
  - (ix) in the case of a mortgage, the address for service of the mortgagee or the mortgagee’s assignee;
- (c) a typewritten abstract prepared by a solicitor with respect to all adjoining land containing,
  - (i) the name and address for service of every owner and mortgagee or chargee of adjoining land and the particulars of registration of the instrument by which such interest of the owner, mortgagee or chargee

was acquired, together with a full description of the adjoining land as set out in the instrument, and

- (ii) the particulars of registration of every instrument registered against adjoining land that purports to create an easement or right affecting the subject land;

- (d) a certificate of the solicitor in Form 3;
- (e) a draft reference plan and certificate, in Form 4, of the Ontario land surveyor who prepared the draft reference plan;
- (f) a sheriff’s certificate with respect to writs of execution against the applicant and all previous owners appearing on the solicitor’s abstract of title;
- (g) where any of the subject land is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, a statement of the property identifiers assigned to that land and the adjoining land under subsection 141 (2) or (4) of the *Land Titles Act* or subsection 21 (2) or (4) of the *Registry Act*; and
- (h) where any of the subject land has been divided into parcels for abstract purposes under clause 83 (3) (b) of the *Registry Act*, a statement of the applicable new heading in the abstract index. R.R.O. 1980, Reg. 93, s. 2 (1); O. Reg. 595/82, s. 1; O. Reg. 134/84, s. 2; O. Reg. 581/84, s. 1.

(2) Where the Director considers that additional information or material is necessary to complete his or her examination, the Director may require the applicant to submit the information or material to him or her.

(3) Where distances in descriptions of land referred to in subclause (1) (b) (vi) and subclause (1) (c) (i) are given other than in feet or metres or decimals thereof, their equivalents in feet or metres or decimals thereof, whichever is appropriate having regard to the plan referred to in clause (1) (e), shall be noted in parentheses beside the given values. R.R.O. 1980, Reg. 93, s. 2 (2, 3).

3. Upon the filing of the application, the Director shall cause a notice of the application to be registered in the proper land registry office. R.R.O. 1980, Reg. 93, s. 3.

4.—(1) Notice of the application shall be given by the Director, or by the applicant, with the written consent of the Director, to every owner and every mortgagee of adjoining land and to any other person who the Director may specify. R.R.O. 1980, Reg. 93, s. 4 (1).

(2) Despite subsection (1), where adjoining land is a condominium property, a notice of the application shall be served,

- (a) where the adjoining land is part of the common elements, on the condominium corporation; and
- (b) where the adjoining land is a condominium unit, on every owner and mortgagee or chargee of the unit. O. Reg. 595/82, s. 2 (1).

(3) The notice of application shall be in Form 5. R.R.O. 1980, Reg. 93, s. 4 (2).

(4) Any notice required to be given under subsection (1) or (2)

may be served by registered mail, as set out in subsection 5 (1) of the Act, or by personal service.

(5) In addition to the notices required by subsection (1) or (2), the Director or the applicant, with the written consent of the Director, may give notice by publication of the notice of application in one or more newspapers. O. Reg. 595/82, s. 2 (2).

(6) A notice is not required to be served on the applicant in the applicant's capacity as owner, mortgagee or chargee of adjoining lands.

(7) A consent under subsection 5 (2) of the Act shall be in Form 6. R.R.O. 1980, Reg. 93, s. 4 (5, 6).

5. A statement of claim filed under subsection 6 (1) of the Act shall state the claimant's address for service and the claimant shall serve a copy of the statement of claim and the affidavit on the applicant. R.R.O. 1980, Reg. 93, s. 5.

6.—(1) Subject to section 8 of the Act, an applicant may withdraw his, her or its application at any time.

(2) Where proceedings on an application have been discontinued for a period of at least six months, the Director may notify the applicant that his, her or its application will be treated as abandoned if the applicant does not respond as required within thirty days, and section 8 of the Act applies to any such abandoned application.

(3) Where an application is withdrawn, abandoned, or dismissed after the registration in the land registry office of the notice of application, the Director shall register a notice of discontinuance in Form 7 in the land registry office. R.R.O. 1980, Reg. 93, s. 6.

7.—(1) A certificate of title issued under section 9 of the Act shall be in Form 8 and the Director shall provide a copy of the registered certificate to the owner.

(2) A certificate of title issued under section 12 of the Act shall be in Form 9.

(3) A notice of possible error under section 17 of the Act shall be in Form 10. O. Reg. 595/82, s. 3.

8. Where it appears to the Director that an error has been made in a certificate of title, and the error is a clerical error or a misdescription that does not affect the extent of land in the certificate, the Director may make an order correcting the error, which order shall be registered in the land registry office. R.R.O. 1980, Reg. 93, s. 8.

9.—(1) A bond to indemnify the assurance fund shall be in Form 53 of Regulation 690 of Revised Regulations of Ontario, 1990.

(2) A covenant to indemnify the assurance fund shall be in Form 54 of Regulation 690 of Revised Regulations of Ontario, 1990. O. Reg. 595/82, s. 4.

10. Sections 1 to 29 of Regulation 997 of Revised Regulations of Ontario, 1990 apply, with necessary modifications, to plans made for the purposes of the Act. R.R.O. 1980, Reg. 93, s. 10.

11.—(1) The fee for an application for a certificate of title is \$900. O. Reg. 67/88, s. 1.

(2) Where the fee chargeable under subsection (1) is in the opinion of the Director, having regard to the value of the land and to the nature of the applicant's title, unduly excessive, the Director may fix a lesser fee.

(3) Where the titles of parts of the land included in the application are substantially different, the Director may require the fee under subsection (1) to be paid in respect of each part.

(4) Where an application is withdrawn, abandoned, dismissed or

refused, the applicant may apply for a refund of any fee paid in respect of the application, and in determining the amount of the refund, if any, regard shall be had to the stage the application has reached.

(5) Where the disbursements of the Director in respect of an application exceed \$50, the Director may require payment of the excess. R.R.O. 1980, Reg. 93, s. 11 (2-5).

**Form 1**

*Certification of Titles Act*

APPLICATION FOR CERTIFICATE OF TITLE

To: The Director of Titles:

.....  
(name of applicant)

(herein called "the applicant") hereby applies to have the title to the land described below certified in the name of the applicant under the *Certification of Titles Act*.

Description of Land .....  
.....  
(set out full legal description of the land)

.....  
.....

Dated at ....., this ..... day of ....., 19.....  
.....  
(signature of applicant or solicitor)

Address of applicant:  
.....

Name and address of applicant's solicitor:  
.....

Address for service on applicant:  
.....

R.R.O. 1980, Reg. 93, Form 1.

**Form 2**

*Certification of Titles Act*

AFFIDAVIT OF APPLICANT

IN THE MATTER OF (insert brief description of subject land)

.....  
.....

I, ..... of .....  
make oath and say that:

1. I am the applicant (or one of the applicants or the solicitor for or one of the officers of the corporate applicant, or of one of the corporate applicants) and as such have personal knowledge of the matters set out in this affidavit.

2. Attached hereto and marked as Exhibit "A" to this affi-



davit is a paper print of the draft reference plan filed with my application on which, designated as PART(S)

(insert PART number(s) ) is shown the land that is the subject of my/our (or, as the case may be) application for a Certificate of Title.

- 3. To the best of my knowledge, information and belief, there is no registered or unregistered lease, mortgage, lien or other encumbrance affecting the title to the land (except specify every lease, mortgage, lien or other encumbrance).
4. I am not aware of any person having any claim to or interest in the land or any part thereof adverse to or inconsistent with my/our (or, as the case may be) claim (except, specify every adverse claim or interest).
5. I am (or, as the case may be) in actual occupation of the land (or state whether a tenant or other person is in occupation and if the tenancy is under an unregistered lease or other instrument, produce it, or if no person is in actual occupation, so state).
6. (Where the claim of the applicant is based on length of adverse possession, give full details of such claim).

Sworn before me at the of in the of this day of , 19...

A Commissioner, etc.

(Signature)

O. Reg. 595/82, s. 5, part.

Form 3

Certification of Titles Act

CERTIFICATE OF SOLICITOR

THIS IS TO CERTIFY THAT I have investigated the title of the applicant (insert the name of applicant)

and I believe the applicant is entitled as of 4.30 p.m. on 19... to be certified as

owner of

(insert brief description of land under application) being the land described in the application, SUBJECT ONLY to the following encumbrances:

(insert particulars in respect of each encumbrance)

AND SUBJECT only to the following claims, interests, or omissions which may adversely affect the title of the applicant

(set out particulars of every claim, interest or omission)

AND I FURTHER CERTIFY THAT I have conferred with the said applicant on the matters set forth in the affidavit of the applicant filed in support of the application, and I believe that the statements of the applicant as set out in the affidavit are true.

AND I FURTHER CERTIFY THAT the typewritten abstracts of title submitted in support of the application were prepared in accordance with good conveyancing practice and the Regulations made under the Certification of Titles Act.

AND I FURTHER CERTIFY THAT I have investigated the title of all adjoining land for the purpose of ascertaining whether the subject land and any part of the adjoining land were held in common ownership since the 15th day of June, 1967, and in my opinion there has been no contravention of section 50 of the Planning Act since that date which would adversely affect the title claimed by the applicant.

(signature of solicitors and name in print)

(Where the applicant is a corporation or where the applicant's title is based on length of adverse possession, this certificate should be amended accordingly).

O. Reg. 595/82, s. 5, part.

Form 4

Certification of Titles Act

CERTIFICATE OF SURVEYOR

IN THE MATTER OF an application by

for a certificate of title under the Certification of Titles Act to (insert brief description of land under application)

I, an Ontario Land Surveyor, certify as follows:

- 1. That, at the time of making the survey for the plan, (a print of which is attached hereto), I examined the land and found, (a) no evidence of any easement affecting the land of the applicant (except, specify); (b) no monument, fence, building or other structure, or fixture which would indicate that any person other than the applicant has any right in any part of the land (except, specify); and (c) that (and) (was/were) in actual occupation of the land.
2. That every matter referred to in clauses (a) and (b) of paragraph 1 has been illustrated on the said plan.

Dated at this day of 19...

(signature of Ontario Land Surveyor)

NOTE: The surveyor who signs this certificate must also sign the print referred to in paragraph 1 of this certificate and indicate on the print the date on which he or she signed the certificate.

R.R.O. 1980, Reg. 93, Form 4.

Form 5

Certification of Titles Act

NOTICE OF APPLICATION

(Re: Application No. ....)

TAKE NOTICE THAT ..... (name of applicant)

has (have) made an application for a Certificate of Title of certain land in the ..... of ..... described as follows: .....

AND TAKE NOTICE THAT any person claiming to have any title to or interest in the said land or any part thereof (other than an interest protected by registration)\* is required, on or before the ..... day of ..... , 19....., to file a statement of the person's claim, verified by affidavit, in my office at ..... and to serve a copy thereof on the applicant.

The address of the applicant for service is .....

(Where appropriate, insert the following paragraph with such modifications as may be necessary)

This Notice is served upon you because you appear to be the ..... of the land adjoining to the ....., of the land under application.

Dated at ....., this ..... day of ....., 19..... Director of Titles

To: ..... (where applicable)

\*NOTE: Delete the words in the brackets where the application is based on adverse possession.

R.R.O. 1980, Reg. 93, Form 5.

Form 6

Certification of Titles Act

CONSENT AND WAIVER OF NOTICE

(Re: Application No. ....)

I, ....., being the registered owner (or a mortgagee or chargee) of land adjoining the land shown as PART(S) ..... on the attached print of a draft reference plan hereby consent to the application made by (name of applicant) for a Certificate of Title under the Certification of Titles Act of the land shown on the said plan as PART(S) .....

And I hereby waive my right to a Notice of that Application.

Dated at ....., this ..... day of ....., 19.....

(Witness)

(signature of registered owner, mortgagee or chargee as the case may be)

NOTE: The party executing this Consent and Waiver of Notice must sign the attached print of the draft reference plan and indicate on the print the date on which the party signed the Consent and Waiver of Notice. This Consent and Waiver of Notice will cease to be valid if the draft reference plan is later amended so as to change the boundary between the land under application and the land of the party executing this Consent and Waiver of Notice.

AFFIDAVIT OF SUBSCRIBING WITNESS

I, ..... of the ..... of ..... in the ..... of ..... make oath and say: I am a subscribing witness to the attached Consent and Waiver of Notice and I was present and saw it executed at ..... by ..... Sworn before me at the ..... of ..... in the ..... of ..... this ..... day of ..... , 19....

A Commissioner, etc.

(Signature)

NOTE: If the Consent and Waiver of Notice has been executed by a Corporation under seal, this affidavit is not required but the print of the plan must be identified by the signature(s) of the officer(s) of the corporation who signed this form.

O. Reg. 595/82, s. 5, part.

Form 7

Certification of Titles Act

NOTICE OF DISCONTINUANCE OF APPLICATION

(Application No. ....)

Notice is hereby given that the application under Certification of Titles Act for a Certificate of Title of the land in the ..... of ..... namely: ..... has been withdrawn (or dismissed. etc.)

And that proceedings under the Act have, therefore, been discontinued.

Dated at ....., this ..... day of ....., 19.....

.....  
(Director of Titles)

Application No. ....

R.R.O. 1980, Reg. 93, Form 7.

**Form 8**

*Certification of Titles Act*

**CERTIFICATE OF TITLE**

Issued Under Section 9 of the *Certification of Titles Act*

Certificate No. ....

This is to Certify that .....

.....

.....

(hereinafter referred to as the owner(s) )

at ..... o'clock in the ..... noon of the ..... day of

..... in the year .... (hereinafter referred to as the effective date of this Certificate) was/were absolutely and indefeasibly entitled in fee simple to that certain parcel or tract of land

.....

situated in the .....

and Province of Ontario and being composed of .....

.....

.....

more particularly described in SCHEDULE A hereto.

SUBJECT ONLY to the exceptions, limitations, qualifications and reservations set out in SCHEDULE B hereto.

AND TO the conditions, covenants, restrictions, charges, mortgages, liens and other encumbrances set out in SCHEDULE C hereto.

Dated at Toronto, this ..... day of ....., 19.....

.....  
Director of Titles  
(seal of office)

**SCHEDULE A**

**CERTIFICATE OF TITLE NO. ....**

**LAND**

.....

.....

.....

**SCHEDULE B**

**CERTIFICATE OF TITLE NO. ....**

Exceptions, limitations, qualifications and reservations:

.....

.....

.....

**SCHEDULE C**

**CERTIFICATE OF TITLE NO. ....**

Conditions, covenants, restrictions, charges, mortgages, liens and other encumbrances: .....

.....

.....

R.R.O. 1980, Reg. 93, Form 8; O. Reg. 595/82, s. 6.

**Form 9**

*Certification of Titles Act*

**CERTIFICATE OF TITLE**

Issued Under Section 12 of the *Certification of Titles Act*

THIS IS TO CERTIFY THAT at the time of registration, in the Land Registry Office for the Registry Division of

.....

..... on the ..... day of

....., 19.... of PLAN NO. ...., being a

Plan of Subdivision of (*Insert information contained in the title block of the Plan*), (*Insert name of owners and how land held*) .....

..... was (were), the owner(s) of the land within the limits of the Plan, (*where applicable insert*

*lands excepted from this certificate*) .....

.....

Subject only to,

.....

.....

.....

Dated at ....., this ..... day of ....., 19.....

.....  
Director of Titles  
(Seal of Office)

O. Reg. 595/82, s. 7, part.

**Form 10**

*Certification of Titles Act*

Notice of Possible Error in Certificate of Title

Notice is hereby given that there is a possible error in

.....  
(insert details of certificate of title and its registration).

The details of the possible error are as follows:

.....

Dated at ....., this ..... day of ....., 19.....

.....  
Director of Titles  
(Seal of Office)

NOTE: Section 17 of the *Certification of Titles Act* read as follows:

17. *Where the Director becomes aware of a possible error in a certificate of title, the Director may give notice of the possible error by registering a notice in the prescribed form and the notice gives notice of the possible error to all persons until the notice is deleted from the abstract index by the Director.*

O. Reg. 595/82, s. 7, part.

\_\_\_\_\_

## Change of Name Act *Loi sur le changement de nom*

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### REGULATION 68

#### GENERAL

##### ELECTION BY SPOUSE, ETC.

1.—(1) An election under subsection 3 (1) of the Act (election by spouse, etc., to change surname) shall be made by filing Form 1 with the Registrar General and providing the applicable prescribed document, if any.

(2) An election under subsection 3 (2) of the Act (resuming name when marriage dissolved, etc.) shall be made by filing Form 2 with the Registrar General and providing the applicable prescribed document, if any.

(3) The prescribed documents for the purpose of elections under subsections 3 (1) and (2) of the Act are:

1. A certificate of the spouses' marriage, issued by the proper authority of the jurisdiction where the marriage was solemnized.
2. A certificate of the death of one of the spouses, issued by the proper authority of the jurisdiction where the death occurred.
3. A certificate of the spouses' divorce or of the annulment of their marriage, issued by the proper authority of the jurisdiction where the divorce or annulment was granted.

(4) If all or part of a prescribed document is written in a language other than English or French, a translation into English or French, together with the translator's written declaration, shall be provided with the prescribed document.

(5) The translator's declaration shall state that,

- (a) the translator understands both English or French and the language of the original;
- (b) the translator is of the opinion that the translation is complete and correct.

(6) The joint declaration referred to in subsection 3 (6) of the Act (conjugal relationship) shall be in Form 3.

(7) The declaration referred to in subsection 3 (7) of the Act (revocation of joint declaration) shall be in Form 4. O. Reg. 64/87, s. 1.

##### CHANGE OF NAME OF PERSON OVER SIXTEEN

2.—(1) An application under subsection 4 (1) of the Act (change of name) shall be in Form 5.

(2) A notice of application given under subsection 4 (2) of the Act (notice to spouse, etc.) may be in Form 6.

(3) The written consent referred to in subsection 4 (3) of the Act (consent to application of person under eighteen) may be in Form 7. O. Reg. 64/87, s. 2.

### RÈGLEMENT 68

#### DISPOSITIONS GÉNÉRALES

##### CHOIX PAR LE CONJOINT, ETC.

1 (1) Le choix prévu au paragraphe 3 (1) de la Loi (choix d'effectuer un changement du nom de famille) se fait en déposant auprès du registraire général la formule 1 et en fournissant le document prescrit qui s'impose, le cas échéant.

(2) Le choix prévu au paragraphe 3 (2) de la Loi (choix de reprendre le nom) se fait en déposant auprès du registraire général la formule 2 et en fournissant le document prescrit qui s'impose, le cas échéant.

(3) Les documents prescrits aux fins des choix prévus aux paragraphes 3 (1) et (2) de la Loi sont les suivants :

1. Le certificat de mariage des conjoints, délivré par l'administration compétente du lieu où le mariage a été célébré.
2. Le certificat de décès de l'un des conjoints, délivré par l'administration compétente du lieu où le décès s'est produit.
3. Le certificat du divorce des conjoints ou de l'annulation de leur mariage, délivré par l'administration compétente du lieu où le divorce ou l'annulation ont été prononcés.

(4) Si un document prescrit est rédigé, en tout ou en partie, dans une langue autre que l'anglais ou le français, le document prescrit est accompagné d'une traduction en anglais ou en français ainsi que de la déclaration écrite du traducteur.

(5) La déclaration du traducteur énonce :

- a) d'une part, qu'il comprend l'anglais ou le français ainsi que la langue du texte original;
- b) d'autre part, qu'à son avis la traduction est complète et fidèle.

(6) La déclaration commune visée au paragraphe 3 (6) de la Loi (union conjugale) est rédigée sur la formule 3.

(7) La déclaration visée au paragraphe 3 (7) de la Loi (révocation) est rédigée sur la formule 4. Règl. de l'Ont. 64/87, art. 1.

##### CHANGEMENT DE NOM DE LA PERSONNE AYANT PLUS DE SEIZE ANS

2 (1) La demande prévue au paragraphe 4 (1) de la Loi (changement de nom) est rédigée sur la formule 5.

(2) L'avis de la demande donné aux termes du paragraphe 4 (2) de la Loi (avis au conjoint) peut être rédigé sur la formule 6.

(3) Le consentement écrit visé au paragraphe 4 (3) de la Loi (consentement à la demande d'un enfant) peut être rédigé sur la formule 7. Règl. de l'Ont. 64/87, art. 2.

## CHANGE OF CHILD'S NAME

3.—(1) An application under subsection 5 (1) of the Act (change of child's name) shall be in Form 5.

(2) The written consent referred to in subsection 5 (2) of the Act (consent of persons with custody, etc.) may be in Form 7.

(3) A notice of application given under subsection 5 (6) of the Act (notice to persons with access) may be in Form 6.

(4) A notice of application given under subsection 5 (7) of the Act (notice to spouse, etc.) may be in Form 6. O. Reg. 64/87, s. 3.

## ACCOMPANYING STATEMENT

4.—(1) The statement referred to in subsection 6 (3) of the Act (accompanying statement) shall be in Form 8.

(2) The following classes of persons are prescribed for the purpose of subsection 6 (3) of the Act:

1. Provincial judges appointed under the *Courts of Justice Act*.
2. Justices of the peace appointed under the *Justices of the Peace Act*.
3. Chiefs of Indian bands that are located in Ontario.
4. Persons authorized under the *Marriage Act* to solemnize marriages.
5. Legally qualified medical practitioners.
6. Members of The Law Society of Upper Canada.
7. Heads of municipal councils in Ontario.
8. Clerks of municipalities in Ontario.
9. Principals of elementary and secondary schools, as defined in the *Education Act*.
10. Managers or signing officers of Ontario branches of banks listed in Schedule I or II of the *Bank Act* (Canada), loan corporations, trust corporations, credit unions and caisses populaires. O. Reg. 64/87, s. 4.

## FEES

5. The following fees are payable under the Act:

- |                                                                                                                                            |        |
|--------------------------------------------------------------------------------------------------------------------------------------------|--------|
| 1. For an election under subsection 3 (1) of the Act made at the time of marriage or at the time of filing a joint declaration .....       | no fee |
| 2. For an election under subsection 3 (1) of the Act made after the time of marriage or after the time of filing a joint declaration ..... | \$25   |
| 3. For an election under subsection 3 (2) of the Act ...                                                                                   | 25     |
| 4. For an application under subsection 4 (1) of the Act                                                                                    | 130    |
| 5. For an application under subsection 5 (1) of the Act, except as described in paragraph 6 .....                                          | 130    |

## CHANGEMENT DE NOM DE L'ENFANT

3 (1) La demande prévue au paragraphe 5 (1) de la Loi (changement de nom de l'enfant) est rédigée sur la formule 5.

(2) Le consentement écrit visé au paragraphe 5 (2) de la Loi (consentement des personnes ayant la garde de l'enfant) peut être rédigé sur la formule 7.

(3) L'avis de la demande donné aux termes du paragraphe 5 (6) de la Loi (avis aux personnes ayant le droit de visite) peut être rédigé sur la formule 6.

(4) L'avis de la demande donné aux termes du paragraphe 5 (7) de la Loi (avis au conjoint) peut être rédigé sur la formule 6. Règl. de l'Ont. 64/87, art. 3.

## DÉCLARATION QUI ACCOMPAGNE LA DEMANDE

4 (1) La déclaration visée au paragraphe 6 (3) de la Loi (déclaration qui accompagne la demande) est rédigée sur la formule 8.

(2) Sont prescrites pour l'application du paragraphe 6 (3) de la Loi les catégories de personnes suivantes :

1. Les juges provinciaux nommés en vertu de la *Loi sur les tribunaux judiciaires*.
2. Les juges de paix nommés en vertu de la *Loi sur les juges de paix*.
3. Les chefs des bandes d'Indiens qui se trouvent en Ontario.
4. Les personnes autorisées en vertu de la *Loi sur le mariage* à célébrer les mariages.
5. Les médecins dûment qualifiés.
6. Les membres du Barreau du Haut-Canada.
7. Les présidents des conseils municipaux de l'Ontario.
8. Les secrétaires des municipalités de l'Ontario.
9. Les directeurs des écoles élémentaires et secondaires au sens de la *Loi sur l'éducation*.
10. Les directeurs ou les signataires autorisés des succursales ontariennes des banques mentionnées à l'annexe I ou II de la *Loi sur les banques* (Canada), sociétés de prêt, sociétés de fiducie, *credit unions* et caisses populaires. Règl. de l'Ont. 64/87, art. 4.

## DROITS

5 Les droits suivants doivent être acquittés en vertu de la Loi :

- |                                                                                                                              |             |
|------------------------------------------------------------------------------------------------------------------------------|-------------|
| 1. Pour le choix prévu au paragraphe 3 (1) de la Loi fait lors du mariage ou lors du dépôt de la déclaration commune .....   | aucun droit |
| 2. Pour le choix prévu au paragraphe 3 (1) de la Loi fait après le mariage ou après le dépôt de la déclaration commune ..... | 25 \$       |
| 3. Pour le choix prévu au paragraphe 3 (2) de la Loi ..                                                                      | 25          |
| 4. Pour la demande prévue au paragraphe 4 (1) de la Loi .....                                                                | 130         |
| 5. Pour la demande prévue au paragraphe 5 (1) de la Loi, sauf dans le cas mentionné à la disposition 6 ...                   | 130         |

6. For an application under subsection 5 (1) of the Act that is made simultaneously with an application under subsection 4 (1) of the Act by the same applicant ..... \$21

O. Reg. 64/87, s. 5; O. Reg. 371/90, s. 1.

6. Pour la demande prévue au paragraphe 5 (1) de la Loi présentée par la même personne en même temps que la demande prévue au paragraphe 4 (1) de la Loi ..... 21 \$

Règl. de l'Ont. 64/87, art. 5; Règl. de l'Ont. 371/90, art. 1.

**Form 1**

*Change of Name Act*

ELECTION TO CHANGE SURNAME

**A. WHILE MARRIED**

I, ..... , of  
(forename(s)) (surname immediately before marriage)

..... was married to  
(city, town or village)

.....  
(forename(s)) (surname immediately before marriage)

on ..... at .....  
(date) (city, town or village and province, state or country where marriage took place)

We are still married to each other.

I elect to change my surname to .....

I have attached a marriage certificate issued by the vital statistics office of the province, state or country where the marriage took place.

I have completed Part C of this form.

I have attached all my birth certificates and change of name certificates that are in my possession.

.....  
(date) (signature of person making election)

(For Office Use)

Marriage Registration Number .....  
-----

**B. WHILE LIVING IN CONJUGAL RELATIONSHIP OUTSIDE MARRIAGE**

I, ..... , of  
(forename(s)) (surname immediately before filing declaration)

..... began living in a conjugal  
(city, town or village)

relationship outside marriage with .....  
(forename(s)) (surname immediately before filing declaration)

on ..... We still live together.  
(date)

I elect to change my surname to .....

I have attached a joint declaration (Form 3) signed by myself and .....

.....  
(forename(s)) (present surname)

I have completed Part C of this form.

I have attached all my birth certificates and change of name certificates that are in my possession.

.....  
(date) (signature of person making election)



**Formule 1***Loi sur le changement de nom***CHOIX D'EFFECTUER UN CHANGEMENT DU NOM DE FAMILLE****A. PENDANT LE MARIAGE**

Je soussigné(e), .....  
 (prénom(s)) (nom de famille porté immédiatement avant le mariage)

domicilié(e) à .....  
 (cité, ville ou village)

ai épousé .....  
 (prénom(s)) (nom de famille porté immédiatement avant le mariage)

le ..... à .....  
 (date) (cité, ville ou village et province, État ou pays où le mariage a été célébré)

Nous sommes toujours mariés l'un à l'autre.

Je choisis de changer mon nom de famille pour le nom suivant : .....

J'ai joint à la présente un certificat de mariage délivré par le bureau de l'état civil de la province, de l'État ou du pays où le mariage a été célébré.

J'ai rempli la partie C de la présente formule.

J'ai joint tous les certificats de naissance ainsi que les certificats de changement de nom qui me concernent et qui se trouvent en ma possession.

.....  
 (date) (signature de la personne qui fait le choix)

**(À l'usage du bureau)**

Numéro d'enregistrement du mariage .....

**B. PENDANT LA COHABITATION DANS UNE UNION CONJUGALE HORS DU MARIAGE**

Je soussigné(e), .....  
 (prénom(s)) (nom de famille porté immédiatement avant le dépôt de la déclaration)

domicilié(e) à .....  
 (cité, ville ou village), ai commencé à

cohabiter dans une union conjugale hors du mariage avec .....  
 (prénom(s)) (nom de famille porté immédiatement avant le dépôt de la déclaration)

le ..... Nous vivons toujours ensemble.  
 (date)

Je choisis de changer mon nom de famille pour le nom suivant : .....

J'ai joint à la présente une déclaration commune (formule 3) revêtue de ma signature et de celle de .....

.....  
 (prénom(s)) (nom de famille actuel)

J'ai rempli la partie C de la présente formule.

J'ai joint tous les certificats de naissance ainsi que les certificats de changement de nom qui me concernent et qui se trouvent en ma possession.

.....  
 (date) (signature de la personne qui fait le choix)

C. DETAILS ABOUT MYSELF

Present forename(s) and surname .....

Proposed surname .....

Date of birth .....

Place of birth .....

Birth registration number (if known) .....

Father's forename(s) and surname .....

Mother's forename(s) and surname at her birth .....

FOR OFFICE USE

CHANGE OF NAME REGISTRATION NUMBER .....

REGISTRATION DATE .....

DEPUTY REGISTRAR GENERAL

O. Reg. 64/87, Form 1.

Form 2

Change of Name Act

ELECTION TO RESUME FORMER SURNAME

A. WHEN MARRIAGE ENDS

I, ..... , of  
(forename(s)) (present surname)

..... was married to  
(city, town or village)

.....  
(forename(s) and surname of former spouse)

The marriage was dissolved on the ..... by  
(date)

- divorce
- annulment
- death

I elect to resume the following surname: .....  
(surname immediately before marriage)

I have attached one of the following:

- original or certified copy of certificate of divorce
- original or certified copy of certificate of annulment of marriage
- death certificate issued by the vital statistics office of the province, state or country where the death took place

I have completed Part C of this form.

I have attached all my birth certificates and change of name certificates that are in my possession.

.....  
(date) (signature of person making election)

(For Office Use)

Death Registration Number .....

Divorce Registration Number .....

**C. RENSEIGNEMENTS DÉTAILLÉS CONCERNANT L'INTÉRESSÉ(E)**

Prénom(s) et nom de famille actuels .....

Nom de famille proposé .....

Date de naissance .....

Lieu de naissance .....

Numéro d'enregistrement de la naissance (s'il est connu) .....

Prénom(s) et nom de famille du père .....

Prénom(s) et nom de famille de la mère à sa naissance .....

**À L'USAGE DU BUREAU**

NUMÉRO D'ENREGISTREMENT DU CHANGEMENT DE NOM .....

DATE D'ENREGISTREMENT .....

REGISTRAIRE GÉNÉRAL ADJOINT

Règl. de l'Ont. 64/87, formule 1.

**Formule 2***Loi sur le changement de nom***CHOIX DE REPRENDRE L'ANCIEN NOM DE FAMILLE****A. LORSQUE LE MARIAGE PREND FIN**Je soussigné(e), .....  
(prénom(s)) (nom de famille actuel)domicilié(e) à .....  
(cité, ville ou village)ai épousé .....  
(prénom(s) et nom de famille de l'ancien conjoint)Ce mariage a pris fin le ..... pour le motif suivant :  
(date)

- divorce  
 annulation  
 décès

Je choisis de reprendre le nom de famille suivant : .....  
(nom de famille porté immédiatement avant le mariage)

J'ai joint à la présente l'un des documents suivants :

- original ou copie certifiée conforme du certificat de divorce  
 original ou copie certifiée conforme du certificat d'annulation du mariage  
 certificat de décès délivré par le bureau de l'état civil de la province, de l'État ou du pays où s'est produit le décès.

J'ai rempli la partie C de la présente formule.

J'ai joint tous les certificats de naissance ainsi que les certificats de changement de nom qui me concernent et qui se trouvent en ma possession.

.....  
(date) (signature de la personne qui fait le choix)**(À l'usage du bureau)**

Numéro d'enregistrement du décès .....

Numéro d'enregistrement du divorce .....

**B. WHEN CONJUGAL RELATIONSHIP OUTSIDE MARRIAGE ENDS**

I, ..... , of  
(forename(s)) (present surname)

..... filed a joint declaration  
(city, town or village)

of conjugal relationship with .....  
(forename(s) and surname of former spouse)

on .....  
(date)

The relationship has ended.

I elect to resume the following surname .....  
(surname immediately before filing declaration)

I have attached my declaration (Form 4) stating that the relationship has ended.

I have completed Part C of this form.

I have attached all my birth certificates and change of name certificates that are in my possession.

.....  
(date) (signature of person making election)

**C. DETAILS ABOUT MYSELF**

Present forename(s) and surname .....

Proposed surname .....

Date of birth .....

Place of birth .....

Birth registration number (if known) .....

Father's forename(s) and surname .....

Mother's forename(s) and surname at her birth .....

**FOR OFFICE USE**

CHANGE OF NAME REGISTRATION NUMBER .....

REGISTRATION DATE .....

DEPUTY REGISTRAR GENERAL

O. Reg. 64/87, Form 2.

**Form 3**

*Change of Name Act*

**JOINT DECLARATION OF CONJUGAL RELATIONSHIP**

We, ..... and  
(forename(s) and surname of woman)

..... of  
(forename(s) and surname of man)

.....  
(city, town or village)

**B. LORSQUE L'UNION CONJUGALE HORS DU MARIAGE PREND FIN**

Je soussigné(e), .....  
(prénom(s)) (nom de famille actuel)

domicilié(e) à .....  
(cité, ville ou village)

ai déposé une déclaration commune d'union conjugale avec .....  
(prénom(s) et nom de famille de l'ancien conjoint)

le .....  
(date)

Cette union a pris fin.

Je choisis de reprendre le nom de famille suivant : .....  
(nom de famille porté immédiatement avant le dépôt de la déclaration)

J'ai joint à la présente ma déclaration de fin d'une union conjugale (formule 4).

J'ai rempli la partie C de la présente formule.

J'ai joint tous les certificats de naissance ainsi que les certificats de changement de nom qui me concernent et qui se trouvent en ma possession.

.....  
(date) (signature de la personne qui fait le choix)

**C. RENSEIGNEMENTS DÉTAILLÉS CONCERNANT L'INTÉRESSÉ(E)**

Prénom(s) et nom de famille actuels .....

Nom de famille proposé .....

Date de naissance .....

Lieu de naissance .....

Numéro d'enregistrement de la naissance (s'il est connu) .....

Prénom(s) et nom de famille du père .....

Prénom(s) et nom de famille de la mère à sa naissance .....

**À L'USAGE DU BUREAU**

NUMÉRO D'ENREGISTREMENT DU CHANGEMENT DE NOM .....

DATE D'ENREGISTREMENT .....

REGISTRAIRE GÉNÉRAL ADJOINT

Règl. de l'Ont. 64/87, formule 2.

**Formule 3**

*Loi sur le changement de nom*

**DÉCLARATION COMMUNE D'UNION CONJUGALE**

Nous soussignés, ..... et  
(prénom(s) et nom de famille de la femme)

....., domiciliés à  
(prénom(s) et nom de famille de l'homme)

.....  
(cité, ville ou village)

declare that we began living together in a conjugal relationship outside marriage on ..... and that we still live together. (date)

(date) (signature of woman) (signature of man)

O. Reg. 64/87, Form 3.

Form 4

Change of Name Act

DECLARATION THAT CONJUGAL RELATIONSHIP HAS ENDED

I, ..... of ..... (forename(s)) (present surname) filed a joint declaration (city, town or village) of conjugal relationship with ..... (forename(s) and surname of former spouse) on ..... I declare that the relationship has ended. (date)

(date) (signature of person making declaration)

O. Reg. 64/87, Form 4.

Form 5

Change of Name Act

APPLICATION FOR CHANGE OF NAME

PART A

I, ..... of ..... (present forename(s) and surname) (current address) apply to change: [ ] my own name [ ] my own name and the name(s) of my child(ren) [ ] the name(s) of my child(ren)

(perforated)

CHANGE OF NAME REGISTRATION

(For Office Use Registration Number)

Give the following information about every person whose name you are applying to change:

-----

PRESENT NAME (forename(s)) (surname)

PROPOSED NAME (forename(s)) (surname)

Date of birth Place of birth (city, town or village and province, state or country)

déclarons que nous avons commencé à cohabiter dans une union conjugale hors du mariage le .....  
(date)  
et que nous vivons toujours ensemble.

.....  
(date) .....  
(signature de la femme)  
.....  
(signature de l'homme)

Règl. de l'Ont. 64/87, formule 3.

**Formule 4***Loi sur le changement de nom***DÉCLARATION DE FIN D'UNE UNION CONJUGALE**

Je soussigné(e), .....  
(prénom(s)) (nom de famille actuel)

domicilié(e) à .....  
(cité, ville ou village)

ai déposé une déclaration commune d'union conjugale avec .....  
(prénom(s) et nom de famille de l'ancien conjoint)

le ..... Je déclare que cette union conjugale a pris fin.  
(date)

.....  
(date) .....  
(signature de la personne qui fait la déclaration)

Règl. de l'Ont. 64/87, formule 4.

**Formule 5***Loi sur le changement de nom***DEMANDE DE CHANGEMENT DE NOM****PARTIE A**

Je soussigné(e), ..... domicilié(e) à .....  
(prénom(s) et nom de famille actuels) (adresse actuelle)

demande de changer :

- mon propre nom  
 mon propre nom et le(s) nom(s) de mon/mes enfant(s)  
 le(s) nom(s) de mon/mes enfant(s)

**ENREGISTREMENT DU CHANGEMENT DE NOM**

(À l'usage du bureau  
Numéro d'enregistrement)

Veillez fournir les renseignements suivants au sujet de chaque personne pour laquelle vous faites une demande de changement de nom :

NOM ACTUEL .....  
(prénom(s)) (nom de famille)

NOM PROPOSÉ .....  
(prénom(s)) (nom de famille)

Date de naissance ..... Lieu de naissance .....  
(cité, ville ou village et province, État ou pays)

Sex .....

Birth registration number (if known) .....

Father's forename(s) and surname .....

Former name(s), if any .....

Mother's forename(s) and surname .....

Former name(s), if any .....

-----

(For Office Use)

This application is complete.

The required documents have been submitted.

.....  
(date of registration) (signature of Deputy Registrar General)

**PART B**

You must complete a *separate set* of Part B for each person whose name is being changed.

Give complete answers. If there is not enough space, add extra pages.

OTHER INFORMATION ABOUT .....  
(person's present name)

Name at birth .....  
(forename(s)) (surname)

I. What is your marital status?

- married  divorced  widowed  never married

If you are married, what was your spouse's name before marriage?

.....  
(forename(s)) (surname)

Date and place of marriage .....

Have you filed a joint declaration of conjugal relationship with another person?  yes  no

If yes, has it been revoked?  yes  no

If the declaration has not been revoked, what is the other person's name? .....  
(forename(s)) (surname)

Date and place declaration filed .....

2. What are the reasons for the change of name? Give a full explanation.

.....  
.....  
.....

3. How long have you lived in Ontario? .....

Current address .....

4. Have you ever been convicted of a criminal offence?  yes  no

(If the only offence of which you have ever been convicted has been pardoned under the *Criminal Records Act* (Canada), answer "No".)



Sexe .....

Numéro d'enregistrement de la naissance (s'il est connu) .....

Prénom(s) et nom de famille du père .....

Ancien(s) nom(s), le cas échéant .....

Prénom(s) et nom de famille de la mère .....

Ancien(s) nom(s), le cas échéant .....

(À l'usage du bureau)La présente demande est remplie de façon satisfaisante. Les documents exigés ont été produits. .....  
(date d'enregistrement) (signature du registraire général adjoint)

## PARTIE B

Vous devez remplir *un exemplaire distinct* de la partie B pour chacune des personnes pour laquelle vous demandez un changement de nom.

Veuillez donner des réponses complètes. Si l'espace alloué pour les réponses est insuffisant, joignez d'autres pages.

AUTRES RENSEIGNEMENTS CONCERNANT .....  
(nom actuel de la personne)Nom à la naissance .....  
(prénom(s)) (nom de famille)1. Quel est votre état matrimonial?  marié(e)  divorcé(e)  veuf (veuve)  jamais marié(e)

Si vous êtes marié(e), quel nom portait votre conjoint avant le mariage?

.....  
(prénom(s)) (nom de famille)

Date et lieu du mariage .....

Avez-vous déposé une déclaration commune d'union conjugale avec une autre personne?  oui  nonSi oui, celle-ci a-t-elle été révoquée?  oui  nonSi cette déclaration n'a pas été révoquée, quel est le nom de l'autre personne qui l'a faite? .....  
(prénom(s)) (nom de famille)

Date et lieu du dépôt de la déclaration .....

2. Quels sont les motifs du changement de nom? Donnez une explication complète.

.....  
.....  
.....

3. Depuis combien de temps résidez-vous en Ontario? .....

Adresse actuelle .....

4. Avez-vous déjà été déclaré(e) coupable d'une infraction criminelle?  oui  non(Si la seule infraction pour laquelle vous avez été déclaré(e) coupable a fait l'objet d'un pardon accordé en vertu de la *Loi sur le casier judiciaire*, répondez «non».)

If yes, give full details

.....  
.....

Have you ever been convicted of a criminal offence under the *Young Offenders Act* (Canada)?

yes  no

(If the record of the offence is required to be destroyed under the *Y.O.A.* (Canada), answer "No".)

If yes, give full details

.....  
.....

5. Are there any unsatisfied orders for payment of money, any unsatisfied executions or any pending court proceedings against you?  
 yes  none that I am aware of

If yes, give full details

.....  
.....

6. Are there any liens or security interests against your personal property?  yes  none that I am aware of

If yes, give full details

.....  
.....

7. Have any financing statements naming you as debtor been registered under the *Personal Property Security Act*?  
 yes  none that I am aware of

If yes, give full details

.....  
.....

8. Are you an undischarged bankrupt?  yes  no

If yes, give full details

.....  
.....

9. Have you ever changed your name before?  yes  no

(This includes a woman's adoption of her husband's surname by custom.)

If yes, give full details, including your full names before and after the change

.....  
.....

10. Have you ever applied for a change of name and been refused?  yes  no

If yes, give full details

.....  
.....

En cas de réponse affirmative, veuillez préciser .....

.....

.....

Avez-vous déjà été déclaré(e) coupable d'une infraction criminelle en vertu de la *Loi sur les jeunes contrevenants*?  oui  non

(Si le dossier de cette infraction doit être détruit en vertu de la *Loi sur les jeunes contrevenants*, répondez «non».)

En cas de réponse affirmative, veuillez préciser .....

.....

.....

5. Existe-t-il des ordonnances de paiement, des saisies-exécutions non exécutées ou des instances en cours à votre égard?  oui  aucune à ma connaissance

En cas de réponse affirmative, veuillez préciser .....

.....

.....

6. Existe-t-il des privilèges ou des sûretés à l'égard de vos biens meubles?  oui  aucun à ma connaissance

En cas de réponse affirmative, veuillez préciser .....

.....

.....

7. Existe-t-il des états de financement enregistrés en vertu de la *Loi sur les sûretés mobilières* dans lesquels vous figurez à titre de débiteur?  oui  aucun à ma connaissance

En cas de réponse affirmative, veuillez préciser .....

.....

.....

8. Êtes-vous un failli qui n'a pas obtenu sa libération?  oui  non

En cas de réponse affirmative, veuillez préciser .....

.....

.....

9. Avez-vous déjà changé de nom avant la présente demande?  oui  non

(Cette question s'applique aussi à l'adoption par une femme du nom de famille de son mari en vertu de la coutume.)

En cas de réponse affirmative, veuillez préciser, et donner notamment vos nom et prénom(s) avant et après le changement de nom .....

.....

10. Avez-vous déjà fait une demande de changement de nom qui a été rejetée?  oui  non

En cas de réponse affirmative, veuillez préciser .....

.....

.....

APPLICATION FOR CHANGE OF NAME

PART C

I declare that:

1. (Cross out if application does not relate to a child's name)

I have lawful custody of the child(ren) named in this application and no court order or separation agreement prohibits the change of name.

(Cross out parts that are not applicable.) (A court order made by ..... on ..... )  
(judge's name) (date)

(A separation agreement made by ..... and ..... )  
(name of one party) (name of other party)

on ..... ) provides that the name of ...  
(date) (child's present name)

shall not be changed without the consent of .....  
(name of person whose consent is required)

2. The following persons are entitled to notice of this application: (see instructions)

.....  
.....

I have given notice to each of them, and I have attached *one* of the following in respect of each of them:

- A.  An acknowledgment of notice, signed by the person.
- B.  Evidence that I sent notice and a copy of this application to the person, by registered or certified mail, at least thirty days before making the application.

3. The consent of the following persons to this application is required: (see instructions)

.....  
.....

I have attached *one* of the following in respect of each of them:

- A.  A consent, signed by the person.
- B.  A certified copy of a court order dispensing with the person's consent.

4. I have also attached to this application the following:

- A. All birth certificates and change of name certificates of every person whose name is to be changed by this application that are in my possession.
- B. A guarantor's statement. (See instructions)

5. This application is not made for an improper purpose.

6. The information I have provided in this application is true and complete.

I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath.

Declared before me at the .....

of ..... in the .....

..... of .....

on the ..... day of ....., 19.....

.....  
(signature of declarant)

Commissioner for taking affidavits

**DEMANDE DE CHANGEMENT DE NOM****PARTIE C**

Je soussigné(e), déclare ce qui suit :

1. (Rayez cette partie si la demande ne concerne pas le nom d'un enfant)

J'ai la garde légitime de l'enfant ou des enfants nommés dans la présente demande et aucune ordonnance ou aucun accord de séparation n'interdit le changement de nom.

(Rayez les mentions sans objet.) (Une ordonnance rendue par le ..... le .....)  
(nom du juge) (date)

(Un accord de séparation conclu entre .....  
(nom d'une des parties)

et ..... le .....  
(nom de l'autre partie) (date)

prévoit que le nom de .....  
(nom actuel de l'enfant)

ne peut pas être changé sans le consentement de .....  
(nom de la personne dont le consentement est exigé)

2. Les personnes suivantes ont le droit d'être avisées de la présente demande : (voir les instructions)

J'ai donné avis de la présente à chacune de ces personnes et j'ai joint à la présente demande *un* des documents suivants en ce qui concerne chacune d'elles :

A.  Un accusé de réception d'avis, revêtu de la signature de la personne intéressée.

B.  Une preuve que j'ai envoyé l'avis et une copie de la présente demande à la personne intéressée, par courrier recommandé ou par la poste certifiée, au moins trente jours avant la date à laquelle est faite la présente demande.

3. Le consentement des personnes suivantes à la présente demande est exigé : (voir les instructions)

J'ai joint à cette demande *un* des documents suivants en ce qui concerne chacune d'elles :

A.  Un consentement, revêtu de la signature de la personne intéressée.

B.  Une copie certifiée conforme d'une ordonnance qui dispense de l'obtention du consentement de la personne intéressée.

4. J'ai joint également à la présente demande les documents suivants :

A. Tous les certificats de naissance et de changement de nom de chacune des personnes dont la présente demande vise à changer le nom et qui se trouvent en ma possession.

B. La déclaration du répondant. (Voir les instructions.)

5. La présente demande n'est pas présentée dans un but illégitime.

6. Les renseignements que j'ai fournis dans la présente demande sont véridiques et complets.

Je soussigné(e), fais la présente déclaration solennelle convaincu(e) en toute conscience qu'elle est véridique et sachant qu'elle a la même force et le même effet que si elle était faite sous la foi du serment.

Déclaré devant moi dans le/la .....

de ..... dans le/la .....

de ..... le ..... 19.....

.....  
(signature du déclarant)

.....  
Commissaire aux affidavits

**Form 6**

*Change of Name Act*

**NOTICE OF APPLICATION**

This gives notice to .....  
(name of person entitled to notice)

of .....  
(address)

that an application will be made under the *Change of Name Act* to change the name of .....  
(present forename(s) and surname)

to .....  
(proposed forename(s) and surname)

I have enclosed a copy of the application with this notice.

.....  
(applicant's name)

.....  
(date) .....  
(applicant's signature)

.....  
(applicant's address)

-----  
(perforated)

**ACKNOWLEDGMENT OF NOTICE**

I, .....  
(forename(s)                      (surname)

of ..... acknowledge that I have  
(address)

received notice and a copy of the application described above.

I am the ..... of the person to whose  
(state relationship)

name the application relates.

.....  
(date) .....  
(signature)

**NOTE:** When you sign this acknowledgment, you are *not* indicating that you agree or disagree with the application. You are only acknowledging that you have received a copy of the application.

The Registrar General may proceed with the application if satisfied that you were in fact given notice, whether you sign the acknowledgment or not.

O. Reg. 64/87, Form 6.

**Form 7**

*Change of Name Act*

**CONSENT TO APPLICATION TO CHANGE CHILD'S NAME**

This consent relates to an application to change the name of .....  
(present forename(s) and surname)

a child who was born on ..... at .....  
(date) .....  
(place of birth)

to .....  
(proposed forename(s) and surname)

**Formule 6***Loi sur le changement de nom***AVIS DE DEMANDE**

Il est, par la présente, donné avis à .....  
 (nom de la personne qui a droit de recevoir l'avis)

domicilié(e) à .....  
 (adresse)

qu'une demande sera présentée en vertu de la *Loi sur le changement de nom* pour changer le nom de .....  
 (prénom(s) et nom de famille actuels)

pour le nom suivant : .....  
 (prénom(s) et nom de famille proposés)

J'ai joint au présent avis une copie de cette demande.

.....  
 (nom de l'auteur de la demande)

.....  
 (date) .....  
 (signature de l'auteur de la demande)

.....  
 (adresse de l'auteur de la demande)

-----  
 (perforations)

**ACCUSÉ DE RÉCEPTION D'AVIS**

Je soussigné(e), .....  
 (prénom(s)) (nom de famille)

domicilié(e) à .....  
 (adresse)

accuse réception de l'avis et de la copie de la demande mentionnée ci-dessus.

Je suis le/la .....  
 (indiquer le lien)

de la personne dont la demande vise à changer le nom.

.....  
 (date) .....  
 (signature)

**REMARQUE :** Le fait de signer le présent accusé de réception n'a *pas pour effet* d'indiquer votre accord ou votre désaccord avec la demande. Vous ne faites qu'accuser réception de la copie de la demande.

Le registraire général peut donner suite à la demande s'il est convaincu qu'un avis vous a effectivement été donné, que vous signiez ou non cet accusé de réception.

Règl. de l'Ont. 64/87, formule 6.

**Formule 7***Loi sur le changement de nom***CONSENTEMENT À LA DEMANDE DE CHANGEMENT DE NOM D'UN ENFANT**

Le présent consentement vise la demande de changement de nom de .....  
 (prénom(s) et nom de famille actuels)

un(e) enfant né(e) le ..... à .....  
 (date) (lieu de naissance)

pour le nom suivant : .....  
 (prénom(s) et nom de famille proposés)

I, ..... of .....  
 (name of person consenting) (address)

state that  I share lawful custody of the child with .....  
 (name)

a court order or separation agreement provides that the child's name shall not be changed without my consent.

I am the child.

I consent to the application.

.....  
 (date) (signature)

NOTE: Each person whose consent is necessary should complete a separate copy of this form.

O. Reg. 64/87, Form 7.

### Form 8

#### *Change of Name Act*

#### STATEMENT OF GUARANTOR

##### PART A

NOTE: The following persons may act as guarantors under Part A:

- Provincial court judges
- Justices of the peace
- Chiefs of Indian bands
- Persons authorized to perform marriages
- Medical doctors
- Lawyers
- Heads of municipal councils
- Municipal clerks
- Elementary and secondary school principals
- Managers and signing officers of branches of banks, loan corporations, trust corporations, credit unions and caisses populaires

Guarantors who are not described in this list must complete Part B of this form.

The guarantor must know that each person whose name is to be changed has lived in Ontario for at least one year (or since birth).

I, ..... of .....  
 (forename(s) and surname) (address)

.....  
 (occupation)

state that I know the following person(s) and know that (he) (she) (they) (has) (have) lived in Ontario since .....  
 (date)

(List present name of each person whose name is to be changed.)

(If a person whose name is to be changed is less than one year old, add the following:

I state that I know the following person(s) and know that (he) (she) (they) (has) (have) lived in Ontario since birth.)

(List present name of each person aged less than one year.)

.....  
 (date) (guarantor's signature)



Je soussigné(e), .....  
(nom de la personne qui donne son consentement)

domicilié(e) à .....  
(adresse)

déclare  que je partage la garde légitime de l'enfant avec .....  
(nom)

qu'une ordonnance ou qu'un accord de séparation prévoit que le nom de l'enfant ne peut être changé sans mon consentement.

que je suis l'enfant visé(e).

Je donne mon consentement à la demande.

.....  
(date) (signature)

REMARQUE : Chacune des personnes dont le consentement est exigé remplit une copie distincte de la présente formule.

Règl. de l'Ont. 64/87, formule 7.

### Formule 8

*Loi sur le changement de nom*

#### DÉCLARATION DU RÉPONDANT

##### PARTIE A

REMARQUE : Les personnes suivantes peuvent agir à titre de répondant aux termes de la partie A :

- Les juges provinciaux
- Les juges de paix
- Les chefs des bandes d'Indiens
- Les personnes autorisées à célébrer les mariages
- Les médecins
- Les avocats
- Les présidents des conseils municipaux
- Les secrétaires des municipalités
- Les directeurs des écoles élémentaires et secondaires
- Les directeurs ou les signataires autorisés des succursales de banques, de sociétés de prêt, de sociétés de fiducie, de *credit unions* et de caisses populaires.

Les répondants qui ne figurent pas sur la présente liste doivent remplir la partie B de la présente formule.

Le répondant doit savoir que chaque personne dont la demande vise à changer le nom a résidé en Ontario pendant au moins un an (ou depuis sa naissance).

Je soussigné(e) .....  
(prénom(s) et nom de famille)

domicilié(e) à .....  
(adresse)

.....  
(profession)

déclare connaître la/les personne(s) suivante(s) et savoir qu'elle(s) a/ont résidé en Ontario depuis .....  
(date)

(Indiquer le nom actuel de chaque personne dont la demande vise à changer le nom.)

(Si une personne dont la demande vise à changer le nom est âgée de moins d'un an, ajouter la déclaration suivante :

Je déclare connaître la/les personne(s) suivante(s) et savoir qu'elle(s) a/ont résidé en Ontario depuis sa/leur naissance.)

(Indiquer le nom actuel de chaque personne âgée de moins d'un an.)

.....  
(date) (signature du répondant)

PART B

NOTE: The guarantor who uses Part B must have known each person whose name is to be changed for at least five years (or since birth, if the person is less than five years old).

The guarantor must know that each person whose name is to be changed has lived in Ontario for at least one year (or since birth).

I, ..... of .....  
(forename(s) and surname) (address)

state that I have known the following person(s) since .....  
(date)

and know that (he) (she) (they) (has) (have) lived in Ontario since .....  
(date)

(List present name of each person whose name is to be changed.)

(If a person whose name is to be changed is less than five but more than one year old, add the following:

I state that I have known the following person(s) since birth and know that (he) (she) (they) (has) (have) lived in Ontario since ..... )  
(date)

(List present name of each person who is less than five but more than one year old.)

(If a person whose name is to be changed is less than one year old, add the following:

I state that I have known the following person(s) since birth and know that (he) (she) (they) (has) (have) lived in Ontario since birth.)

(List present name of each person who is less than one year old.)

.....  
(date) (guarantor's signature)

PARTIE B

REMARQUE : Le répondant qui utilise la partie B doit connaître chaque personne dont la demande vise à changer le nom depuis cinq ans au moins (ou depuis sa naissance, si la personne est âgée de moins de cinq ans).

Le répondant doit savoir que chaque personne dont la demande vise à changer le nom a résidé en Ontario pendant au moins un an (ou depuis sa naissance).

Je soussigné(e), .....  
(prénom(s) et nom de famille)

domicilié(e) à .....  
(adresse)

déclare connaître la/les personne(s) suivante(s) depuis ..... et savoir qu'elle(s) a/ont résidé

en Ontario depuis .....  
(date)

(Indiquer le nom actuel de chaque personne dont la demande vise à changer le nom.)

(Si une personne dont la demande vise à changer le nom est âgée de moins de cinq ans, mais de plus d'un an, ajouter la déclaration suivante :

Je déclare connaître la/les personne(s) suivante(s) et savoir qu'elle(s) a/ont résidé en Ontario depuis ..... )  
(date)

(Indiquer le nom actuel de chaque personne âgée de moins de cinq ans, mais de plus d'un an.)

(Si une personne dont la demande vise à changer le nom est âgée de moins d'un an, ajouter la déclaration suivante :

Je déclare connaître la/les personne(s) suivante(s) et savoir qu'elle(s) a/ont résidé en Ontario depuis sa/leur naissance.)

(Indiquer le nom actuel de chaque personne âgée de moins d'un an.)

.....  
(date) (signature du répondant)



**Charitable Institutions Act**  
**Loi sur les établissements de bienfaisance**

**REGULATION 69**

**GENERAL**

DEFINITIONS

**1.** In this Regulation,

“approved device” means a colostomy or ileostomy set that is prescribed by a physician appointed under section 14 and that is approved by the Director;

“approved drug and pharmaceutical” means,

(a) a drug prescribed by a physician or member of the Royal College of Dental Surgeons of Ontario and approved by the Minister of Health for Ontario, and

(b) a drug and medication listed in Schedules A and B established for the purposes of Part VI of the *Health Disciplines Act*, that is not prescribed by a physician or a member of the Royal College of Dental Surgeons of Ontario and that is approved by the Director;

“architect” means an architect who is a member in good standing of the Ontario Association of Architects;

“board” means the board of directors of an approved corporation or a charitable institution;

“Director” means a Director appointed for the purposes of the Act;

“extended care services” means care and maintenance given to a resident that includes skilled nursing and personal care given by or under the supervision of a registered nurse or, where the Director approves, registered nursing assistant, under the direction of the physician appointed under section 14 for a charitable institution, for a minimum of one and a half hours per day;

“licensed public accountant” means a public accountant licensed under the *Public Accountancy Act*;

“physician” means a legally qualified medical practitioner;

“professional engineer” means a professional engineer who is a member in good standing of the Association of Professional Engineers of the Province of Ontario;

“registered nurse” means a person who is registered as a nurse under Part IV of the *Health Disciplines Act*;

“registered nursing assistant” means a person who is registered as a nursing assistant under Part IV of the *Health Disciplines Act*;

“resident” means a person admitted to and lodged in a charitable institution for whom residential care, extended care services, sheltered, specialized or group care is provided in the institution;

“residential care” means care and maintenance that is not extended care services given to a resident in a charitable institution. R.R.O. 1980, Reg. 95, s. 1.

APPROVAL AND SPECIFICATION

**2.** For the purposes of subsection 3 (1) of the Act, the following classes of charitable institutions may be approved by the Minister,

(a) halfway houses where rehabilitative residential group care may be provided for adult persons;

(b) homes for the aged in which elderly persons may be cared for;

(c) homes where residential group care may be provided for handicapped or convalescent adult persons;

(d) hostels; and

(e) charitable institutions for miscellaneous purposes. R.R.O. 1980, Reg. 95, s. 2.

**PART I**  
**GENERAL**

**3.—(1)** Subject to subsection (2), this Part applies to all corporations and charitable institutions that are approved for the purposes of the Act.

(2) Except for sections 4, 6, 7, 13, 21, 22, 23 and 24, this Part does not apply to any hostel approved by the Minister under subsection 3 (1) of the Act or to an approved corporation in respect of a hostel that it maintains and operates. R.R.O. 1980, Reg. 95, s. 3.

RULES GOVERNING CHARITABLE INSTITUTIONS

**4.** An approved corporation, if requested by the Minister, shall file with the Minister evidence that the whole or any part of a building or buildings used or to be used as a charitable institution complies with,

(a) the laws affecting the health of inhabitants of the municipality in which the facility is located;

(b) any rule, regulation, direction or order of the local board of health and any direction or order of the medical officer of health;

(c) any by-law of the municipality in which the facility is located or other law for the protection of persons from fire hazards;

(d) any restricted area, standard of housing or building by-law passed by the municipality in which the facility is located under Part III of the *Planning Act* or any predecessor thereof;

(e) the requirements of Regulation 61 of Revised Regulations of Ontario, 1990 made under the *Building Code Act*; and

(f) the requirements of the Electrical Safety Code made under the *Power Corporation Act*. R.R.O. 1980, Reg. 95, s. 4.

**5.—(1)** In every charitable institution the board shall provide,

(a) nourishing meals at regular intervals prepared by or under the supervision of a competent person;

(b) adequate and sanitary supplies of milk and drinking water; and

(c) sleeping accommodation for each resident with the beds so placed that no bed overlaps a window or radiator and no bed at any point is nearer to any other bed than 76 centimetres.

(2) The board shall ensure that a minimum temperature of 20°C is maintained in the institution from the 1st day of October to the 31st day of May in each year. R.R.O. 1980, Reg. 95, s. 5.

6. In every charitable institution, the board shall ensure that,

- (a) all fire hazards in the institution are eliminated, the institution is inspected at least once a year by an officer authorized to inspect buildings under the *Fire Marshals Act* and the recommendations of the officer are carried out;
- (b) there is adequate protection from radiators or other heating equipment;
- (c) the water supplies are adequate for all normal needs, including those of fire protection;
- (d) the fire protection equipment, including the sprinkler system, fire extinguishers, hose and stand pipe equipment are visually inspected at least once a month and serviced at least once every year by qualified personnel;
- (e) the fire detection and alarm system is inspected at least once a year by qualified fire alarm maintenance personnel, and tested at least once every month;
- (f) at least once a year the heating equipment is serviced by qualified personnel and the chimneys are inspected and cleaned if necessary;
- (g) a written record is kept of each inspection and test of fire equipment, fire drill, the fire detection and alarm system, the heating system, chimneys and smoke detectors, and each record shall be retained for at least two years from the date of the inspection or test;
- (h) the staff and residents are instructed in the method of sounding the alarm system;
- (i) the staff are trained in the proper use of the fire extinguishing equipment;
- (j) a directive setting out the procedures that must be followed and the steps that must be taken by the staff and residents when a fire alarm is given is drawn up and posted in conspicuous places in the institution;
- (k) the staff and residents are instructed in the procedures set out in the directive referred to in clause (j) and the procedures are practised by staff and residents at least once a month using the fire detection and alarm to initiate the drill;
- (l) where matches are used, only safety matches are issued to the staff and residents;
- (m) an inspection of the building, including the equipment in the kitchen and laundry, is made each night to ensure that there is no danger of fire and that all doors to stairwells, all fire doors and all smoke barrier doors are kept closed;
- (n) adequate supervision is provided at all times for the security of the residents and the institution;
- (o) oxygen is not used or stored in the institution in a pressure vessel;
- (p) combustible rubbish is kept to a minimum;
- (q) all exits are clear and unobstructed at all times;
- (r) combustible draperies, mattresses, carpeting, curtains, decorations and similar materials are suitably treated to render them resistant to the spread of flame and are retreated when necessary;
- (s) receptacles into which electric irons or other small appliances are plugged are equipped with pilot lights that glow when the appliance is plugged in;
- (t) lint traps in the laundry are cleaned out after each use of the equipment;
- (u) flammable liquids and paint supplies are stored in suitable containers in non-combustible cabinets;
- (v) suitable non-combustible ashtrays are provided where smoking is permitted;
- (w) no portable electric heaters are used in the institution that are not in accordance with standards of approval set down by the Canadian Standards Association;
- (x) no vaporizing liquid fire extinguishers are kept or used in the institution; and
- (y) no sprinkler heads, fire or smoke detector heads are painted or otherwise covered with any material or substance that is likely to prevent them from functioning normally. R.R.O. 1980, Reg. 95, s. 6; O. Reg. 814/81, s. 1.

7. A charitable institution located in a municipality that does not have public fire protection shall be provided with a complete automatic sprinkler system that complies with standards prescribed under the *Building Code Act*. R.R.O. 1980, Reg. 95, s. 7.

8. In every charitable institution the board shall,

- (a) arrange for suitable religious services to be available for all residents;
- (b) provide opportunities for the residents to participate in recreational, rehabilitative and hobby-craft activities; and
- (c) ensure that each resident receives, at all times, care adequate for and consistent with his or her individual needs. R.R.O. 1980, Reg. 95, s. 8.

#### QUALIFICATIONS, POWERS AND DUTIES OF STAFFS

9.—(1) A board shall appoint a person as administrator of the charitable institution maintained and operated by it who shall be approved by the Minister and shall be responsible to the board for the efficient management and operation of the institution.

(2) Before giving approval under subsection (1) to the appointment of an administrator of a charitable institution that has been approved as a home for the aged under clause 2 (b), the Minister shall be satisfied that the appointee has served satisfactorily as an administrator of the home for a period of at least six months and has successfully completed a course of instruction that is approved by the Minister. R.R.O. 1980, Reg. 95, s. 9 (1, 2).

(3) Each administrator and staff member of a charitable institution shall be a person who,

- (a) is sympathetic to the welfare of the residents; and
- (b) has adequate knowledge, understanding and experience to recognize and meet the needs of the residents and the ability to cope with their problems. R.R.O. 1980, Reg. 95, s. 9 (3); O. Reg. 729/83, s. 1.

10.—(1) The administrator of a charitable institution approved as a home for the aged under clause 2 (b) shall be bonded by a bond of a guarantee company approved under the *Guarantee Companies Securities Act* in an amount satisfactory to the board.

(2) The board of the institution shall pay the cost of the bond provided under subsection (1). R.R.O. 1980, Reg. 95, s. 10.

11.—(1) No board shall appoint an administrator or person to act temporarily as an administrator or employ a person on the staff of the charitable institution maintained and operated by it until the person so appointed or employed has obtained from a physician a certificate certifying that he or she is,

- (a) free from active tuberculosis or other communicable or contagious disease; and

(b) physically fit to undertake his or her duties in the institution.

(2) At least once a year the administrator and each staff member of the institution shall obtain the certificate prescribed in subsection (1). R.R.O. 1980, Reg. 95, s. 11.

12. Where a resident of a charitable institution dies, the administrator shall give notice of the death to a coroner other than a coroner who is the physician appointed under section 14 as the physician for the institution. R.R.O. 1980, Reg. 95, s. 12.

#### ADDITIONAL POWERS AND DUTIES OF PROVINCIAL SUPERVISORS

13.—(1) A provincial supervisor shall be given access at any time to any charitable institution or any part thereof for the purposes of inspection under subsection 10 (1) of the Act.

(2) A provincial supervisor shall inspect,

- (a) each charitable institution for the purpose of determining compliance with the Act and this Regulation and for any other purpose as required by the Minister;
- (b) the building or buildings and accommodation, the sanitary and eating facilities, the recreational, rehabilitative and hobby-craft facilities and equipment, the fire equipment and fire precautions; and
- (c) the dietary standards and appraise the nutritional standards for the residents, including those on special diets. R.R.O. 1980, Reg. 95, s. 13.

#### MEDICAL AND RELATED OR ANCILLARY SERVICES

14. Each board shall, with the approval of the Minister, appoint a physician to each charitable institution maintained and operated by it to ensure that medical services are provided to each resident in accordance with his or her needs. R.R.O. 1980, Reg. 95, s. 14.

15.—(1) In this section and section 16, "attending physician" means a legally qualified medical practitioner other than the physician for a charitable institution who is appointed under section 14. O. Reg. 627/84, s. 1.

(2) The physician appointed under section 14 for a charitable institution shall be responsible for the medical, paramedical and nursing care and services, programs and procedures provided for or administered to the residents of the institution, and all medications and drugs provided or used in the institution shall be subject to the approval of such physician.

(3) At least once a year, or at such other more frequent intervals as the board requires, the physician for the institution shall submit to the board and to the Director, a report summarizing the general health conditions of the residents, the medical, nursing, activational and other therapeutic services provided to them and shall include in the report any recommendations that he or she considers necessary to ensure proper conditions of health and an adequate state of well-being for all residents.

(4) The physician for the institution shall,

- (a) ensure that the sanitary conditions in the institution are inspected at least once a month;
- (b) report on such inspections to the board;
- (c) take any steps that he or she considers necessary to ensure that any of his or her recommendations for the correction of any unsanitary condition is carried out; and
- (d) report any contagious or communicable disease outbreaks to the local medical officer of health in accordance with section 25 of the *Health Protection and Promotion Act*.

(5) The physician for the institution shall attend and prescribe medication or treatment for any resident who has no attending physi-

cian of his or her own or who requests that the services of the physician for the institution be made available to him or her.

(6) At least once a year, each resident of the institution shall be given a complete medical examination by the physician for the institution or the attending physician. R.R.O. 1980, Reg. 95, s. 15 (2-6).

(7) The physician for the institution or the attending physician shall make a detailed written report of the results of each medical examination of a resident and any recommendations pertaining thereto and the report shall be retained along with other records of the resident for at least twenty years after the last entry in the records with respect to the resident or, where the resident dies, for at least five years after the death of the resident. O. Reg. 814/81, s. 2.

(8) A resident shall be given such special diet as the physician for the institution or the attending physician directs. R.R.O. 1980, Reg. 95, s. 15 (8).

16.—(1) The administrator of a charitable institution that is approved by the Minister under subsection 3 (1) of the Act as a home for the aged, the physician appointed under section 14 and the nurse in charge shall develop and maintain written policies on the use of restraining devices and agents including the types of devices or agents intended to be used and such policies shall be subject to the approval of the Minister.

(2) No device or agent for restraining a person shall be applied to a resident unless the device or agent has been ordered in writing by the attending physician and the device or agent is of a type approved under subsection (1). O. Reg. 627/84, s. 2.

17.—(1) Where an approved corporation maintains and operates a charitable institution that is approved by the Minister under subsection 3 (1) of the Act as a home for the aged or as a home where residential group care may be provided for handicapped or convalescent persons, the board shall appoint at least one nurse or person with nursing experience to the staff of the institution and, where there are residents in bed care, at least one nurse so appointed shall be a registered nurse.

(2) There shall be employed such additional staff to care for residents in addition to those required under subsection (1) including registered nurses as may be required by the Director. R.R.O. 1980, Reg. 95, s. 16.

18.—(1) Subject to subsection (2), before admitting a person to a charitable institution, the administrator or board shall ensure that,

- (a) the person has been given a medical examination, including a skin test for tuberculosis, by a physician who may be a physician appointed under section 14; and
- (b) the physician referred to in clause (a) has certified in writing that the person is free from active tuberculosis or other communicable or contagious disease.

(2) Where it is in the best interest of the welfare of a person that he or she be admitted to a charitable institution other than a charitable institution approved by the Minister under subsection 3 (1) of the Act as a home for the aged, and the person cannot be medically examined or certified to be free from active tuberculosis or other communicable or contagious disease as required by subsection (1), the person may be admitted to the institution if he or she is kept in isolation from other residents until subsection (1) is complied with.

(3) A record of the medical examination of each person admitted to the institution shall be kept therein together with any recommendations made by the physician for medical treatment, immunization or for the special needs of the person. R.R.O. 1980, Reg. 95, s. 17 (1-3).

(4) Every administrator of a charitable institution that is approved by the Minister under subsection 3 (1) of the Act as a home for the aged shall ensure that each person admitted to each charitable institution operated or managed by the administrator,

(a) has, within the six months prior to being admitted, a chest X-ray examination the results of which are negative for tuberculosis; and

(b) has had, within the six months prior to being admitted or has, within one week after being admitted, a skin test for tuberculosis.

(5) The results of any test or examination referred to in subsection (4) shall be kept as part of the person's record and file referred to in subsection 29 (1). O. Reg. 79/84, s. 1.

(6) Where an examination referred to in subsection (4) so indicates or at any time where symptoms develop in a resident which, in the opinion of the attending physician, are suggestive of pulmonary infection, the attending physician shall conduct or order such clinical examination and laboratory tests as he or she considers necessary in order to make a diagnosis and to determine if there is the presence of active tuberculosis. R.R.O. 1980, Reg. 95, s. 17 (5).

(7) The records required to be kept under subsections (3) and (4) shall be retained along with other records of the resident for at least twenty years after the last entry in the records with respect to the resident or, where the resident dies, for at least five years after the death of the resident. O. Reg. 814/81, s. 3.

#### MEDICATIONS

19.—(1) In this section,

“home” means a charitable institution approved as a home for the aged under clause 2 (b);

“pharmacist” means a person who is licensed as a pharmacist under Part VI of the *Health Disciplines Act*;

“prescription drug” means,

(a) a controlled drug mentioned in Schedule G of the *Food and Drugs Act* (Canada),

(b) a narcotic as defined in the *Narcotic Control Act* (Canada),

(c) a drug referred to in clause (a) of the definition of “approved drug and pharmaceutical” in section 1. R.R.O. 1980, Reg. 95, s. 18 (1).

(2) The administrator of a home shall provide a separate locked cupboard for all drugs, pharmaceuticals and medications and shall keep all drugs referred to in clauses (a) and (b) of the definition of “prescription drug” in subsection (1) in a separate locked container within the locked cupboard, and storage facilities for all drugs, other than drugs requiring refrigeration, shall be located in an area that is conveniently accessible to all nursing staff. O. Reg. 627/84, s. 3.

(3) The keys to the cupboard referred to in subsection (2) shall be kept in the custody of the registered nurse in charge who is on duty in the home and who shall be responsible for,

(a) the removal from the cupboard or from the locked container, as the case may be, of all prescription drugs; and

(b) the administration of all prescription drugs under the specific direction of a physician or pharmacist and under the general supervision of the physician to the home appointed under section 14.

(4) No person shall remove a prescription drug from the receptacle in which it is brought into the home except by or under the supervision of a physician or a pharmacist.

(5) Subject to subsection (9), unused portions of a resident's prescription drugs remaining on the premises of the home after his or her discharge or death shall be destroyed by a registered nurse employed by the home, and,

(a) the physician for the home;

(b) a physician designated by the physician referred to in clause (a); or

(c) a pharmacist.

(6) A notation of the destruction of any prescription drug prescribed for a resident giving the quantity, description and prescription number shall be made on the resident's chart and signed by a registered nurse employed by the home.

(7) A drug shall be taken by or administered to a resident only on the individual prescription or written direction of a physician or a member of the Royal College of Dental Surgeons of Ontario.

(8) A prescription drug shall be administered to a resident only by a physician, a member of the Royal College of Dental Surgeons of Ontario, a registered nurse or, where the Director approves, a registered nursing assistant.

(9) Where a resident is discharged or transferred, a prescription drug that has been provided for the resident may be sent with the discharged or transferred resident after an entry is made on the resident's record, signed by a registered nurse and the legally qualified medical practitioner attending the resident stating,

(a) the date of the prescription;

(b) the prescription number;

(c) the name of the pharmacy that prepared the prescription;

(d) the resident's name; and

(e) the words “sent with resident”. R.R.O. 1980, Reg. 95, s. 18 (3-9).

#### DISCHARGE

20. A resident may be discharged from an institution in accordance with the written practice and procedure of the board approved by the Director. R.R.O. 1980, Reg. 95, s. 19.

#### APPLICATIONS FOR GRANTS AND PAYMENTS UNDER SECTION 6 OR 7 OF THE ACT

21. For the purposes of sections 22 and 23,

“actual cost” means the cost of a building project and includes,

(a) fees payable for the services of an architect, professional engineer or other consultant,

(b) the cost of purchasing and installing furnishings and equipment,

(c) the cost of land surveys, soil tests, permits, licences and legal fees,

(d) the cost of paving, sodding and landscaping, and

(e) the cost of acquiring the land necessary for the building project;

“approved cost” means that portion of the actual cost of a building project approved by the Minister;

“building project” means a project composed of one or more of the following elements:

(a) the purchase or other acquisition of all or any part of an existing building or buildings including the land contiguous thereto,

(b) any renovations, alterations or additions to an existing building or buildings,

(c) the purchase or other acquisition of vacant land for the purpose of constructing a building or buildings thereon,



- (d) the erection of a new building, or any part thereof,
- (e) the demolition of a building,
- (f) the installation of public utilities, sewers and items or services necessary for access to the land or building or buildings;

“capital grant” means a grant under section 6 or 7 of the Act. R.R.O. 1980, Reg. 95, s. 20.

22.—(1) An application for a capital grant shall be made to the Minister on a form provided by the Minister.

(2) An applicant who applies under subsection (1) shall file with the Minister two copies of a site plan showing the location of the building or buildings, if any, on the site and, in the case of a building project with one or more of the elements referred to in clauses (a), (b), (d) and (f) of the definition of “building project” in section 21,

- (a) building plans and specifications prepared by an architect or professional engineer showing the structure, fixtures and arrangements of the building or buildings and describing the areas of the building or buildings to be used for the purposes of the Act; or
- (b) where the Minister approves, structural sketches and specifications prepared by a person other than an architect or professional engineer describing the building or buildings and the areas of the building or buildings or contiguous to the building or buildings to be used for the purposes of the Act.

(3) No plan, specification or structural sketch filed with the Minister shall be amended or altered without the approval of the Minister. R.R.O. 1980, Reg. 95, s. 21.

23.—(1) The payment of a capital grant for a building project shall be made after the approved cost has been determined.

(2) A capital grant may be paid as a single payment or in two or more instalments and, except where the Minister directs otherwise, the aggregate of the amounts of the capital grant paid at any point in time shall not exceed,

- (a) an amount that bears the same proportion to the estimated total payment as the amount of progress made at the time towards completion of the project bears to the total estimated amount of work required for completion; or
- (b) an amount that bears the same proportion to the estimated total payment as the amount of cost incurred at the time bears to the total estimated cost of the project,

whichever is the greater.

(3) A single payment or, in the case of payment in two or more instalments, the final payment of an amount payable for a building project shall be made after,

- (a) an architect or professional engineer certifies, or the Minister is otherwise satisfied, that the building project has been completed in accordance with the plans filed under clause 22 (2) (a) or the sketches thereof approved by the Minister under clause 22 (2) (b) and the building or addition is ready for use and occupancy; and
- (b) the applicant for the payment submits a report containing,
  - (i) a statement of the actual cost of the building project,
  - (ii) a statement indicating that all refundable sales tax has been taken into account,
  - (iii) a statement indicating that the total amount of the unpaid accounts applicable to the building project does not exceed the amount of the grant remaining to be paid, and

- (iv) an undertaking that the amount of the grant remaining to be paid will be applied first to the payment of the unpaid accounts,

and, in the case of a grant under clause 6 (b) of the Act, after an authorized officer of the board has submitted a report stating that an amount equal to at least 20 per cent of the actual cost of the building project has been paid to the corporation by the council of the municipality in which the building is situated. R.R.O. 1980, Reg. 95, s. 22.

24. The board of an approved corporation shall keep and maintain a current inventory of all furnishings and equipment acquired by each charitable institution maintained and operated by it and the inventory shall set forth each addition to or removal from inventory and the reasons therefor and shall be prepared in such manner and contain such additional information as the Director may require. O. Reg. 814/81, s. 4.

#### PAYMENTS UNDER SECTION 8 OF THE ACT

25.—(1) An application by an approved corporation for a monthly payment under section 8 of the Act in respect of a charitable institution that is approved by the Minister under subsection 3 (1) of the Act as a halfway house where rehabilitative residential group care may be provided for adult persons or as a charitable institution for miscellaneous purposes shall be made in a form provided by the Minister and shall be submitted to the Director not later than the 20th day of the month following the month for which the application is made.

(2) The amount to be paid by Ontario to an approved corporation under section 8 of the Act in respect of a charitable institution that is approved by the Minister under subsection 3 (1) of the Act as a halfway house where rehabilitative residential group care may be provided for adult persons or as a charitable institution for miscellaneous purposes shall be computed in accordance with the form referred to in subsection (1) and a quarterly expenditure report in a form provided by the Minister.

(3) For the purpose of a computation referred to in subsection (2), the rate of 80 per cent shall apply to the cost of the care and maintenance of the residents.

(4) For the purposes of the form referred to in subsection (1), and the quarterly expenditure report referred to in subsection (2), “total daily cost of care and maintenance” means the daily cost determined in accordance with the form referred to in subsection (1) of providing care and maintenance for each person residing in an approved charitable institution including the portion of the fees, not exceeding \$1.30 per month, for each bed based on the approved bed capacity of the institution, paid to a physician appointed under section 14 for all services prescribed in subsections 15 (2), (3) and (4), but not including any amount that would cause the average daily net operating expenditure to exceed the ceiling for residential care in Column 6 set out opposite the date the service was provided in Column 1 of Table 1 for each person residing in the institution. R.R.O. 1980, Reg. 95, s. 24.

26.—(1) An application by an approved corporation for a monthly payment under section 8 of the Act in respect of a charitable institution that is approved by the Minister under subsection 3 (1) of the Act as a home for the aged or as a home where residential group care may be provided for handicapped or convalescent adult persons shall be made in a form provided by the Minister and shall be submitted to the Director not later than the 20th day of the month following the month for which the application is made.

(2) The amount to be paid by Ontario to an approved corporation under section 8 of the Act in respect of a charitable institution that is approved by the Minister under subsection 3 (1) of the Act as a home for the aged or as a home where residential care may be provided for handicapped or convalescent persons shall be computed in accordance with the form referred to in subsection (1) and a quarterly expenditure report in a form provided by the Minister.

(3) For the purpose of the computation referred to in subsection (2),

- (a) the rate of 80 per cent shall apply to,
  - (i) the cost of residential care, and
  - (ii) any part of the basic rate in Column 2 set out opposite the date the service was provided in Column 1 of Table 1 that cannot be paid by the resident for extended care services;
- (b) the rate of 100 per cent shall apply to,
  - (i) that part of the cost that exceeds the basic rate in Column 2 set out opposite the date the service was provided in Column 1 of Table 1 but that does not exceed the ceiling for extended care services set out in Column 3 of Table 1, and
  - (ii) the cost incurred in connection with the provision of extended care services, determined in a manner approved by the Minister of,
    - (A) approved drugs and pharmaceuticals, and
    - (B) any approved device. R.R.O. 1980, Reg. 95, s. 25 (1-3).

(4) For the purposes of the form referred to in subsection (1) and the quarterly expenditure report referred to in subsection (2), the daily cost of residential care or extended care services includes the portion of fees paid to a physician appointed under section 14 for all services prescribed in subsections 15 (2), (3) and (4) for each bed of a resident receiving the services, based on the approved bed capacity of the institution, where the fees do not exceed \$5.28 per month. O. Reg. 678/90, s. 1, *revised*.

(5) The daily cost referred to in subsection (4) does not include any amount that would cause the daily cost to exceed the ceiling for residential care and the ceiling for extended care services, as the case may be, set out in Column 3 and Column 6 respectively, opposite the date the service was provided in Column 1 of Table 1, for any person residing in the institution. O. Reg. 366/86, s. 1, *part*.

27.—(1) For the purposes of the forms referred to in subsections 25 (1) and (2) and subsections 26 (1) and (2), “debt retirement payments” means principal and interest paid for any debt approved by the Minister in respect of a building for which a grant has not been paid under section 6 or 7 of the Act.

(2) Where the Minister approves, there may be paid to an approved corporation, prior to the corporation making application therefor, any part of the estimated monthly amount payable under section 8 of the Act and such amount shall be adjusted upon receipt by the Director of an application under subsection 25 (1) or subsection 26 (1), as the case may be, for any month of the period for which the payment was made.

(3) In determining the revenue for the purposes of the forms referred to in subsections 25 (1) and (2) and subsections 26 (1) and (2), an amount equal to all or any part of the rent or shelter cost paid by or on behalf of any resident may, with the approval of the Minister, be excluded.

(4) For the purposes of the forms referred to in subsections 25 (1) and (2) and subsections 26 (1) and (2), the net operating expenditures are subject to the approval of the Minister. R.R.O. 1980, Reg. 95, s. 26.

28.—(1) The maximum amount that may be charged to at least 55 per cent of the residents who receive extended care services in an approved charitable institution shall not exceed for any such resident the basic rate in Column 2 set out opposite the date the service was provided in Column 1 of Table 1.

(2) The maximum amount that, with the approval of the Minister, may be charged to not more than 45 per cent of the residents

who receive extended care services in an approved charitable institution shall not exceed for any such resident the maximum rate for preferred accommodation in Column 4 set out opposite the date service was provided in Column 1 of Table 1. R.R.O. 1980, Reg. 95, s. 27.

#### RECORDS AND RETURNS

29.—(1) The administrator of a charitable institution shall keep a written record and file for each resident, and shall retain the record and file for a period of at least twenty years after the last entry in the record with respect to the resident or, where the resident dies, for a period of at least five years after the death of the resident. O. Reg. 814/81, s. 5.

- (2) The record shall set forth in respect of each resident,
  - (a) his or her name, age and sex and his or her address prior to admission to the institution;
  - (b) the names, addresses and occupations of his or her parents, where applicable, or of his or her relatives, next-of-kin or other interested persons;
  - (c) his or her personal and family history;
  - (d) the date and circumstances of and reasons for his or her admission to the institution;
  - (e) the current terms of payment for the care and maintenance of the resident;
  - (f) a record of all medical, X-ray, psychiatric, psychological or other similar examinations or tests, together with the findings and recommendations;
  - (g) a record of all illnesses, accidents and admissions to hospitals;
  - (h) observations on the conduct and behaviour of the resident while residing in the institution;
  - (i) in the case of residents who are unable to pay the full costs of residential care, a complete list of the resident's assets including real property, securities and safety deposit boxes, and all sources of his or her income;
  - (j) an account or history of any other matter that might affect the well-being or progress of the resident;
  - (k) the date and circumstances when the resident is discharged or voluntarily withdraws from the institution;
  - (l) the name and address of the person and relationship, if any, in whose charge the resident was placed at the time of discharge or the name and address of the institution to which the resident was discharged; and
  - (m) where the resident dies, a report of the time, date and circumstances of the death, the name and address of the person, if any, who claims the body, the date that the notice of death is given to the coroner in accordance with section 12 and the name of the coroner. R.R.O. 1980, Reg. 95, s. 28 (2); O. Reg. 627/84, s. 4.

30.—(1) Each corporation shall keep separate books of account for each charitable institution operated by it.

- (2) The books of account shall,
  - (a) set forth the revenue and expenditures of the institution;
  - (b) contain a separate record of money received by the institution from sources other than under the Act; and
  - (c) be audited at least once a year by a licensed public accountant.

(3) Each corporation shall keep a subsidiary ledger of the charges made and the payments received for the care and maintenance of the

residents in each charitable institution operated by it. R.R.O. 1980, Reg. 95, s. 29.

(4) Each book of account and subsidiary ledger shall be retained by a corporation for at least six years from the date of the last entry in a book of account or ledger for a particular year. O. Reg. 814/81, s. 6.

31.—(1) Subject to subsection (2), each corporation shall forward to the Minister for each charitable institution maintained and operated by it,

- (a) not later than the last day of the fourth month following the end of each fiscal year, the complete financial statement of the charitable institution for the immediately preceding fiscal year, together with the report of a licensed public accountant stating whether in his or her opinion,
  - (i) the accountant has received all the information and explanations he or she has required,
  - (ii) the financial statement and the claims for provincial subsidy are in accordance with the books and records of the institution, as the case may be,
  - (iii) the calculation of the provincial subsidy is in accordance with the Regulations, and
  - (iv) the financial statement has been prepared in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding year; and
- (b) such other financial and statistical information as the Minister may require. R.R.O. 1980, Reg. 95, s. 30 (1).

(2) The fiscal year of a corporation is the period designated by the Minister as the fiscal year of the corporation. R.R.O. 1980, Reg. 95, s. 30 (3).

#### RECOVERY BY A CORPORATION OR THE PROVINCE

32.—(1) In this section,

“assets” means liquid assets including cash, bonds, debentures, stocks, the beneficial interest in assets held in trust and available to be used for maintenance and any other liquid assets that can be readily converted into cash;

“income” means income received from any source other than,

- (a) donations made by a religious, charitable or benevolent organization, or
- (b) casual gifts of small value.

(2) Subject to subsection (3), an approved corporation shall recover, out of the income and assets of a resident or former resident or his or her estate, as a debt due to the corporation, the cost incurred by the corporation for the care and maintenance of the resident even if a provincial subsidy has been paid in respect of the cost. R.R.O. 1980, Reg. 95, s. 31 (1, 2).

(3) In determining the income and assets of a resident that are available for payment of the cost of his or her care and maintenance,

- (a) the amount determined each month by the Minister and received each month by a resident in a charitable institution that is approved,
  - (i) as a halfway house where rehabilitative residential group care may be provided for adult persons under clause 2 (a),
  - (ii) as a home for the aged in which elderly persons may be cared for under clause 2 (b), or
  - (iii) as a home where residential group care may be pro-

vided for handicapped or convalescent adult persons under clause 2 (c),

up to the maximum shown as comfort allowance in Column 5 set out opposite the date the resident was in the institution in Column 1 of Table 1;

- (b) where a resident is being paid an allowance under the *Family Benefits Act* as a blind person, a permanently unemployable person, or a disabled person, any income in addition to any amounts received under clause (a) by the resident under that Act for travel in the community;
- (c) where the resident is in a charitable institution that is approved as a home where residential group care may be provided for handicapped or convalescent adults under clause 2 (c), the amount of income exempted under paragraph 1 of subsection 13 (2) of Regulation 366 of Revised Regulations of Ontario, 1990, made under the *Family Benefits Act*;
- (d) for a resident sixty-five years of age or older, an amount of \$12 of income in addition to the amount exempted under clauses (a), (b) and (c);
- (e) any income in addition to any amounts received under clauses (a), (b), (c) and (d) by a resident by way of payment or refund under,
  - (i) section 7 of the *Income Tax Act*, and
  - (ii) section 2 or 7 of the *Ontario Pensioners Property Tax Assistance Act*;
- (f) an amount of assets considered reasonable by the board and the Director for the burial expenses of the resident; and
- (g) an amount of assets accumulated from the income retained or deducted for the personal use of the resident under clause (a), (b), (c) or (d),

shall not be included and the resident shall be permitted to retain such income for his or her own personal use despite any assignment thereof or agreement to the contrary made by him or her for the benefit of the institution but after the resident's death such amounts may be recovered from his or her estate to reimburse the corporation for any unpaid arrears of the cost of the resident's care and maintenance. R.R.O. 1980, Reg. 95, s. 31 (3); O. Reg. 79/84, s. 2; O. Reg. 496/84, s. 1; O. Reg. 382/87, s. 1.

(4) Where the income referred to in clause (3) (a) is not received on a monthly basis, an amount determined by the Minister, up to the maximum amount shown as comfort allowance in Column 5 set out opposite the date the resident was in the institution in Column 1 of Table 1 shall be deducted each month for the personal use of the resident before determining the amount available for the cost of his or her care and maintenance.

(5) In determining the revenue for the purposes of the forms referred to in subsections 25 (1) and (2) and subsections 26 (1) and (2), there shall be included any amount that the Minister determines, in accordance with subsections (3) and (4), to be payable by a resident who is not paying the entire cost of his or her care and maintenance and whom the Minister determines is able to pay a greater share of such costs.

(6) The Crown in right of Ontario is subrogated to the right of the corporation to recover costs under subsection (2).

(7) Where all or any part of the costs, in respect of which a provincial subsidy has been paid under section 8 of the Act, are recovered under subsection (2) or (6), Ontario is entitled to the same percentage of the amount recovered as the percentage on which the contribution by Ontario to the corporation in respect of the amount recovered is based.

(8) Any amount recovered from a resident or his or her estate under subsection (2) or (6) shall be applied to such part of the arrears

of a resident's cost as the Director may from time to time prescribe. R.R.O. 1980, Reg. 95, s. 31 (4-8).

#### TRUST ACCOUNTS

33.—(1) Every board shall establish and maintain a trust account in a bank listed in Schedule I or II to the *Bank Act* (Canada), Province of Ontario Savings Office, a trust corporation registered under the *Loan and Trust Corporations Act* or a credit union incorporated under the *Credit Unions and Caisses Populaires Act* in which all money of residents received by the administrator of the charitable institution for safekeeping shall be deposited.

(2) Where a resident has money upon admission to an approved charitable institution or receives money while resident therein, he or she may request the administrator to deposit it in the trust account referred to in subsection (1).

(3) Where a resident has money deposited for him or her in the trust account referred to in subsection (1), the resident may, subject to section 32, request the administrator to make all or any part of it available to him or her at any time. R.R.O. 1980, Reg. 95, s. 32 (1-3).

(4) The administrator shall keep a separate book of account, that shall be retained for at least six years from the date the trust account referred to in subsection (1) is closed or becomes inactive, showing all deposits to and withdrawals from the trust account, the name of the resident for whom the deposit or withdrawal is made and the date of each deposit or withdrawal. O. Reg. 814/81, s. 7.

(5) The administrator shall provide a resident with a written receipt for all money received from the resident for deposit in the trust account referred to in subsection (1) and the resident shall provide the administrator with a written receipt for all money withdrawn from the account by the administrator for the resident. R.R.O. 1980, Reg. 95, s. 32 (5).

34. The trust account established under section 33 shall be audited annually by the licensed public accountant who audits the books of account and ledgers of the charitable institution. R.R.O. 1980, Reg. 95, s. 33.

#### PART II ADDITIONAL RULES GOVERNING CHARITABLE INSTITUTIONS FOR MISCELLANEOUS PURPOSES APPROVED BY THE MINISTER UNDER SUBSECTION 3 (1) OF THE ACT

35. This Part applies to the charitable institutions for miscellaneous purposes approved by the Minister under subsection 3 (1) of the Act. R.R.O. 1980, Reg. 95, s. 34.

36.—(1) Each resident of a charitable institution who is under sixteen years of age shall, with the written permission of his or her parent or guardian, be immunized as required by the local medical officer of health.

(2) The administrator of a charitable institution shall prepare at six-month intervals a statement of the future plans for the care and maintenance of each resident and shall retain the statement in the resident's file. R.R.O. 1980, Reg. 95, s. 35.

37. A board having jurisdiction over any charitable institution to which this Part applies shall, in respect of every school-age resident in the institution,

- (a) provide for his or her educational requirements in a manner most suited to his or her needs;
- (b) provide opportunities for his or her religious education; and
- (c) provide vocational guidance for the resident and shall encourage him or her to develop a vocation. R.R.O. 1980, Reg. 95, s. 36.

TABLE 1

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	Effective Date	Basic Per Diem	Ceiling Per Diem	Preferred Accommodation Maximum Per Diem	Comfort Allowance	Residential Care Ceiling
1.	From and including the 1st day of December, 1990 .....	\$24.33	\$66.24	\$42.12	\$100.00	\$41.49

R.R.O. 1980, Reg. 95, Table 1; O. Reg. 49/81, s. 1; O. Reg. 187/81, s. 1; O. Reg. 271/81, s. 1; O. Reg. 481/81, s. 1; O. Reg. 698/81, s. 1; O. Reg. 69/82, s. 1; O. Reg. 311/82, s. 1; O. Reg. 455/82, s. 1; O. Reg. 549/82, s. 1; O. Reg. 720/82, s. 1; O. Reg. 71/83, s. 1; O. Reg. 274/83, s. 1; O. Reg. 461/83, ss. 1, 2; O. Reg. 648/83, ss. 1-3; O. Reg. 697/83, s. 1; O. Reg. 766/83, s. 1; O. Reg. 63/84, s. 1; O. Reg. 310/84, s. 1; O. Reg. 496/84, s. 2; O. Reg. 704/84, s. 1; O. Reg. 27/85, s. 1; O. Reg. 209/85, s. 1; O. Reg. 400/85, s. 1; O. Reg. 553/85, s. 1; O. Reg. 47/86, s. 1; O. Reg. 138/86, s. 1; O. Reg. 246/86, s. 1; O. Reg. 442/86, s. 1; O. Reg. 641/86, s. 1; O. Reg. 38/87, s. 1; O. Reg. 224/87, s. 1; O. Reg. 382/87, s. 2; O. Reg. 451/87, s. 1; O. Reg. 591/87, s. 1; O. Reg. 48/88, s. 1; O. Reg. 267/88, s. 1; O. Reg. 482/88, s. 1; O. Reg. 648/88, s. 1; O. Reg. 43/89, s. 1; O. Reg. 167/89, s. 1; O. Reg. 226/89, s. 1; O. Reg. 429/89, s. 1; O. Reg. 605/89, s. 1; O. Reg. 52/90, s. 1; O. Reg. 212/90, s. 1; O. Reg. 256/90, s. 1; O. Reg. 428/90, s. 1; O. Reg. 571/90, s. 1; O. Reg. 619/90, s. 1, revised.

**Form 1**

*Charitable Institutions Act*

**RECORD OF RESIDENTS**

For the Year ending December 31st, 19....

Name of Charitable Institution: .....

Address: .....

Name of Corporation: .....

1. Number of Residents:

i. Number in Institution on January 1st .....

ii. Number of subsequent admissions during year .....

iii. **TOTALS**

iv. Number discharged during year .....

v. Number of deaths of residents during year .....

vi. Number in Institution on December 31st .....

vii. **TOTALS: (to agree with iii above)**

Males	Females	Totals

2. Length of Stay of Residents:

i. Total collective days' stay of all residents .....

ii. Average daily stay of residents .....

Number of Days
Number of Beds

3. Dormitory Capacity for Residents:

i. Normal bed capacity .....

ii. Additional or temporary bed capacity .....

iii. **TOTAL NUMBER OF BEDS**

TABLE

Number of Residents according to Maintenance Classification	Paying Residents		Non-Paying Residents			Totals
	Recipients of welfare allowances	Others including recipients O.A.S.	Paid for by:			To agree with item I, col. 3 of Form
			Province of Ontario	Municipalities	Corporation or other (specify)	
1. BEGINNING OF YEAR: Number of residents as of January 1st						
2. SUBSEQUENT ADMISSIONS DURING YEAR:						
i. New admissions						
ii. Re-admissions						
3. INTERNAL TRANSFERS DURING YEAR:						<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
i. Transferred to						<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
ii. Transferred from						<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4. NET TOTALS: Add I, 2 and 3 i, and subtract 3 ii						
5. DISCHARGES: Number of residents discharged during year						
6. *DEATHS: Number of deaths of residents during year						
7. END OF YEAR: Number of residents as of December 31st						
8. TOTALS: Add 5, 6 and 7 (to agree with net totals in 4)						

\*Include only deaths occurring in the Institution; do not include deaths occurring in hospital or elsewhere.

Dated at ....., this ..... day of ....., 19....

I certify that this Record is correct.

.....  
(signature of superintendent)

R.R.O. 1980, Reg. 95, Form I.

**Child and Family Services Act**  
*Loi sur les services à l'enfance et à la famille*

**REGULATION 70****GENERAL**

## DEFINITIONS

1. In this Regulation,

“acceptable exit” means that part of a means of egress that meets the requirements of Regulation 61 of Revised Regulations of Ontario, 1990 (Building Code) and that leads to a public thoroughfare or to an approved open space and that may include any one of the items enumerated herein or any combination thereof:

1. An exterior doorway to grade.
2. An exterior ramp.
3. An exterior stairway.
4. A fire escape that meets the specifications of Articles 3.4.7.1, 3.4.7.2, 3.4.7.5 and 3.4.7.6 and Sentence 3.4.7.3.(2) of Regulation 61 of Revised Regulations of Ontario, 1990 (Building Code).
5. An interior stairway that is separated from the remainder of the building by a fire separation;

“actual cost” means the cost of a building project and includes,

- (a) fees payable for the services of an architect, professional engineer or other consultant,
- (b) the cost of purchasing and installing furnishings and equipment,
- (c) the cost of land surveys, soil tests, permits, licences and legal fees,
- (d) the cost of paving, sodding and landscaping, and
- (e) the cost of acquiring land necessary for the building project;

“adoption agency” means a licensee referred to in Part VII of the Act or a society;

“approved corporation” means an approved corporation that is continued under subsection 209 (2) or 211 (2) of the *Child and Family Services Act, 1984*;

“approved cost” means that portion of the actual cost of a building project approved by the Minister;

“approved estimate” means an estimate of net expenditures of an approved agency or approved corporation finally approved under Part I;

“architect” means an architect who is a member in good standing of the Ontario Association of Architects;

“auxiliary staff person” means a staff person in a residence who is responsible for the supervision of residents;

“basic care expenditures” means the expenditures incurred with respect to the day to day operation of a residence;

“building project” means a project composed of one or more of the following elements:

- (a) the purchase or other acquisition of all or any part of an existing building or buildings including the land contiguous thereto,
- (b) any renovations, alterations or additions to an existing building or buildings,
- (c) the purchase or other acquisition of vacant land for the purpose of constructing a building or buildings thereon,
- (d) the erection of a new building or any part thereof,
- (e) the demolition of a building,
- (f) the installation of public utilities, sewers and items or services necessary for access to the land or building or buildings;

“child and family intervention service” means a service for a child who has a social, emotional or behavioural problem or any combination thereof for the family of a child who has a social, emotional or behavioural problem or any combination thereof or for the child and the family;

“common parentage” means one common parent;

“discipline” means the act of maintaining an established order in a residence;

“fire-resistant partition” means a construction assembly that acts as a barrier against the spread of fire and has a fire-resistance rating of at least thirty-five minutes;

“fiscal year” of an approved agency or approved corporation is the period designated by the Minister as the fiscal year of the approved agency or approved corporation, as the case may be;

“fuel-fired appliance” means a device that is designed for use in heating and cooling systems that is operated on fuel and includes all components, controls, wiring and piping required to be part of the device under the requirements of Regulation 61 of Revised Regulations of Ontario, 1990 (Building Code);

“net expenditures” means the costs, less applicable revenue, reasonable and necessary for the provision of approved services by an approved agency or the operation of an approved children’s mental health centre or approved children’s institution, as the case may be, but does not include the costs for which financial assistance is paid under section 8 of the Act in accordance with sections 9, 11, 12 and 13 (Financial Assistance—Capital) of this Regulation;

“non-arms length relationship” means a relationship between two parties such that one party has the ability to exercise, directly or indirectly, control or significant influence over the operating and financial decisions of the other party;

“parent-model foster care” means the provision of foster care in a foster home by not more than two adults on a continuous basis;

“physician” means a legally qualified medical practitioner;

“placing agency” means a society or other corporation that places a child in residential care or in foster care and includes a licensee;

“population” means,

- (a) the population as determined by the last municipal census taken prior to the year for which an estimate of net expenditures is made, except in territory without municipal organization,
- (b) in territory without municipal organization, the population of the territory, not including Indians, as determined by the last census taken under the *Statistics Act* (Canada) prior to the year for which an estimate of net expenditures is made;

“professional engineer” means a professional engineer who is a member in good standing of the Association of Professional Engineers of the Province of Ontario;

“program staff person” means a staff person in a residence whose primary responsibility is for the day to day care and supervision of residents;

“punishment” means the act of implementing a technique to reduce or eliminate a behaviour of a resident or group of residents;

“recognized school of social work” means,

- (a) a school of social work in Canada that at the time this Regulation comes into force is accredited by the Canadian Association of Schools of Social Work, and
- (b) a graduate school of social work outside of Canada that has, in the opinion of the Minister, a course in social work that is equivalent to a course given at a school referred to in clause (a);

“residence” means a children’s residence;

“service” includes, in addition to the items enumerated in the definition of “service” in subsection 3 (1) of the Act, a child and family intervention service;

“social work assistant” means a person who,

- (a) has successfully completed Grade 13 in Ontario or has such other educational qualifications that the Minister considers equivalent thereto, or
- (b) worked as a social worker with a society for a period of at least one year immediately before the 1st day of January, 1985;

“social work supervisor” means a person who,

- (a) has the qualifications of a social worker III, social worker IV or social worker V and has had at least three years experience as a social work practitioner in child welfare, or
- (b) has such other educational and personal qualifications together with progressive experience in social work practice as, in the opinion of the local director, constitute adequate and suitable preparation for supervisory duties;

“social worker” means a person who investigates or supervises children and who provides guidance and counselling;

“social worker I” means a person who,

- (a) is the holder of a certificate in social services from a post-secondary educational institution in Canada that is at least equivalent to a certificate in social services from a College of Applied Arts and Technology in Ontario, or
- (b) has such other educational qualifications that the Minister considers equivalent to those referred to in clause (a) and at least two years of experience in social work;

“social worker II” means a person who,

- (a) has successfully completed one year of full-time study in social work at a recognized school of social work and, where the recognized school of social work is outside Canada or the United States of America, has at least one year of experience as a social worker in Canada, or
- (b) has at least three years of progressively responsible experience in welfare work in Ontario and has the qualifications of a social work assistant or two years of such experience and has the qualifications of a social worker I;

“social worker III” means a person who,

- (a) has successfully completed a two year course of professional education in social work at a recognized school of social work in Canada or the United States of America,
- (b) has successfully completed one year of full-time study in social work at a recognized school of social work in Canada or the United States of America and, after the study, has had at least two years of experience in social work,
- (c) is the holder of a certificate of qualification in social work issued by the Central Council of Education in Social Work in Great Britain and, after its issuance, has had at least one year of experience in social work, or
- (d) has successfully completed a course of professional education in social work at a recognized school of social work in a country other than Canada or the United States of America and has had at least three years of experience in social work in Canada;

“social worker IV” means a person who,

- (a) has successfully completed a two year course of professional education in social work at a recognized school of social work in Canada or the United States of America and, after graduation, has had at least three years of experience in child care or family welfare services,
- (b) is the holder of a certificate of qualification in social work issued by the Central Council of Education in Social Work in Great Britain and, after its issuance, has had at least four years of experience in child care or family welfare services,
- (c) has successfully completed a two year course of professional education in social work at a recognized school of social work outside Canada or the United States of America and, after graduation, has had at least five years of experience in child care or family welfare services;

“social worker V” means a person who,

- (a) has successfully completed a two year course of professional education in social work at a recognized school of social work in Canada or the United States of America and, after graduation, has had at least five years of experience in social work at least two of which have been in child care or family welfare services,
- (b) is the holder of a certificate of qualification in social work issued by the Central Council of Education in Social Work in Great Britain and, after its issuance, has had at least six years of experience in social work of which at least two have been in child care or family welfare services, or
- (c) has successfully completed a two year course of professional education in social work at a recognized school of social work outside Canada or the United States of America and, after graduation, has had at least seven years of experience in social work of which at least three have been in child care or family welfare services;



“special care expenditures” means those expenditures incurred with respect to physical, emotional, developmental and educational needs of residents including professional services and non-recurring costs, but does not include basic care expenditures. O. Reg. 550/85, s. 1; O. Reg. 219/88, s. 1.

## PART I FLEXIBLE SERVICES

### APPROVALS, BUDGETS, FINANCIAL ASSISTANCE

2.—(1) Every agency that applies for an approval under section 8 of the Act shall file with the Minister,

- (a) documentation of the need for the proposed service;
- (b) evidence of financial viability, including where available, an audited financial statement of the agency for the preceding fiscal year together with a proposed budget for the proposed service;
- (c) evidence that the agency is being managed in a competent manner including evidence of sound financial management;
- (d) particulars of the program practice and procedures in place in the agency;
- (e) particulars of corporations with which the agency has or may have a non-arms length relationship; and
- (f) evidence that applicable requirements of the municipality where the premises in which the proposed service will be provided are located have been complied with or can be complied with.

(2) Every agency that applies for an approval under section 9 of the Act shall file with the Minister,

- (a) a copy of the site plan showing the location of the building or buildings, if any, on the site and a sketch of the floor plan of the premises where it is proposed to provide the service;
- (b) reasons for the location of the proposed service;
- (c) documentation of the permitted uses of the proposed site under existing zoning by-laws of the municipality in which the site is located;
- (d) such other information in addition to that required under clauses (a) to (c) as the Minister may require to determine that the proposed premises is suitable for providing a service and that there is a need for the service in the area served or to be served by the service; and
- (e) evidence that the premises comply with,
  - (i) the laws respecting the health of inhabitants of the area in which the premises are located,
  - (ii) any rule, regulation, direction or order of the local board of health and any direction or order of the local medical officer of health,
  - (iii) any by-law of the municipality in which the premises are located or other law for the protection of persons from fire hazards,
  - (iv) any restricted area, standard of housing or building by-law passed by the municipality in which the premises are located under Part V of the *Planning Act* or any predecessor thereof, and
  - (v) the requirements of Regulation 61 of Revised Regu-

lations of Ontario, 1990 (Building Code). O. Reg. 550/85, s. 2.

3.—(1) Every approved agency and every approved corporation shall appoint a person to act as the chief executive officer of the approved agency or approved corporation.

(2) A person who is appointed as the chief executive officer shall be responsible to the board of directors of the approved agency or approved corporation, as the case may be, for the operation and management of the approved services provided by the approved agency and each children's institution or children's mental health centre operated by the approved corporation. O. Reg. 550/85, s. 3 (1, 2).

(3) An approved agency or approved corporation that operates more than one approved service, children's institution or children's mental health centre, as the case may be, may appoint more than one person as the chief executive officer and may designate the approved service, children's institution or children's mental health centre for which each chief executive officer shall be responsible. O. Reg. 219/88, s. 2 (1).

(4) Subsections (1) and (3) do not apply to a society in so far as it is providing services under section 15 of the Act. O. Reg. 219/88, s. 2 (2).

### FINANCIAL RECORDS

4.—(1) Every approved agency and every approved corporation shall keep books of account that shall,

- (a) set forth the revenue and expenditures of the approved agency or approved corporation;
- (b) contain a record of money received by the approved agency or approved corporation from sources other than under the Act and this Regulation; and
- (c) be audited annually by a licensed public accountant who is not a member of the board or an employee of the approved agency or approved corporation or an employee of a corporation with which the approved agency or approved corporation may have a non-arms length relationship.

(2) The revenue and expenditure of an approved agency required under clause (1) (a) shall be itemized according to each service provided by the approved agency. O. Reg. 550/85, s. 4.

5.—(1) Every approved agency and every approved corporation shall furnish to the Minister,

- (a) not later than the last day of the fourth month following the end of each fiscal year,
  - (i) its annual financial statement together with an auditor's report thereon prepared by a licensed public accountant, and
  - (ii) a reconciliation report in a form provided by the Minister together with a report thereon prepared by a licensed public accountant;
- (b) on a monthly or quarterly basis as required by the Minister, a financial report in a form provided by the Minister that includes statistics on the services provided by the approved agency or the children's institutions or children's mental health centres operated by the approved corporation; and
- (c) an annual submission in a form provided by the Minister on expenditures and revenues of each children's residence licensed under Part IX of the Act that is operated by the approved agency or approved corporation.

(2) An auditor's report required under this section shall be pre-

pared in accordance with generally accepted auditing standards as set forth in the handbook of the Canadian Institute of Chartered Accountants.

(3) A reconciliation report shall include a calculation of the financial assistance payable by Ontario, the actual payments made by Ontario with respect to the fiscal year and a calculation made of the balance that may be owing by or repayable to Ontario.

(4) Where a municipality is required to contribute financial assistance for the operation of a society, the reconciliation report shall include a calculation of the financial assistance payable by the municipality, the actual payments made by the municipality with respect to the fiscal year and a calculation of the balance that may be owing by or repayable to the municipality. O. Reg. 550/85, s. 5.

6.—(1) Every approved agency and every approved corporation shall keep separate books of account for each children's residence licensed under Part IX of the Act that is operated by the approved agency or the approved corporation.

(2) Every approved corporation shall keep separate books of account for each children's institution or children's mental health centre operated by the approved corporation.

(3) Every approved agency shall keep separate books of account for each service provided by the approved agency.

(4) Each book of account referred to in subsection (2) or (3) shall show aggregate revenues and expenditures separately with respect to each service provided by the approved agency or the children's institutions or children's mental health centres operated by the approved corporation, as the case may be.

(5) Each book of account shall be retained for at least seven years from the date of the last entry in the book for a particular year. O. Reg. 550/85, s. 6.

7.—(1) Every approved agency and every approved corporation shall keep and maintain an up to date record of the inventory of all furnishings and equipment acquired by the approved agency or approved corporation with money paid by Ontario under section 8 or 9 of the Act.

(2) A record of current inventory shall set forth each addition to or removal from the inventory and the reasons therefor and shall be prepared in such a manner and contain such additional information with respect to the inventory as the Minister may require. O. Reg. 550/85, s. 7.

#### FINANCIAL ASSISTANCE—CAPITAL

8.—(1) An application for financial assistance under section 8 of the Act in respect of a building project by an approved agency or approved corporation shall be made to the Minister on a form provided by the Minister.

(2) An applicant under subsection (1) for financial assistance shall file with the Minister two copies of a site plan showing the location of the building or buildings, if any, on the site and, in the case of a building project with one or more of the elements referred to in clauses (a), (b), (d) and (f) of the definition of building project,

- (a) building plans and specifications prepared by an architect or professional engineer showing the structure, fixtures and arrangements of the building or buildings and describing the areas of the building or buildings to be used for the purposes of the Act; or
- (b) where the Minister approves, structural sketches and specifications prepared by a person other than an architect or professional engineer describing the building or buildings and the areas of the building or buildings or contiguous to the building or buildings to be used for the purpose of the Act.

(3) No plan, specification or structural sketch filed with the Minister shall be amended or altered without the approval of the Minister. O. Reg. 550/85, s. 8.

9.—(1) No payment of financial assistance shall be made for a building project except where,

- (a) the building project has been approved by the Minister; and
- (b) the approved cost has been determined.

(2) The amount of a payment to an approved agency or to an approved corporation under section 8 of the Act for a building project shall be in an amount determined by the Minister up to 80 per cent of the approved cost of the building project.

(3) An approval of a building project by the Minister under subsection (1) expires on the first anniversary of the date upon which the approval is given unless the building project has been commenced before the anniversary date.

(4) The aggregate of the amounts of assistance paid at any point in time shall not exceed,

- (a) an amount that bears the same proportion to the estimated total payment as the amount of progress made at the time towards completion of the project bears to the total estimated amount of work required for completion; or
- (b) an amount that bears the same proportion to the estimated total payment as the amount of cost incurred at the time bears to the total estimated cost of the project,

whichever is the greater, except where the Minister directs otherwise.

(5) A single payment, or in the case of payment in two or more instalments, the final payment of an amount payable for a building project shall not be made until,

- (a) an architect or professional engineer certifies or the Minister is otherwise satisfied that the building project has been completed in accordance with the plans filed under clause 8 (2) (a) or the sketches thereof approved by the Minister under clause 8 (2) (b) and the building or addition is ready for use and occupancy; and
- (b) the applicant for the payment submits a report containing,
  - (i) a statement of the actual cost of the building project,
  - (ii) a statement indicating that all refundable sales tax has been taken into account,
  - (iii) a statement indicating that the total amount of the unpaid accounts applicable to the building project does not exceed the amount of the grant remaining to be paid, and
  - (iv) an undertaking that the amount of the grant remaining to be paid will be applied first to the payment of the unpaid accounts. O. Reg. 550/85, s. 9.

10. No applicant for or recipient of financial assistance for a building project shall,

- (a) acquire a building or land for the building project;
- (b) call tenders for the building project;
- (c) commence construction of the building project; or
- (d) erect any temporary or permanent sign, tablet or plaque on the site or building project,

without the written approval of the Minister. O. Reg. 550/85, s. 10.

11.—(1) It is a term and condition of a payment of financial assistance under section 8 of the Act in respect of a building, buildings or land forming part of a building project that the applicant for payment enter into an agreement with the Minister in which the applicant shall agree not to,

- (a) change the site, structure or use of or sell, agree to sell, lease, mortgage, encumber, donate or otherwise dispose of all or any part of the building, buildings or land; or
- (b) demolish or make alterations or additions to all or any part of the building or buildings,

without the written approval of the Minister.

(2) The Minister may require as a condition of his or her approval under subsection (1) that the applicant shall reimburse Ontario in the same ratio as the Minister's share of the acquisition price, together with the costs of renovations, furnishings and equipment, less the costs of disposition, if any, based on the greater of,

- (a) current market value; or
- (b) the proceeds of disposition.

(3) Where a recipient of financial assistance for a building project contravenes subsection (1), the Minister may require repayment of all or a part of the share referred to in subsection (2) and calculated in accordance with that subsection.

(4) Repayment of all or part of the share referred to in subsection (2) may be obtained by,

- (a) deducting the share from any money payable to the recipient under the Act; or
- (b) recovering the share by a proceeding in a court of competent jurisdiction. O. Reg. 550/85, s. 11.

12.—(1) Expenditures incurred by an approved agency or an approved corporation for,

- (a) furnishings and equipment that are not replacements; or
- (b) repairs to or maintenance of a capital asset,

are capital expenditures if they are,

- (c) approved by the Minister as capital expenditures;
- (d) in the opinion of the Minister, necessary for the efficient operation of an approved service operated by the approved agency or an approved children's institution or approved children's mental health centre operated by an approved corporation, as the case may be, and the cost of which is not, in the opinion of the Minister, excessive for the purpose; and
- (e) are in excess of \$1,000.

(2) Financial assistance may be paid for capital expenditures referred to in subsection (1) upon application by the approved agency or approved corporation in an amount up to 80 per cent of the cost as determined by the Minister. O. Reg. 550/85, s. 12.

13. Despite subsection 9 (2) and subsection 12 (2), the amount of a payment of financial assistance under section 8 of the Act to an approved agency or approved corporation for a building project or for the items referred to in subsection 12 (1) shall be equal to an amount determined by the Minister up to the total approved cost of the building project or the items where, in the opinion of the Minister, the requirement for the service, children's mental health centre or children's institution is established and funds are not otherwise

obtainable by the approved agency or approved corporation. O. Reg. 550/85, s. 13.

#### BUDGETS—APPROVED AGENCIES

14.—(1) This section does not apply to a society in so far as it is providing services under section 15 of the Act.

(2) Every approved agency and every approved corporation shall, before a date fixed by the Minister in each year, prepare and file with the Minister in a form provided by the Minister an estimate of its net expenditures for the next fiscal year.

(3) Where an approved agency or approved corporation does not file an estimate of net expenditures in accordance with subsection (2) before the date fixed by the Minister, the Minister may at any time thereafter determine the amount of the estimate and cause the estimate to be filed with the approved agency or approved corporation.

(4) An approved agency or approved corporation may, at any time up to one year after the end of the fiscal year of the agency or corporation, file with the Minister an amendment to the estimate of net expenditures.

(5) The Minister may approve an estimate of net expenditures or an amendment thereto or the Minister may refuse to approve the estimate or the amendment or the Minister may vary the estimate or amendment and approve it as varied.

(6) The Minister may vary an estimate of net expenditures approved under subsection (5) at any time up to one year after the receipt of the annual financial statement and reconciliation report required under clause 5 (1) (a).

(7) Where the Minister proposes to refuse to approve an estimate of net expenditures or an amendment to an estimate of net expenditures or proposes to vary an estimate of net expenditures, the Minister shall give notice of the proposal to the approved agency or approved corporation forthwith.

(8) An approved agency or approved corporation that receives a notice under subsection (7) or with which an estimate is filed under subsection (3) may, within thirty days of receipt of the notice or estimate, request,

- (a) a meeting with the Minister;
- (b) that the Minister consider written submissions from the approved agency or approved corporation; or
- (c) both a meeting and the consideration of written submissions from the approved agency or approved corporation.

(9) A date for a meeting shall be fixed and written submissions shall be filed no later than thirty days after receipt of the request by the Minister under subsection (8) unless otherwise agreed by the Minister.

(10) The Minister shall consider the presentation made by the approved agency or approved corporation during the meeting or its written submissions or both.

(11) After considering the presentation of the approved agency or approved corporation, the Minister may,

- (a) approve the estimate of net expenditures or an amendment thereto;
- (b) refuse to approve the estimate or the amendment;
- (c) vary the estimate or amendment and approve it as varied; or
- (d) confirm the amount of the estimate determined under subsection (3).

(12) A decision of the Minister under subsection (11) is final.

(13) Where an approved agency or approved corporation receives a notice under subsection (7) and does not make a request within the thirty day period set out in subsection (8), the Minister's decision with respect to the estimate of net expenditures, the amendment to an estimate of net expenditures or a determination of the amount of an estimate of net expenditures is final. O. Reg. 550/85, s. 14.

#### MUNICIPAL REPRESENTATION FOR SOCIETIES

15.—(1) The number of municipal representatives on the board of directors of a society that has jurisdiction in but not outside a city, separated town or a district, regional or metropolitan municipality shall be not fewer than four appointed from among themselves by the council of the city, separated town or the district, regional or metropolitan municipality.

(2) The municipal representatives of a society that has jurisdiction in a county but not in a city or separated town shall be not fewer than four appointed from among themselves by the council of the county.

(3) The municipal representatives of a society that has jurisdiction in an area that includes a county or part of a county outside a city, separated town or a district, regional or metropolitan municipality shall be as follows:

1. One municipal representative shall be appointed from among themselves by the council of each county, city, separated town and the district, regional or metropolitan municipality in the jurisdiction.
2. The council of the county, city, separated town or the district, regional or metropolitan municipality having the largest population as determined by the last revised assessment rolls shall appoint from among themselves such other municipal representatives as are required so that the total number of municipal representatives on the board of directors is not fewer than four.

(4) In subsections (1) to (3), a reference to a city or separated town does not include a city or separated town in a district, regional or metropolitan municipality.

(5) The municipal representatives of a society that has jurisdiction in an area that includes a district or part of a district outside a city or a district, regional or metropolitan municipality shall be appointed in the manner determined under subsection (3), except that the District Child Welfare Budget Board established under section 17 or the district welfare administration board, as the case may be, shall appoint the representatives required by subsection (3) to be appointed by the council of a county. O. Reg. 550/85, s. 15.

(6) This section does not apply to,

- (a) Payukotayno: James & Hudson Bay Family Services;
- (b) Tikinagan Child and Family Services; and
- (c) Weechi-it-te-win Family Services Inc. O. Reg. 269/87, s. 1; O. Reg. 624/87, s. 1.

16.—(1) The board of directors of a society shall pass a by-law that provides for an executive committee that consists of the president and the treasurer of the board of directors and that provides for the election from among their number of seven additional members being four municipal representatives and three other directors. O. Reg. 550/85, s. 16 (1).

(2) The board of directors may by by-law delegate to the executive committee any powers of the board of directors, subject to the restrictions, if any, contained in the by-law or imposed from time to time by the board. O. Reg. 550/85, s. 16 (2); O. Reg. 219/88, s. 3.

(3) A majority of the members of an executive committee constitutes a quorum. O. Reg. 550/85, s. 16 (3).

#### DISTRICT CHILD WELFARE BUDGET BOARD

17. The council of each municipality, as defined in the *District Welfare Administration Boards Act*, in a district as defined in that Act in which a district welfare administration board has not been established shall, on or before the 1st day of October in each year, jointly appoint five persons to be a board known as the District Child Welfare Budget Board. O. Reg. 550/85, s. 17.

#### BUDGETS—SOCIETIES

18.—(1) This section applies to a society only in so far as it is providing services under section 15 of the Act.

(2) Every society shall before a date to be fixed each year by the Minister, which date shall be no later than the last day of February in the year next following, prepare in a form provided by the Minister and file with the Minister and with each municipality in the area in which the society has jurisdiction an estimate of its net expenditures for the year next following.

(3) The estimate of net expenditures of a society in a district in which a district welfare administration board has been established shall be filed within the time set out in subsection (2) with the Minister and the board.

(4) The estimate of net expenditures of a society in a district in which a district welfare administration board has not been established shall be filed within the time set out in subsection (2) with the Minister and the District Child Welfare Budget Board established under section 17 in that district.

(5) The Minister, at any time after the date fixed by the Minister has expired and the society has not filed an estimate, may determine the amount of the estimate and cause the estimate to be filed with the society and with each municipality in the area in which the society has jurisdiction or with the District Child Welfare Budget Board, as the case may be.

(6) An estimate filed by the Minister under subsection (5) shall, subject to subsection 20 (2) (review), be deemed to be approved by the Minister under subsection 19 (1) sixty days after it is filed.

(7) The council of every municipality or District Child Welfare Budget Board, as the case may be, with whom an estimate is filed shall, subject to subsection 20 (1) (review), grant its approval to the estimate within sixty days after the filing of the estimate with the municipality or with the District Child Welfare Budget Board.

(8) A municipality or District Child Welfare Budget Board, as the case may be, that has not, within the sixty day period fixed under subsection (7),

- (a) granted its approval to the estimate; or
- (b) referred the estimate to a child welfare review committee,

shall, at the expiration of that period, be deemed to have granted its approval to the estimate.

(9) Where a society has jurisdiction in more than one municipality, the portion of the estimate of net expenditures of the society that is referable to each municipality shall, subject to subsection 21 (11) (decision of Minister),

- (a) in respect of the cost of services for each child in care, be in the proportion that the number of children taken at any time into protective care in the municipality and who are in care during the year immediately preceding the year for which the estimate of net expenditures is made, bears to the total number of children in care in that immediately preceding year;

- (b) in respect of the cost of services other than services for children in care, be in the proportion that the population of the municipality bears to the total population of the area in the jurisdiction of the society; and
- (c) where by arrangement with a municipality the standard of services provided to the municipality exceeds that provided to any other municipality in the jurisdiction of the society, include the entire cost of the excess.

(10) For the purpose of subsection (9), the number of children in the care of a society during the year shall be computed as the average for the year of the number of children in the care of the society on the last day of each month in the year.

(11) Subsection (9) does not apply where a district welfare administration board has been established under the *District Welfare Administration Boards Act*.

(12) For the purposes of subsection (9), "child in care" means a person under eighteen years of age who is in the care or custody of a society,

- (a) while in detention in a place of safety under subsection 40 (2), clause 40 (4) (d), or subsection 40 (7) of the Act;
- (b) during the placement of a homemaker under section 78 of the Act; or
- (c) as a result of an order under section 57 of the Act or an agreement under section 29 or 30 of the Act respecting the care and custody of the person where the person is cared for in a place other than in the home of the person's parent,

and includes a person who is receiving care and support from a society under subsection 71 (2) of the Act and "children in care" has a corresponding meaning. O. Reg. 550/85, s. 18.

19.—(1) After an estimate is filed and approved by the council of each municipality, the Minister may approve the estimate as filed or, subject to subsection 20 (2) (review), vary the amount of the estimate and approve the estimate as so varied.

(2) Where the Minister intends to vary the amount of an estimate and to approve the estimate as so varied under subsection (1), the Minister shall, at least thirty days prior to approving the estimate, cause notice to be given of the Minister's intention to vary and approve the estimate to the society and to the council of each municipality in the area in which the society has jurisdiction or to the District Child Welfare Budget Board, as the case may be. O. Reg. 550/85, s. 19.

20.—(1) A council of a municipality or a District Child Welfare Budget Board that does not agree with,

- (a) the amount of the estimate referable to a municipality, where an estimate has been filed by a society with the municipality or the Board; or
- (b) the portion of the estimate that is referable to a municipality,

may, on or before the expiration of sixty days after the filing of the estimate with the municipality or the District Child Welfare Budget Board, as the case may be, request the Minister to refer the matter to a child welfare review committee.

(2) A society, the council of a municipality or a District Child Welfare Budget Board that does not agree with,

- (a) the amount of an estimate that has been filed by the Minister under subsection 18 (5); or
- (b) the amount of an estimate that the Minister intends to approve as varied under subsection 19 (1),

may,

- (c) in the case of an estimate referred to in clause (a), before the expiration of sixty days after the filing of the estimate; and
- (d) in the case of an estimate referred to in clause (b), after receiving notice of the Minister's intention to vary the amount of an estimate and before the Minister's approval is given to vary the amount of the estimate,

request the Minister to refer the matter to a child welfare review committee.

(3) A council of a municipality or a District Child Welfare Budget Board that does not agree with the portion of the estimate referable to a municipality, where an estimate has been filed by the Minister with the municipality or the Board, may, before the expiration of sixty days after the filing of the estimate, request the Minister to refer the matter to a child welfare review committee. O. Reg. 550/85, s. 20.

21.—(1) For the purposes of this section and section 20, a child welfare review committee shall consist of,

- (a) one member appointed by the Minister, who shall chair the committee;
- (b) one member appointed by the Ontario Association of Children's Aid Societies; and
- (c) one member appointed by the council of the municipality or the District Child Welfare Budget Board, as the case may be.

(2) Where a society has jurisdiction in more than one municipality and there is no District Child Welfare Budget Board, the member to be appointed under clause (1) (c) shall be appointed jointly by those municipalities.

(3) The Minister shall, after receiving a request to refer a matter to a child welfare review committee, forthwith appoint the member referred to in clause (1) (a) and cause notice to be given to the Ontario Association of Children's Aid Societies and the council of the municipality or the District Child Welfare Budget Board, as the case may be, to appoint, within ten days of the notice having been given, the members referred to in clauses (1) (b) and (c), respectively, and to inform the Minister forthwith of the names of the members so appointed.

(4) The Minister shall, after being informed of the members so appointed, forthwith cause notice of the names of the members of the child welfare review committee to be given to the parties concerned.

(5) Where a party who receives a notice to appoint a member to the committee under subsection (3) fails to appoint a member within the time prescribed, the Minister shall, in the place of the party who failed to make the appointment, forthwith appoint the member to the committee.

(6) A child welfare review committee shall be convened by the chair thereof within ten days after all the members have been appointed and the committee shall determine its own procedures.

(7) A child welfare review committee may receive such written or oral evidence from a Director, the society, the municipality or the District Child Welfare Budget Board or any other person as it in its discretion considers proper whether admissible in a court of law or not and may require the Director to present evidence and make submissions.

(8) A Director shall, when required by a child welfare review committee, present evidence and make submissions before the committee.

(9) A child welfare review committee shall review the evidence submitted to it and obtain any additional evidence or material it considers necessary.

(10) A child welfare review committee shall report its findings and make recommendations to the Minister within thirty days from the date that the committee first convenes and the findings and recommendations of the committee shall be made available to the parties concerned.

(11) After reviewing the findings and recommendations of a child welfare review committee, the Minister may approve the estimate that is the subject of the review, vary the amount of the estimate and approve the estimate as so varied or determine the portion of the estimate referable to a municipality, and the decision of the Minister is final.

(12) Notice of the Minister's decision shall be given to the parties concerned within thirty days after the Minister receives the report and recommendations of a child welfare review committee. O. Reg. 550/85, s. 21.

22.—(1) For the purpose of subsection 19 (2) of the Act, the amount that shall be paid to a society by the Minister shall be equal to,

- (a) 80 per cent of the part of the approved estimate referable to any municipality within the jurisdiction of the society; and
- (b) 100 per cent of the part of the approved estimate of the society referable to territory without municipal organization.

(2) For the purpose of clause (1) (b), the part of the approved estimate of a society referable to territory without municipal organization shall be determined under subsection 18 (9) as if the territory without municipal organization were a municipality.

(3) For the purposes of subsection 19 (3) of the Act, a municipality shall pay to the society having jurisdiction in the area of that municipality 20 per cent of the amount of the portion determined under subsection 18 (9) of the approved estimate of the society that is referable to the municipality. O. Reg. 550/85, s. 22.

23.—(1) After the estimate of net expenditures of a society for a year is finally approved by the Minister, the society may at any time within one year after the end of the society's fiscal year file with the Minister and with each municipality in the area in which the society has jurisdiction,

- (a) an amendment to the approved estimate; or
- (b) a supplementary estimate of net expenditures,

of the society not included in the original approved estimate for the year.

(2) A municipality shall grant its approval to the amendment or supplementary estimate, as the case may be, within sixty days after the receipt thereof.

(3) A municipality in the area in which a society has jurisdiction that has not granted its approval to an amendment or supplementary estimate filed under subsection (1) or requested the Minister to refer the amount of the amendment or supplementary estimate to a child welfare review committee within sixty days after receiving notice thereof from the society shall at the expiration of that period be deemed to have granted its approval to the amount of the estimate.

(4) The council of a municipality in the area in which a society has jurisdiction that does not agree with the amount of,

- (a) an amendment to an approved estimate; or
- (b) a supplementary estimate,

may, before the Minister's refusal or approval is given, in lieu of approving the amendment or supplementary estimate and before the expiration of the sixty day period referred to in subsection (2), request the Minister to refer the matter to a child welfare review committee.

(5) The Minister may approve an amendment to an approved estimate or an amount of a supplementary estimate that has been filed with the Minister under subsection (1) and approved by the council of each municipality or the Minister may, subject to subsection (6), refuse to approve the amendment or the supplementary estimate or may vary the amount of the amendment or the supplementary estimate and approve the amount so varied.

(6) Where the Minister intends,

- (a) to refuse to approve the amount of an amendment to an approved estimate or the amount of a supplementary estimate filed under subsection (1); or
- (b) to vary the amount of an amendment to an approved estimate or the amount of a supplementary estimate filed under subsection (1) and approve any such amount as so varied,

the Minister shall, at least thirty days prior to the refusal or approval, give notice of the Minister's intention to the society and to the council of each municipality in the area in which the society has jurisdiction.

(7) A society or the council of a municipality in the area in which the society has jurisdiction that does not agree with the Minister's intention,

- (a) to refuse to approve the payment of the amount of an amendment to an approved estimate or the amount of the society's supplementary estimate filed under subsection (1); or
- (b) to vary the amount of an amendment to an approved estimate or the amount of a supplementary estimate filed under subsection (1),

may, before the Minister's refusal or approval is given, request the Minister to refer the matter to a child welfare review committee.

(8) Sections 20 and 21 apply with necessary modifications to a request for review made under subsection (4) or (7).

(9) In this section, a District Child Welfare Budget Board that is established for a district under section 17 for the purpose of approving the estimate of net expenditures of a society may,

- (a) approve an amendment or supplementary estimate of net expenditures;
- (b) request a review of an amendment or supplementary estimate of net expenditures; and
- (c) receive any notice required to be given to a municipality in respect of an amendment or supplementary estimate of net expenditures.

(10) An amount of an amendment to an approved estimate or an amount of a supplementary estimate submitted under subsection (1) that is approved by the Minister under subsection (5) and by a municipality shall be deemed to be part of the approved estimate of the society for the year for the purpose of determining the amounts payable to the society under subsections 19 (2) and (3) of the Act.

(11) A certificate of approval of an estimate of net expenditures of a society shall be made in Form 1 and shall be forwarded to the society forthwith after the approval is given. O. Reg. 550/85, s. 23.

24.—(1) For the purpose of computing a payment under section

22, the costs determined in accordance with the approved estimate of care and services provided by a society for any child,

- (a) in care pursuant to an order made by a court of competent jurisdiction in a province other than Ontario or a territory of Canada; or
- (b) who, immediately before coming into the care of the society, was under the care or supervision of a child welfare authority in a province other than Ontario or a territory of Canada in a place other than the home of a parent of the child pursuant to an agreement between a parent of the child and the child welfare authority entered into under the laws of that province or territory, as the case may be; and
- (c) who is approved by a Director,

shall be excluded and Ontario shall pay to the society an amount equal to 100 per cent of the cost of the care and services.

(2) For the purpose of computing a payment under section 22, the costs of a society determined in accordance with the approved estimate of any demonstration project that is approved by the Minister shall be excluded and Ontario shall pay 100 per cent of the cost of the demonstration project. O. Reg. 550/85, s. 24.

25.—(1) For the purpose of computing a payment under section 22, where an agreement is entered into with the Crown in right of Canada providing for contributions by Canada to Ontario for the payment of the cost of the care and services provided by societies for Indians who reside in Ontario on Indian reserves, on Crown land or in territory without municipal organization or who are designated as Indians with reserve status by the Minister of Indian Affairs and Northern Development of the Government of Canada, the cost of the care and services determined in accordance with the approved estimate shall be excluded from the computation under section 22 and Ontario shall pay to the societies an amount equal to 100 per cent of the cost of care and services.

(2) Subsection (1) continues to apply to an Indian who commences to reside in a municipality in Ontario until the Indian has resided in the municipality for a period of twelve consecutive months.

(3) Subsection (1) ceases to apply to an Indian who has resided in a municipality for twelve consecutive months until the Indian resumes residence in Ontario on an Indian reserve, on Crown land or in territory without municipal organization. O. Reg. 550/85, s. 25.

#### PAYMENTS AND ADJUSTMENTS

26.—(1) An amount paid to an approved agency or an approved corporation under this Part shall not exceed the amount of the approved estimate and such amount shall only be expended by the approved agency or approved corporation in accordance with the approved estimate.

(2) An amount payable under this Part may be paid in advance.

(3) An amount paid under this Part may be adjusted by the Minister upon receipt of the annual financial statement and the reconciliation report of the approved agency or approved corporation required under section 5.

(4) The amount of an adjustment to an approved estimate,

- (a) shall be refunded by the approved agency or approved corporation to Ontario when Ontario so requests; or
- (b) shall be taken into account in calculating the amounts payable to the approved agency or approved corporation for the next fiscal year. O. Reg. 550/85, s. 26.

#### SERVICE PLANS AND ESTIMATES

27.—(1) An estimate of net expenditures shall, when required by the Minister, be accompanied by a service plan that is approved in writing by the board of directors of the approved agency or approved corporation for,

- (a) the approved services provided by the approved agency; and
- (b) each children's institution or children's mental health centre operated by the approved corporation.

(2) An estimate of net expenditures or an amendment thereto shall be approved in writing by the board of directors of the approved agency or approved corporation, as the case may be, before being filed with the Minister. O. Reg. 550/85, s. 27.

#### STAFF QUALIFICATIONS OF SOCIETIES

28. No society shall employ a social worker unless the person is a social work assistant, a social work supervisor, a social worker I, a social worker II, a social worker III, a social worker IV or a social worker V. O. Reg. 550/85, s. 28.

29. Every local director of a society shall be a person who,

- (a) has successfully completed two years of professional education in social work at a recognized school of social work and has had at least three years experience as a social work practitioner in child welfare;
- (b) has educational qualifications that together with the person's experience in social work are, in the opinion of the Minister, suitable for the position; or
- (c) held the appointment of local director on the 1st day of June, 1985. O. Reg. 550/85, s. 29.

#### DIRECTOR—POWERS AND DUTIES

30.—(1) In addition to the powers and duties that a Director has under the Act, a Director,

- (a) shall, in respect of a Crown ward, have authority to consent to,
  - (i) the issuance of a passport in the name of a Crown ward who is under sixteen years of age, and
  - (ii) travel outside of Canada by a Crown ward unless the Director requires the consent to be given by the local director of the society having care of the Crown ward;
- (b) may extend the period of time within which a report shall be made to a Director under subsection 2 (2) of Regulation 71 of Revised Regulations of Ontario, 1990 (Register); and
- (c) may approve social workers to visit homes of prospective adoptive parents.

(2) Where an approval is required by a Director, where something is to be done as required by a Director or where a determination is to be made by a Director under this Regulation, the approval, requirement or determination is prescribed to be a power of a Director. O. Reg. 550/85, s. 30.

## PART II VOLUNTARY ACCESS

#### AGREEMENTS

31.—(1) An agreement for the temporary care and custody of a



child entered into under subsection 29 (1) of the Act shall be in Form 2.

(2) An agreement for services to meet the special needs of a child entered into under subsection 30 (1) of the Act shall be in Form 3.

(3) An agreement for services to meet the special needs of a child sixteen years of age or older and under eighteen years of age entered into under subsection 31 (1) of the Act shall be in Form 4.

(4) An agreement to extend a temporary care agreement under subsection 29 (5) of the Act or to vary a temporary care agreement under subsection 29 (10) of the Act shall be in Form 5.

(5) An agreement to extend a special needs agreement under subsection 30 (3) of the Act or to vary a special needs agreement under subsection 30 (4) or 31 (4) of the Act shall be in Form 6. O. Reg. 550/85, s. 31.

32.—(1) The Minister shall be deemed to be a child welfare authority for the purposes of entering into an agreement under subsection 30 (2), 30 (3), 31 (2) or 31 (4) of the Act to meet the special needs of a child.

(2) The agreements referred to in subsection (1) shall be in a form provided by the Minister. O. Reg. 550/85 s. 32.

33. The Minister may require that a special needs agreement be entered into under section 30 or 31 of the Act where a residential service is provided to a child. O. Reg. 550/85, s. 33.

### PART III CHILD PROTECTION

#### CROWN WARDS

34.—(1) Care and support may be provided to a person who is a former Crown ward in accordance with subsection 71 (2) of the Act where,

- (a) required by the person for completion of a plan of care referred to in subsection 105 (1) of the Act; or
- (b) the person is mentally or physically incapacitated.

(2) Care and support provided under subsection (1) may include, with the approval of a Director, the costs necessary to enable the person to continue or complete an educational program.

(3) Subsection (1) does not apply to a person who has attained twenty-one years of age. O. Reg. 219/88, s. 4.

35. A person entering a premises under subsection 40 (11) or 44 (2) of the Act (power of entry) shall produce identification, including evidence of appointment, on request of the occupier. O. Reg. 162/89, s. 1, *part*.

36.—(1) A warrant to apprehend and return a child in care under subsection 41 (1) of the Act shall be in Form 7.

(2) An information in support of a warrant to apprehend and return a child in care shall be in Form 8.

(3) A warrant to apprehend and return a child who has withdrawn from a parent's care under subsection 43 (2) of the Act shall be in Form 9.

(4) An information in support of a warrant to apprehend and return a child who has withdrawn from a parent's care shall be in Form 10. O. Reg. 162/89, s. 1, *part*.

### PART IV YOUNG OFFENDERS

#### CUSTODY REVIEW BOARD

37.—(1) The Custody Review Board established under section 96 of the Act shall consist of not more than fifteen members.

(2) A member of the Board may be appointed for a term of six months, one year, two years or three years.

(3) One member of the Board constitutes a quorum.

(4) A Vice-Chair designated by the Chair has the jurisdiction and shall exercise the power of the Chair,

- (a) in the absence of the Chair; or
- (b) if the Chair is unable to act or the office of the Chair is vacant.

(5) The Chair shall, from time to time, assign various members of the Board to its various hearings and reviews. O. Reg. 550/85, s. 35.

38.—(1) In addition to the duties of the Board prescribed in section 97 of the Act, the Board shall,

- (a) carry out the duties required to be exercised by the Training Schools Advisory Board with respect to children who were made wards of the Crown under the *Training Schools Act* (R.S.O. 1980, c. 508), until the wardships expire or are terminated; and
- (b) review the placement of probationers who are ordered by the youth court under paragraph 23 (2) (f) of the federal Act to reside at a place specified by a provincial director where the place is a place of open custody.

(2) An application by a young person for a review under clause (1) (b) shall be made within thirty days of the placement at the place specified by the provincial director.

(3) Subsections 97 (2), (3), (4) and (5) of the Act apply with necessary modifications to a review by the Board in respect of an application under subsection (2).

(4) After conducting a review, the Board may,

- (a) where the Board is of the opinion that the place where the young person resides is not appropriate to meet the young person's needs, recommend to the provincial director that the young person be transferred to another place; or
- (b) confirm the placement. O. Reg. 550/85, s. 36.

39.—(1) Where the Board holds a hearing in respect of an application, a young person may be represented at the hearing by a parent or other advocate of his or her choice.

(2) The Board shall conduct reviews and hearings in an informal manner and in the absence of the public.

(3) The provincial director shall co-operate with the Board in the conduct of the reviews and shall provide the Board with documents and other information with respect to reviews when requested by the Board to do so.

(4) The Board shall make its recommendations under subsection 97 (6) of the Act and clause 38 (4) (a) of this Regulation in writing to the provincial director and shall provide a copy of the written recommendations to the young person and his or her representative. O. Reg. 550/85, s. 37.

40.—(1) An information to obtain a warrant of apprehension and



return of a young person under section 98 of the Act shall be in Form 11.

(2) A warrant of apprehension and return of a young person under section 98 of the Act shall be in Form 12. O. Reg. 550/85, s. 38.

### PART V COMPLAINT PROCEDURES

41.—(1) For the purposes of subsection 109 (1) of the Act, the written procedure shall set out,

- (a) the methods by which a child may express concerns with respect to alleged violations of the child's rights under Part V of the Act,
  - (i) in the presence of other children and to a program staff person,
  - (ii) in private to a program staff person, and
  - (iii) in private to the service provider or a person designated by the service provider; and
- (b) the method by which a parent of a child or other person representing a child may express concerns with respect to alleged violations of the child's rights under Part V of the Act,
  - (i) in private to a program staff person, and
  - (ii) in private to the service provider. O. Reg. 550/85, s. 39.

(2) Subsection (1) does not apply to a child of a service provider, a program staff person or other person employed by the service provider. O. Reg. 219/88, s. 5.

### PART VI EXTRAORDINARY MEASURES

42. Subject to section 183 of the Act, the counsel or agent representing a child who is the subject of an application or order under Part VI is entitled to examine and to copy the record prepared in respect of the child and maintained by any service provider. O. Reg. 162/89, s. 1, *part*.

43.—(1) An application for emergency admission to a secure treatment program shall be in Form 13.

(2) The person in charge of a secure treatment program shall use Form 14 for the emergency admission of a child to the secure treatment program.

(3) An application for review of emergency admission to a secure treatment program shall be in Form 15.

(4) An order reviewing a child's emergency admission to a secure treatment program shall be in Form 16.

(5) A warrant to apprehend and return a child who has been admitted to a secure treatment program and has left that program without consent shall be in Form 17.

(6) An information in support of a warrant to apprehend and return a child who has been admitted to a secure treatment program shall be in Form 18. O. Reg. 162/89, s. 1, *part*.

#### SECURE ISOLATION

44. A secure isolation room shall,

- (a) not be used as a bedroom for a child who is in secure isolation;

- (b) contain a window that is unbreakable or some other means of observing the child;
- (c) contain lighting that is adequate to ensure the continuous observation of a child who is placed in secure isolation; and
- (d) contain no objects that could be used by the child as instruments of injury or damage. O. Reg. 550/85, s. 40.

45.—(1) Every service provider shall develop and maintain written policies and procedures with respect to the use of a secure isolation room in premises of the provider where it is proposed to place children in secure isolation.

(2) The policies and procedures referred to in subsection (1) shall be reviewed with each staff person who is involved in the use of secure isolation upon the initial orientation of the staff person and at least annually thereafter. O. Reg. 550/85, s. 41.

46. Every service provider shall maintain a written record of each instance of the use of a secure isolation room that shall include the name and age of each child placed in secure isolation and the dates and the duration of each use for each child. O. Reg. 550/85, s. 42.

47. Where a child is kept in a secure isolation room for more than one hour, the person in charge of the premises in which the secure isolation room is located shall review the continued need for secure isolation of the child at least every thirty minutes. O. Reg. 550/85, s. 43.

48.—(1) An application to a Director under subsection 126 (1) of the Act for approval of a locked room for use for the secure isolation of children shall be made to a Director in Form 19.

(2) An application in Form 19 shall be accompanied by the applicant's written policies and procedures with respect to the use of a secure isolation room together with such other information concerning the service provider's program, the room and the proposed use of the room for secure isolation as a Director considers necessary to determine whether the room should be approved for use for the secure isolation of children.

(3) Upon receipt of an application under subsection (1), a Director may inspect the premises and the room to be approved for the purposes of determining whether the room can be approved.

(4) An approval or renewal of an approval of a locked room for use for the secure isolation of children shall be in Form 20.

(5) A refusal or withdrawal of an approval of a locked room for use for the secure isolation of children shall be in Form 21. O. Reg. 550/85, s. 44.

49. The drugs listed in the Schedule are prescribed as psychotropic drugs.

#### Schedule

ITEM	DRUG
	<b>Anti-psychotic drugs</b>
1.	Chlorpromazine
2.	Chlorprothixene
3.	Droperidol
4.	Fluphenazine
5.	Fluspirilene
6.	Haloperidol
7.	Loxapine
8.	Mesoridazine
9.	Methotrimeprazine
10.	Pericyazine

ITEM	DRUG
11.	Perphenazine
12.	Piperacetazine
13.	Pipotiazine
14.	Prochlorperazine
15.	Promazine
16.	Thiethylperazine
17.	Thiospropazate
18.	Thiopropazine
19.	Thioridazine
20.	Thiothixene
21.	Trifluoperazine
	<b>Anti-depressant drugs</b>
22.	Amitriptyline
23.	Amoxapine
24.	Clomipramine
25.	Desipramine
26.	Doxepin
27.	Imipramine
28.	Isocarboxazid
29.	Loxapine
30.	Maprotiline
31.	Nortriptyline
32.	Phenelzine
33.	Protriptyline
34.	Tranlycypromine
35.	Trazodone
36.	Trimipramine
	<b>Sedative and hypnotic drugs</b>
37.	Alprazolam
38.	Barbituric Acid Derivatives
39.	Chloral Hydrate
40.	Ethchlorvynol
41.	Flurazepam
42.	Glutethimide
43.	Lorazepam
44.	Methaqualone
45.	Methypylon
46.	Nitrazepam
47.	Paraldehyde
48.	Temazepam
49.	Triazolam
	<b>Anti-anxiety drugs</b>
50.	Alprazolam
51.	Bromazepam
52.	Chlordiazepoxide
53.	Chlormezanone
54.	Clonazepam
55.	Clorazepic acid
56.	Diazepam

ITEM	DRUG
57.	Hydroxyzine
58.	Ketazolam
59.	Lorazepam
60.	Meprobamate
61.	Oxazepam
	<b>Anti-hyperkinetic drugs</b>
62.	Amphetamine
63.	Deanol
64.	Dextroamphetamine
65.	Methylphenidate
	<b>Anti-manic drugs</b>
66.	Lithium Carbonate

O. Reg. 162/89, s. 1, *part.*

## PART VII ADOPTION

### PLACEMENT OF CHILDREN

50.—(1) Every adoption agency shall, with respect to the placement of children,

- (a) ensure that counselling is made available to each person who is a parent within the meaning of subsection 137 (1) of the Act (parent defined) who is considering relinquishing a child for adoption;
- (b) recruit prospective adoptive parents for children who are awaiting adoption;
- (c) ensure that an assessment is conducted on each prospective adoptive parent;
- (d) ensure that each adoption placement is supervised;
- (e) ensure that assistance is provided to complete the adoption of children who have been placed by the adoption agency;
- (f) ensure that post adoption services are provided to a child who is an adopted person, the adoptive family and any other person who is directly affected by the adoption where a request is made for such services;
- (g) ensure that services related to the disclosure of information that relates to an adoption are provided in accordance with Part VII of the Act; and
- (h) ensure that each child awaiting placement for adoption receives residential care where required. O. Reg. 550/85, s. 45 (1); O. Reg. 400/87, s. 1; O. Reg. 219/88, s. 6.

(2) Every adoption agency shall provide consulting and interviewing space that ensures privacy for all persons involved in the adoption.

(3) Every adoption agency shall ensure that it has access to the services of a legally qualified medical practitioner including a psychiatrist, a social worker approved by a Director or by a local director in the case of a society, a person registered as a psychologist under the *Psychologists Registration Act* and a barrister and solicitor.

(4) Where a child to be placed by a licensee referred to in Part VII of the Act is an Indian or a native person, the licensee shall give the child's band or native community thirty days written notice of the

licensee's intention to place the child for adoption. O. Reg. 550/85, s. 45 (2-4).

51.—(1) A child may be placed for adoption outside of Canada where one of the following special circumstances exist:

1. The placement fulfils a special need of the child that is related to or caused by a behavioural, developmental, emotional, physical, mental or other handicap.
2. At least one of the prospective adoptive parents is a Canadian citizen.
3. At least one of the prospective adoptive parents is related to the child by blood, marriage or adoption but is not related within the meaning of clause 136 (1) (c) of the Act (relative defined).
4. The placement will preserve the child's cultural background.

(2) Every adoption agency that intends to place a child for adoption outside of Canada shall, before placing the child, prepare a placement plan that,

- (a) includes a copy of the home study referred to in subsection 55 (1);
- (b) includes a statement of the health care to be provided for the child, including particulars of health insurance coverage for the child;
- (c) includes a statement of the arrangements made for the care of the child in the event of an adoption breakdown;
- (d) specifies the agency that will be supervising the child during the placement and a description of the proposed supervision;
- (e) includes a description of the provisions made for the child's education during the placement;
- (f) includes a description of the adoption law in the jurisdiction of the placement and an opinion by a qualified legal practitioner in that jurisdiction as to whether or not the child can be adopted under that law; and
- (g) includes a description of the immigration and citizenship laws in the jurisdiction of the placement and an opinion by a qualified legal practitioner in that jurisdiction as to whether or not the child can enter the jurisdiction and obtain citizenship under those laws.

(3) A licensee referred to in Part VII of the Act that prepares a placement plan referred to in subsection (2) shall file a copy of the plan with a Director before the Director's approval or refusal is given under subsection 142 (2) of the Act.

(4) No child shall be placed for adoption and removed from Canada or placed for adoption outside of Canada until the twenty-one day period for withdrawing a consent under subsection 137 (8) of the Act has expired.

(5) No child who is seven years of age or more shall be placed for adoption and removed from Canada or placed for adoption outside of Canada unless the child consents to the placement.

(6) Subsections (1), (4) and (5) do not apply to a child who is to be adopted by the child's relative, the child's parent or a spouse of the child's parent and who is taken or sent out of Canada for that purpose.

(7) Where a licensee referred to in Part VII of the Act is unable to place a child for adoption within sixty days after a Director has approved the placement under clause 136 (2) (a) of the Act, the

licensee shall forthwith after the expiration of the sixty day period notify a Director in writing that the child has not been placed for adoption and give reasons therefor. O. Reg. 550/85, s. 46.

#### RECORDS AND REPORTS

52.—(1) Every licensee referred to in Part VII of the Act that receives an application from a person who wishes to receive a child for adoption or to board a child intended to be placed for adoption shall upon receiving the application,

- (a) record a description of the home of the applicant; and
- (b) assess the home environment of the applicant including the applicant's competence and suitability as a foster parent or adoptive parent, as the case may be, and make a record of the assessment.

(2) Where a child is placed in a foster home and an assessment of the home is made under clause (1) (b), the licensee shall reassess the foster home at least once a year during the placement.

(3) Where six months or more expire from the time that an assessment referred to in clause (1) (b) is made and a child is not yet placed or boarded with the applicant, a reassessment of the home environment of the applicant shall be made by the licensee before a child is placed or boarded with the applicant. O. Reg. 550/85, s. 47.

53.—(1) A notice of a proposed placement under subsection 141 (3) of the Act shall be in Form 22.

(2) A notice of a Director's decision under subsection 142 (2) of the Act to approve a proposed placement for adoption or to refuse approval of a placement for adoption shall be in Form 23. O. Reg. 550/85, s. 48.

54.—(1) Every adoption agency that proposes to place a child for adoption shall, before placing the child, prepare a report in a form approved by a Director that sets out the social and medical history of the child and of each person who is a parent of the child.

(2) Every adoption agency shall ensure that the information contained in the social history and medical history of the parents of the child and of the child, except for any information that would identify the parents of the child, is shared in writing with the prospective adoptive parents prior to the adoption of the child.

(3) Where the Director's approval of the proposed placement is required, a copy of the report referred to in subsection (1) shall be filed with the Director before the approval under subsection 142 (2) of the Act is given or refused.

(4) Where the Director's approval of the proposed placement is not required, a copy of the report referred to in subsection (1) shall be filed by the adoption agency with the Director when the placement is registered under subsection 141 (6) or (7) of the Act, as the case requires.

(5) A Director may approve the form of a report referred to in subsection (1). O. Reg. 550/85, s. 49.

#### HOMESTUDIES AND VISITS

55.—(1) Every adoption agency shall, before placing a child for the purpose of adoption, arrange for the preparation of a report of a homestudy of the prospective adoptive parents.

(2) A licensee that is not exempted under subsection 141 (5) of the Act shall ensure that the homestudy referred to in subsection 142 (1) of the Act is prepared for the licensee by a person approved by a Director or local director and forwarded to the Director before the Director's approval or refusal is given under subsection 142 (2) of the Act. O. Reg. 550/85, s. 50.

56.—(1) Every adoption agency shall ensure that the home of the prospective adoptive parents is visited by a social worker approved by the Director or approved by a local director in the case of a society as soon as is practicable and no later than one month after the child is placed by the adoption agency in the home for adoption.

(2) The adoption agency shall ensure that after the initial visit a social worker visits the home at least two times before the adoption order is made. O. Reg. 550/85, s. 51.

#### ADOPTION DISCLOSURE

57.—(1) For the purposes of sections 163 to 174 of the Act “identifying information” includes,

- (a) any name, address or telephone number of the person; and
- (b) information whose disclosure, alone or in combination with other information, will in the circumstances lead to a name, address or telephone number of the person.

(2) For the purposes of sections 163 to 174 of the Act “non-identifying information” includes,

- (a) background information with respect to,
  - (i) the birth parents, birth grandparents and birth siblings of the adopted person and persons related to the birth parents, birth grandparents and birth siblings,
  - (ii) the circumstances leading to the adoption placement of the adopted person,
  - (iii) the birth details that relate to the adopted person,
  - (iv) the care received by the person prior to adoption placement,
  - (v) the developmental progress of the adopted person,
  - (vi) the date of the adoption placement,
  - (vii) the date of the adoption order, and
  - (viii) the adoptive parents and the adoptive family; and
- (b) the name of the society or licensee responsible for the adoption placement,

provided that the disclosure of the information alone or in combination with other information will not in the circumstances lead to a name, address or telephone number of the person described in the information, other than the name of the society or licensee responsible for the adoption placement.

(3) The following classes of persons are prescribed for the purposes of paragraph 5 of subsection 166 (4) of the Act:

1. Legally qualified medical practitioners.
2. Persons who provide guidance and counselling and who have the qualifications of a social worker II, social worker III, social worker IV or a social worker V.
3. Persons registered as psychologists under the *Psychologists Registration Act*.
4. Barristers and solicitors.

(4) The following fee is prescribed for the purposes of section 174 of the Act:

1. For the release of a copy of an adoption order under clause 165 (2) (g) of the Act, \$15. O. Reg. 400/87, s. 2.

#### EXPENSES

58. Expenses incurred by a licensee referred to in Part VII of the Act,

- (a) to prepare a social and medical history of a child who is adopted or who is intended to be adopted and to prepare a social and medical history of a person who is a parent of the child;
- (b) to conduct and prepare a homestudy of prospective adoptive parents;
- (c) to provide residential care for a child awaiting adoption placement;
- (d) to provide counselling services for a person who is a parent of a child, within the meaning referred to in subsection 137 (1) of the Act, regarding the parent’s decision to relinquish the child for adoption;
- (e) to provide transportation relating to the placement of a child for adoption;
- (f) to provide supervision of an adoption placement;
- (g) with respect to the administration of an adoption;
- (h) to provide post-adoption services that are considered by a Director as being necessary to ensure the success of an adoption;
- (i) in addition to the matters referred to in clauses (a) to (h), any other services that in the opinion of the Director are necessary to ensure the success of an adoption; and
- (j) to provide counselling services to a person to whom the licensee discloses non-identifying information under section 166 or 170 of the Act,

are expenses that may be charged by a licensee to an adoptive parent or a prospective adoptive parent. O. Reg. 550/85, s. 52; O. Reg. 400/87, s. 3.

#### REGISTRATION OF PLACEMENTS

59.—(1) For the purpose of subsection 141 (6) of the Act (registration of placement), the placement of a child for adoption shall be registered by filing a notice with the Director in Form 24.

(2) For the purpose of subsection 141 (7) of the Act (registration of placement), the Director shall register the placement of a child for adoption by recording the information concerning the placement in Form 25.

(3) Every person that has a child placed with him or her for adoption shall within thirty days of the date of the placement complete and file with the adoption agency that arranged the placement an acknowledgment of adoption placement in Form 26.

(4) Every licensee referred to in Part VII of the Act shall forthwith upon receiving an acknowledgment of adoption placement file a copy of the acknowledgment with a Director. O. Reg. 550/85, s. 53.

#### TRUST ACCOUNTS

60.—(1) Every licensee referred to in Part VII of the Act shall establish and maintain a trust account in a bank listed in Schedule I or II to the *Bank Act* (Canada), a trust corporation registered under the *Loan and Trust Corporations Act* or a Province of Ontario Savings Office in which all funds received by the licensee from prospective adoptive parents shall be deposited.

(2) The money paid into a trust account as required under sub-

section (1) shall only be withdrawn from the account with the consent of the prospective adoptive parent for whom the money is held and only for expenses incurred for services provided by the licensee with respect to the adoption of a child by the prospective adoptive parents.

(3) Money remaining in a trust account after expenses are paid shall be returned to the person who paid the money to the licensee.

(4) Every licensee shall keep a separate book of accounts showing all deposits and withdrawals from the trust account, the name of the prospective adoptive parent for whom the deposit or withdrawal is made and the date of each deposit or withdrawal. O. Reg. 550/85, s. 54.

#### REVIEW UNDER SECTION 172 OF THE ACT

61.—(1) The Board shall give notice to the parties to the review of the date, place and time of the hearing or review within twenty days after the Board receives the request for a review.

(2) For the purposes of a review under section 172 of the Act, three members of the Board constitute a quorum. O. Reg. 400/87, s. 4.

### PART VIII

62. A statement by a physician under subsection 183 (2) of the Act shall be in Form 27. O. Reg. 162/89, s. 2.

### PART IX LICENSING

63. For the purposes of subsection 65 (11), the following Regions are designated:

1. The Northern Region, being the territorial districts of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Parry Sound, Rainy River, Sudbury, Thunder Bay, Timiskaming, The Regional Municipality of Sudbury and The District Municipality of Muskoka.
2. The Central Region, being the counties of Dufferin and Simcoe, The Municipality of Metropolitan Toronto and the regional municipalities of Halton, York and Peel.
3. The Southwestern Region, being the counties of Brant, Bruce, Elgin, Essex, Grey, Huron, Kent, Lambton, Middlesex, Oxford, Perth and Wellington and the regional municipalities of Haldimand-Norfolk, Niagara, Hamilton-Wentworth and Waterloo.
4. The Southeastern Region, being the counties of Frontenac, Hastings, Lanark, Lennox and Addington, Northumberland, Peterborough, Prince Edward Renfrew and Victoria, the County of Haliburton, the united counties of Leeds and Grenville, Stormont, Dundas and Glengarry and Prescott and Russell and the regional municipalities of Durham and Ottawa-Carleton. O. Reg. 550/85, s. 56; O. Reg. 219/88, s. 7.

#### LICENCES

64. Every person applying for a licence under clause 193 (1) (a) of the Act to establish, operate or maintain a residence shall file with a Director evidence that the premises used or to be used as a residence comply with,

- (a) the laws respecting the health of inhabitants of the area in which the premises are located;
- (b) any rule, regulation, direction or order of the local board of health and any direction or order of the local medical officer of health;

- (c) any by-law of the municipality in which the premises are located or other law for the protection of persons from fire hazards;
- (d) any restricted area, standard of housing or building by-law passed by the municipality in which the premises are located pursuant to Part III of the *Planning Act* or any predecessor thereof;
- (e) the requirements of Regulation 61 of Revised Regulations of Ontario, 1990 (Building Code), where applicable; and
- (f) the requirements of Regulation 454 of Revised Regulations of Ontario, 1990 (Fire Code), where applicable. O. Reg. 550/85, s. 57.

65.—(1) An application for a licence or a renewal of a licence to establish, operate or maintain a residence under clause 193 (1) (a) of the Act shall be made to a Director in Form 28.

(2) An application for a licence or a renewal of a licence to provide residential care under clause 193 (1) (b) of the Act shall be made to a Director in Form 29.

(3) An application for a licence or a renewal of a licence to place children for adoption under subsection 193 (2) of the Act shall be made to a Director in Form 30.

(4) An application for a licence or renewal of a licence shall be accompanied by such other information as a Director considers necessary to enable the Director to determine whether the applicant would, if licensed, be in compliance with the Act and the regulations.

(5) A licence to establish, operate or maintain a residence shall be in Form 31.

(6) A licence to provide residential care shall be in Form 32.

(7) A licence to place children for adoption shall be in Form 33.

(8) A provisional licence to establish, operate or maintain a residence shall be in Form 34.

(9) A provisional licence to provide residential care shall be in Form 35.

(10) A provisional licence to place children for adoption shall be in Form 36.

(11) The fee payable by an applicant on application for a licence or renewal of a licence under subsection (1) or (2) is,

- (a) \$100 payable every three years for each Region in which an applicant intends to establish, operate or maintain a residence; and
- (b) \$100 payable every three years for each Region in which an applicant intends to provide residential care.

(12) Subsection (11) does not apply to an applicant for a licence or a renewal of a licence in a Region where the applicant has within the three year period referred to in subsection (11) already paid the prescribed fee. O. Reg. 550/85, s. 58 (1-12).

(13) The fee payable by an applicant on application for a licence or renewal of a licence under subsection (3) to place children for adoption is \$100 payable every year. O. Reg. 550/85, s. 58 (13); O. Reg. 177/90, s. 1.

(14) A Director may issue or renew a licence for such period, not to exceed one year, as the Director determines is proper in the circumstances.

(15) A Director may refund to an applicant a fee paid under this

section with respect to a licence or renewal thereof that is not issued to the applicant.

(16) A licence or a provisional licence to operate and maintain a residence shall be kept on the premises of the residence by the licensee who shall ensure that the licence is available for inspection by any person.

(17) A licence or a provisional licence to provide residential care or to place children for adoption shall be kept on the premises of the licensee who shall ensure that the licence is available for inspection by any person. O. Reg. 550/85, s. 58 (14-17).

66.—(1) Upon application for a licence or renewal of a licence to establish, operate or maintain a residence or to provide residential care, a Director may inspect or cause to be inspected the residence or any premises where residential care is to be provided by the applicant for the purpose of determining the eligibility of the applicant for the licence or renewal.

(2) The Director shall, at the time of issuing a licence or renewal of a licence to operate a residence, include in the licence the maximum number of children for whom care may be provided by the licensee.

(3) A licensee shall not admit to a residence more children than the maximum number of children permitted in the licence unless the admission is approved by a Director for a specified period of time.

(4) A licensee that is a corporation shall notify a Director in writing within fifteen days of any change in the officers or directors of the corporation. O. Reg. 550/85, s. 59.

#### BOARD

67.—(1) The Board shall consist of not more than eighteen members. O. Reg. 551/89, s. 1.

(2) A member of the Board may be appointed for a term of six months, one year, two years or three years.

(3) Three members of the Board constitute a quorum.

(4) A Vice-Chair designated by the Chair has the jurisdiction and shall exercise the power of the Chair,

- (a) in the absence of the Chair; or
- (b) if the Chair is unable to act or the office of the Chair is vacant.

(5) The Chair shall from time to time assign various members of the Board to its various hearings. O. Reg. 550/85, s. 60 (2-5).

#### HEARINGS

68.—(1) A notice under subsection 197 (1) of the Act (notice of proposal) in respect of an application for a licence or a renewal of a licence referred to in subsection 193 (1) of the Act (licence required) shall be in Form 37 and shall be accompanied by two blank copies of Form 39.

(2) A notice under subsection 142 (2) of the Act (Director's approval) or under subsection 197 (1) of the Act (notice of proposal) in respect of an application for a licence or a renewal of a licence referred to in subsection 193 (2) of the Act (licence required) shall be in Form 38 and shall be accompanied by two blank copies of Form 39.

(3) A request for a hearing shall be in Form 39.

(4) An application to the Board under subsection 36 (1) of the Act (Review by Board) shall be in Form 40. O. Reg. 550/85, s. 61.

69.—(1) The Board shall serve notice of a hearing in Form 41 on

the parties to the hearing within fifteen days of receiving the notice of the request for the hearing.

(2) The Board shall serve the notice under subsection (1) to each party to the hearing by sending the notice by registered mail to the party at the party's address last known to the Board. O. Reg. 550/85, s. 62.

#### MISCELLANEOUS

70.—(1) A local medical officer of health having jurisdiction in the area where a residence is located or any person designated by the local medical officer of health may at all reasonable times, upon producing proper identification, enter the residence and may, with respect to the health, safety or nutrition of the residents, inspect the facilities, the services provided, the books of account and the records relating to the services and make copies of those books and records or remove them from the premises to copy them as may be reasonably required.

(2) No person shall hinder, obstruct or attempt to hinder or obstruct a local medical officer of health or a person designated by the local medical officer of health in the performance of the duties or knowingly give false information about the premises or services to a local medical officer of health or a person designated by the local medical officer of health.

(3) No licensee or person in charge of a residence shall refuse to give a local medical officer of health or a person designated by the local medical officer of health access to the books and records referred to in subsection (1) or refuse to give a local medical officer of health or a person designated by the local medical officer of health information about the premises or services that the local medical officer of health or a person designated by the local medical officer of health reasonably requires.

(4) The licensee shall carry out any recommendation made by the local medical officer of health or a person designated by the local medical officer of health concerning the health, safety or nutrition of any child in the residence. O. Reg. 550/85, s. 63.

71.—(1) Where a resident dies, the licensee who operates the residence in which the resident resides shall notify a coroner, other than a coroner who is a physician referred to in subsection 91 (2), of the death of the resident.

(2) Where a child dies while in receipt of foster care in a foster home, the licensee who directly or indirectly operates the foster home shall, after consulting with the placing agency where the placing agency is not the licensee, notify a coroner. O. Reg. 550/85, s. 64.

#### MANAGEMENT PRACTICES

72.—(1) Every licensee who provides residential care is responsible for the operation and management of the residences operated by the licensee, including the program, financial and personnel administration of the residences.

(2) A licensee may appoint a person who shall be responsible to the licensee for the day to day operation and management of the residences.

(3) Where a licensee or a person appointed under subsection (2) is absent, the powers and duties of the licensee or the person appointed under subsection (2) shall be exercised and performed by such person as the licensee designates. O. Reg. 550/85, s. 65.

73.—(1) Every licensee shall maintain an up to date written statement of policies and procedures with respect to each residence operated by the licensee that sets out,

- (a) the purpose of the residence;
- (b) the program provided in the residence;

- (c) procedures relating to the admission and discharge of residents;
- (d) the planning, monitoring and evaluation of care provided to residents;
- (e) procedures for the maintenance of case records;
- (f) methods of maintaining discipline;
- (g) the health program provided for residents;
- (h) the methods of maintaining security of the residence;
- (i) the methods for involving a resident's parent with the program of the residence;
- (j) the administrative structure of the residence;
- (k) staff and supervisory practices to be followed by staff persons in the residence;
- (l) the conduct and discipline of persons employed in the residence;
- (m) procedures to be followed in emergencies;
- (n) the financial administration of the residence;
- (o) the methods employed to encourage residents to participate in community activities;
- (p) articles prohibited by the licensee for the purposes of subsection 103 (3) of the Act;
- (q) procedures governing the expression of concerns or complaints by residents; and
- (r) procedures governing punishment and isolation methods that may be used in the residence.

(2) A copy of the policies and procedures referred to in subsection (1) shall be kept in each residence and shall be accessible to each person employed in the residence.

(3) Clause (1) (l) does not apply where the policies and procedures concerning conduct and discipline are included in a collective agreement between the licensee and employees of the licensee. O. Reg. 550/85, s. 66.

74.—(1) Every licensee shall ensure that a daily log is maintained in each residence operated by the licensee.

(2) Each incident that affects or that in the opinion of the licensee may affect the health, safety or well-being of a staff person in the residence or a resident shall be included in the daily log. O. Reg. 550/85, s. 67.

75. Every licensee shall ensure that each person employed in a residence operated by the licensee receives such immunization as is recommended by the local medical officer of health and a health assessment before the person commences employment. O. Reg. 550/85, s. 68.

76. Every licensee shall ensure that each person employed to work in a residence operated by the licensee shall receive an orientation with respect to the policies and procedures of the residence within thirty days of commencement of employment in the residence. O. Reg. 550/85, s. 69.

77.—(1) Every licensee shall prepare and maintain an annual budget with respect to each residence operated by the licensee that sets out,

- (a) anticipated revenue of the residence; and

- (b) projected basic care expenditures and special care expenditures for the residents in the residence.

(2) Where a licensee operates two or more residences, a separate budget shall be prepared for each residence and each budget shall show the individual costs for each residence and the costs that are shared between the residences. O. Reg. 550/85, s. 70.

78.—(1) Every licensee shall, in respect of each residence maintained and operated by the licensee,

- (a) keep a complete record of revenues and expenditures made in connection with the operation of each residence; and
- (b) prepare and submit financial reports to a Director when required by a Director including reports by a public accountant licensed under the *Public Accountancy Act*.

(2) Subsection (1) applies with necessary modifications to a licensee placing children for adoption. O. Reg. 550/85, s. 71.

79.—(1) Every licensee shall ensure that a policy of insurance with respect to each residence operated by the licensee is obtained and maintained in full force and effect.

(2) A policy of insurance with respect to a residence shall include,

- (a) fire and extended coverage including coverage for the theft of the physical assets of the residence and the property of the residents;
- (b) comprehensive general liability coverage and personal injury coverage, including coverage for the employees of the residence and volunteers in the residence and in the case of a parent model residence, the persons who provide care for the residents;
- (c) a clause concerning liability arising out of any contract or agreement; and
- (d) motor vehicle coverage for all vehicles owned or used by employees of the residence and volunteers in the residence and in the case of a parent model residence, all vehicles owned or used by persons who provide care for residents. O. Reg. 550/85, s. 72.

#### ADMISSION

80.—(1) Every licensee shall ensure that each person that applies for admission of a child to a residence operated by the licensee is notified in writing within twenty-one days of the date of the application for admission of the licensee's decision with respect to admission of the child to the residence.

(2) Where the licensee intends to admit the child, the licensee shall notify the applicant of the anticipated date of admission of the child.

(3) Where the licensee is unable to notify the applicant of the decision with respect to admission within the twenty-one day period referred to in subsection (1), the licensee shall,

- (a) advise the applicant in writing of the reasons for the delay; and
- (b) notify the applicant of the licensee's decision with respect to admission as soon as possible in the circumstances. O. Reg. 550/85, s. 73.

81.—(1) Every licensee shall ensure that a written agreement for the provision of service to a child is entered into with respect to each child that is admitted to a residence operated by the licensee.

- (2) A written agreement for the provision of service to a child



shall be entered into at the time of admission of the child to the residence or as soon as possible in the circumstances.

(3) An agreement for the provision of service to a child shall include,

- (a) the consent and authorization for the licensee to,
  - (i) provide care for the child,
  - (ii) obtain emergency medical treatment for the child, and
  - (iii) where applicable, inspect and obtain from persons named in the consent, records, reports and information concerning the child;
- (b) financial arrangements with respect to the provision of care by the licensee for the child; and
- (c) provision for a review of the agreement at the request of the child, a parent of the child or the society or other person placing the child or the licensee.

(4) Every licensee shall ensure that with respect to each agreement for the provision of service to a child that,

- (a) the society or probation officer who is supervising or otherwise providing services to a child, but who is not the parent of the child;
- (b) the society or other person placing the child; and
- (c) the child, where the child is twelve years of age or over,

are consulted and involved in the development of the agreement.

(5) Every licensee shall ensure that each agreement for the provision of service to a child entered into by the licensee is explained to the child, where the child is twelve years of age or over, in language that is suitable to the child's understanding before the agreement is signed by the persons required under subsection (7) to sign the agreement.

(6) Where possible the licensee shall after explaining the agreement to the child obtain a signed acknowledgment from the child that the agreement has been explained.

(7) An agreement for the provision of service to a child shall be signed by,

- (a) the licensee;
- (b) the parent of the child or the society or other person placing the child;
- (c) a children's aid society in whose care the child is where the child is in care under subsection 29 (1) or subsection 30 (1) of the Act;
- (d) the child, where the child is sixteen years of age or over;
- (e) the child's nearest relative, where the child is unable to sign and there is no parent; and
- (f) where the agreement concerns a child who is a party to a temporary care agreement, the child.

(8) Clause (7) (b) does not apply where the child is sixteen years of age or over and signs the agreement.

(9) Clause (7) (d) does not apply where in the opinion of a physician or psychologist the child is unable to sign the agreement because of a mental or physical handicap.

(10) Where,

- (a) an agreement for the provision of service to a child is developed without the consultation and involvement referred to in subsection (4);
- (b) a person referred to in subsection (7) does not sign the agreement; or
- (c) the child does not sign an acknowledgment that the agreement has been explained to the child,

the reasons shall be noted in the resident's case record. O. Reg. 550/85, s. 74.

82. Where an agreement for the provision of service to a child is not entered into under section 81, the licensee shall ensure that before a child is admitted to a residence operated by the licensee a consent for admission of the child in accordance with section 27 of the Act and a consent and authorization for the licensee to secure all necessary emergency medical treatment for the child is obtained. O. Reg. 550/85, s. 75.

83. Every licensee shall ensure that, upon admission of a child to a residence operated by the licensee, the child receives an orientation to the residence and the program provided in the residence and that the child is informed of the procedures that exist for a resident to express concerns or complaints while a resident. O. Reg. 550/85, s. 76.

84.—(1) Every licensee shall ensure that each child admitted to a residence operated by the licensee has had a general medical examination by a physician within thirty days prior to admission or has such an examination within seventy-two hours after admission.

(2) Where a resident has not had a general medical examination in accordance with subsection (1), the licensee shall note in the resident's case record the circumstances that delayed the examination and arrange for an examination as soon as possible in the circumstances.

(3) Where there are specific indications upon the admission of a child that suggest that either a medical examination or treatment is urgently required for the child, the licensee operating the residence where the child is admitted shall arrange for the examination or treatment forthwith.

(4) Where the medical examination or treatment referred to in subsection (3) cannot be arranged forthwith, the reason shall be noted in the resident's case record and the licensee shall arrange for the examination or treatment, as the case may be, as soon as possible in the circumstances.

(5) Every licensee shall ensure that each child admitted to a residence operated by the licensee has had a dental examination by a dentist within six months prior to admission to the residence or has such an examination within ninety days after admission.

(6) Where a resident has not had a dental examination in accordance with subsection (5), the licensee shall note in the resident's case record the circumstances that delayed the examination and arrange for an examination as soon as possible in the circumstances. O. Reg. 550/85, s. 77.

85. Every licensee shall ensure that,

- (a) upon admission of a child to a residence operated by the licensee it is determined whether or not the child being admitted is currently receiving medical treatment or medication or is suffering from any allergy or physical ailment; and
- (b) where applicable, the treatment or medication referred to in clause (a) is continued. O. Reg. 550/85, s. 78.



## PROGRAMMING

86.—(1) Every licensee shall develop or participate in the development of a written plan of care for each resident admitted to a residence operated by the licensee within thirty days of admission of the resident.

- (2) A plan of care for a resident shall include,
- (a) a description of the resident's needs that is developed with reference to the findings of current or previous assessments of the resident;
  - (b) a statement of goals to be achieved for the resident while the resident is in the residence;
  - (c) a statement of the means to be used to achieve the goals referred to in clause (b);
  - (d) a statement of the educational program that is developed for the resident in consultation with the school boards in the area in which the residence is located;
  - (e) where applicable, a statement of the ways in which a parent of the resident will be involved in the plan of care including arrangements for contact between the resident and a parent of the resident and the resident's family;
  - (f) particulars of any specialized service to be provided directly or arranged for by the licensee;
  - (g) particulars of the dates for review of the plan of care;
  - (h) a list of revisions, if any, to the plan of care; and
  - (i) a statement of the anticipated plan for discharge of the resident.

(3) The initial plan of care referred to in subsection (1) and particulars of any reviews of the plan of care shall be entered in the resident's case record.

- (4) Every licensee shall ensure that, where possible,
- (a) a parent of the resident or the person who placed the resident;
  - (b) any children's aid society or probation officer who is supervising or otherwise providing services to a child, but who is not a parent; and
  - (c) the resident, where the resident is twelve years of age or over,

are consulted and involved with the development of each plan of care for each resident in a residence operated by the licensee.

(5) Where the plan of care is developed without the consultation or involvement referred to in subsection (4), the reason for the lack of consultation or involvement shall be noted in the resident's case record.

(6) Every licensee shall ensure that the development of each resident in each residence operated by the licensee in relation to the plan of care developed for the resident is reviewed at least every thirty days during the first six months that the resident is in the residence and at least every six months thereafter.

(7) A resident shall be given an opportunity to express his or her views during each review referred to in subsection (6). O. Reg. 550/85, s. 79 (1-7).

(8) Every licensee shall ensure that each plan of care with respect to each resident in a residence operated by the licensee is reviewed three months and six months after the resident is admitted to the res-

idence and if requested by any person involved with the development of the plan of care every six months after the initial six month review.

(9) A review of the plan of care referred to in subsection (8) shall involve,

- (a) the resident;
- (b) a parent of the resident; and
- (c) any other person who was involved in the development of the plan of care. O. Reg. 219/88, s. 9.

(10) Where it is not possible to review the plan of care with each person referred to in subsection (8), the reasons for the lack of a review shall be noted in the resident's case record. O. Reg. 550/85, s. 79 (10).

87.—(1) Every licensee shall consult at least annually with the school boards in the area in which each residence operated by the licensee is located for the purposes of identifying and utilizing the educational resources available for the residents.

(2) Where, in the opinion of a licensee, the severity of the behavioural, physical or emotional problems of a resident in a residence operated by the licensee is such that the resident is unable to attend a school in the area in which the residence is located, the licensee shall document the need for an educational program for the resident and shall consult with the appropriate Director of Education with respect to the provision of a program for the resident in accordance with the requirements of the *Education Act* and the regulations thereunder. O. Reg. 550/85, s. 80.

88. Every licensee shall ensure that with respect to each residence operated by the licensee,

- (a) the residents receive well balanced meals that are nutritionally adequate for their physical growth and development; and
- (b) where special foods are recommended by a resident's physician, they are provided to the resident. O. Reg. 550/85, s. 81.

89.—(1) Every licensee shall ensure that each resident in a residence operated by the licensee has a supply of his or her own clothing of a suitable quality and size in relation to the resident's age and activities and local weather conditions.

(2) Where clothing for an individual resident is limited because of the resident's need, the reason shall be noted in the resident's case record. O. Reg. 550/85, s. 82.

90.—(1) Every licensee shall ensure that prior to the transfer or discharge of a resident from a residence operated by the licensee, the resident is made aware of and understands, as far as possible, the reasons for the transfer or discharge.

(2) Where a resident is transferred to another residence or discharged from a residence, the licensee shall, as soon as possible thereafter, but within thirty days of the transfer or discharge, forward a summary of the resident's progress while in the residence including a summary of the plan of care and an assessment of the resident's needs at the time of transfer to the licensee of the residence to which the resident is transferred or to the person or agency to whom the resident is discharged.

(3) A copy of the summary referred to in subsection (2) shall be included in the resident's case record in the residence from which the resident was transferred or discharged. O. Reg. 550/85, s. 83.

## MEDICAL AND DENTAL CARE

91.—(1) Every licensee shall ensure that the written policies and

procedures in each residence operated by the licensee with respect to the health program referred to in clause 73 (1) (g) provide for,

- (a) resident access to community health programs;
- (b) arrangements for a physician and dentist to advise the licensee on an ongoing basis about medical and dental care required by the residents;
- (c) at least an annual assessment of the health, vision, dental and hearing condition of the residents;
- (d) health education for the residents; and
- (e) the carrying out of procedures recommended by a physician for the prevention and control of disease.

(2) Every licensee shall ensure that the services of a physician are provided for each resident in each residence operated by the licensee at regular intervals and as often as is needed by the resident.

(3) Every licensee shall ensure that, where it is proposed to administer a medical or dental treatment to a resident in a residence operated by the licensee, the proposed treatment is fully explained to the resident in language suitable to the resident's age and understanding.

(4) Every licensee shall, with respect to each resident in a residence operated by the licensee, maintain a cumulative record of each resident's medical and dental examinations and treatment while the resident is in the residence.

(5) The cumulative record referred to in subsection (4) shall be kept in the resident's case record. O. Reg. 550/85, s. 84.

92.—(1) Every licensee shall ensure that with respect to each resident in each residence operated by the licensee,

- (a) prescription medicines are administered to a resident only under the general supervision of the program staff of the residence and only when prescribed by a physician; and
- (b) a record is kept of all medication given to each resident, including the type of medication, the period for which it is prescribed, when each dose is to be given and is given and by whom each dose is given.

(2) The record referred to in subsection (1) shall be available to the prescribing physician upon request.

(3) Every licensee shall provide lockable storage facilities in each residence operated by the licensee that shall be used for the medication of residents who are sixteen years of age or over and, in the opinion of the licensee, are able to assume responsibility for self administration of medication and wish to assume that responsibility.

(4) Subsection (1) does not apply where the medication is self administered in a situation described in subsection (3).

(5) Where, in the opinion of the physician, a resident under sixteen years of age will derive some benefit from the responsibility of administering the resident's own medication, a copy of the physician's written self-medication plan for that resident shall be kept in the resident's record. O. Reg. 550/85, s. 85.

93. Every licensee shall ensure that each person in a residence operated by the licensee who suffers from a communicable disease and for whom isolation is considered necessary by a physician is isolated from other persons in the residence who have not been infected. O. Reg. 550/85, s. 86.

94.—(1) Every licensee shall ensure that each residence operated by the licensee is equipped with a first aid kit. O. Reg. 550/85, s. 87 (1).

(2) The contents of the first-aid kit shall be approved by the physician advising the licensee and the contents of the kit shall be maintained by the licensee and kept in a location that is known and accessible to staff of the residence. O. Reg. 219/88, s. 10.

#### DISCIPLINE, PUNISHMENT AND ISOLATION

95.—(1) Every licensee shall ensure that the written policies and procedures in each residence operated by the licensee with respect to discipline, punishment and any isolation measures as referred to in clauses 73 (1) (f) and (r) set out the practices that may be used by staff persons of the licensee and the practices that shall not be used by staff persons of the licensee.

(2) The policies and procedures with respect to discipline, punishment and isolation measures shall be reviewed with each staff person of each residence when the staff person first receives orientation to the residence and at least annually thereafter.

(3) The licensee shall ensure that the staff persons and residents in each residence operated by the licensee are informed of the type of behaviour of a resident that will result in the use of disciplinary measures. O. Reg. 550/85, s. 88 (1-3).

(4) The licensee shall ensure that no staff person in a residence operated by the licensee carries out any disciplinary procedure with respect to a resident unless the staff person has completed a training program with respect to the methods of discipline approved by the licensee. O. Reg. 219/88, s. 11.

(5) The licensee shall ensure that where a punishment is administered to a resident or other intervention that is intended to reduce or eliminate a behaviour of a resident is used with a resident the fact is recorded in the resident's case record by the person employing the punishment or intervention and that the licensee or a person designated by the licensee is informed of the application of the punishment or intervention. O. Reg. 550/85, s. 88 (5).

96. No licensee shall,

- (a) use or permit the use of deliberate harsh or degrading measures to humiliate a resident or undermine a resident's self respect; or
- (b) deprive or permit a person to deprive a resident of basic needs including food, shelter, clothing or bedding. O. Reg. 550/85, s. 89.

97.—(1) Every licensee shall, with respect to each residence operated by the licensee, develop and maintain policies and procedures with respect to a contravention of the policies and procedures referred to in subsection 73 (1) or the requirements of section 96 of this Regulation or section 101 of the Act by a staff person of a residence. O. Reg. 219/88, s. 12.

(2) The policies and procedures with respect to a contravention referred to in subsection (1) shall be reviewed with each staff person of each residence operated by the licensee when the staff person first receives orientation to the residence and at least annually thereafter. O. Reg. 550/85, s. 90 (2).

#### MAIL

98. Every licensee shall ensure that, where under subsection 103 (3) of the Act, mail is opened or an article removed from mail to a resident who is in a residence operated by the licensee, the reason for opening the mail or removing the article is noted in the resident's case record. O. Reg. 550/85, s. 91.

#### RECORDS AND REPORTS

99.—(1) Every licensee shall maintain a written case record for each resident in a residence operated by the licensee that includes,

- (a) the resident's full name, sex and birth date;

- (b) the name, address and telephone number of the resident's parents or the society or other person placing the resident;
- (c) any personal, family and social history and assessment that has been prepared by the licensee or provided to the licensee;
- (d) the reason for admission of the resident;
- (e) reports of all medical examinations and treatment given to the resident upon admission and while in the residence;
- (f) where obtainable, any legal document that is concerned with the resident's admission to and stay in the residence including any consent to admission, treatment and release of information;
- (g) a copy of the agreement for service with respect to the resident including any revisions to the agreement and particulars of any reviews of the agreement;
- (h) school records and reports concerning the resident, where applicable;
- (i) the plan of care developed for the resident and particulars of any review of the plan of care or of the resident's status;
- (j) reports of any serious occurrence involving the resident;
- (k) where applicable, documentation of the circumstances of transfer or discharge of the resident, the name, address and relationship of the person to whom the resident is transferred or discharged and the summary report referred to in subsection 90 (2);
- (l) where an incident referred to in subsection 102 (1) occurs, the time of the occurrence, the name of the person reporting it and the person to whom the report was made; and
- (m) such other information or documents with respect to the resident in addition to those referred to in clauses (a) to (l) as are considered appropriate by the licensee.

(2) A written case record of a resident shall be retained by the licensee for at least twenty years after the last entry in the record with respect to the resident or, where the resident dies, for at least five years after the death of the resident. O. Reg. 550/85, s. 92.

**100.** Every licensee shall maintain a register of residents in each residence operated by the licensee that includes,

- (a) the name, sex, birth date and wardship status of each resident;
- (b) the name and address of the parents of each resident or other person placing the resident;
- (c) the date of admission of the resident; and
- (d) where the resident is discharged from the residence, the date of discharge of the resident and the name of the person or agency to whom the resident is discharged. O. Reg. 550/85, s. 93.

**101.—(1)** Every licensee referred to in Part VII of the Act shall open and maintain a separate file with respect to,

- (a) each person who is a parent within the meaning of subsection 137 (1) of the Act who relinquishes a child to the licensee for adoption;
- (b) each prospective adoptive parent;
- (c) each child who is placed or who is intended to be placed for adoption by the licensee; and

- (d) each foster parent who provides services to the licensee in connection with an adoption.

(2) The licensee shall review each file referred to in subsection (1) and bring the file up to date at least every six months until the file is closed.

(3) The licensee shall permanently retain a record of the contents of each file referred to in subsection (1) unless the file is delivered up to the Minister as required under subsection 203 (1) of the Act (where licence revoked or operation ceases).

(4) Every licensee shall submit to a Director such statistical information as the Director may require with respect to the operation of a residence operated by the licensee. O. Reg. 550/85, s. 94.

**102.—(1)** Where,

- (a) a resident dies;
- (b) a resident is seriously injured;
- (c) a resident is abused or mistreated;
- (d) a resident is injured by a staff person in the residence or by the licensee;
- (e) a complaint is made by or about a resident that is considered by the licensee to be of a serious nature;
- (f) a resident resides in a residence operated by the licensee in which a fire or other disaster occurs; or
- (g) in addition to the matters set out in clauses (a) to (f), any other serious occurrence takes place concerning a resident,

the licensee shall within twenty-four hours of the occurrence report the occurrence to,

- (h) a parent of the resident;
- (i) where applicable, the person who placed the resident and who has been involved in the plan of care for the resident;
- (j) where applicable, the society that placed the resident; and
- (k) a Director.

(2) Where,

- (a) a resident is absent from a residence operated by the licensee without permission for twenty-four hours or more; or
- (b) a resident is absent from a residence operated by the licensee without permission for a period of less than twenty-four hours and the absence is considered by the licensee to be a serious matter,

the licensee shall forthwith report the absence to,

- (c) a parent of the resident;
- (d) where applicable, the person who placed the resident and who has been involved in the plan of care for the resident;
- (e) where applicable, the society that placed the resident; and
- (f) the local police having jurisdiction in the area where the residence is located. O. Reg. 550/85, s. 95.

#### EMERGENCY PROCEDURES

**103.** Every licensee shall ensure that each staff person employed in a residence operated by the licensee is instructed in all the emer-

agency procedures of the residence at the time of commencing work in the residence and at least annually thereafter. O. Reg. 550/85, s. 96.

#### STAFFING

**104.—(1)** Every licensee shall employ a sufficient number of program staff persons in each residence operated by the licensee to ensure a minimum ratio of one program staff person to every eight residents in the residence averaged over a twenty-four hour period.

(2) Every licensee who operates a parent model residence without auxiliary staff persons shall ensure that the total number of children in the residence does not exceed eight.

(3) Every licensee who operates a staff model residence where more than one program staff person is on duty per shift shall ensure that one program staff person is designated to be in charge of the shift.

(4) Every licensee shall ensure that where a child is on the premises of a residence, the licensee has made reasonable provision in the circumstances for the supervision, care and safety of the child and that an additional adult is on call when children are on the premises and only one adult is on the premises. O. Reg. 550/85, s. 97.

#### LICENSING DOCUMENTATION

**105.—(1)** Every person who applies for a licence to establish, operate and maintain a residence shall prepare and keep on file and provide to a Director when required by the Director,

- (a) a written proposal that outlines the program goals of the residence, the types of residents to be served in the residence and the services to be provided in the residence;
- (b) documentation of the need for the residence and a description of the needs of the client population to be served by the residence;
- (c) documentation of the community and neighbourhood facilities and services that are available and the ways in which these are appropriate and available to the residents to be served by the residence;
- (d) written evidence of consultation with community facilities and services where services for the residents will be required;
- (e) information concerning facilities that are similar to the residence or that offer similar services to the residence within the neighbourhood and their proximity to the proposed site of the residence;
- (f) a description of the neighbourhood in which the applicant proposes to establish the residence and of the ways in which the neighbourhood will be suitable for the residence;
- (g) evidence that the municipalities and school boards in the area where the residence is to be located have been notified in writing of the intent to establish a residence;
- (h) a plan for securing neighbourhood acceptance of the residence; and
- (i) a plan for securing funds to establish, equip and operate the residence.

(2) Every applicant for a licence or renewal of a licence to establish, operate or maintain a residence shall provide to a Director a copy of the site plan of the residence and a drawing to scale that sets out the floor plan of the residence, showing windows, doors, exits and stairways and the proposed uses of each room in the residence. O. Reg. 550/85, s. 98.

#### ACCOMMODATION

**106.** Every licensee shall ensure that each residence operated by the licensee meets the following requirements:

1. No room without a window is used as a bedroom.
2. No basement area or room is used for sleeping accommodation unless such use is approved by a Director.
3. Each bedroom has a minimum area of five square metres of floor space for each resident over the age of eighteen months and under the age of sixteen years.
4. Each bedroom has a minimum of seven square metres of floor space for each resident sixteen years of age or over.
5. A residence that accommodates residents under the age of eighteen months has a minimum area of 3.25 square metres of floor space for each resident and at least 7.5 square metres of floor space in every bedroom where residents under the age of eighteen months are accommodated.
6. Each resident is provided with his or her own bed and clean mattress suitable for the resident's age and size, together with bedding that is appropriate according to the weather and climate.
7. No resident over six years of age shares a bedroom with another resident of the opposite sex unless the sharing is approved by a Director.
8. The residence has a minimum of one wash basin with hot and cold water and one flush toilet for every five residents or fewer and one bath or shower with hot and cold water for every eight residents or fewer and, where there is more than one toilet in any one room, each toilet has a separate compartment.
9. The water temperature in a washroom or bathroom in a residence does not exceed 49 degrees Celsius.
10. The residence has an outdoor play space that is equivalent in area to at least nine square metres for each resident based on the maximum number of children permitted in the licence except where an alternative arrangement is approved by the Director.
11. The outdoor play space is maintained in a safe and sanitary condition.
12. The temperature of the residence is maintained at not less than 17 degrees Celsius. O. Reg. 550/85, s. 99.

**107.** Every licensee shall ensure that in each residence operated by the licensee,

- (a) drugs and records are kept in locked containers and that only persons authorized by the licensee have access to the drugs and records;
- (b) each fuel-fired appliance in the residence is serviced at least once a year by a person who is the holder of a certificate issued under section 14 of the *Energy Act*; and
- (c) the chimneys in the residence are cleaned as often as is necessary to keep them in a safe operating condition and a record is kept of the servicing and cleaning. O. Reg. 550/85, s. 100.

#### FIRE SAFETY AND HEALTH

**108.** Every licensee shall ensure that each residence operated by the licensee has,

- (a) at least one acceptable exit from the first storey of the residence;
- (b) at least one acceptable exit or two means of egress from the third storey of the residence where the third storey provides sleeping accommodation;
- (c) one or more single station smoke alarms listed by Underwriters' Laboratories of Canada located in each bedroom or sleeping area and in each storey at interior stairways;
- (d) a fire-resistant partition between any fuel-fired central heating appliance and the remainder of the building where there is a bedroom on the same floor as the central heating fuel-fired appliance; and
- (e) a 2A 10B.C.-rated fire extinguisher for the kitchen that is listed by Underwriters' Laboratories of Canada. O. Reg. 550/85, s. 101.

109.—(1) Every licensee shall ensure that in each residence operated by the licensee,

- (a) all staff persons and residents are instructed in a manner suitable for their understanding in the procedures to be followed when a fire alarm is activated;
- (b) the procedures referred to in clause (a) are,
  - (i) posted in conspicuous places in the residence, and
  - (ii) practised at least once a month and a record is kept of each practice;
- (c) the fire alarm is used to initiate fire drills;
- (d) flammable liquids and paint supplies that are kept in the residence are stored in lockable containers;
- (e) sprinkler heads and fire detector heads in the residence are not painted;
- (f) all staff persons are trained in the proper use of fire extinguishing equipment and a record is kept of each training session using such equipment;
- (g) inspection of the premises of the residence, including equipment in the kitchen and laundry is made each night to ensure that there is no danger of fire and that all doors to stairwells, fire doors and smoke barrier doors are closed; and
- (h) a record of each inspection referred to in clause (g) is kept in the daily log of the residence.

(2) Every licensee shall ensure that in each residence operated by the licensee,

- (a) all poisonous and hazardous substances are kept in lockable containers;
- (b) harmful substances and objects not essential to the operation of the residence are not allowed in the residence;
- (c) fire-arms are not allowed on the premises of the residence; and
- (d) a supply of drinking water is provided that is, in the opinion of the local medical officer of health, sanitary and adequate for the requirements of residents. O. Reg. 550/85, s. 102.

#### FOSTER CARE

110. Sections 111 to 121 apply to the provision of residential care under clause 193 (1) (b) of the Act in foster homes where parent-

model foster care is provided but do not apply to the provision of residential care by adoption agencies under clause 50 (1) (h) of this Regulation. O. Reg. 550/85, s. 103; O. Reg. 219/88, s. 13.

111.—(1) Every licensee shall ensure that before a child is accepted by the licensee to receive foster care in a home that provides foster care for or on behalf of the licensee that,

- (a) a preliminary assessment is made of the child that sets out,
  - (i) the immediate needs of the child,
  - (ii) where it can be ascertained, whether the child is likely to be returned to his or her home,
  - (iii) available identifying information concerning the child,
  - (iv) the child's legal status, and
  - (v) any other information that is, in the opinion of the licensee, relevant to the immediate care of the child; and
- (b) the immediate objectives of the provision of foster care for the child have been determined, taking into account the developmental, emotional, social, medical and educational needs of the child.

(2) Every placing agency shall complete an assessment of each child that it places in foster care within twenty-one days of the child being placed in a foster home.

(3) An assessment referred to in subsection (2) shall set out,

- (a) the special needs of the child;
- (b) the child's legal status;
- (c) available identifying information concerning the child;
- (d) the child's family history; and
- (e) the circumstances necessitating out of home care for the child.

(4) The licensee shall,

- (a) review the assessment prepared under subsection (2); and
- (b) participate with the foster parents in the finalization of a foster care plan,

within thirty days after placement of the child in a foster home.

(5) The licensee shall consult with the placing agency, where the placing agency is not the licensee, and the foster parents to ensure that as part of the foster care plan,

- (a) where the child is developmentally, physically or learning handicapped or is emotionally disturbed and is not already receiving remedial instruction or treatment to meet the child's needs, that the child receives an evaluation and treatment and consultation as is required in the circumstances;
- (b) where the child is developmentally handicapped, that the child receives an individual program plan;
- (c) where the child is a physically handicapped child, that the child is provided with a specific plan that is designed with the overall goal of moving the child towards being independent with respect to life skills and that contains time-limited measurable objectives; and

- (d) where the child is emotionally disturbed, that a plan is developed for the supervision of the child and the child's foster parents that states the methods to be used and the supports to be provided to the foster parents in managing and caring for the child. O. Reg. 550/85, s. 104.

**112.** No licensee shall select a placement for a child in a foster home or place a child in a foster home unless the licensee,

- (a) completes an assessment of the family and approves the family to provide foster care;
- (b) discloses to the foster parents in accordance with section 180, 181 or 182 of the Act, all information known to the licensee about the child that is relevant to the care of the child; and
- (c) obtains the agreement of,
- (i) the foster parents, on the basis of the information provided in clause (b), and
- (ii) the placing agency where the placing agency is not the licensee,

to the placement. O. Reg. 550/85, s. 105.

**113.** Every licensee that places or intends to place a child in foster care shall ensure that a written record of,

- (a) any needs of the child that cannot be met by placement in the foster home;
- (b) how the needs of the child will be met; and
- (c) any reservations or concerns expressed by the foster parents about the placement of the child in the foster home,

is included in the child's file. O. Reg. 550/85, s. 106.

**114.—(1)** Every licensee or placing agency that places a child in foster care shall,

- (a) arrange for a person known to the child to accompany the child to the foster home on the date of the actual placement; and
- (b) ensure that the foster parents receive the health, medical and dental data necessary for the care of the child, including specification of any medical disorders, handicaps, allergies or limitations on activity.

(2) Clause (1) (a) does not apply where the licensee, placing agency or a person designated by the licensee or placing agency approves an adult other than one known to the child to accompany the child.

(3) The licensee or placing agency shall ensure that the data referred to in clause (1) (b) is given in writing in accordance with sections 180, 181 and 182 of the Act at the time of the actual placement of the child in the foster home. O. Reg. 550/85, s. 107.

**115.—(1)** Every licensee shall review and if necessary amend the foster care plan for each child it places in foster care.

(2) The review referred to in subsection (1) shall be carried out with the involvement of the placing agency, where the placing agency is not the licensee, the child, the foster parents and the child's parents,

- (a) at least every three months; and
- (b) when there is a change in the child's placement.

(3) The date of each review and any changes in the foster care plan shall be recorded in the child's file.

(4) A supervisor shall examine the child's file at the time of each review to ensure that the required recording and documentation have been carried out and shall sign and date the record.

(5) Where a foster care plan is reviewed without the involvement of one of the persons referred to in subsection (2), the reason shall be noted in the child's file. O. Reg. 550/85, s. 108.

**116.—(1)** Every licensee shall develop procedures for the selection, development and management of the foster homes used by the licensee.

(2) Every licensee shall develop and maintain,

- (a) a system for classifying and utilizing foster homes;
- (b) procedures for the recruitment, screening and selection of foster parents;
- (c) an up to date list of foster homes that are approved by the licensee;
- (d) a system for supervising foster homes; and
- (e) a system for evaluating foster homes annually according to the objectives set for the type and level of care to be provided in each home. O. Reg. 550/85, s. 109.

**117.—(1)** Every licensee shall ensure that it places no more than four foster children and no more than two foster children under two years of age in each foster home.

(2) Subsection (1) does not apply where all the foster children are of common parentage or related to the foster parents and the placement is approved in writing by a Director.

(3) Where a Director approves a placement referred to in subsection (2), the licensee shall ensure that the Director's written approval is available for inspection by a program supervisor. O. Reg. 550/85, s. 110.

**118.—(1)** No licensee shall approve a foster home to receive a child for foster care until the licensee or a person designated by the licensee,

- (a) conducts at least one planned interview with a foster parent applicant in the applicant's home;
- (b) where more than one adult who lives in the home will be providing foster care in the home, conducts an interview individually and together with each adult;
- (c) in addition to the adults referred to in clause (b), meets with other family members of the applicant that live with the applicant and all other persons living in the home;
- (d) receives from the applicant the names of at least three persons in the community as references for the applicant;
- (e) contacts the references referred to in clause (d) by letter, telephone or in person and makes a record of their comments regarding the suitability of the applicant to provide foster care;
- (f) obtains a written statement from a physician or an individual approved by the local medical officer of health regarding the general health and specific illnesses or disabilities of the foster parent applicant and family members and whether or not they might interfere with the provision of foster care; and

- (g) visits the applicant's home to determine whether or not it is suitable for placement of a foster child.

(2) A person who visits an applicant's home to determine whether or not it is suitable as a foster home shall inspect the common living areas of the applicant's home, the proposed sleeping area for a foster child, the grounds surrounding the home and the play space used by children in the home and the recreational areas within walking distance of the home.

(3) A visit referred to in subsection (2) shall be recorded in the applicant's file. O. Reg. 550/85, s. 111.

**119.—(1)** No licensee shall approve a home as a foster home unless the licensee is satisfied that the regular sleeping accommodation for the foster child or children meets the following requirements:

1. No room without a window is used as a bedroom.
2. No bedroom is in a building detached from the foster home, an unfinished attic or unfinished basement or a stairway hall.
3. Each foster child has a bed and clean mattress suitable for the age of the foster child together with bedding that is appropriate according to the weather and climate.
4. No foster child shares a bed or sleeping room with an adult couple or adult of the opposite sex.
5. No foster child over six years of age shares a bedroom with another child of the opposite sex.

(2) Paragraph 4 of subsection (1) does not apply where a child is ill or an infant and the needs of the child require that the child be in the same room as an adult.

(3) Subsection (1) does not apply where a Director approves an arrangement other than an arrangement required under that subsection. O. Reg. 550/85, s. 112.

**120.—(1)** Every licensee that intends to place a child in foster care shall enter into a written foster care service agreement with the foster parents before placing a foster child with the foster parents. O. Reg. 550/85, s. 113 (1).

- (2) The foster care service agreement shall set out,
- (a) the respective roles, responsibilities and obligations of the licensee and the foster parents;
  - (b) support and training services to be provided by the licensee to the foster parents during the placement of children, including,
    - (i) frequency and form of supervision,
    - (ii) relief services,
    - (iii) training opportunities, and
    - (iv) professional consultation for the foster child;
  - (c) financial arrangements for the care of a child, including,
    - (i) the basis for determining the amount of payment to the foster parents,

- (ii) the method and frequency of payment to the foster parents, and

- (iii) the basis for determining which expenditures that the foster parents incur that the licensee will reimburse;

- (d) those things that are considered to be confidential between the foster parents and the licensee;
- (e) the frequency of performance evaluation by the licensee; and
- (f) the basis for termination of the agreement. O. Reg. 550/85, s. 113 (2); O. Reg. 219/88, s. 14.

(3) The foster care service agreement shall be reviewed by the licensee at least annually and at the request of a foster parent and updated by the parties to the agreement from time to time as is necessary to give proper effect to the agreement. O. Reg. 550/85, s. 113 (3).

**121.—(1)** Every licensee shall assign a staff person to supervise and support every foster family approved for placement by the licensee and to arrange for the support services provided for in the foster care service agreement.

- (2) The staff person referred to in subsection (1) shall,
- (a) visit the foster family home where the child is placed and consult with at least one foster parent within seven days of the placement, within thirty days of the placement and every three months thereafter; and
  - (b) where the foster family is approved by the licensee and no child has been placed with the family, consult with the family every three months.

(3) Every licensee shall ensure that a staff person responds to each foster parent inquiry within twenty-four hours of the inquiry. O. Reg. 550/85, s. 114.

**122.—(1)** The following approved services are exempt from the application of the Act up to and including the 31st day of March, 1991:

1. London Psychiatric Hospital Child and Adolescent Unit.
2. Whitby Psychiatric Hospital Child and Adolescent Unit.
3. St. Thomas Psychiatric Hospital Child and Adolescent Unit. O. Reg. 347/87, s. 1, *part*; O. Reg. 162/89, s. 3 (1).

(2) The following approved agencies are exempt from the application of the Act, except section 3 and Part I thereof, up to and including the 31st day of March, 1991:

1. McMaster University Medical Centre Chedoke-McMaster Child and Family Care Centre.
2. Royal Ottawa Hospital Regional Children's Centre.
3. Sudbury Algoma Hospital Regional Children's Centre.
4. Windsor Western Hospital Centre Inc. O. Reg. 347/87, s. 1, *part*; O. Reg. 162/89, s. 3 (2).

Form 1

Child and Family Services Act

CERTIFICATE OF APPROVAL OF ESTIMATE OF NET EXPENDITURES FOR THE YEAR 19.....

OF THE ..... (Name of Society)

PART I—FOR COMPLETION BY MUNICIPALITIES:

I HEREBY CERTIFY that the council of the municipality of ..... at a meeting duly called and held on the ..... day of ....., 19..... approved the Estimate of Net Expenditures of the society for 19...(current year) in the amount of \$..... The total amounts payable in 19..... (current year) are as follows:

Table with 3 columns: Ontario, Municipality(ies), Total. Each column has a line for the dollar amount.

and the amount payable in 19...(current year) by this municipality is \$ .....

Dated at ..... this ..... day of ....., 19.....

(signature of clerk)

PART II—FOR COMPLETION BY DISTRICT CHILD WELFARE BUDGET BOARDS:

WE HEREBY CERTIFY that the District Child Welfare Budget Board of ..... (District)

at a meeting duly called and held on the ..... day of ....., 19..... approved the Estimate of Net Expenditures of the society for 19..... (current year) in the amount of \$..... The total amounts payable in 19..... (current year) are as follows:

Table with 3 columns: Ontario, Municipality(ies), Total. Each column has a line for the dollar amount.

and the amounts payable in 19..... (current year) by municipalities which appointed this Board are:

Table with 4 columns: Name of Municipality, Amount, Name of Municipality, Amount. Two rows of dotted lines for entries.

Dated at ....., this ..... day of ....., 19.....

(Signature(s) of Board Member(s) )

O. Reg. 550/85, Form 1.

Form 2

Child and Family Services Act

TEMPORARY CARE AGREEMENT (Subsection 29 (1) of the Act)

..... (Name of Child)

THIS IS AN AGREEMENT made on the ..... day of ....., 19.....



BETWEEN The Children's Aid Society of .....  
 .....  
 .....  
 (called in this Agreement "the Society")

AND ..... who lives at  
 (Name of person with custody of Child)  
 .....  
 (Municipal address)  
 ..... who lives at  
 (Name of person with custody of Child)  
 .....  
 (Municipal address)  
 (called in this Agreement "the Parent(s)")

AND .....  
 (Name of Child) (where Child is 12 years of age or older)  
 (called in this Agreement "the Child")  
 ..... (the Child) was born on  
 (Name of Child)  
 ..... at .....  
 (day, month, year) (place of birth, i.e., city, town, etc.)

The Parent(s) are temporarily unable to care adequately for the Child for the following reasons:  
 .....  
 .....

The Child and the Parent(s) have needs that the Society and the Parent(s) and the Child (if 12 years of age or older) agree after considering other alternatives can best be met through the provision of residential and other services to the Child.

In order that the Child may receive these services, the Parent(s) wish to place the Child in the temporary care and custody of the Society.

The Society and the Parent(s) and the Child (if 12 years of age or older) therefore agree to the following:

1. The Child's placement is voluntary.
2. The Parent(s) and the Child (if 12 years of age or older) have discussed with the Society alternatives to residential placement of the Child.
3. The Society will take the Child into its care and custody beginning ..... and ending .....  
 (date) (date)  
 unless any party terminates this agreement before that date in accordance with section 15 of this agreement.
4. The Parent(s) agree to,
  - (a) work with the Society and the Child to plan for the return of the Child to them; and
  - (b) notify the Society of any change of address or extended absence.
5. The Society agrees to,
  - (a) provide or ensure the provision of,
    - (i) the following services for the Child:  
 .....  
 .....  
 .....

(ii) the following services for the Parent(s):

.....  
.....  
.....

(b) keep the Parent(s) informed of the Child's progress;

(c) notify the Parent(s) as soon as possible of any emergency involving the Child or any absence of the Child from the Society's care; and

(d) work with the Parent(s) and the Child to plan for the return of the Child to the Parent(s).

6. The Parent(s) and the Child (if 12 years of age or older) understand that,

(a) the Child will be placed in a residential service in a type of placement agreed upon by the Parent(s) and the Society;

(b) the Child will not be moved to another residential placement without the consent of the Parent(s) except in an emergency or where the removal of the Child is authorized by law; and

(c) the Society will notify the Parent(s) as soon as possible if the Child is moved.

7. The Society will monitor and supervise the residential placement in which the Child is placed.

8.—(1) The Parent(s) agree to contribute to the cost of the Child's care, an amount that may be agreed in writing between the Parent(s) and the Society.

(2) Any amount agreed upon is considered to be part of this agreement.

9.—(1) The Parent(s) agree,

(a) to maintain contact with the Child and be involved in the Child's care;

OR

(b) where it is not possible to maintain contact and be involved with the Child's care, the Parent(s) will designate another named person who is willing to do so.

(2) The name of the designated person is .....  
(name)

who lives at .....  
(municipal address)

10.—(1) It is understood that any reference to the Society in this agreement means and includes the designated representative of the Society.

(2) The designated representative of the Society is .....  
(name)

11.—(1) The Parent(s) and the Child (if 12 years of age or older) agree that the Society may inspect or obtain copies of all records relating to the Child or the Parent(s) that are necessary in the Society's opinion to provide services for the Child where the Society is authorized by law to inspect or obtain copies of the records.

(2) The Parent(s) agree that if their written consent is required to release those records to the Society or to let the Society inspect them, the Society may bring the consent forms to the Parent(s) for signature.

12.—(1) The Parent(s) authorize the Society to arrange for the following treatment of the Child (list specific medical, surgical, dental or psychiatric treatment)

.....  
.....  
.....

(2) The Parent(s) authorize the Society to obtain any treatment for the Child that is necessary in an emergency.

(3) The Parent(s) understand that if additional consents for treatment of the Child are required, the Society may ask them to give their consent.

OR

The Parent(s) agree that the Society is entitled to consent to medical treatment for the Child where the Parent(s) consent would otherwise be required.

13. The Parent(s) and the Society and the Child (if 12 years of age or older) will review the terms of this agreement on the request of any party.

14. The following special terms form part of this agreement:

(list)

.....  
.....  
.....

15. This agreement may be terminated by any party at any time upon giving ..... days written notice to the other parties and the agreement will terminate at the expiration of ..... days after every other party actually receives the notice.

16. The Parent(s) and the Child (if 12 years of age or older) acknowledge that the terms and purpose of this agreement have been explained to them before signing and that they have had a reasonable opportunity to review the agreement and to obtain independent advice before signing the agreement.

..... (Signature of Witness)	..... (Date)	..... (Signature of Society)
		..... (Position)
..... (Signature of Witness)	..... (Date)	..... (Signature of Society)
		..... (Position)
..... (Signature of Witness)	..... (Date)	..... (Signature of Parent)
..... (Signature of Witness)	..... (Date)	..... (Signature of Parent)
..... (Signature of Witness)	..... (Date)	..... (Signature of Child if 12 years of age or older)

The Child was assessed on the ..... day of ....., 19..... and it was determined that the Child does not have the capacity to participate in this agreement because of a developmental handicap.

..... (Date)	..... (Signature of Society)
	..... (Position)

We/I acknowledge receipt of a signed copy of this agreement.

..... (Date)	..... (Signature of Parent)
..... (Date)	..... (Signature of Parent)
..... (Date)	..... (Signature of Child if 12 years of age or older and a Party)

Form 3

Child and Family Services Act

SPECIAL NEEDS AGREEMENT  
(Subsection 30 (1) of the Act)

.....  
(Name of Child)

THIS IS AN AGREEMENT made on the ..... day of ....., 19.....

BETWEEN The Children's Aid Society of .....  
.....  
.....  
(called in this Agreement "the Society")

AND ..... who lives at  
(Name of person with custody of Child)  
.....  
(Municipal address)  
..... who lives at  
(Name of person with custody of Child)  
.....  
(Municipal address)  
(called in this Agreement "the Parent(s)")

..... (the Child) was born on  
(Name of Child)  
..... at .....  
(day, month, year) (place of birth, i.e., city, town, etc.)

The Child has special needs and the Parent(s) are unable to provide the services required by the Child because of the Child's special needs. It has been determined after considering other alternatives that the Child's special needs can best be met through the provision of residential and other services to the Child. The Parents therefore wish to place the Child under the supervision OR into the care and custody of the Society and to permit the Society to provide the following services:

.....  
.....  
.....

The Society and the Parent(s) therefore agree to the following terms:

1. The Child's placement is voluntary.
2. The Parent(s) have discussed with the Society alternatives to residential placement of the Child.
3. The Society will take the Child under its supervision or into its care and custody beginning ..... (date)  
and ending ..... unless either party terminates this agreement before that date (date)  
in accordance with section 15 of this agreement or when the Child reaches the age of 18 years.
4. The Parent(s) agree to,
  - (a) notify the Society of any change of address or any extended absence;
  - (b) contact the Society's designated employees at regular intervals to check on the Child's progress; and
  - (c) co-operate with the Society and any person providing services for the Child.

5.-(1) The Society agrees to provide or ensure the provision of the following services for the Child:

.....  
.....  
.....

(2) The Society agrees to,

(a) provide the following services for the Parent(s):

.....  
.....  
.....

(b) keep the Parent(s) informed of the Child's progress; and

(c) notify the Parent(s) as soon as possible of any emergency involving the Child or any absence of the Child from the Society's care.

6. The Parent(s) understand that,

(a) the Child will be placed in a residential service in a type of placement agreed upon by the Parent(s) and the Society;

(b) the Child will not be moved to another residential placement without the consent of the Parent(s) except in an emergency or where the removal of the Child is authorized by law; and

(c) the Society will notify the Parent(s) as soon as possible if the Child is moved.

7. The Society will monitor and supervise the residential placement in which the Child is placed.

8.-(1) The Parent(s) agree to contribute to the cost of the Child's care an amount that may be agreed in writing between the Parent(s) and the Society.

(2) Any amount agreed upon is considered to be part of this agreement.

9.-(1) The Parent(s) agree,

(a) to maintain contact with the Child and be involved in the Child's care;

OR

(b) that where it is not possible to maintain contact and be involved in the Child's care, the Parent(s) will designate another named person who is willing to do so.

(2) The name of the designated person is ..... (name)

who lives at ..... (municipal address)

10.-(1) It is understood that any reference to the Society in this agreement means and includes the designated representative of the Society.

(2) The designated representative of the Society is ..... (name)

11.-(1) The Parent(s) and the Child agree that the Society may inspect or obtain copies of all records relating to the Child or the Parent(s) that are necessary in the Society's opinion to provide services for the Child where the Society is authorized by law to inspect or obtain copies of the records.

(2) The Parent(s) agree that if their written consent is required to release those records to the Society or to let the Society inspect them, the Society may bring the consent forms to the Parent(s) for signature.

12.-(1) The Parent(s) authorize the Society to arrange for the following treatment of the Child: (list specific medical, surgical, dental or psychiatric treatment)

.....  
.....  
.....

(2) The Parent(s) authorize the Society to obtain any treatment for the Child which is necessary in an emergency.

(3) The Parent(s) understand that if additional consents for treatment of the Child are required, the Society may ask them to give their consent.

OR

The Parent(s) agree that the Society is entitled to consent to medical treatment for the Child where the Parent(s) consent would otherwise be required.

13. The Parent(s) and the Society will review the terms of this agreement on the request of either party.

14. The following special terms form part of this agreement:

(list)

.....  
.....  
.....

15. This agreement may be terminated by either party at any time upon giving ..... days written notice to the other party and the agreement will terminate at the expiration of ..... days after the other party actually receives the notice.

16. The Parent(s) acknowledge that the terms and purpose of this agreement have been explained to them before signing and that they have had a reasonable opportunity to review the agreement and to obtain independent advice before signing the agreement.

17. The Society and the Parent(s) further understand that this agreement is not binding unless and until a Director, appointed for the purposes of the *Child and Family Services Act*, approves of it.

.....  
(Signature of Witness) (Date) (Signature of Society)  
.....  
(Position)

.....  
(Signature of Witness) (Date) (Signature of Society)  
.....  
(Position)

.....  
(Signature of Witness) (Date) (Signature of Parent)

.....  
(Signature of Witness) (Date) (Signature of Parent)

Approval of Director

.....  
(Signature of Witness) (Date) (Signature)

ACKNOWLEDGMENT OF CHILD TWELVE (12) YEARS OF AGE OR OVER WHO IS NOT REQUIRED TO BE A PARTY TO THE AGREEMENT

I have read (or have had read to me) this agreement and it has been explained to me.

.....  
(Date) (Signature of Child)

The Child was assessed on the ..... day of ....., 19..... and it was determined that the Child does not have the capacity to participate in this agreement because of a developmental handicap.

.....  
(Date) (Signature of Society)  
.....  
(Position)

We/I acknowledge receipt of a signed copy of this agreement.

.....  
(Date)

.....  
(Signature of Parent)

.....  
(Date)

.....  
(Signature of Parent)

O. Reg. 550/85, Form 3; O. Reg. 219/88, s. 16.

**Form 4**

*Child And Family Services Act*

**SPECIAL NEEDS AGREEMENT**  
(Subsection 31 (1) of the Act)

.....  
(Name of Person)

A person sixteen years of age or older and  
under eighteen years of age

THIS IS AN AGREEMENT made on the ..... day of ....., 19.....

**BETWEEN** The Children's Aid Society of .....  
.....  
.....  
.....  
(called in this Agreement "the Society")

**AND** .....  
(Name of Person 16 years of age or over and under the age of 18 years)

who lives at .....  
(Municipal address)

(called in this Agreement ".....")

..... (".....") was born on

..... at .....  
(day, month, year) (place of birth, i.e., city, town, etc.)

is not in the care of his/her parent(s) and has the following special needs:  
.....  
.....  
.....

It has been determined, after considering other alternatives, that ..... 's  
special needs can best be met through the provision of residential and other services to .....  
..... wishes to enter into an agreement with the Society for the  
provision of services to him/her.

The Society and ..... therefore agree  
to the following terms:

1. This agreement is voluntary.
2. .... has discussed with the Society alternatives to the provision of services to him/her.
3. The Society will provide services to .....  
beginning ..... (date) and ending ..... (date)

unless either party terminates this agreement before that date in accordance with section 14 of this agreement or when ..... reaches the age of eighteen years.

4. The Society agrees to provide or ensure the provision of the following specific services to: .....  
.....  
.....

5. .... will,  
(a) work closely with the Society;  
(b) maintain regular contact with the Society through the Society's employees; and  
(c) co-operate with any person providing services to him/her or on behalf of the Society.

6. .... understands that he/she will not be moved to another residential placement without his/her consent except in an emergency or where the removal is otherwise authorized by law.

7. The Society will monitor and supervise the services provided for ..... pursuant to this agreement.

8.—(1) ..... agrees that the Society may inspect or obtain copies of all records relating to him/her that are necessary, in the Society's opinion, to provide services for ..... and where the Society is authorized by law to inspect and obtain copies of the records.  
(2) ..... agrees that if his/her written consent is required to release those records to the Society or to let the Society inspect them, the Society may bring the consent forms to him/her for signature.

9.—(1) ..... authorizes the Society to arrange for the following treatment for him/her: (list specific medical, surgical, dental or psychiatric treatment)  
.....  
.....  
(2) ..... authorizes the Society to obtain any treatment for him/her that is necessary in an emergency.  
(3) ..... understands that the Society may ask him/her to give his/her consent for treatment.

10.—(1) ..... agrees to contribute to the cost of his/her care an amount that may be agreed in writing between himself/herself and the Society.  
(2) Any amount agreed upon is considered to be part of this agreement.

11.—(1) It is understood that any reference to the Society in this agreement means and includes the designated representative of the Society.  
(2) The designated representative of the Society is  
.....  
(name)

12. .... and the Society will review the terms of this agreement on the request of either party.

13. The following special terms form part of this agreement:



(list)

.....  
.....  
.....

14. This agreement may be terminated by either party at any time upon giving ..... days written notice to the other party and the agreement will terminate at the expiration of ..... days after the other party actually receives the notice.

15. .... acknowledges that the terms and purposes of this agreement have been explained to him/her before signing and that he/she had a reasonable opportunity to review the agreement and to obtain independent advice before signing the agreement.

16. The Society and ..... further understand that this agreement is not binding unless and until a Director appointed for the purposes of the *Child and Family Services Act* approves of it.

.....  
(Signature of Witness) (Date) (Signature of Society)

.....  
(Position)

.....  
(Signature of Witness) (Date) (Signature of Society)

.....  
(Position)

.....  
(Signature of Witness) (Date) (Signature of person)

Approval of Director

.....  
(Signature of Witness) (Date) (Signature)

I acknowledge receipt of a signed copy of this agreement.

.....  
(Date) (Signature of person)

O. Reg. 550/85, Form 4; O. Reg. 219/88, s. 17.

Form 5

*Child and Family Services Act*

EXTENSION OR VARIATION AGREEMENT  
(Subsection 29 (5) or 29 (10) of the Act)

For the Temporary Care of

.....  
(Name of Child)

THIS IS AN EXTENSION and/or VARIATION AGREEMENT made on the ..... day of ....., 19.....

BETWEEN The Children's Aid Society of .....

(called in this Agreement "the Society")

AND ..... who lives at  
 ..... (Name)  
 .....  
 ..... (Municipal address)  
 ..... who lives at  
 ..... (Name)  
 .....  
 ..... (Municipal address)  
 (called in this Agreement "the Parent(s)")

AND .....  
 ..... (Name of Child) (where Child is 12 years of age or older)  
 (called in this Agreement "the Child")

The Child has been in the care and custody of the Society for the past ..... under a Temporary Care Agreement  
 ..... (weeks/months)

signed by the Parent(s), the Society and the Child (if 12 years of age or older) on the ..... day of ....., 19.....

An agreement for payment towards the cost of the Child's care signed by the Society and the Parent(s) forms part of that Temporary Care Agreement.

These agreements were reviewed by the Society and the Parent(s) and the Child (if 12 years of age or older) on .....  
 ..... (date)

As a result of the review, the Society and the Parent(s) and the Child (if 12 years of age or older) agree that the Temporary Care Agreement should be extended and/or varied.

1. Extension

The Society and the Parent(s) and the Child agree to extend the Temporary Care Agreement and the agreement for payment towards the cost of the Child's care for a further period of .....  
 months beginning ..... and ending .....  
 (date) (date)

2. Same Terms and Conditions

The Society and the Parent(s) and the Child agree that every term and condition of the existing agreements will continue in this Extension Agreement.

OR Variation in Terms and Conditions

The Society and the Parent(s) and the Child agree to make the following changes to the terms and conditions of the existing Agreements:

1. Changes to Temporary Care Agreement:

.....  
 .....  
 .....

2. Changes to agreement for payment towards Cost of Care:

.....  
 .....  
 .....

3. The Society and the Parent(s) and the Child agree that all other terms and conditions of the Agreements will remain the same.

4. The Society and the Parent(s) and the Child acknowledge that the terms and purpose of this agreement have been explained to them/him/her before signing and that they/he/she have had a reasonable opportunity to review the agreement and to obtain independent advice before signing the agreement.

..... (Signature of Witness)	..... (Date)	..... (Signature of Society)
		..... (Position)
..... (Signature of Witness)	..... (Date)	..... (Signature of Society)
		..... (Position)
..... (Signature of Witness)	..... (Date)	..... (Signature of Parent)
..... (Signature of Witness)	..... (Date)	..... (Signature of Parent)
..... (Signature of Witness)	..... (Date)	..... (Signature of Child if 12 years of age or older)

The Child was assessed on the ..... day of ....., 19..... and it was determined that the Child does not have the capacity to participate in this agreement because of a developmental handicap.

..... (Date)	..... (Signature of Society)
	..... (Position)

We/I acknowledge receipt of a signed copy of this agreement.

..... (Signature of Witness)	..... (Date)	..... (Signature of Parent)
..... (Signature of Witness)	..... (Date)	..... (Signature of Parent)
..... (Signature of Witness)	..... (Date)	..... (Signature of Child if 12 years of age or older and a party)

O. Reg. 550/85, Form 5; O. Reg. 219/88, s. 18.

**Form 6**

*Child and Family Services Act*

**EXTENSION OR VARIATION AGREEMENT (Subsection 30 (3), 30 (4) or 31 (4) of the Act)**

**SPECIAL NEEDS OF**

.....  
(Name of Child)

THIS IS AN EXTENSION and/or VARIATION AGREEMENT made on the ..... day of ....., 19.....

BETWEEN The Children's Aid Society of

.....  
.....  
.....

(called in this Agreement "the Society")

AND ..... who lives at  
 ..... (Name)  
 ..... (Municipal address)  
 ..... who lives at  
 ..... (Name)  
 ..... (Municipal address)  
 (called in this Agreement "the Parent(s)")

OR .....  
 (Name of Person 16 years of age or over and under the age of 18 years)  
 (called in this Agreement ".....")

The Child or ..... has been in the care and custody or under the supervision of the Society for the past ..... under a  
 ..... (weeks/months)

Special Needs Agreement signed by the Parent(s), the Society or ..... on the ..... day of ....., 19.....

An agreement for payment towards the cost of the Child's or ..... care signed by the Society and the Parent(s) or ..... forms part of that Special Needs Agreement.

These agreements were reviewed by the Society and the Parent(s) or ..... on ..... (date)

As a result of the review, the Society and the Parent(s) or ..... agree that the Special Needs Agreement should be extended or varied or both.

1. Extension

The Society and the Parent(s) or ..... agree to extend the Special Needs Agreement and the agreement for payment towards the cost of the Child's or ..... care for a further period of ..... months beginning ..... and ending ..... (date) (date)

2. Same Terms and Conditions

The Society and the Parent(s) or ..... agree that every term and condition of the existing agreements will continue in this Extension Agreement.

OR Variation in Terms and Conditions

The Society and the Parent(s) or ..... agree to make the following changes to the terms and conditions of the existing agreements:

1. Changes to Special Needs Agreement:

.....  
 .....  
 .....

2. Changes to agreement for payment towards cost of care:

.....  
 .....  
 .....

- 3. The Society and the Parent(s) *or* ..... agree that all other terms and conditions of the agreements will remain the same.
- 4. The Society and the Parent(s) *or* ..... acknowledge that the terms and purpose of this agreement have been explained to them/him/her before signing and that they/he/she have had a reasonable opportunity to review the agreement and to obtain independent advice before signing the agreement.
- 5. The Society and the Parent(s) *or* ..... further understand that this agreement is not binding unless and until a Director appointed for the purposes of the *Child and Family Services Act* approves of it.

(Signature of Witness)	(Date)	(Signature of Society)
		(Position)
(Signature of Witness)	(Date)	(Signature of Society)
		(Position)
(Signature of Witness)	(Date)	(Signature of Parent)
(Signature of Witness)	(Date)	(Signature of Person)

Approval of Director

(Signature of Witness)	(Date)	(Signature)
------------------------	--------	-------------

ACKNOWLEDGMENT OF CHILD TWELVE (12) YEARS OF AGE OR OVER WHO IS NOT REQUIRED TO BE A PARTY TO THE AGREEMENT

I have read (or have had read to me) this agreement and it has been explained to me.

(Date)	(Signature of Child)
--------	----------------------

The Child was assessed on the ..... day of ....., 19..... and it was determined that the Child does not have the capacity to participate in this agreement because of a developmental handicap.

(Date)	(Signature)
--------	-------------

We/I acknowledge receipt of a signed copy of this agreement.

(Signature of Witness)	(Date)	(Signature of Parent)
(Signature of Witness)	(Date)	(Signature of Parent)
(Signature of Witness)	(Date)	(Signature of person)

O. Reg. 550/85, Form 6.

Form 7

Child and Family Services Act

WARRANT TO APPREHEND AND RETURN A CHILD IN CARE

Ontario Court  
(Provincial Division)

Court file no.

at .....

.....  
(address)

TO ALL CHILD PROTECTION WORKERS AND PEACE OFFICERS IN THE PROVINCE OF ONTARIO:

On the basis of an Information laid before me on oath under subsection 41 (1) of the Child and Family Services Act, I am satisfied that the child named or described on the back of this warrant is actually or apparently under sixteen years of age and has left or has been removed from the lawful care and custody of ..... without permission.
(name children's aid society)

I am also satisfied, on the basis of that Information, that there are reasonable and probable grounds to believe that there is no course of action available other than bringing the child to a place of safety that would adequately protect the child.

Check this box only if child's whereabouts are known [ ] I am further satisfied, on the basis of that Information, that the child may now be found at (Give a municipal address or a precise description of the premises where the child may be found.)

.....
.....
.....
.....

I THEREFORE AUTHORIZE YOU to bring this child to a place of safety as defined in the Child and Family Services Act.

This warrant further authorizes you to enter by force if necessary and to search ..... (Name and location of premises) and to remove the child from it.

This warrant expires on the ..... day of ....., 19.....

..... (Date) ..... (Signature of justice of the peace)

..... (City, town, etc. where this Warrant signed) ..... (Print or type name of justice of the peace)

Insert all available information

Full name of child ..... Birth date (d,m,y) ..... Sex

Aliases or nicknames

Residential address

Telephone number

Present location of child

Telephone number

Height ..... Weight ..... Hair colour ..... Hair style ..... Eye colour ..... Complexion

Other features

Name and address of person to be contacted for further information ..... Telephone number

O. Reg. 162/89, s. 5, part, revised.

Form 8

Child and Family Services Act

INFORMATION IN SUPPORT OF A WARRANT TO APPREHEND AND RETURN A CHILD IN CARE

Ontario Court (Provincial Division)

Court file no.

at .....

(address)

This is the Information of ..... of
(Name of informant)
.....
(address)

I am a [ ] peace officer
[ ] child protection worker employed by
.....

I have reasonable and probable grounds to believe that .....
(name of child)

who is a child actually or apparently under the age of sixteen years has left or been removed from the lawful care of .....
(name of society)
without the consent of the society.

I have reasonable and probable grounds to believe and do believe that there is no course of action available other than bringing the child to a place of safety that would protect the child adequately, for the following reasons:

Set out reasons (Do not complete if not applicable)

I have reasonable and probable grounds to believe that the child may be found at:

.....
(address(es) street and number) .....
(municipality)

Sworn before me this ..... day
of ....., 19.... at
the ..... of .....
(Signature of informant)

in the ..... of
.....
.....

(A justice of the peace in and
for the Province of Ontario)

O. Reg. 162/89, s. 5, part, revised.

Form 9

Child and Family Services Act

WARRANT TO APPREHEND AND RETURN A CHILD WHO HAS WITHDRAWN FROM A PARENT'S CONTROL

Ontario Court
(Provincial Division)

Court file no.

at .....

(address)

TO ALL CHILD PROTECTION WORKERS AND PEACE OFFICERS IN THE PROVINCE OF ONTARIO:

On the basis of an Information under subsection 43 (2) of the Child and Family Services Act, which information is laid before me on oath of
.....

- [ ] a parent of the child named or described on the back of this warrant,
[ ] an authorized officer of an approved agency that has custody of the child,
[ ] a person who has care and control of the child,

I am satisfied that the child is under sixteen years of age.

I am also satisfied, on the basis of that information, that the child has withdrawn from the care and control of a person described above without that person's consent. I am also satisfied, on the basis of that information, that the person described above believes on reasonable and probable grounds that the child's health or safety may be at risk if the child is not apprehended.

I am further satisfied, on the basis of that information, that the child has not withdrawn from the care and control of one parent with the consent of another parent in circumstances where a proceeding under section 36 of the *Children's Law Reform Act* would be more appropriate.

Check this box only if child's whereabouts are known  I am further satisfied, on the basis of that information, that the child may now be found at (Give a municipal address or a precise description of the premises where the child may be found.)

.....  
.....  
.....  
.....

I THEREFORE AUTHORIZE YOU to return the child to the child's parent .....

..... at .....  
(name) (address)

as soon as practicable and, where it is not possible to return the child to the parent within a reasonable time, to take the child to a place of safety as defined in the *Child and Family Services Act*.

This warrant further authorizes you to enter by force if necessary and to search .....  
(Name and location of premises)  
and to remove the child from it.

This Warrant expires on the ..... day of ....., 19.....

.....  
(Date) (Signature of justice of the peace)

.....  
(City, town, etc. where this Warrant signed) (Print or type name of justice of the peace)

Insert all available information

.....  
Full name of child Birth date (d,m,y) Sex

Aliases or nicknames

.....  
Residential address Telephone number

.....  
Present location of child Telephone number

.....  
Height Weight Hair colour Hair style Eye colour Complexion

Other features

.....  
Name and address of person to be contacted for further information Telephone number

O. Reg. 162/89, s. 5, part, revised.

Form 10

Child and Family Services Act

INFORMATION IN SUPPORT OF A WARRANT TO APPREHEND AND RETURN A CHILD WHO HAS WITHDRAWN FROM A PARENT'S CONTROL

Ontario Court  
(Provincial Division)

Court file no.

at .....

.....  
(address)



This is the Information of ..... of  
(Name of informant)  
.....  
(address)

- 1. I am  a parent of
  - an authorized officer of an approved agency that has custody of
  - a person who has care and control of

..... who was born on .....  
(name of child) (date)

- 2. On or about the ..... day of ....., .....  
(name of child)

withdrew from my care and control without consent by: .....  
(describe circumstances)

- 3. I have reasonable and probable grounds to believe and do believe that if ..... is not  
(child's name)  
apprehended his/her health or safety may be at risk, for the following reasons:

(set out reasons) .....  
.....  
.....  
.....

- 4. .... has not withdrawn from the care and  
(name of child)  
control of one parent with the consent of another parent in circumstances where a proceeding under section 36 of the *Children's Law Reform Act* would be more appropriate.

(Do not complete if not applicable )

- 5. I have reasonable and probable grounds to believe that .....  
(name of child)

may be found at .....  
(address) (street and number) (municipality)

Sworn before me this ..... day  
of ....., 19.... at  
the ..... of .....  
(Signature of informant)

in the ..... of  
.....  
.....  
(A justice of the peace in and  
for the Province of Ontario)

O. Reg. 162/89, s. 5, part, revised.

**Form 11**

*Child and Family Services Act*

**INFORMATION TO OBTAIN A WARRANT OF APPREHENSION  
AND RETURN OF A YOUNG PERSON  
(Section 98 of the Act)**

This is the information of .....  
(Name) (Address)  
.....  
(Occupation)

who says that he/she has reasonable and probable grounds to believe and does believe that on or about the ..... day of ....., 19.....

- male
female
a young person detained under the Young Offenders Act (Canada) or the Provincial Offences Act

OR

- a young person held in a place of open custody under clause 75 (d) of the Provincial Offences Act at ..... (Name of place of temporary detention or open custody) ..... (Address)

- 1. left the said place of temporary detention or open custody prior to release therefrom and without the consent of ..... (Name and position)
the person in charge of the place of temporary detention OR
the person in charge of the place of open custody
and failed or refused to return there

OR

- 2. failed or refused to return to the said place of open custody upon completion of a period of temporary release contrary to Part IV of the Child and Family Services Act.

And that he/she may be found at ..... (Name and location of premises)

And that I am a person who has authority to apprehend the said young person.

Sworn before me, this ..... day
of ....., 19... at .....
in the .....

(Signature of informant)
(Address)
(Justice of the Peace)

Note: This information to be used only for the issuance of a warrant of apprehension and return of a young person under Part IV of the Child and Family Services Act.

O. Reg. 219/88, s. 19, part.

Form 12

Child and Family Services Act

WARRANT OF APPREHENSION AND RETURN OF A YOUNG PERSON
(Section 98 of the Act)

To all peace officers in the Province of Ontario:

Whereas on the information upon oath of .....

I am satisfied that there are reasonable and probable grounds to believe that on or about the ..... day of ....., 19.....

Young Person (give all known information)

(Name) (Birthdate) (d,m,y) (Sex)

(Residence or location)

Physical Description

Table with 5 columns: (Height), (Weight), (Hair colour), (Hair style), (Eye colour)

(Complexion)

(Other features)

[ ] a young person detained under the Young Offenders Act (Canada) or Provincial Offences Act

OR

[ ] a young person held in a place of open custody under clause 75 (d) of the Provincial Offences Act at ..... (Name of place of temporary detention or open custody)

..... (Address)

1. [ ] left the said place of temporary detention or open custody prior to discharge therefrom and without the consent of

..... (Name and position)

[ ] the person in charge of the place of temporary detention

OR

[ ] the person in charge of the place of open custody

and failed or refused to return there

OR

2. failed or refused to return to the said place of open custody upon completion of a period of temporary release contrary to Part IV of the Child and Family Services Act.

This warrant authorizes you under the said Act to apprehend, hold and return the said young person to ..... (Name of place of temporary detention, open custody)

and further authorizes you to enter by force if necessary and to search

..... (Name of location of premises)

and to remove the young person therefrom.

..... (Date) (Place) (Justice of the Peace)

This warrant expires on

..... (Date)

Note: For further information about the young person contact:

.....  
(Name)

.....  
(Position and Telephone No.)

O. Reg. 219/88, s. 19, part.

**Form 13**

*Child and Family Services Act*

**APPLICATION FOR EMERGENCY ADMISSION TO SECURE TREATMENT PROGRAM**

TO: PERSON IN CHARGE OF SECURE TREATMENT PROGRAM

Child

.....  
(Full name) (Birth date) (sex)

Lawyer

.....  
(Name, address and telephone number)

Applicant

.....  
(Full name)

Address for service .....  
(street and number, municipality, postal code)

Lawyer

.....  
(Name, address and telephone number)

To be completed if child is less than 16 years of age

- I am
- the child's parent
  - a person who is caring for the child with the parent's consent
  - a child protection worker who has apprehended the child under Part III of the Act
  - a duly authorized officer of the Children's Aid Society that has custody of the child under an order made under Part III of the Act.

To be completed if child is 16 years of age or more and less than 18 years of age

- I am
- the child
  - the child's parent
  - a duly authorized officer of the Children's Aid Society that has custody of the child under an order made under Part III of the Act
  - a physician.

To be completed in all cases

I apply to you to admit the child named above on an emergency basis under subsection 124 (1) of the Act to the secure treatment program at  
.....  
(name and address of program)

The grounds for this application are as follows. (State briefly main facts relied on with specific reference to the criteria for emergency admission in subsection 124 (2) or (3) of the Act. Use additional pages as required.)

.....  
 (Date) (Place) (Signature of applicant)

Consent of child  
 (to be completed if the criterion set out in clause 124 (2) (b) of the Act is not met)

I have had legal advice and I consent to my emergency admission to the secure treatment program named above.

.....  
 (Date) (Place) (Signature of child)

Consent of  parent  
 duly authorized officer of the Children's Aid Society having lawful custody of the child

(to be completed if the child is less than 16 years of age and the criterion set out in clause 124 (2) (b) of the Act is not met)

I consent to the child's emergency admission to the secure treatment program named above.

.....  
 (Date) (Place) (Signature of parent)

The children's aid society named below has lawful custody of the child and consents to the child's emergency admission to the secure treatment program named above.

.....  
 (Date) (Place) (Signature of officer)

.....  
 (Name of Children's Aid Society)

Consent of Minister  
 (to be completed if child is less than 12 years of age (See subsection 124 (4) of Act) )

I consent to the child's admission to the secure treatment program named above.

.....  
 (Date) (Place) (Signature of Minister or delegate)

O. Reg. 162/89, s. 5, part.

#### Form 14

#### Child and Family Services Act

#### EMERGENCY ADMISSION TO SECURE TREATMENT PROGRAM

I, ..... am the  
 (name of person in charge of secure treatment program)

person in charge of the secure treatment program at .....  
 (name and address of program)

Having read the application of .....  
 (name of applicant)

I believe on reasonable grounds that

- the criteria for emergency admission under subsection 124 (2) have been met
- all of the criteria set out in subsection 124 (2) other than clause (b) have been met and the consents required by subsection 124 (3) have been given.

Complete if child is less than 12 years of age

- I am satisfied that the Minister has consented to the child's admission.

Complete if applicant is a physician

- I am satisfied that the applicant believes that the criteria set out in subsection (2) are met.

I therefore admit the child on an emergency basis to the secure treatment program named above.

Dated at ..... this ..... day of ....., 19.....

.....  
(Person in charge of program)

O. Reg. 162/89, s. 5, part.

**Form 15**

*Child and Family Services Act*

**APPLICATION FOR REVIEW OF EMERGENCY ADMISSION  
TO SECURE TREATMENT PROGRAM**

TO: CHAIR OF THE CHILD AND FAMILY SERVICES REVIEW BOARD

Child

.....  
(Full name) ..... (birth date (d,m,y)) (sex)

Lawyer

.....  
(name, address and telephone number)

Applicant

.....  
(Full name)

Address for service .....  
(street and number, municipality, postal code)

Lawyer

.....  
(name, address and telephone number)

I am the child. I was admitted on an emergency basis to

.....  
(name and address of secure treatment program)

on .....  
(date)

I am .....  
(give name and address and relationship or connection, if any, with the child)

The child was admitted on an emergency basis to

.....  
(name and address of secure treatment program)

on .....  
(date)

I ask for an order under Part VI of the *Child and Family Services Act* releasing the child from the secure treatment program.

The grounds for this application are as follows. (State briefly main facts relied on with specific reference to the criteria for emergency admission in subsection 124 (2) or (3) of the Act and any consents that were required and not given. Use additional pages as required.)

.....  
(Date)

.....  
(Place)

.....  
(Signature of applicant)

O. Reg. 162/89, s. 5, part.

Form 16

Child and Family Services Act

REVIEW OF EMERGENCY ADMISSION TO SECURE TREATMENT PROGRAM

ORDER

Child

(Full name) (birth date (d,m,y)) (sex)

Lawyer

(name, address and telephone number)

On the application of (name)

in the presence of (name of parties and lawyers at hearing)

on reading the (list documents filed on application)

and on receiving evidence and hearing submissions on behalf of (name(s))

concerning the child's emergency admission to the secure treatment program at (name and address of program)

the Child and Family Services Review Board finds that (State whether criteria for emergency admission have been met, specifying whether subsection 124 (2) or (3) applies and state whether all consents required have been met)

and therefore orders that

- the child named above be released from the secure treatment program
the application for the child's release from the secure treatment program be denied.

(Date)

(Place)

(Signature of Chair of Child and Family Services Review Board)

O. Reg. 162/89, s. 5, part.

Form 17

Child and Family Services Act

WARRANT TO APPREHEND AND RETURN A CHILD WHO HAS BEEN ADMITTED TO A SECURE TREATMENT PROGRAM

Ontario Court (Provincial Division)

Court file no.

at

(address)

TO ALL PEACE OFFICERS IN THE PROVINCE OF ONTARIO:

On the basis of an Information laid before me on oath under subsection 125 (2) of the Child and Family Services Act, I am satisfied that the child named or described on the back of this warrant, having been admitted to the secure treatment program at (name and address of program) has left the facility in which that program is located without the consent of the person in charge of that program.

Check this box only if child's whereabouts are known I am further satisfied, on the basis of that Information, that the child may now be found at (Give a municipal address or a precise description of the premises where the child may be found.)

I THEREFORE AUTHORIZE YOU to apprehend and return this child to the secure treatment program named above.

This warrant expires on the ..... day of ....., 19.....

(Date)

(Signature of justice of the peace)

(City, town, etc. where this warrant signed)

(Print or type name of justice of the peace)

Insert all available information

Full name of child

Birth date (d,m,y)

Sex

Aliases or nicknames

Residential address

Telephone number

Present location of child

Telephone number

Height

Weight

Hair colour

Hair style

Eye colour

Complexion

Other features

Name and address of person to be contacted for further information

Telephone number

O. Reg. 162/89, s. 5, part, revised.

Form 18

Child and Family Services Act

INFORMATION IN SUPPORT OF A WARRANT TO APPREHEND AND RETURN A CHILD WHO HAS BEEN ADMITTED TO A SECURE TREATMENT PROGRAM

Ontario Court (Provincial Division)

Court file no.

at .....

(address)

This is the Information of ..... (Name of informant) of

(address)

I am the person in charge of the secure treatment program at

(name and address of program)

I believe that ..... (name of child)

who is a child who was committed to the secure treatment program named above, has left the facility where that program is located without my consent.

(Do not complete if not applicable)



I believe that the child may be found at

.....  
(address(es) street and number)

.....  
(municipality)

Sworn before me this ..... day

of ....., 19... at

the ..... of .....

.....  
(Signature of informant)

in the ..... of

.....

.....

(A justice of the peace in and  
for the Province of Ontario)

O. Reg. 162/89, s. 5, part, revised.

**Form 19**

*Child and Family Services Act*

**APPLICATION FOR APPROVAL OF A LOCKED ROOM FOR USE  
FOR THE SECURE ISOLATION OF CHILDREN**

To: A Director appointed for purposes of section 126 of the Act.

Under the Act and regulations thereunder I hereby apply for:

approval of a locked room for use for the secure isolation of children

OR

renewal of an approval of a locked room for use for the secure isolation of children

<p>I. .... (Name of Applicant)</p> <p>..... (Name of Residence/Service)</p> <p>..... (Number and Street or Rural Route)</p> <p>..... (City, Town, Village or Post Office)</p> <p>..... (Location of Secure Isolation Room)</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>II. Brief Description of Proposed Use of Secure Isolation Room as it Relates to the Program Provided by the Residence/Service</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

III. I have attached the following:

(check boxes)  written policies and procedures with respect to use of secure isolation

other information (where applicable)

..... (Date) ..... (Signature of Applicant)

O. Reg. 550/85, Form 9.

**Form 20**

*Child and Family Services Act*

**APPROVAL OR RENEWAL OF APPROVAL OF A LOCKED ROOM  
FOR USE FOR THE SECURE ISOLATION OF CHILDREN**

- Approval
- Renewal of Approval

No. ....

Date of Issue .....

To: .....  
(Name of Applicant)

.....  
(Name of Residence/Service)

Under the *Child and Family Services Act* and the regulations and subject to the limitations thereof,  
approval is granted for the following locked room for use for the secure isolation of children at

.....  
(Name of Residence/Service)

.....  
(Number and Street or Rural Route)

.....  
(City, Town, Village or Post Office)

.....  
(Location of Secure Isolation Room)

This approval is subject to the following terms and conditions:

.....

.....

.....  
(Signature of Director)

O. Reg. 550/85, Form 10.

**Form 21**

*Child and Family Services Act*

**REFUSAL OF AN APPROVAL OR WITHDRAWAL OF AN APPROVAL OF A LOCKED ROOM  
FOR USE FOR THE SECURE ISOLATION OF CHILDREN**

- Refusal
- Withdrawal of Approval

No. ....

Date of Issue .....

To: .....  
(Name of Applicant)

.....  
(Name of Residence/Service)

Pursuant to the authority vested in me under the provisions of section 126 of the *Child and Family Services Act* and the regulations I hereby,

refuse approval

OR

withdraw approval

for the following locked room for use for the secure isolation of children at

.....  
(Name of Residence/Service)

.....  
(Number and Street or Rural Route)

.....  
(City, Town, Village or Post Office)

.....  
(Location of Secure Isolation Room)

for the following reasons:

.....

.....

.....

.....  
(Signature of Director)

O. Reg. 550/85, Form 11.

**Form 22**

*Child and Family Services Act*

**NOTICE TO A DIRECTOR OF PROPOSED PLACEMENT**

To: A Director

I/We .....

.....  
(address)

.....  
(city/town)

Holder of Licence No. ...., granted under Part IX, Section ..... of the *Child and Family Services Act*

Propose to place a child

born on .....  
(day) (month) (year)

OR

expected to be born on .....  
(day) (month) (year)

to .....  
(full given names and surnames of birth parents)

.....  
(street)

.....  
(town/city)

With .....  
(full given names and surnames of applicant(s))

.....  
(address)

.....  
(city/town) (province) (postal code)

With a view to adoption

The placement, if approved, will be supervised by .....  
(full name of social worker)

.....  
(Date) (Signature of Licensee)

O. Reg. 550/85, Form I2.

**Form 23**

*Child and Family Services Act*

**APPROVAL/REFUSAL OF A DIRECTOR OF A PROPOSED PLACEMENT**

TO: ..... Licensee, Licence No. ....  
(name)

.....  
(address)

.....  
(city/town)

Proposed Placement of ..... infant, born on  
(surname)

..... or expected to be born on ....., for the purpose of adoption.

I, ....., Director,

(Delete 1 or 2 as applicable and initial)

- 1. Approve of the above proposed placement.
- 2. Refuse approval of the above placement for the following reasons:

.....  
.....  
.....  
.....  
.....  
.....  
.....

.....  
(Date) (Signature of Director)

O. Reg. 550/85, Form I3.

Form 24

Child and Family Services Act

REGISTRATION OF PLACEMENT OF A CHILD FOR ADOPTION

To: A Director Ministry of Community and Social Services

I/We, ..... (name of society or licensee) have placed a child with the person(s) named herein on the understanding that such person(s) will adopt the child.

I/We hereby register the placement of the child with you and make the following statements in respect thereof:

1. My address/the address of the agency is ..... (street) (city) (postal code)

2. The name of the child is ..... (full name as on statement of Live Birth)

3. The child was born at ..... (city/town) on the ..... day of ....., 19.....

4. The mother of the child is ..... (full given name and surname) who resides at .....

5. The father of the child is ..... (full given name and surname) who resides at .....

6. I ..... related to the child. (am / or am not) If related, what is the relationship? .....

7. I placed the child on the ..... day of ....., 19..... with ..... (full given names and surnames of applicant(s)) who reside at ..... (street) ..... (city/town) (province) (postal code) and who is (are) ..... (single/spouses within the meaning of the Human Rights Code)

If related to the child, what is the relationship? .....

8. Did the mother consent to the placement and adoption? ..... If yes, signed on ..... day of ....., 19..... (Yes/No)

9. Did the father consent to the placement and adoption? ..... If yes, signed on ..... day of ....., 19..... (Yes/No)

10. Is any other individual(s) required, under the Act, to give consent? ..... (Yes/No)

If yes, ..... (Name)

..... (Describe relationship)

Consent signed ..... If yes, signed on ..... day of ....., 19..... (Yes/No)

(If more than one individual, please add information on reverse side)

11. If the child is a Crown ward, what is the date of Crown wardship. ....

12. Name and address of person(s), institution(s) or society(ies) that cared for child before placement.

.....  
.....  
.....

I certify that the above statements are true and correct.

Dated at ....., this ..... day of ....., 19.....

..... (Signature of Witness)

..... (Signature of Registrant)

O. Reg. 550/85, Form 14.

Form 25

Child and Family Services Act

DIRECTOR'S REGISTRATION OF PLACEMENT OF CHILD FOR ADOPTION UNDER SUBSECTION 141 (7) OF THE ACT

I, ....., Director, hereby register the placement of the following child and make the following statements in respect thereof:

1. The name of the child is

..... (full name as on statement of Live Birth)

2. The child was born at ..... (city/town)

on the ..... day of ....., 19.....

3. The mother of the child is ..... (full given name and surname)

who resides at .....

4. The father of the child is ..... (full given name and surname)

who resides at .....

5. I have become aware that, on or about ..... (date), the child was

placed with ..... who (full given names and surnames of person(s) with whom child was placed)

resides at ..... (street) (city/town) (province) (postal code)

and who is (are) ..... (single/spouses within the meaning of the Human Rights Code)

If related to the child, what is the relationship?

.....

6. This placement was not made by a society or a licensee and was never registered. As I understand it, the circumstances of this placement were:

.....

7. Did the mother consent to the placement and adoption?

..... If yes, signed on ..... day of ....., 19.....  
(Yes/No)

8. Did the father consent to the placement and adoption?

..... If yes, signed on ..... day of ....., 19.....  
(Yes/No)

9. Is any other individual(s) required, under the Act, to give consent? ..... (Yes/No)

If yes, ..... (Name)

..... (Describe relationship)

Consent signed ..... If yes, signed on ..... day of ....., 19.....  
(Yes/No)

(If more than one individual, please add information on reverse side)

10. Name and address of person(s), institution(s) or society(ies) that cared for child before placement.

.....  
.....  
.....

I certify that the above statements are true and correct to the best of my knowledge.

Dated at ....., this ..... day of ....., 19.....

.....  
(Signature of Witness)

.....  
(Signature of Director)

O. Reg. 550/85, Form 15.

**Form 26**

*Child and Family Services Act*

**ACKNOWLEDGMENT OF ADOPTION PLACEMENT**

*(Name(s) of prospective adoptive parent(s))*

*(Given name(s) of child)*

*(surname or initial of surname)*

*(date of birth)*

*(birth registration no.)*

**A. FOR CHILD PLACED ON PARENT'S CONSENT**

The above child has been placed with me/us on (date of placement)

I (We) understand that the child's

- mother has/has not (delete inapplicable) consented in writing to proposed adoption.
- father has/has not (delete inapplicable) consented in writing to proposed adoption.

I (We) have had explained to me (us) and I (We) understand that each parent of this child has an absolute right to cancel the consent given within 21 days following the date given, namely (state date(s) and consent(s))

Mother .....

Father .....

I (We) further understand that if the child's parent(s) cancel their consent, the child will be removed from my (our) custody and care and that I (We) have no right to object to that removal.

I (We) further understand that if one or both of the child's parents have not given his/her written consent to the proposed adoption, it will be necessary to obtain a court order dispensing with such consent.

**B. FOR CHILD WHO IS A CROWN WARD**

The above child has been placed with me/us on .....  
(date of placement)

The child is a Crown Ward, without access, under the care of .....  
(Name of C.A.S.)

Date of Crown Wardship Order .....

I (We) understand that all appeal periods have passed and there are no appeals pending.

.....  
(Date) (Signature of Witness) (Signature of prospective adoptive parent)

.....  
(Date) (Signature of Witness) (Signature of prospective adoptive parent)

Note: Complete either Part A or Part B.

O. Reg. 550/85, Form 16.

**Form 27**

*Child and Family Services Act*

**STATEMENT BY PHYSICIAN  
UNDER SUBSECTION 183 (2) OF THE ACT**

I, .....  
(print name of physician)

am of the opinion that the disclosure, transmittal or examination of the record of a mental disorder in respect of .....  
(print full name of person)

is likely to result in

- harm to the treatment or recovery of the person to whom the record relates
- injury to the mental condition of another person
- bodily harm to another person.

.....  
(Date) (Place) (Signature of physician)

O. Reg. 162/89, s. 5, part.



**Form 28**

*Child and Family Services Act*

**APPLICATION FOR A LICENCE OR RENEWAL OF A LICENCE  
TO OPERATE A CHILDREN'S RESIDENCE**

To: A Director appointed for the purposes of the Act

Under the Act and regulations thereunder, I hereby apply for,

- a licence or  renewal of a licence to operate the children's residence named and described below.

<b>I. A. If unincorporated Operator:</b>		
i. Name	Miss Mrs.	Date of Birth
Applicant/ Operator	Mr. .... (surname)	..... (given names)
..... (name)	..... (address)	..... (telephone number)
		D/ M/ Y

<b>B. If Corporation Will Operate:</b>		
i. Name of Corporation .....		
Head Office Address .....		
Telephone Number .....		
ii. Name of two authorized signing officers .....		
	(name)	(name)
Office held .....		
	(office)	(office)
Address of signing officers .....		
	(address)	(address)

<b>II. Name of Children's Residence</b>
.....

<b>III. Address of Children's Residence</b>
.....
(number and street or rural route)
.....
(telephone number)

IV. Brief description of premises of Residence:

.....

.....

.....

.....

.....

V. Purpose of Children's Residence:

Description of program, number of children to be served, sex, age, range, kinds of problems to be served.

.....

.....

.....

.....

.....

VI. I have attached the following: (where applicable)

(check boxes)     i. The registration fee of \$100 (per Region)

ii. The renewal registration fee of \$100 (per Region)

Make cheque payable to Treasurer of Ontario.

The applicant hereby agrees to comply with the provisions of the *Child and Family Services Act* and the regulations thereunder.

Dated at ....., this ....., 19.....

..... (Signature of applicant or authorized officer of corporation)

O. Reg. 550/85, Form 17.

**Form 29**

*Child and Family Services Act*

**APPLICATION FOR A LICENCE OR RENEWAL OF A LICENCE  
TO PROVIDE RESIDENTIAL CARE**

To: A Director appointed for the purposes of the Act

Under the Act and regulations thereunder, I hereby apply for,

- a licence or  renewal of a licence to provide residential care for three or more children not of common parentage in places that are not children's residences.

I. A. If unincorporated Operator:

i. Name	Miss	Date of Birth
	Mrs.	
Applicant/ Operator	Mr. .... (surname)	..... (given names)
		D/ M/ Y
..... (name)	..... (address)	..... (telephone number)

**B. If Corporation Will Operate:**

i. Name of Corporation .....

Head Office Address .....

Telephone Number .....

ii. Name of two authorized signing officers .....

(name) (name)

Office held .....

(office) (office)

Address of signing officers .....

(address)

(address)

**II. Name of Service:**

.....

**III. Address of Office**

.....

(city, town, village or post office)

.....

(county)

.....

(telephone number)

**IV. Brief description of current or proposed foster homes under the supervision of the applicant:**  
 (indicate classification and number of homes in each classification)

.....

.....

.....

.....

**V. List other services available for children and basis for access, e.g., fee for service, employee, etc.**

.....

.....

.....

(Give names of professionals, addresses, credentials)

.....

.....

.....

VI. List and describe briefly support services available to foster homes:

.....

.....

.....

.....

List agencies that you intend will use this service:

.....

.....

.....

VII. It is proposed to provide residential care in the following Ministry Regions: (please check one or more)

Northern  Central

Southwestern  Southeastern

VIII. I have attached the following: (where applicable)

(check boxes)  i. The registration fee of \$100 (per Region)

ii. The renewal registration fee of \$100 (per Region)

Make cheque payable to Treasurer of Ontario.

The applicant hereby agrees to comply with the provisions of the *Child and Family Services Act* and the regulations thereunder.

Dated at ....., this ..... (Signature of applicant or authorized officer of corporation)

..... day of ....., 19.....

O. Reg. 550/85, Form 18; O. Reg. 219/88, s. 20.

**Form 30**

*Child and Family Services Act*

**APPLICATION FOR A LICENCE OR RENEWAL OF A LICENCE TO PLACE CHILDREN FOR ADOPTION**

To: A Director appointed for the purposes of the Act

Under the Act and regulations thereunder, I hereby apply for,

a licence or  renewal of a licence to place children for adoption.

Complete A or B

A. If unincorporated Operator:

Applicant/Operator:

Name (surname) (given names) (occupation)

Ms. Mrs. ....

Miss Mr. ....

..... (address)

..... (phone number)

**B. If Corporation will operate:**

Corporation name .....  
..... phone number .....  
(head office address)

**Present members of Board of Directors**

name	occupation	office held
.....	.....	.....
..... (address)		
.....	.....	.....
..... (address)		
(attach additional pages if required)		

**Present Officers of Corporation (not included above)**

name	occupation	office held
.....	.....	.....
..... (address)		
.....	.....	.....
..... (address)		
(attach additional pages if required)		

Name of Agency .....  
Address ..... Telephone .....

Name of Program Director .....  
Qualifications of Program Director .....  
(attach curriculum vitae)

A certified copy of the Letters Patent of the applicant corporation is attached to this Application as Schedule A.

The proposal for staffing is as follows: (indicate classifications, qualifications and work experience and number of persons in each classification).

.....

.....

.....

List staff already hired: (give names and classifications)

.....

.....

List access to professional services required and basis of access, e.g., fee for service, employee, etc.

.....

(give names of professionals, addresses, credentials)

.....

Application is being made for exemption under subsection 141 (3) or (4) of the Act.

Application is being made for a special term under subsection 141 (2) of the Act.

Other terms or conditions are being requested (attached).

Appropriate supporting documentation is attached.

I have attached the following (where applicable)

- The registration fee of \$100
- The renewal registration fee of \$100

Make cheque payable to the Treasurer of Ontario.

The applicant hereby agrees to comply with the provisions of the *Child and Family Services Act* and the regulations thereunder.

Dated at ....., this ..... (signature of applicant or authorized officers of corporation)

..... day of ....., 19....

I hereby certify that:

1. I am a member of the Board of Directors of ..... (name of corporation)
2. I have a knowledge of the matter and the statements in the annexed application contained are, to the best of my knowledge and belief, true in substance and in fact.
3. Each of the members of the Board of Directors is eighteen or more years of age and each member's name and description have been accurately set out in the application.
4. The application is made in good faith and is not made for any improper purpose.

Dated this ..... day of ....., 19....

..... (Signature of witness or affix corporate seal)

..... (Signature of applicant)

O. Reg. 550/85, Form 19.

**Form 31**

*Child and Family Services Act*

A LICENCE OR RENEWAL OF A LICENCE TO OPERATE  
A CHILDREN'S RESIDENCE

Licence

Renewal

No. .... Issued .....

Under the *Child and Family Services Act* and the regulations thereunder and subject to the limitations thereof, this licence is granted to

.....  
of the ..... of .....

to operate a children's residence under the name of .....

at ..... in the  
(number and street or rural route)

..... of ..... in the

..... of .....

- 1. This licence expires on the ..... day of ....., 19.....
- 2. The maximum number of children that may be cared for in the children's residence at any one time is .....

OR

- 3. This licence is subject to the following terms and conditions:

.....  
.....  
.....

.....  
(Signature of Director)

O. Reg. 550/85, Form 20.

**Form 32**

*Child and Family Services Act*

**A LICENCE OR RENEWAL OF A LICENCE TO PROVIDE  
RESIDENTIAL CARE**

Licence

Renewal

No. .... Issued .....

Under the *Child and Family Services Act* and the regulations thereunder and subject to the limitations thereof, this licence is granted to

.....  
of the ..... of .....

to provide residential care under the name of .....

at ..... in the  
(address of office)

..... of ..... in the

..... of .....

- 1. This licence expires on the ..... day of ....., 19.....
- 2. The maximum number of children for whom residential care may be provided at any one time is (to be completed only if applicable) .....
- 3. This licence is subject to the following terms and conditions:

The terms and conditions attached as Schedule "A"

Other (list):

.....  
(Signature of Director)

O. Reg. 550/85, Form 21.

**Form 33**

*Child and Family Services Act*

**A LICENCE OR RENEWAL OF A LICENCE  
TO PLACE CHILDREN FOR ADOPTION**

Licence

Renewal

No. .... Issued .....

Under the *Child and Family Services Act* and the regulations thereunder and subject to the limitations thereof, this licence is granted to,

.....  
(name of applicant)

of the ..... of .....  
(county, district)

to place children for adoption.

1. This licence expires on the ..... day of ....., 19.....

2. This licence is subject to the following terms and conditions:

.....

3. The licensee is exempt from the provisions of

subsection 141 (3) of the Act

subsection 141 (4) of the Act

4.  The licensee is permitted to act under subsection 141 (2) of the Act.

.....  
(Signature of Director)

O. Reg. 550/85, Form 22.

**Form 34**

*Child and Family Services Act*

**PROVISIONAL LICENCE TO OPERATE A CHILDREN'S RESIDENCE**

No. .... Issued .....

Under the *Child and Family Services Act* and the regulations thereunder and subject to the limitations thereof, this provisional licence is granted

to .....

of the ..... of .....

to operate a children's residence under the name of .....

at ..... in the  
(number and street or rural route)

..... of .....

..... of .....

1. This licence expires on the ..... day of ....., 19.....



2. The applicant does not meet the following requirements for issuance/renewal of a licence:

.....  
.....

3. The maximum number of children that may be cared for in the children's residence at any one time is .....

4. This licence is subject to the following terms and conditions:

.....  
.....  
.....

.....  
(Signature of Director)

O. Reg. 550/85, Form 23.

**Form 35**

*Child and Family Services Act*

**PROVISIONAL LICENCE TO PROVIDE RESIDENTIAL CARE**

No. .... Issued .....

Under the *Child and Family Services Act* and the regulations thereunder and subject to the limitations thereof, this provisional licence is granted

to .....

of the ..... of .....

to provide residential care under the name of .....

at ..... in the

(number and street or rural route)

..... of ..... in the

..... of .....

1. This licence expires on the ..... day of ....., 19.....

2. The applicant does not meet the following requirements for issuance/renewal of a licence:

.....  
.....

3. The maximum number of children for whom residential care may be provided (to be completed only if applicable) .....

4. This licence is subject to the following terms and conditions:

The terms and conditions attached as Schedule "A"

Other (list)

.....  
(Signature of Director)

O. Reg. 550/85, Form 24.

**Form 36**

*Child and Family Services Act*

**PROVISIONAL LICENCE TO PLACE CHILDREN FOR ADOPTION**

No. .... Issued .....

Under the *Child and Family Services Act* and the regulations thereunder and subject to the limitations thereof, this provisional licence is granted to .....  
(Name of licensee)

of the ..... of .....  
(County, district)

to place children for adoption.

1. This licence expires on the ..... day of ....., 19.....

2. The applicant does not meet the following requirements for issuance/renewal of a licence:

.....  
.....

3. This licence is subject to the following terms and conditions:

.....  
.....  
.....

.....  
(Signature of Director)

O. Reg. 550/85, Form 25.

**Form 37**

*Child and Family Services Act*

NOTICE OF INTENTION

To: .....  
(Name of applicant or licensee)

TAKE NOTICE that pursuant to the authority vested in me under the provisions of sections 195 and 196 of the *Child and Family Services Act*, I hereby propose to:

- refuse to issue a licence to you
- refuse to renew your licence
- revoke your licence

1. To operate a children's residence at

.....  
(Street Address)

in the ..... of .....

in the ..... of .....

OR

2. To provide residential care for three or more children not of common parentage in places that are not children's residences for the following reasons:

.....  
.....  
.....

AND FURTHER TAKE NOTICE that under the provisions of subsection 197 (2) of the *Child and Family Services Act* you have a right to have a hearing of this matter before the Child and Family Services Review Board that has been appointed under section 207 of the *Child and Family Services Act*

Act. In order to obtain such a hearing you must within ten days of the receipt of this notice request such a hearing by completing and sending to me and to the Child and Family Services Review Board the prescribed Forms.

.....  
(Date)

.....  
(Signature of Director)

O. Reg. 219/88, s. 21, part.

**Form 38**

*Child and Family Services Act*

**NOTICE OF INTENTION**

To: .....  
(Name of applicant or licensee)

TAKE NOTICE that pursuant to the authority vested in me under the provisions of subsections 195 and 196 of the *Child and Family Services Act*, I hereby propose to:

- refuse to issue a licence to you
- refuse to renew your licence
- revoke your licence

To place children for adoption

OR

Refuse to approve the placement of a child under subsection 142 (2) of the Act for the following reasons:

.....  
.....  
.....

AND FURTHER TAKE NOTICE that under the provisions of subsection 197 (2) of the *Child and Family Services Act* you have a right to have a hearing of this matter before the Child and Family Services Review Board that has been appointed under section 207 of the *Child and Family Services Act*. In order to obtain such a hearing you must within ten days of the receipt of this notice request such a hearing by completing and sending to me and to the Child and Family Services Review Board the prescribed Forms.

.....  
(Date)

.....  
(Signature of Director)

O. Reg. 219/88, s. 21, part.

**Form 39**

*Child and Family Services Act*

**REQUEST FOR HEARING**

To: A Director appointed for the purposes of the *Child and Family Services Act*

and

To: The Chair of the Child and Family Services Review Board, Parliament Buildings, Toronto

Name of applicant or licensee .....

Address of applicant or licensee .....  
(Number) (Street or Rural Route)

.....  
(City) (Town) (Village) or (P.O.)

.....  
(Township) (County)

TAKE NOTICE that I hereby request a hearing by the Child and Family Services Review Board appointed under section 207 of the *Child and Family Services Act* in respect of the decision of a Director appointed for the purposes of the *Child and Family Services Act* to:

- A.  refuse to issue a licence to me
  - refuse to renew my licence
  - revoke my licence
  - attach terms and conditions to my licence under subsection 193 (3), (5) or (6) of the Act

1.  To operate a children's residence at

.....  
 (Street address)  
 in the ..... of .....  
 in the ..... of .....  
 under the name of .....

2.  To provide residential care for three or more children at more than one location

OR

3.  To place children for adoption

OR

B.  refuse to approve the placement of a child under subsection 142 (2) of the Act.

.....  
 (Date) (Signature of applicant or licensee)

O. Reg. 550/85, Form 28; O. Reg. 219/88, s. 22, part.

**Form 40**

*Child and Family Services Act*

**REQUEST FOR DETERMINATION**

To: The Chair of the Child and Family Services Review Board, Parliament Buildings, Toronto

Name of applicant .....

Address of applicant .....  
 (Residential Placement) (Number) (Street or Rural Route)

.....  
 (City) (Town) (Village) or (P.O.)

.....  
 (Township) (County)

I hereby apply to the Child and Family Services Review Board in accordance with section 36 of the *Child and Family Services Act* for a determination of where I should remain or be placed.

My residential placement has been reviewed by a Residential Placement Advisory Committee under section 34 of the Act and

I am dissatisfied with the Advisory Committee's recommendation

OR

the Advisory Committee's recommendation has not been followed

.....  
 (Date) (Signature of applicant)

O. Reg. 550/85, Form 29; O. Reg. 219/88, s. 22, part.

Form 41

Child and Family Services Act

NOTICE OF HEARING

To: ..... (Name of applicant or licensee)

..... (Address of applicant or licensee)

TAKE NOTICE that a hearing will be held by the Child and Family Services Review Board appointed under section 207 of the Child and Family Services Act in respect of a decision of a Director appointed for the purposes of the Child and Family Services Act to:

- A. [ ] refuse to issue a licence to you
[ ] refuse to renew your licence
[ ] revoke your licence
[ ] attach terms and conditions to your licence under subsection 193 (3), (5) or (6) of the Act

1. [ ] To operate a children's residence ..... (Address)
in the ..... of .....
in the ..... of .....
under the name of .....

OR

2. [ ] To provide residential care for three or more children at more than one location

OR

3. [ ] To place children for adoption

OR

B. [ ] refuse to approve the placement of a child under subsection 142 (2) of the Act.

AND TAKE NOTICE that the rules of procedure applicable to the hearing are contained in sections 197 to 202 of the Child and Family Services Act and that in accordance with the rules of procedure you are a party to the hearing and as such are entitled to be represented at the hearing by counsel or by your agent.

AND FURTHER TAKE NOTICE that if a party who has been duly notified does not attend at the hearing the Child and Family Services Review Board may proceed in the party's absence and the party is not entitled to notice of any further proceedings.

..... (Date) ..... (Signature of Chair of the Child and Family Services Review Board)

O. Reg. 550/85, Form 30; O. Reg. 219/88, s. 23.

REGULATION 71

REGISTER

1.—(1) Every society shall record,

- (a) a complaint respecting a child where in the opinion of the society there are reasonable and probable grounds to believe that the child is in need of protection; and
(b) a request for assistance or service,

within twenty-four hours of receiving the complaint or request.

(2) The society shall investigate each complaint within twenty-

one days after the complaint is recorded and further record within the twenty-one days,

- (a) whether in the opinion of the society there are reasonable and probable grounds to believe that a child is in need of protection;
(b) where in the opinion of the society there are reasonable and probable grounds to believe that a child is in need of protection, a tentative plan for the welfare of the child; and
(c) where a tentative plan is drawn up for a child, the steps taken to implement the plan.

(3) The society shall review the case of a child that is not closed,

where the child is not taken into protective care, not later than sixty days after the complaint is recorded. O. Reg. 551/85, s. 1.

2.—(1) A society that receives information under section 72 of the Act concerning the abuse of a child shall enquire of the Director who maintains the register established under subsection 75 (5) of the Act, within three days after receiving the information, to determine whether any person referred to in the information has been previously identified in the register.

(2) A society that makes a report of verified information concerning the abuse of a child under subsection 75 (3) of the Act to the Director shall make the report within fourteen days after the information is verified by the society unless the Director extends the period of time.

(3) Upon receiving an inquiry from a society under subsection (1), the Director shall forthwith notify the society whether any person referred to in the information received by the society under section 72 of the Act has been previously identified in the register, the date of any such prior identification and the society or other agency that reported the prior identification.

(4) A report by a society to the Director of verified information concerning the abuse of a child made under subsection 75 (3) of the Act shall be in Form 1.

(5) Where a case concerning the abuse of a child has been reported by a society under subsection 75 (3) of the Act and the case is not closed by the society, the society shall make a further report in Form 2 to the Director within four months after making of the original report under subsection 75 (3) of the Act.

(6) Where a case is not closed, a society shall make a subsequent report to the Director in Form 2 on each anniversary of the original report until the case is closed by the society.

(7) A society shall not close a case concerning the abuse of a child reported to the register by the society under subsection 75 (3) of the Act until the treatment or prevention of the abuse is no longer the primary objective of the society's involvement with the family.

(8) A society may close a case concerning the abuse of a child where the case has been referred to another society or to a child protection agency recognized by a jurisdiction outside of Ontario. O. Reg. 551/85, s. 2.

3.—(1) The Director shall record information reported to the register under subsection 75 (3) of the Act in Form 3.

(2) The Director shall maintain information in the register established under subsection 75 (5) of the Act for at least twenty-five years from the date of the recording of the information unless the information has been previously expunged or amended pursuant to a decision by the Director. O. Reg. 551/85, s. 3.

4.—(1) Every society shall ensure that each child in care of the society is given a medical and dental examination as soon as is practical after the admission of the child to care.

(2) Every society shall ensure that each child who is in care of the society is given a medical examination and dental examination at least once a year.

(3) Every society shall keep a record of each medical examination

and dental examination of each child admitted into care by the society.

(4) Every society shall ensure that the treatment recommended as a result of a medical examination or dental examination of a child admitted into care by the society is carried out within the times recommended.

(5) Psychological and psychiatric assessments or treatment or both shall be provided for each child in the care of a society in accordance with the needs of the child where the society is of the opinion that the behaviour and condition of the child indicate that an assessment or treatment or both is necessary in the circumstances.

(6) The results of each assessment and treatment carried out under subsection (5) shall be recorded by the society. O. Reg. 551/85, s. 4.

5.—(1) No society that admits a child into care shall place the child in a foster home or other home unless the child has previously visited the home at least ten days before the placement.

(2) Subsection (1) does not apply where it is not practical in the circumstances to have the child visit the home at least ten days before the placement.

(3) Every society shall ensure that each child placed in a foster home or other home by the society is visited by a social worker,

- (a) within seven days after the child's admission to the home;
- (b) at least once within thirty days of the placement; and
- (c) at least once every three months after the visit referred to in clause (b),

or at such other interval as the local director directs. O. Reg. 551/85, s. 5.

6. Every society that receives an application to adopt or board a child that is in the care of the society shall, within thirty days after receiving the application, begin an investigation of the applicant and the home of the applicant. O. Reg. 551/85, s. 6.

7.—(1) Every society shall open and maintain a separate file with respect to,

- (a) each person who is a parent within the meaning of subsection 137 (1) of the Act who relinquishes a child to the society for adoption;
- (b) each prospective adoptive parent;
- (c) each child who is placed or who is intended to be placed for adoption by the society; and
- (d) each foster parent who provides services to the society in connection with an adoption.

(2) The society shall review each file referred to in subsection (1) and bring the file up to date at least every six months until the file is closed.

(3) The society shall permanently retain a record of the contents of each file referred to in subsection (1). O. Reg. 551/85, s. 7.



Ministry of  
Community and  
Social Services  
Ontario

Form 1  
Child and Family Services Act

Report to Child Abuse Register

Please print clearly or type

Ministry use only

Jurisdiction no.	File no.
------------------	----------

**A. Child** (Corrections to Form 1 to be made on Form 2)

Last name	First name(s)	Sex	Birthdate or approximate age Y M D
Also known as			

**B. Alleged Abuser(s)** (Corrections to Form 1 to be made on Form 2)

(1) Last name	First name(s)	Sex	Birthdate or approximate age Y M D
Also known as			

Mailing address (include postal code)	Relationship to child
	<input type="checkbox"/> Father <input type="checkbox"/> Mother <input type="checkbox"/> C.L. parent <input type="checkbox"/> Stepfather <input type="checkbox"/> Stepmother <input type="checkbox"/> Grandparent <input type="checkbox"/> Foster father <input type="checkbox"/> Foster mother <input type="checkbox"/> Sibling <input type="checkbox"/> Uncle <input type="checkbox"/> Aunt <input type="checkbox"/> Other (specify)

(2) Last name	First name(s)	Sex	Birthdate or approximate age Y M D
Also known as			

Mailing address (include postal code)	Relationship to child
	<input type="checkbox"/> Father <input type="checkbox"/> Mother <input type="checkbox"/> C.L. parent <input type="checkbox"/> Stepfather <input type="checkbox"/> Stepmother <input type="checkbox"/> Grandparent <input type="checkbox"/> Foster father <input type="checkbox"/> Foster mother <input type="checkbox"/> Sibling <input type="checkbox"/> Uncle <input type="checkbox"/> Aunt <input type="checkbox"/> Other (specify)

(3) Last name	First name(s)	Sex	Birthdate or approximate age Y M D
Also known as			

Mailing Address (include postal code)	Relationship to child
	<input type="checkbox"/> Father <input type="checkbox"/> Mother <input type="checkbox"/> C.L. parent <input type="checkbox"/> Stepfather <input type="checkbox"/> Stepmother <input type="checkbox"/> Grandparent <input type="checkbox"/> Foster father <input type="checkbox"/> Foster mother <input type="checkbox"/> Sibling <input type="checkbox"/> Uncle <input type="checkbox"/> Aunt <input type="checkbox"/> Other (specify)

**C. Parents of Child** (if other than above)

Last name	First name(s)	Sex	Approx age	Relationship to child	Names and ages of siblings or other children if helpful for tracking
Also known as					

Mailing address (include postal code)
---------------------------------------

Last name	First name(s)
-----------	---------------

Also known as	Sex	Approx	Relationship to child
---------------	-----	--------	-----------------------

Mailing address (include postal code)
---------------------------------------

**D. Persons with whom child living at time of incident** (if other than above)

Last name	First name(s)	Sex	Approx age	Relationship to child
Also known as				

Mailing address (include postal code)
---------------------------------------

Last name	First name(s)	Sex	Approx age	Relationship to child
Also known as				

Mailing address (include postal code)
---------------------------------------

**E. Abuse**

Date of incident Y M D	Date unknown	Episodic/ongoing From (date)	Reported to CAS Y M D	Place of incident <input type="checkbox"/> Child's home <input type="checkbox"/> Other (specify)
---------------------------	--------------	---------------------------------	--------------------------	--------------------------------------------------------------------------------------------------------

Source of report (do not identify informant) <input type="checkbox"/> Victim <input type="checkbox"/> Relative <input type="checkbox"/> Professional (specify) <input type="checkbox"/> Parent <input type="checkbox"/> Neighbour/friend <input type="checkbox"/> Other (specify)	Did or should parent(s) or caretaker(s) know of and permit or fail to prevent abuse? <input type="checkbox"/> No <input type="checkbox"/> Yes (elaborate) and also register under Section "B (3)" "Alleged Abusers".
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Type of Abuse (Check ANY that apply) <input type="checkbox"/> Physical <input type="checkbox"/> Emotional <input type="checkbox"/> Sexual <input type="checkbox"/> Failure to provide	Indicate the overall degree of abuse <input type="checkbox"/> Mild <input type="checkbox"/> Moderate <input type="checkbox"/> Severe
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------

- Indicators (Check ANY that apply)  Fatal injury (date of death)
- |                                              |                                                                                                     |                                                                                           |                                                                |                                                                  |
|----------------------------------------------|-----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> Abrasions           | <input type="checkbox"/> Fractures                                                                  | <input type="checkbox"/> Pregnancy                                                        | <input type="checkbox"/> Withdrawal                            | <input type="checkbox"/> No visible injuries (elaborate)         |
| <input type="checkbox"/> Cuts                | <input type="checkbox"/> Burns/Scalding                                                             | <input type="checkbox"/> Anxiety                                                          | <input type="checkbox"/> Developmental Delays                  |                                                                  |
| <input type="checkbox"/> Welts               | <input type="checkbox"/> Malnutrition                                                               | <input type="checkbox"/> Depression                                                       | <input type="checkbox"/> Self destructive aggressive behaviour |                                                                  |
| <input type="checkbox"/> Bruises             | <input type="checkbox"/> Other physical illness                                                     | <input type="checkbox"/> Irritation, pain, injury to genital area                         |                                                                |                                                                  |
| <input type="checkbox"/> Poisoning (specify) | <input type="checkbox"/> Mental, emotional or developmental condition requiring treatment (specify) | <input type="checkbox"/> Other indicators of sexual molestation or exploitation (specify) |                                                                | <input type="checkbox"/> Other behavioural or physical (specify) |

Brief explanation of occurrence(s) (including a statement describing frequency and duration)

F. Action taken on behalf of child

- Treated Outside Hospital
- Examined by  Physician  Reg. nurse  Social Worker
- Hospitalized  For assessment  For treatment  As place of safety
- Child apprehended  No  Yes      Other children apprehended  No  Yes Number

CAS request to court

- Supervision order      Length requested
- Society wardship      Length requested
- Crown wardship
- Not yet known

Court hearing

- Held on \_\_\_\_\_      Adjourned to \_\_\_\_\_
- Disposition (if known) \_\_\_\_\_
- CAS agreement with decision  No  Yes

G. Current situation

- Child's present whereabouts  At home  In hospital  In CAS care  Placed elsewhere (specify)
- Elaborate if necessary

Alleged abuser(s)

- Still in home
- Child still in his/her care
- Living elsewhere
- In hospital (address)
- In prison (address)
- Whereabouts unknown
- Unidentified

Action relating to alleged abuser(s)

- Police Involvement  None
- Informal contact       Police investigation
- Joint investigation with CAS
- Charges laid       pending
- State charges
- Adjourned to (date if known) \_\_\_\_\_
- Disposition of case  Not yet known

Alleged abuser(s)/parents informed by CAS of report to

- Register  Not informed (please elaborate)

Regional and/or Area Office involved?

- No  Yes

Additional Comments

Previous CAS involvement with family

- No  Yes (specify)

Previous abuse report to Ministry

- By this Society
- By another Society (specify)

Register (post June 15, 1979)

Date

- Send letter of notification to alleged abuser
- Directly  c/o CAS  Other (specify)

In other language (specify)

Reporting Society

Referred to another Society/child welfare authority

Date of referral

Caseworker(s) (type name(s))

Signature of Local Director (type name and sign)

Date

OR Authorized designete (type name and sign)

Date





Ministry of  
Community and  
Social Services  
Ontario

**Form 2**  
*Child and Family  
Services Act*

**Follow-up Report to Child Abuse Register**

Ministry use only

Jurisdiction no.	File no.
------------------	----------

Please print clearly or type

4 month follow-up  Annual Report, Year 1,2,3  Other  Final Report

**Child** (Corrections to Form 1 to be made on Form 2)

Last name	First name(s)	Sex	Birthdate or approximate age (y, m, d)
-----------	---------------	-----	----------------------------------------

Also known as

**Alleged abuser(s)** (Corrections to Form 1 to be made on Form 2)

1. Last name	First name(s)	Sex	Birthdate or approximate age (y, m, d)
--------------	---------------	-----	----------------------------------------

Also known as

Mailing address (include postal code)

Relationship to child

<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> C.L. parent
<input type="checkbox"/> Stepfather	<input type="checkbox"/> Stepmother	<input type="checkbox"/> Grandparent
<input type="checkbox"/> Foster father	<input type="checkbox"/> Foster mother	<input type="checkbox"/> Sibling
<input type="checkbox"/> Uncle	<input type="checkbox"/> Aunt	<input type="checkbox"/> Other (specify)

2. Last name	First name(s)	Sex	Birthdate or approximate age (y, m, d)
--------------	---------------	-----	----------------------------------------

Also known as

Mailing address (include postal code)

Relationship to child

<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> C.L. parent
<input type="checkbox"/> Stepfather	<input type="checkbox"/> Stepmother	<input type="checkbox"/> Grandparent
<input type="checkbox"/> Foster father	<input type="checkbox"/> Foster mother	<input type="checkbox"/> Sibling
<input type="checkbox"/> Uncle	<input type="checkbox"/> Aunt	<input type="checkbox"/> Other (specify)

3. Last name	First name(s)	Sex	Birthdate or approximate age (y, m, d)
--------------	---------------	-----	----------------------------------------

Also known as

Mailing address (include postal code)

Relationship to child

<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> C.L. parent
<input type="checkbox"/> Stepfather	<input type="checkbox"/> Stepmother	<input type="checkbox"/> Grandparent
<input type="checkbox"/> Foster father	<input type="checkbox"/> Foster mother	<input type="checkbox"/> Sibling
<input type="checkbox"/> Uncle	<input type="checkbox"/> Aunt	<input type="checkbox"/> Other (specify)

**Action taken on behalf of child - update**

No change  Child apprehended  No  Yes  Other children apprehended  No  Yes Number

CAS request to court	Court hearing
<input type="checkbox"/> Supervision order Length requested <input type="checkbox"/> Society wardship Length requested <input type="checkbox"/> Crown wardship <input type="checkbox"/> Not yet known	Held on _____ Adjourned to _____ Disposition (if known) _____ CAS agreement with decision <input type="checkbox"/> No <input type="checkbox"/> Yes

**Current situation - update**

No change  
 Child's present whereabouts  
 At home  In hospital  In CAS care  Placed elsewhere (specify)

Elaborate if necessary

Alleged abuser(s) <input type="checkbox"/> Still in home <input type="checkbox"/> Child still in his/her care <input type="checkbox"/> Living elsewhere <input type="checkbox"/> In hospital <input type="checkbox"/> In prison <input type="checkbox"/> Whereabouts unknown <input type="checkbox"/> Still unidentified	Action relating to alleged abuser(s) Police involvement <input type="checkbox"/> None <input type="checkbox"/> Police investigation <input type="checkbox"/> Informal contact <input type="checkbox"/> Joint investigation with CAS <input type="checkbox"/> Charges laid <input type="checkbox"/> pending State charges Adjourned to (date if known) _____
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Disposition of case, specifics of sentence, if applicable

Causative factors	Present level of condition				Unchanged
	Deterioration		Improvement		
	Slight	Significant	Slight	Significant	
<b>Parents</b>					
<input type="checkbox"/> heavy child care responsibilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> lack of support system	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> marital difficulties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> lack of knowledge of child care/development	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> physical violence/corporal punishment acceptable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> different cultural/sub-cultural/religious norms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> alcohol/drug abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> physical/mental illness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> personality disorder/sociopathic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> intellectual limitations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> abused in childhood	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> emotionally deprived in childhood	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Child</b>					
<input type="checkbox"/> unwanted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> premature	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> handicapped	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> behaviour problem/provocative	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Environment</b>					
<input type="checkbox"/> housing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> unemployment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> finances	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> social isolation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Services provided	By	For	Unavailable	Rejected
<input type="checkbox"/> psychiatric/psychological assessment				
<input type="checkbox"/> psychiatric treatment				
<input type="checkbox"/> counselling				
<input type="checkbox"/> medical treatment				
<input type="checkbox"/> public health nurse				
<input type="checkbox"/> parent education courses				
<input type="checkbox"/> parents anonymous/self help group				
<input type="checkbox"/> volunteer visitor/parent aide				
<input type="checkbox"/> professional child care worker				
<input type="checkbox"/> day care				
<input type="checkbox"/> homemaker				
<input type="checkbox"/> material needs/financial assistance				
<input type="checkbox"/> housing				
<input type="checkbox"/> employment				
<input type="checkbox"/> child taken into care				
<input type="checkbox"/> other				

Elaborate on any of the above information

Reporting society	Date
Caseworker(s) (type name(s))	Signature(s)



Ministry of  
Community and  
Social Services  
Ontario

Form 3  
Child and Family Services Act

Child Abuse Register

<b>Child</b>							
Last name		First name(s)					
Known as (if applicable)				Sex	Birthdate or approx. age (y, m, d)	File No.	
<b>Alleged Abuser</b>							
Last name		First name(s)		Relationship to child			
Known as (if applicable)				Sex	Birthdate or approx. age (y, m, d)		
Mailing address							
<b>Incident</b>							
Date (y, m, d)	Date Not Known	Episodic/ongoing From (Date)	Date reported to CAS (y, m, d)	Previous abuse report to Ministry <input type="checkbox"/> No <input type="checkbox"/> Yes		Date(s) (y, m, d)	By
<b>Reporting Society</b>			Form 1 signed by:		Registered by:		
Name of Society					Child Abuse Registrar		
Name(s) of caseworker(s)			Dated (y, m, d)		Date (y, m, d)		
0460 (12/85) Front							
No letter sent: <input type="checkbox"/> address unknown <input type="checkbox"/> abuser unidentified							
Date letter sent (y, m, d)						Other language	
Date letter returned (y, m, d)		Disposition of returned letter		<input type="checkbox"/> Direct <input type="checkbox"/> c/o CAS <input type="checkbox"/> Other			

Inspected as per the *Child and Family Services Act* Clause 76(2)(b) by:

Signature	Date (y, m, d)
Witnessed by	

0460 (12/85) Reverse



**Children's Law Reform Act**  
**Loi portant réforme du droit de l'enfance**

**REGULATION 72**

**FORMS**

- 1. A declaratory order under section 4 or 5 of the Act may contain a recital in Form 1. R.R.O. 1980, Reg. 99, s. 1.
- 2.—(1) A statutory declaration affirming parentage under subsection 12 (1) of the Act shall be in Form 2.
- (2) A joint statutory declaration affirming parentage under subsection 12 (2) of the Act shall be in Form 3. O. Reg. 458/86, s. 1.
- 3. A finding of parentage in an order or judgment that is to be referred to in a statement furnished under section 14 of the Act may be in Form 4. R.R.O. 1980, Reg. 99, s. 3.
- 4. A statement furnished under section 14 of the Act respecting an order or judgment that confirms or makes a finding of parentage shall be in Form 5. R.R.O. 1980, Reg. 99, s. 4.

**Form 1**

*Children's Law Reform Act*

**RECITAL FOR ORDER UNDER SECTION 4 OR 5 OF ACT**

Upon the application of .....  
 for an order declaring that .....  
 is the (father or mother of) .....  
(name of child)

and upon .....

and it appearing that .....  
(name of child)

was born on the ..... day of ....., 19....., at .....  
(place of birth)

and the birth is registered as number .....

R.R.O. 1980, Reg. 99, Form 1.

Registration Number .....  
(to be filled in by Registrar General)

**Form 2**

*Children's Law Reform Act*

**DECLARATION AFFIRMING PARENTAGE**

I, ..... of the .....  
(name in full) (status of municipality)

of ..... in the .....  
(name of municipality) (regional municipality, county or district)

of ..... in the .....  
(province or state)

of ..... solemnly declare that I am the mother/father of  
 .....  
(surname of child) (given names)

a ..... child born on .....  
(male/female) (date)

at .....  
(place)

Birth registration number (if known) .....

My date of birth is .....

My place of birth is .....

My social insurance number is .....

and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath:

Declared before me )  
at the ..... )  
of ..... )  
this ..... day of )  
....., 19..... ) .....  
..... ) (signature of deponent)  
..... )  
A Commissioner, etc. )

O. Reg. 458/86, s. 2, part.

Registration Number .....  
(to be filled in by Registrar General)

**Form 3**

*Children's Law Reform Act*

**JOINT DECLARATION AFFIRMING PARENTAGE**

1. I, ..... of the .....  
(mother's name in full) (status of municipality)  
of ..... in the .....  
(name of municipality) (regional municipality, county or district)  
of ..... in the .....  
(province or state)  
of ..... solemnly declare that I am the mother of  
..... (surname of child) ..... (given names)  
a ..... child born on .....  
(male/female) (date)  
at .....  
(place)

Birth registration number (if known) .....

My social insurance number is .....

2. I, ..... of the .....  
(father's name in full) (status of municipality)  
of ..... in the .....  
(name of municipality) (regional municipality, county or district)  
of ..... in the .....  
(province or state)

of ..... solemnly declare that I am the father of the child referred to in paragraph 1.

My social insurance number is .....

and we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Severally declared before me )  
 at the ..... )  
 of ..... ) (signature of mother)  
 this ..... day of )  
 ....., 19..... ) (signature of father)  
 ..... )  
 A Commissioner, etc. )

O. Reg. 458/86, s. 2, part.

**Form 4**

*Children's Law Reform Act*

**FINDING OF PARENTAGE**

This court finds that a relationship of parentage has been established and,

(a) that the father is,

.....  
 (surname)  
 .....  
 (given names)  
 .....  
 (address)  
 .....  
 (date of birth)  
 .....  
 (social insurance number)

(b) that the mother is,

.....  
 (surname)  
 .....  
 (given names)  
 .....  
 (address)  
 .....  
 (date of birth)  
 .....  
 (social insurance number)

(c) and that the child is,

.....  
 (surname)  
 .....  
 (given names)  
 .....  
 (sex)  
 .....  
 (date of birth)  
 .....  
 (place of birth)  
 .....  
 (birth registration number)

O. Reg. 458/86, s. 2, part.

Registration Number .....  
(to be filled in by Registrar General)

**Form 5**

*Children's Law Reform Act*

STATEMENT OF FINDING OF PARENTAGE

In the ....., file number .....

Nature of proceeding .....

Parties .....

Date of Order or Judgment .....

Entry Number .....

I, ....., registrar/clerk of the above court hereby state that the order/judgment in the above-mentioned matter confirms or makes a finding of parentage setting out the following particulars:

Father: Surname .....

Given name(s) .....

Address .....

Birth date .....

Social Insurance Number .....

Mother: Surname .....

Given name(s) .....

Address .....

Birth date .....

Social Insurance Number .....

Child: Surname .....

Given name(s) .....

Sex .....

Birth date .....

Place of birth .....

Birth registration number .....

Signature ..... Date .....

O. Reg. 458/86, s. 2, part.



## Chiroprody Act *Loi sur les podologues*

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### REGULATION 73

#### GENERAL

##### INTERPRETATION

#### 1. In this Regulation,

“credit card” means a credit card that is accepted by a chiroprapist pursuant to a standard form of agreement that requires the provider of the credit card to rely upon the provider’s contract with the card holder or card sales slip to enforce payment of money owed and not upon a patient record of the chiroprapist;

“misconduct” means,

- (a) contravening any provision of the Act, the regulations or the *Health Insurance Act*,
- (b) failing to maintain the standards of practice of the profession,
- (c) contravening while engaged in the practice of chiroprody, any federal, provincial or municipal law, regulation or rule or a by-law of a hospital designed to protect the health of the public,
- (d) engaging in the practice of chiroprody while the ability to perform any professional service is impaired by alcohol, a drug, illness or other dysfunction,
- (e) providing treatment to a patient where the chiroprapist knows or ought to know that the provision of the treatment is ineffective, unnecessary or deleterious to the patient or is inappropriate to meet the needs of the patient,
- (f) failing to advise the patient to consult with a legally qualified practitioner where the chiroprapist recognizes or ought to recognize a condition that is beyond the competence or experience of the chiroprapist or that requires such a consultation to ensure the proper care of the patient,
- (g) failing to provide, within a reasonable time and without cause, any report or certificate requested by a patient or the patient’s authorized agent in respect of a service performed by the chiroprapist or a fee charged for a service,
- (h) knowingly submitting a false or misleading account for services rendered to a patient,
  - (i) sexual impropriety with a patient,
- (j) charging a fee that is excessive in relation to the services performed,
- (k) failing to notify the patient of the fees charged for the chiroprapist’s services prior to rendering the services to the patient where the services of a chiroprapist are not insured services under the *Health Insurance Act* or another health insurance plan of which the patient is a member,
- (l) sharing fees with any person who has referred a patient to a chiroprapist or receiving fees from any person to whom the chiroprapist has referred a patient or requesting or accepting a rebate or commission for the referral of a patient,

- (m) selling a professional account to a third party,
- (n) falsifying a patient record for any purpose,
- (o) giving information concerning a patient’s condition or any professional services performed for a patient to any person other than the patient without the prior consent of the patient, unless required to do so by law,
- (p) permitting, counselling or assisting any person who is not registered under the Act to engage in the practice of chiroprody,
- (q) causing or permitting directly or indirectly the publishing, displaying, distributing or using of any advertisement relating to the practice of chiroprody that,
  - (i) is false, misleading or self-laudatory,
  - (ii) makes any claim or guarantee as to the quality or efficacy of services provided by the chiroprapist,
  - (iii) promotes the excessive or unnecessary use of professional services, or
  - (iv) endorses a product,
- (r) using any title, prefix or affix other than the name of the chiroprapist followed by,
  - (i) the diploma or degree held by the chiroprapist, and
  - (ii) the word “chiroprapist” when the diploma or degree is given in chiroprody or the word “podiatrist” when the diploma or degree is given in podiatry,
- (s) having a conflict of interest in respect of the practice of chiroprody,
- (t) breaching an undertaking provided to the Board of Regents or a Committee thereof,
- (u) refusing to allow an authorized representative of the Board to enter at a reasonable time any premises in which the chiroprapist carries on the practice of chiroprody for the purpose of inspecting the chiroprapist’s practice, professional records and equipment or for any other purpose authorized by the Act or this Regulation,
- (v) failing to reply within thirty days to any written communication from the Board or its officers, employees or agents,
- (w) failure to maintain a record for each patient that does not contain,
  - (i) the name and address of the patient,
  - (ii) each date that the chiroprapist sees the patient,
  - (iii) a medical history of the patient,
  - (iv) a record of the patient’s diagnosis made by the chiroprapist,
  - (v) particulars of each service, treatment or advice provided to the patient, and

- (vi) fees and charges made with respect to the patient,
- (x) accepting a credit card to obtain payment for a chiropody service,
  - (i) that is prescribed as an insured service under Regulation 552 of Revised Regulations of Ontario, 1990 (General), or
  - (ii) prior to rendering the chiropody service,
- (y) accepting a credit card other than one defined in section 1 to obtain payment for a chiropody service,
- (z) conduct or an act relevant to the practice of a chiropodist that, having regard to all the circumstances, would reasonably be regarded as disgraceful, dishonourable or unprofessional;

“secretary-treasurer” means secretary-treasurer of the Board. R.R.O. 1980, Reg. 102, s. 1; O. Reg. 583/88, s. 1.

#### REGISTRATION

2. The secretary-treasurer shall maintain a register of persons admitted to practise as chiropodists. R.R.O. 1980, Reg. 102, s. 2.

3.—(1) The secretary-treasurer shall register as a chiropodist any person who,

- (a) is of good moral character;
- (b) is at least twenty-one years of age;
- (c) has passed the examination prescribed by section 12;
- (d) presents evidence that he or she has completed at least three months clinical experience in chiropody under the supervision of a registered chiropodist; and
- (e) pays a registration fee of \$200. R.R.O. 1980, Reg. 102, s. 3 (1); O. Reg. 24/83, s. 1 (1); O. Reg. 103/87, s. 1 (1); O. Reg. 688/90, s. 1 (1).

(2) The secretary-treasurer shall register any person who,

- (a) is registered as a chiropodist in a jurisdiction,
  - (i) outside Ontario under provisions similar to this Regulation, and
  - (ii) in which persons registered as chiropodists under the Act may register without examination; and
- (b) pays a registration fee of \$500. R.R.O. 1980, Reg. 102, s. 3 (2); O. Reg. 24/83, s. 1 (2); O. Reg. 18/84, s. 1; O. Reg. 688/90, s. 1 (2).

(3) The secretary-treasurer shall register as a chiropodist any person who,

- (a) is registered, or who in the opinion of the Chiropodists Board is eligible to be registered as a chiropodist in the Chiropodists Register by the Chiropodists Board in accordance with the provisions of the *Professions Supplementary to Medicine Act, 1960* (United Kingdom); and
- (b) pays a registration fee of \$200. O. Reg. 169/81, s. 1; O. Reg. 103/87, s. 1 (2); O. Reg. 688/90, s. 1 (3).

(4) The secretary-treasurer shall register as a chiropodist any person who,

- (a) presents evidence that he or she has successfully completed a diploma program in chiropody at a college of applied arts

and technology in Ontario, approved by the Ministry of Colleges and Universities; and

- (b) pays a registration fee of \$200. O. Reg. 590/81, s. 1; O. Reg. 103/87, s. 1 (3); O. Reg. 688/90, s. 1 (4).

4. The secretary-treasurer shall issue a certificate,

- (a) of registration in Form 1 to a chiropodist who is registered; and
- (b) of renewal of registration in Form 2 to a chiropodist whose registration is renewed. R.R.O. 1980, Reg. 102, s. 4.

5.—(1) The registration of a chiropodist expires with the first Monday in March in each year. O. Reg. 94/85, s. 1.

(2) The secretary-treasurer shall renew the registration of a chiropodist who,

- (a) applies for renewal within two years from the time his or her registration expired; and
- (b) pays the appropriate fee set out in section 7. O. Reg. 103/87, s. 2.

6. Where a chiropodist fails to pay the renewal fee on or before the expiry date, the secretary-treasurer shall notify the chiropodist by registered mail addressed to his or her last known address on the register that his or her registration has expired. R.R.O. 1980, Reg. 102, s. 6 (1).

7.—(1) The fee to renew the registration of a chiropodist registered under subsection 3 (1) or (2) is \$500 if the registration is renewed before it expires and \$550 if it is renewed after.

(2) The fee to renew the registration of a chiropodist registered under subsection 3 (3) or (4) is \$325 if the registration is renewed before it expires and \$375 if it is renewed after.

(3) Despite subsections (1) and (2), the fee to renew the registration of a chiropodist is \$200 if the chiropodist is not actively engaged in the practice of chiropody in Ontario. O. Reg. 688/90, s. 2.

#### DISCIPLINE

8.—(1) No chiropodist shall practise in the employment of or in association with a commercial business, or in a manner that is likely to appear to the public to be in the employment of or in association with a commercial business, other than to treat the employees of the business.

(2) Subsection (1) does not affect an agreement existing on the 11th day of February, 1958. R.R.O. 1980, Reg. 102, s. 8 (2, 3).

9.—(1) The Board may, after a hearing, suspend or cancel the registration of any chiropodist found to have been,

- (a) guilty of misconduct or any violation of the Act or this Regulation; or
- (b) ignorant or incompetent.

(2) Before holding a hearing, the Board shall send by registered mail to the chiropodist at his or her last known address on the register a notice,

- (a) giving the details of the alleged misconduct, violation, ignorance or incompetence and the nature of the evidence in support thereof; and
- (b) appointing the date, time and place for the hearing.

(3) The Board shall allow at least ten clear days between the date of sending the notice and the date of the hearing.

(4) If the chiropodist fails to attend the hearing on the date and at the time and place appointed, the hearing may proceed and a decision may be made in his or her absence.

(5) At the hearing, the chiropodist is entitled to hear the evidence against him or her, to cross-examine thereon, to call witnesses in his or her behalf and to present his or her argument.

(6) The chiropodist may be represented at the hearing by counsel or by an agent.

(7) Where the Board decides to suspend the registration, the period of suspension shall not be longer than thirty days. R.R.O. 1980, Reg. 102, s. 9.

10.—(1) The Board may appoint an inspector for the investigation of complaints made against a chiropodist.

(2) The inspector shall investigate a written complaint that a registered chiropodist has been guilty of misconduct or displayed such ignorance or incompetence as to render it desirable in the public interest that his or her registration be cancelled or suspended.

(3) The Board shall pay the salary and expenses of the inspector out of funds at the disposal of the Board. R.R.O. 1980, Reg. 102, s. 10.

11.—(1) The Board may appoint a chiropodist to investigate or assist the inspector in investigating a complaint.

- (2) A chiropodist appointed under subsection (1) shall be paid,
- (a) a daily fee not exceeding \$175; and
  - (b) the actual amount spent in travelling and living expenses. R.R.O. 1980, Reg. 102, s. 11.

#### EXAMINATIONS

12.—(1) The Board shall conduct or cause to be conducted examinations at least once a year.

(2) The Board shall conduct or cause to be conducted supplemental examinations within four months after each examination under subsection (1).

- (3) The subjects for examination,
- (a) shall,
    - (i) be limited in their scope to cover only the requirements for chiropody, and
    - (ii) require such medical and surgical knowledge as is required for the practice of chiropody; and
  - (b) may be written, oral or clinical.
- (4) The subjects for examination are,
- (a) anatomy and histology;
  - (b) bacteriology;
  - (c) chemistry, materia medica and therapeutics;
  - (d) clinical chiropody and technique;
  - (e) dermatology and syphilology;
  - (f) hygiene and sanitation;
  - (g) pathology;
  - (h) physiology; and

- (i) X-ray and diagnosis. R.R.O. 1980, Reg. 102, s. 12.

13.—(1) The Board shall appoint at least two chiropodists as examiners, one of whom shall be a member of the Board.

(2) The Board shall cause the examiners to prescribe the examinations for the admission of chiropodists to practise in Ontario upon the subjects set out in subsection 12 (4).

(3) The examiners shall submit to the Board the examinations prescribed under subsection (2).

(4) If the Board approves the examinations submitted under subsection (3), the examiners shall examine the applicants in accordance with the prescribed examinations at a time and place determined by the Board. R.R.O. 1980, Reg. 102, s. 13.

14. The Board shall,

- (a) review all examination marks given to an applicant and the papers written by him or her; and
- (b) approve a mark given by the examiners or order the re-examination of the applicant. R.R.O. 1980, Reg. 102, s. 14.

15. Examiners appointed under this Regulation shall receive their actual expenses together with,

- (a) \$250 in respect of all applicants trying complete examinations; or
- (b) \$50 for each subject for each applicant being re-examined. R.R.O. 1980, Reg. 102, s. 15.

16.—(1) Any person who,

- (a) is of good moral character;
- (b) has Grade 13 standing in nine papers including physics, chemistry, botany and zoology or an equivalent standing as determined by the Minister of Health; and
- (c) has graduated from a school or college referred to in section 20,

may apply to the secretary-treasurer as a candidate for the examinations.

(2) Application for examination shall be made in Form 3 to the secretary-treasurer at least fifteen days before the examination is to be held.

(3) The application shall be accompanied by,

- (a) two character references from persons who are not related to the applicant by blood or marriage;
- (b) evidence of Grade 13 standing in nine papers including physics, chemistry, botany and zoology or an equivalent standing as determined by the Minister of Health;
- (c) a certificate in Form 4 from the head of the teaching staff of a school, college or university approved by the Board;
- (d) a certificate in Form 5 signed by a chiropodist;
- (e) a diploma or certificate or a photostatic copy thereof from a school, college or university approved by the Board;
- (f) the prescribed examination fee; and
- (g) an unmounted photograph of the applicant,
  - (i) not larger than 8.8 centimetres by 12.5 centimetres,

- (ii) taken within three months of the date of the application, and
- (iii) certified by the head of the teaching staff of the school, college or university referred to in clause (c), or by two chiropodists, to be a true photograph of the applicant.

(4) The Board shall review the application and, if it complies with this Regulation, the Board shall cause the secretary-treasurer to notify the candidate of the time and place fixed for the examination. R.R.O. 1980, Reg. 102, s. 16.

17.—(1) A person who has,

- (a) been notified under section 16; and
- (b) paid the fee prescribed by section 19,

may try the examinations.

(2) An applicant passes the examinations if he or she obtains,

- (a) at least 55 per cent of the total marks in each subject; and
- (b) an average of at least 60 per cent of the total marks of all subjects.

(3) A person who has,

- (a) tried the examinations;
- (b) failed in three subjects or fewer; and
- (c) paid the fee prescribed by section 19,

may be re-examined in the subjects in which he or she has failed.

(4) Where an applicant fails in one or more subjects upon re-examination under subsection (3), he or she shall not be re-examined further. R.R.O. 1980, Reg. 102, s. 17.

18. A person who is trying an examination or re-examination shall be allowed not less than,

- (a) 1 1/2 hours for each subject written; and
- (b) thirty minutes for an oral examination in any subject for which an oral examination is required. R.R.O. 1980, Reg. 102, s. 18.

19. A person shall pay on examination a fee of,

- (a) \$400 for an examination tried under subsection 17 (1); and
- (b) \$50 for each subject at a re-examination under subsection 17 (3). R.R.O. 1980, Reg. 102, s. 19; O. Reg. 103/87, s. 5.

#### APPROVED SCHOOLS

20. The Board shall not approve a school, college or university unless it,

- (a) requires a candidate for admission to have Grade 13 standing in nine papers including physics, chemistry, botany and zoology or an equivalent standing as determined by the Minister of Health;
- (b) gives a four-year course of instruction in chiropody; and
- (c) is accredited by the Council on Education of The Canadian Association of Chiropodists. R.R.O. 1980, Reg. 102, s. 20.

#### PROCEDURE OF THE BOARD

21.—(1) The chair shall,

- (a) subject to subsection (2), preside at all meetings of the Board;
- (b) sign the minutes of each meeting when approved by the Board; and
- (c) carry out the duties assigned to him or her by the Board.

(2) If the chair is absent from a meeting of the Board, the vice-chair shall preside at the meeting. R.R.O. 1980, Reg. 102, s. 21.

22.—(1) Three members of the Board constitute a quorum.

(2) If a vote at a meeting of the Board is tied, the person presiding at the meeting shall have a second vote. R.R.O. 1980, Reg. 102, s. 22.

23.—(1) The chair may call a meeting of the Board but shall call a meeting upon the written request of two members.

(2) The chair shall give the secretary-treasurer two weeks notice of each meeting called. R.R.O. 1980, Reg. 102, s. 23.

24. At least one week before a meeting of the Board, the secretary-treasurer shall give notice of the meeting in writing to each member of the Board. R.R.O. 1980, Reg. 102, s. 24.

25.—(1) The secretary-treasurer shall,

- (a) prepare before the 1st day of March in each year a list, in alphabetical order, of all chiropodists on the register with their addresses; and
- (b) submit the list to the chair.

(2) If the chair approves the list, the secretary-treasurer shall send a copy of the list to each chiropodist. R.R.O. 1980, Reg. 102, s. 25.

26. A member of the Board may inspect at any time the books, records or correspondence of the Board in the possession of the secretary-treasurer. R.R.O. 1980, Reg. 102, s. 26.

27. The secretary-treasurer is responsible for,

- (a) the correspondence of the Board;
- (b) taking and keeping the minutes of all meetings of the Board;
- (c) keeping the books of account;
- (d) receiving and depositing to the credit of, the Board in a bank designated by the Board all money paid to the Board;
- (e) keeping a record of the results of all examinations and re-examinations; and
- (f) carrying out all instructions of the Board. R.R.O. 1980, Reg. 102, s. 27.

28. The fiscal year of the Board ends with the 31st day of December in each year. R.R.O. 1980, Reg. 102, s. 28

29.—(1) The Board shall appoint a person other than a chiropodist as an auditor.

(2) The auditor shall audit all books and records of the Board after the first Monday in February and before the 7th day of March in each year. R.R.O. 1980, Reg. 102, s. 29.

ALLOWANCE FOR BOARD

30.—(1) Members of the Board shall be paid,

- (a) a daily allowance not exceeding \$150; and
- (b) the amount actually spent for travelling and living expenses,

while engaged on business of the Board. R.R.O. 1980, Reg. 102, s. 30 (1).

(2) The Board may employ such persons and services as are required and may pay the salaries, fees and expenses of the person out of the funds at the disposal of the Board. R.R.O. 1980, Reg. 102, s. 30 (3).

Form 1

Chiroprody Act

CERTIFICATE OF REGISTRATION AS A CHIROPODIST

Certificate No. ....

This is to certify that under the *Chiroprody Act*, and the regulations, ..... (name)

is registered as a chiroprodist.

Dated ..... day of ....., 19 .....

Secretary-Treasurer of Board of Regents

R.R.O. 1980, Reg. 102, Form 1.

Form 2

Chiroprody Act

CERTIFICATE OF RENEWAL OF REGISTRATION

19....

No. .... Date .....

This is to certify that the registration of ..... (name)

as a chiroprodist has been renewed for the year ending with the first Monday in February, 19....

Secretary-Treasurer of Board of Regents

R.R.O. 1980, Reg. 102, Form 2.

Form 3

Chiroprody Act

APPLICATION AS A CANDIDATE FOR EXAMINATION

To: The Secretary-Treasurer, Board of Regents, Address .....

I apply for registration as a chiroprodist and in support thereof submit the following information:

- 1. Name ..... (surname) (given names in full)
- 2. Place and date of birth .....
- 3. British subject ..... (yes or no)
- 4. Home address .....
- 5. Business address .....
- 6. I have practised in ..... (address) from ..... (date) to ..... (date)

7. I am a member of ..... (Association of Chiroprodists)

8. I am licensed or registered to practise chiroprody in ..... (province or state)

9. My preliminary educational qualifications are .....

10. Chiroprody Schools, Colleges or Universities attended .....

11. Length of course ..... (years) (months) (hours)

12. Date entered ..... Date graduated .....

13. The certificate or diploma ..... in Chiroprody was conferred on me by the ..... (name of school)

on ..... day of ....., 19....

14. Post-graduate courses .....

Date of Application .....

I certify that the information in this application is true. .... (signature of applicant)

R.R.O. 1980, Reg. 102, Form 3.

Form 4

Chiroprody Act

CERTIFICATE OF EDUCATION IN CHIROPODY

I certify that ..... (name of applicant)

attended ..... (name of school, college or university)

..... (address of school, college or university)

and received from this school, college or university on the .....

.... day of ....., 19.....

a diploma or certificate in chiropody .....  
(date of degree or diploma)

conferring .....

Dated at ..... this day of  
....., 19.....

.....  
(signature of head of  
teaching staff)

.....  
(name of school, college  
or university)

R.R.O. 1980, Reg. 102, Form 4.

**Form 5**

*Chiropody Act*

**CERTIFICATE OF INTERNSHIP**

I, .....,

a registered chiropodist, certify that .....  
(name of

..... has completed, .....  
applicant)

months of clinical experience as a chiropodist under my supervision.

Dated ....., 19.....

.....  
(signature of chiropodist)

.....  
(address of chiropodist)

R.R.O. 1980, Reg. 102, Form 5.

## Collection Agencies Act *Loi sur les agences de recouvrement*

### REGULATION 74

#### GENERAL

##### APPLICATION

1.—(1) An application for registration as a collection agency or a renewal thereof shall be in a form provided by the Minister.

(2) An application for registration as a collector or renewal thereof shall be in a form provided by the Minister.

(3) A notice by a collection agency under clause 20 (1) (a), (b) or (c) of the Act or by a collector under subsection 20 (2) of the Act shall be in a form provided by the Minister.

(4) A request for voluntary cancellation of registration under subsection 8 (7) of the Act shall be in a form provided by the Minister. O. Reg. 615/83, s. 1, *part*.

(5) When notified by the Registrar, the applicant shall file,

- (a) the examination fee prescribed in section 11;
- (b) the appropriate fee prescribed in section 11; and
- (c) the bond required by section 2. R.R.O. 1980, Reg. 103, s. 1 (7).

##### BONDS

2.—(1) Every applicant for registration as a collection agency shall be bonded.

(2) On an initial application, where the applicant has not acquired an operating collection agency, the amount of the bond shall be \$5,000.

(3) On subsequent applications for maintenance of registration or where the applicant has acquired an operating collection agency, the amount of the bond shall be based upon the amount of money collected by the collection agency in the calendar year immediately preceding the date of the application for registration.

(4) Where the amount collected was,

- (a) less than \$50,000, the amount of the bond shall be \$5,000;
- (b) \$50,000 or more but less than \$100,000, the amount of the bond shall be \$10,000;
- (c) \$100,000 or more but less than \$150,000, the amount of the bond shall be \$15,000;
- (d) \$150,000 or more but less than \$250,000, the amount of the bond shall be \$20,000; or
- (e) \$250,000 or more, the amount of the bond shall be \$25,000,

provided, however, that where the collection agency is involved in a prepaid collection service the Registrar may require any of the aforementioned amounts to be increased by an additional amount of up to \$20,000.

(5) The bond shall be,

- (a) the bond of a guarantee company approved under the *Guarantee Companies Securities Act*;
- (b) a personal bond accompanied by collateral security; or
- (c) the bond of a guarantor, other than a guarantee company, accompanied by collateral security.

(6) The classes of negotiable security that may be accepted as collateral security for a bond are,

- (a) bonds issued or guaranteed by Canada; or
- (b) bonds issued or guaranteed by any province of Canada.

(7) The collateral security referred to in subsection (5) shall be deposited with the Treasurer of Ontario and maintained at a market value of not less than the face value of the bond.

(8) The bond referred to in subsection (2) shall be in Form 1, Form 2 or Form 3, as the case may be. R.R.O. 1980, Reg. 103, s. 2.

3. A bond may be cancelled by any person bound thereunder by giving to the Registrar and the collection agency named in the bond at least two months notice in writing of intention to cancel and, subject to section 4, the bond shall be deemed to be cancelled on the date stated in the notice, which date shall be not less than two months after the receipt of the notice by the Registrar. R.R.O. 1980, Reg. 103, s. 3.

4. For the purpose of every act or omission occurring,

- (a) during the period of registration; or
- (b) during the period prior to cancellation of the bond under section 3, where there has been no termination of registration,

every bond shall continue in force and the collateral security, if any, shall remain on deposit for a period of two years following the termination of the registration or the cancellation of the bond, as the case may be. R.R.O. 1980, Reg. 103, s. 4.

5. Where a bond has been cancelled or the registration has been terminated, and the bond has not been forfeited, the Treasurer of Ontario may, two years following termination of the registration to which the bond relates or two years after the cancellation of the bond, deliver the collateral security to the person who deposited such security. R.R.O. 1980, Reg. 103, s. 5.

6. The Registrar may declare any bond mentioned in section 2 forfeited,

- (a) where a collection agency, in respect of whose conduct the bond has been conditioned or any collector or official of the collection agency has been convicted of,
  - (i) an offence under the Act, or
  - (ii) an offence involving fraud or theft or conspiracy to commit an offence involving fraud or theft under the Criminal Code (Canada),

and the conviction has become final;

- (b) where proceedings by or in respect of a collection agency, including any member of a partnership, in respect of whose conduct the bond has been conditioned, have been taken under the *Bankruptcy Act* (Canada) or by way of winding-up and a receiving order under the *Bankruptcy Act* (Canada) or a winding-up order has been made, and the order has become final;
- (c) where a judgment based on a finding of fraud has been given against a collection agency, including any member of a partnership, in respect of whose conduct the bond has been conditioned, or against a collector or other official for money collected for any other person and the judgment has become final; or
- (d) where judgment has been given against a collection agency, including any member of a partnership, in respect of whose conduct the bond has been conditioned or a collector or other official of the collection agency on any claim involving a collection matter, and the judgment has remained unsatisfied for a period of ninety days,

and thereupon the amount thereof becomes due and owing by the person bound thereby as a debt due the Crown in right of Ontario. R.R.O. 1980, Reg. 103, s. 6.

7. Where a bond secured by the deposit of collateral security is forfeited under section 6, the Treasurer of Ontario may sell the collateral security at the current market price. R.R.O. 1980, Reg. 103, s. 7.

8. Where the Crown in right of Ontario becomes a creditor of a person in respect of a debt to the Crown arising from the provisions of section 6, the Registrar may take such proceedings as he or she sees fit under the *Bankruptcy Act* (Canada), the *Courts of Justice Act*, the *Corporations Act* or the *Winding-up Act* (Canada) for the appointment of an interim receiver, custodian, trustee, receiver or liquidator, as the case may be. R.R.O. 1980, Reg. 103, s. 8.

9.—(1) The Treasurer of Ontario may in his or her discretion,

- (a) assign any bond forfeited under section 6 and transfer the collateral security, if any;
- (b) pay over any money recovered under the bond; or
- (c) pay over any money realized from the sale of the collateral security under section 7,

to any person who,

- (d) is a judgment creditor of any collection agency, including any member of a partnership, in respect of whose conduct the bond has been conditioned, or a collector or other official of the collection agency, where the judgment was based on a claim arising out of a transaction involving a collection matter;
- (e) in respect of a claim for less than \$100 against any collection agency, including any member of a partnership, in respect of whose conduct the bond has been conditioned, or a collector or other official of the collection agency, arising out of a transaction involving a collection matter, satisfies the Registrar as to the validity of such claim; or
- (f) has proven a claim in bankruptcy against any collection agency, including any member of a partnership, in respect of whose conduct the bond has been conditioned, in respect of any claim arising out of a transaction involving a collection matter,

provided that the claim or transaction occurred during the period referred to in clause 4 (a) or (b). R.R.O. 1980, Reg. 103, s. 9 (1).

(2) The Treasurer of Ontario may, where he or she considers it

advisable, without any order, pay the whole or any part of the proceeds referred to in clause (1) (b) or (c) to the Accountant of the Ontario Court in trust for such persons as are or may become entitled to share in the proceeds of the bond under the provisions of subsection (1). R.R.O. 1980, Reg. 103, s. 9 (2), *revised*.

10. Where a bond has been forfeited and the Treasurer of Ontario has not received notice in writing of any claim against the proceeds of the bond or such part as remains in his or her hands within two years of the forfeiture; the Treasurer of Ontario may pay the proceeds of the bond or the collateral security, or any part remaining, to any person who made a payment under the bond or who deposited the collateral security, after first deducting the amount of any expenses that have been incurred in connection with any investigation or otherwise relating to the collection agency in respect of whose conduct the bond was conditioned. R.R.O. 1980, Reg. 103, s. 10.

FEES

11. Fees payable to the Registrar are as follows:

1. Upon application for registration as a collection agency or renewal thereof .....	\$200
2. For each branch office .....	200
3. Upon application for registration as a collector or for renewal thereof .....	100
4. For written examination of an applicant for registration as a collection agency .....	10

R.R.O. 1980, Reg. 103, s. 11; O. Reg. 615/83, s. 2; O. Reg. 268/86, s. 1.

12. No person shall be registered as a collection agency or as a collector unless the person,

- (a) is a resident;
- (b) has had, where the person is an applicant for registration as a collection agency, at least two years of actual experience in all phases of the collection agency business, or has related experience that, in the opinion of the Registrar, is equivalent thereto; and
- (c) is eighteen years of age or over. R.R.O. 1980, Reg. 103, s. 12.

TERMS AND CONDITIONS OF REGISTRATION

13.—(1) Every registration expires on the date shown on the certificate of registration unless an application for renewal of registration in a form provided by the Minister, together with the appropriate fee prescribed in section 11, is filed with the Registrar prior to the date of expiry. O. Reg. 615/83, s. 3 (1).

(2) Every applicant for registration shall state in the application an address for service in Ontario.

(3) A collection agency shall not operate any branch office unless such branch office is authorized by the registration.

(4) Every applicant for registration as a collection agency shall file with the Registrar copies of all forms and form letters that it proposes to use in dealing with debtors, as well as copies of forms of agreement that it proposes to use in its dealings with persons for whom it acts or proposes to act. R.R.O. 1980, Reg. 103, s. 13 (2-4).

(5) Where an applicant for registration is a corporation, a copy of a current financial statement prepared by a person licensed under the *Public Accountancy Act*, or where the corporation is recently incorporated or is a sole proprietorship or partnership, an opening finan-



cial statement prepared by a person licensed under the *Public Accountancy Act* shall be attached to the application.

(6) A copy of the current financial statement prepared by a person licensed under the *Public Accountancy Act* shall be attached to the application for renewal referred to in subsection (1). O. Reg. 346/82, s. 1 (1).

(7) A registration of a collection agency is not transferable.

(8) A collector shall be registered only where he or she is to be employed by a registered collection agency. R.R.O. 1980, Reg. 103, s. 13 (7, 8).

(9) Where a collector has not applied for transfer of registration within sixty days after termination of employment and where he or she intends to continue to act as a collector, he or she shall apply for registration by filing an application in a form provided by the Minister. O. Reg. 615/83, s. 3 (2).

(10) Every person registered as a collection agency shall operate from a permanent place of business that is not a dwelling and that shall be open to the public during normal business hours.

(11) The Registrar may require further information or material to be submitted by any applicant or any registered person within a specific time limit and may require verification by affidavit or otherwise of any information or material then or previously submitted. R.R.O. 1980, Reg. 103, s. 13 (10, 11).

(12) Every collection agency or branch thereof shall keep on its premises proper records and books of accounts showing money received and money paid out and such books shall include a receipts journal, disbursements journal, general journal, clients' ledger, general ledger and such additional records as the Registrar considers necessary in accordance with accepted principles of double entry bookkeeping. O. Reg. 346/82, s. 1 (2).

(13) An entry in a record book of account kept under subsection (12) shall be retained for a period of six years from the date of the entry. O. Reg. 701/81, s. 1.

(14) Every person registered as a collection agency who collects debts for a single creditor who exercises control directly or indirectly over the agency shall not carry on business except on behalf of that creditor and shall disclose the full name of that creditor on all correspondence and communications.

(15) No person who is registered as a collector or as a collection agency shall engage directly or indirectly in the business of lending money whether as principal or as agent.

(16) Where a notice of intention to cancel a bond has been served on the Registrar under section 3 and the bond has been cancelled on the date stated in the notice, the registration of the collection agency shall no longer be valid unless prior to that date a replacement bond has been received by the Registrar. R.R.O. 1980, Reg. 103, s. 13 (13-15).

14. A financial statement referred to in subsection 13 (6) shall include a statement by the person who prepares the financial statement that the registrant has complied with the provisions of this regulation respecting trust accounts. O. Reg. 346/82, s. 2.

15.—(1) Every individual applicant and every active officer or director of a corporate applicant or registrant who has not been previously registered shall pass a written examination based on the Act and such further subject matters as the Registrar prescribes.

(2) Every collection agency that is not a corporation and every officer or director of a corporate collection agency, who has been previously registered but has not been registered under this Act for a period of one year or more preceding an application for registration, shall write and pass the examination referred to in subsection (1).

(3) No corporation shall be registered or shall maintain its registration as a collection agency unless all of its officers and directors who are actively engaged in the business of the agency have met the examination requirements.

(4) The examination shall be conducted in the presence of a presiding officer appointed by the Registrar or his or her nominee.

(5) The examination papers shall be marked by the Registrar or his or her nominee.

(6) Not less than 75 per cent shall be considered a pass mark for the examination.

(7) The Registrar or his or her nominee may review, and, where so requested in writing by an applicant who fails to obtain the pass mark prescribed in subsection (6), shall review the examination paper and make such changes in the marks obtained as he or she considers proper.

(8) Upon written application to the Registrar, an applicant who fails to obtain the pass mark prescribed in subsection (6) may take a further examination at any time, but where he or she fails the second examination, the applicant shall not take any subsequent examination until after the expiration of four months from the date of his or her latest examination. R.R.O. 1980, Reg. 103, s. 14.

16. Where a collection agency is a corporation it shall, within five days after the event, notify the Registrar in a form provided by the Minister where there is a change in a director of the corporation or where there is a change in its controlling interest. O. Reg. 615/83, s. 4.

#### TRUST FUNDS

17.—(1) All funds received by a collection agency in the normal course of business from clients or debtors, other than those which clearly represent payment for fees earned, and all advance payments or deposits for services to be rendered or expenses to be incurred at some future date are deemed to be trust funds.

(2) Every collection agency or branch thereof shall maintain in respect of all trust funds that come into its hands a separate trust account in any Province of Ontario Savings Office or any Ontario branch of a bank, a corporation registered under the *Loan and Trust Corporations Act* or a credit union as defined in the *Credit Unions and Caisses Populaires Act* authorized by law to accept deposits, and such account shall be designated as the "Collection Agencies Act Trust Account".

(3) For the purposes of this section, no collection agency or branch thereof shall maintain more than one account designated as a trust account without first notifying the Registrar and obtaining the Registrar's consent in writing.

(4) All trust funds received by a collection agency or branch thereof whether by cash, cheque, or otherwise, shall be deposited in the collection agency trust account within two banking days of their receipt.

(5) No collection agency shall disburse or withdraw any money held in trust, except in accordance with the terms and conditions upon which the money was received or as otherwise provided.

(6) Where a collection agency collects debts for other persons in consideration of the payment of a commission or other remuneration it shall remit all money collected to the persons entitled thereto in accordance with subsection 18 (1). R.R.O. 1980, Reg. 103, s. 16 (1-6).

(7) Nothing in this section shall be construed as affecting the right to any remedy available in law to a collection agency or any other person having a lawful claim to the money held in the trust account referred to in subsection (2).

(8) When so requested in writing by the Registrar or a person entitled to an accounting, every collection agency shall account within thirty days for all trust funds received from or on behalf of the person entitled to such accounting. R.R.O. 1980, Reg. 103, s. 16 (9, 10).

18.—(1) Every collection agency shall without any notice or demand account for all money collected and pay the money less the proper fees of such collection agency, to the person entitled thereto on or before the 20th day of the month following the month in which the money was collected, but when the money collected and due is less than \$15, payment to the person entitled thereto shall be made within ninety days.

(2) Where for any reason a collection agency is unable to comply with subsection (1) and any money collected by it remains for a period of 6 months unclaimed by, or unpaid to, the person entitled to the money, it shall cause the money to be paid to the Treasurer of Ontario who may pay the money to the person entitled thereto upon satisfactory proof being furnished by the person that the person is entitled to receive the money. R.R.O. 1980, Reg. 103, s. 17.

#### EXEMPTIONS

19. The Act does not apply to a telephone system or telephone company that is,

- (a) engaged in the business of a collection agency on behalf of Tele-Direct Limited or Tele-Direct (Publications) Inc.; or
- (b) collecting accounts through its normal procedures on behalf of other parties where use of a telecommunications system is an integral part of the service provided by such a party to its customers. R.R.O. 1980, Reg. 103, s. 18; O. Reg. 137/81, s. 1.

#### PROHIBITED PRACTICES AND METHODS IN THE COLLECTION OF DEBTS

20. No collection agency or collector shall,

- (a) attempt to collect payment of a debt from a debtor unless the collection agency or the collector has notified or has attempted to notify the debtor in writing by letter addressed to the debtor's last known address that the collection agency or collector has been engaged by the creditor to act in respect of the collection of the debt;
- (b) commence a legal proceeding with respect to the collection of a debt, or recommend to a creditor that a legal proceeding be commenced with respect to the collection of a debt, unless the collection agency or collector first gives notice to the debtor that the collection agency or the collector intends to commence the proceeding or recommend that a proceeding be commenced, as the case may be;
- (c) directly or indirectly threaten or state an intention to proceed with any action for which the collection agency or the collector does not have lawful authority;
- (d) make telephone calls or personal calls of such nature or with such frequency as to constitute harassment of the

debtor, his or her spouse or any member of his or her family or household;

- (e) make a telephone call or personal call for the purpose of demanding payment of a debt,
    - (i) on a Sunday, or
    - (ii) on a statutory holiday,
 or on any other day except between the hours of 7 o'clock in the forenoon and 9 o'clock in the afternoon;
  - (f) give any person, directly or indirectly, by implication or otherwise, any false or misleading information that may be detrimental to a debtor, his or her spouse or any member of his or her family;
  - (g) make a demand by telephone, by personal call or by writing for payment of a debt without indicating the name of the creditor, the balance of the moneys owing and the identity and authority of the person making the demand;
  - (h) where a person has informed the collection agency or the collector that the person is not in fact the debtor, continue to communicate with that person in respect of the collection of the debt unless the collection agency or the collector first takes all reasonable precautions to ensure that the person is in fact the debtor;
  - (i) commence or continue a court action in the name of the collection agency or collector for the recovery of the debt of a client unless the debt has been assigned to the collection agency or collector, as the case may be, in good faith by instrument in writing for valuable consideration and notice of such assignment has been given to the debtor; or
  - (j) commence a court action for the collection of the debt of a client in the name of the client unless the collection agency or collector has received express written authority from the client to commence such action. O. Reg. 590/83, s. 1, *part.*
21. Except for the purpose of obtaining the debtor's address or telephone number, no collection agency or collector shall contact a debtor's employer, spouse, relatives, neighbours or friends unless,
- (a) the person contacted has guaranteed to pay the debt and is being contacted in respect of such guarantee;
  - (b) the person contacted is the employer of the debtor and the collection agency or collector is contacting the employer in respect of payments pursuant to a wage assignment or an order or judgment made by a court in favour of the collection agency or of a creditor who is a client of the collection agency; or
  - (c) the person contacted is the employer of the debtor and the collection agency or collector is contacting the employer for the purpose of verifying the employment of the debtor. O. Reg. 590/83, s. 1, *part.*

Form 1

Collection Agencies Act

BOND OF A GUARANTEE COMPANY

APPROVED UNDER THE GUARANTEE COMPANIES SECURITIES ACT

Bond No. .... Amount \$.....

We ..... as Principal and

..... as Surety are held

and firmly bound unto Her Majesty in right of Ontario, the Obligee, in the sum of ..... Dollars (\$.....) of lawful money of

Canada, to be paid unto the Obligee, her successors and assigns, for which payment well and truly to be made, I, ..... bind myself,

(Name of Principal)

my heirs, executors, administrators and assigns, and we, ..... bind

(Name of Surety)

ourselves, our successors and assigns jointly and firmly by these presents.

The total liability imposed upon the Principal or Surety by this Bond and any and all renewals thereof shall be concurrent and not cumulative and shall in no event exceed the penal sum written above or the amount substituted for such penal sum by any subsequent endorsement or renewal certificate.

SEALED with our Seals and dated this ..... day of

....., 19....

THE CONDITION of the above obligation is such that if the said obligation does not by reason of any act, matter or thing at any time hereafter become or be forfeit under the Collection Agencies Act, then the obligation shall be void but otherwise shall be and remain in full force and effect and shall be subject to forfeiture as provided by the Act.

SIGNED, SEALED AND DELIVERED, in the presence of Witness ..... (As to Signature of Principal)

..... Principal ..... (Signature of Principal)

Surety: .....

R.R.O. 1980, Reg. 103, Form 8.

Form 2

Collection Agencies Act

BOND OF GUARANTOR OTHER THAN GUARANTEE COMPANY

Bond No. .... Amount \$.....

We ..... as Principal and

..... as Surety are held

and firmly bound unto Her Majesty in right of Ontario, the Obligee, in the sum of ..... Dollars (\$.....) of lawful money of

Canada, to be paid unto the Obligee, her successors and assigns, for which payment well and truly to be made I, ....., bind myself,

(name of Principal)

my heirs, executors, administrators and assigns and I, the said ..... (name of Guarantor)

guarantee the payment of the sum of ..... Dollars (\$.....) to the Obligee and I, the said

..... bind myself, my heirs, executors, administrators and assigns,

(name of Guarantor)

jointly and firmly by these presents and by depositing with the Obligees ..... as collateral security to this Bond.

The total liability imposed upon the Principal or Guarantor by this Bond and any and all renewals thereof shall be concurrent and not cumulative and shall in no event exceed the penal sum written above or the amount substituted for such penal sum by any subsequent endorsement or renewal certificate.

SEALED with our seals and dated this ..... day of ....., 19....

THE CONDITION of the above obligation is such that if the said obligation does not by reason of any act, matter or thing at any time hereafter become or be forfeit under the Collection Agencies Act, then the said obligation shall be void but otherwise shall be and remain in full force and effect and shall be subject to forfeiture as provided by the Act.

SIGNED, SEALED AND DELIVERED

in the presence of

.....  
.....

Principal .....

Guarantor .....

R.R.O. 1980, Reg. 103, Form 9, revised.

Form 3

Collection Agencies Act

PERSONAL BOND

Bond No. ....

Amount \$.....

I, .....  
the Obligor, am held and firmly bound under Her Majesty in right of Ontario, the Obligees, in the sum of ..... Dollars (\$.....) of lawful money of Canada, to be paid unto the Obligees, her successors and assigns, for which payment well and truly to be made, I, ..... bind myself, my heirs, executors, administrators and  
(name of Obligor)  
assigns, and I, ..... deposit with the Obligees .....  
(name of Obligor)  
as collateral security to this Bond.

SEALED with my seal and dated this ..... day of ....., 19....

THE CONDITION of the above obligation is such that if the said obligation does not by reason of any act, matter or thing at any time hereafter become or be forfeit under the Collection Agencies Act, then the said obligation shall be void but otherwise shall be and remain in full force and effect and shall be subject to forfeiture as provided by the Act.

SIGNED, SEALED AND DELIVERED

in the presence of

.....  
.....

Obligor .....

.....

R.R.O. 1980, Reg. 103, Form 10.

## Commercial Concentration Tax Act *Loi de l'impôt sur les concentrations commerciales*

### REGULATION 75

#### GENERAL

1.—(1) For the purpose of subsections 15 (11) and 16 (20) of the Act, the prescribed rate of interest shall be determined using the following rules:

1. The rate of interest shall be reviewed semi-annually and adjusted effective the 1st day of April and the 1st day of October in each year and shall remain in force until the next adjustment date.
2. If the interest adjustment date is the 1st day of April, the rate of interest shall be the mean, rounded to the nearest whole percentage point, of the prime rates of The Royal Bank of Canada, The Bank of Nova Scotia, the Canadian Imperial Bank of Commerce, the Bank of Montreal and The Toronto-Dominion Bank on the 15th day of January of that year.
3. If the interest adjustment date is the 1st day of October, the rate of interest shall be the mean, rounded to the nearest whole percentage point, of the prime rates of The Royal Bank of Canada, The Bank of Nova Scotia, the Canadian Imperial Bank of Commerce, the Bank of Montreal and The Toronto-Dominion Bank on the 15th day of July of that year.

(2) The Minister shall print the rate determined under subsection (1) in the first issue of *The Ontario Gazette* that is published after the coming into force of that rate.

(3) In this section, “prime rate” means the annual rate of interest from time to time announced by each bank referred to in paragraphs 2 and 3 of subsection (1) to be its prime or reference rate of interest then in effect for determining interest rates on Canadian dollar commercial loans by that bank in Canada. O. Reg. 526/90, s. 1.

2. For the purpose of section 2 of the Act, “shared facilities” includes,

- (a) a common utility system, such as a common system for conducting and supplying water, ventilation and air conditioning, lighting or heating;

(b) common entrances, exits, halls, aisles, atria or malls; or

(c) architectural or structural design integrity below ground such as malls,

but excludes structures that connect two or more buildings and are designed only for vehicle parking or pedestrian movement, whether above or below ground. O. Reg. 526/90, s. 2.

3. For the purpose of subsection 4 (2) of the Act, a “research and development facility” means land that is used primarily for scientific research and experimental development within the meaning of the *Income Tax Act* (Canada) and regulations under it. O. Reg. 526/90, s. 3.

4. For the purpose of subsection 4 (4) of the Act, “on a seasonal basis” refers to a commercial parking lot operating,

(a) for a period not exceeding six consecutive months within any consecutive twelve-month period; or

(b) for a maximum of any ninety days within the taxation year. O. Reg. 526/90, s. 4.

5. The following commercial properties are exempt from the tax imposed by the Act:

1. Toronto International Convention Centre  
6900 Airport Road, Mississauga.

2. Metro East Trade Centre  
1899 Brock Road, Pickering.

3. Canadian Standards Association Building  
178 Rexdale Boulevard, Etobicoke.

4. Bell Canada switching stations at  
11-15 Asquith Avenue, Toronto,  
220 Simcoe Street, Toronto, and  
76 Adelaide Street West, Toronto. O. Reg. 526/90, s. 5.

6. A notice of assessment under subsection 8 (1) of the Act shall be in Form 1. O. Reg. 577/90, s. 1.

7. A tax bill under subsection 15 (1) of the Act shall be in Form 2. O. Reg. 577/90, s. 2.

**Form 1**  
**Formule 1**

*Commercial Concentration Tax Act*  
*Loi de l'impôt sur les concentrations commerciales*



Ontario

Ministry of Revenue  
Ministère du Revenu

**Notice of Assessment for Commercial Concentration Tax**  
**Avis d'évaluation pour l'impôt sur les concentrations commerciales**

Effective From / Date de prise d'effet

Those commercial properties which exceed 18,600 square metres in floor area and all commercial parking lots and garages within the Greater Toronto Area are assessed for taxation under the provisions of the *Commercial Concentration Tax Act*.

This Notice of Assessment for Commercial Concentration Tax (CCT) is mailed to the registered owner(s) of every property liable for CCT.

A tax bill based on these assessments will be issued in accordance with section 15 of the *Commercial Concentration Tax Act*.

*Les biens immeubles commerciaux dont la surface au sol dépasse 18 600 mètres carrés et tous les parcs de stationnement et garages commerciaux de l'agglomération torontoise sont évalués en vue de déterminer l'impôt à payer en vertu de la Loi de l'impôt sur les concentrations commerciales.*

*Le présent avis d'évaluation pour l'impôt sur les concentrations commerciales (ICC) est envoyé par la poste au(x) propriétaire(s) inscrit(s) de chaque bien immeuble assujéti à l'ICC.*

*Un relevé d'imposition correspondant à l'évaluation sera produit conformément à l'article 15 de la Loi de l'impôt sur les concentrations commerciales.*

Name and Mailing Address / *Nom et adresse postale*

Parcel Identifier / *Identification de la parcelle*

Nbhd  
*Quartier*

Municipality / *Municipalité*

Location and Description / *Emplacement et description*

If you require assistance or would like to arrange a meeting with an assessor to discuss the information shown on this Notice, please contact the Regional Assessment Office at:

An amended Notice will be issued if any of the information on this Notice is shown to be incorrect before

*Si vous avez besoin d'aide ou si vous désirez rencontrer un évaluateur pour discuter des renseignements que contient l'avis, veuillez communiquer avec le bureau régional d'évaluation à :*

*Un avis modifié sera produit s'il est établi que des renseignements que contient l'avis sont incorrects, avant le*

*Cut on this line*

*Coupez sur le pointillé*

**Complaint Form – Commercial Concentration Tax**

**Formule de plainte – Impôt sur les concentrations commerciales**

If you believe your assessment is too high, you or your agent may lodge a complaint with the Assessment Review Board by completing this Complaint Form and mailing it to the Regional Registrar of the Assessment Review Board at the address shown below before

Appeals of legal issues, such as liability for CCT, are dealt with by the Ontario Court (General Division) under section 12 of the *Commercial Concentration Tax Act*. For information on filing an appeal under section 12, contact the Regional Assessment Office.

Indicate whether this complaint relates to:

- Building area     Parking area  
 Both building and parking area

*Si vous êtes d'avis que votre évaluation est trop élevée, vous ou votre mandataire pouvez déposer une plainte auprès de la Commission de révision de l'évaluation foncière en remplissant la présente formule de plainte et en la postant au greffier régional de la Commission de révision de l'évaluation foncière, à l'adresse indiquée ci-dessous, avant le*

*Les appels portant sur les questions juridiques, par exemple, l'assujettissement à l'impôt sur les concentrations commerciales, relèvent de la Cour de l'Ontario (Division générale) en vertu de l'article 12 de la Loi de l'impôt sur les concentrations commerciales. Pour obtenir des renseignements sur le dépôt d'un appel en vertu de l'article 12, veuillez communiquer avec le bureau régional d'évaluation.*

*Indiquer si la plainte se rapporte à :*

- la surface de bâtiment     la surface de stationnement  
 les deux

Name (Print) / <i>Nom (en lettres moulées)</i>	Date	Residence Telephone No. <i>N° de téléphone à domicile</i>	Business Telephone No. <i>N° de téléphone au bureau</i>
Signature		Parcel Identifier / <i>Identification de la parcelle</i>	Nbhd <i>Quartier</i>

**Form 2  
Formule 2**

*Commercial Concentration Tax Act  
Loi de l'impôt sur les concentrations commerciales*



**Commercial Concentration Tax Bill for 1990  
Relevé d'imposition sur la concentration commerciale pour l'année 1990**

**IMPORTANT**

A penalty of (maximum of \$ ) is charged on each instalment not paid on or before the due date. Interest at the prescribed rate accrues on the unpaid tax from due date until payment is received.  
 Une pénalité de (jusqu'à concurrence de \$) s'applique aux versements non effectués au plus tard à la date d'échéance. L'intérêt sur l'impôt non acquitté est calculé, au taux prescrit, à compter de la date d'échéance jusqu'à la réception du paiement.

Name and Mailing Address / Nom et adresse postale

Parcel Identifier / Identification de la parcelle
Municipality / Municipalité
Location and Description / Emplacement et description

The Commercial Concentration Tax rate is:	Taxable Area (square metres) / Surface imposable (mètres carrés)	Tax Rate \$ (per square metre) / Taux d'imposition (mètres carrés)	Tax \$ / Impôt
(i) Commercial properties - \$ for each square metre by which the gross area exceeds square metres.			
(ii) Commercial parking lots and garages - \$ for each square metre of area.			
<b>Le taux d'imposition sur la concentration commerciale est de:</b>			
(i) Biens immeubles commerciaux: \$ pour chaque mètre carré au-delà d'une surface hors-tout de mètres carrés.			
(ii) Parcs de stationnement et garages commerciaux: \$ pour chaque mètre carré de surface.			
	<b>TOTAL ANNUAL TAX IMPÔT ANNUEL TOTAL</b>		

Account No. / N° de compte	INSTALMENT VERSEMENT	Due Date (day/month/year) / Date d'échéance (jour/mois/année)	Current Tax \$ / Impôt à payer	Arrears \$ / arriérés	Total \$
Effective From (day/month/year) / Date d'entrée en vigueur (jour/mois/année)	FIRST PREMIER				
Date of Mailing (day/month/year) / Date de mise à la poste (jour/mois/année)	SECOND DEUXIÈME				

Detach and return the remittance advice with your payment. / Détacher ici et renvoyer l'avis de versement avec le paiement.



**Remittance Advice - First Instalment  
Commercial Concentration Tax  
Avis de versement - Premier versement  
Taxe sur la concentration commerciale**

Account No. / N° de compte

Name and Mailing Address / Nom et adresse postale

Parcel Identifier / Identification de la parcelle

Tax Year / Année d'imposition	1990
Due Date (day/month/year) / Date d'échéance (jour/mois/année)	
Total Due \$ / Total à payer	
Payment Enclosed \$ / Paiement joint	





**Commissioners for Taking Affidavits Act**  
***Loi sur les commissaires aux affidavits***

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**REGULATION 76**

**FEEES**

1. The fee payable to the Crown by commissioners under the Act is,

- (a) for an appointment, \$54; and
- (b) for a renewal of an appointment, \$38. O. Reg. 611/85, s. 1.

2. Section 1 does not apply to the appointment or the renewal of an appointment of a commissioner who is an employee of,

- (a) the Government of Canada;
  - (b) the Government of Ontario;
  - (c) a municipality in Ontario where the appointment or renewal of appointment is made upon the request of the head of the municipality; or
  - (d) an approved agency under the *Child and Family Services Act* where the appointment or renewal or appointment is made upon the request of the Ministry of Community and Social Services. R.R.O. 1980, Reg. 104, s. 2.
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**Commodity Boards and Marketing Agencies Act**  
*Loi sur les agences de commercialisation et les commissions de produits agricoles*

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**REGULATION 77****LEVIES—CREAM**

## INTERPRETATION

## 1. In this Regulation,

“commodity board” means The Ontario Cream Producers’ Marketing Board constituted under the *Milk Act*;

“cream” means cream delivered to a plant in Ontario for manufacture into creamery butter;

“plant” means a cheese factory, concentrated milk plant, cream receiving station, creamery, dairy or milk receiving station;

“producer” means a person engaged in the production of cream;

“quota” means a quota for the marketing of cream fixed and allotted by the commodity board to a producer. R.R.O. 1980, Reg. 105, s. 1.

## LEVIES

2.—(1) Every producer to whom a quota has been fixed and allotted shall pay to the commodity board, in addition to licence fees imposed under the *Milk Act*, levies at the rate of \$4.14 for each kilogram of milk-fat sold or delivered by the producer to a plant that is in excess of the quota fixed and allotted to the producer. R.R.O. 1980, Reg. 105, s. 2 (1); O. Reg. 379/82, s. 1 (1); O. Reg. 855/82, s. 1 (1); O. Reg. 482/83, s. 1 (1).

(2) Every producer to whom a quota has not been fixed and allotted shall pay to the commodity board, in addition to licence fees imposed under the *Milk Act*, levies at the rate of \$4.14 for each kilogram of milk-fat sold or delivered by the producer to a plant. R.R.O. 1980, Reg. 105, s. 2 (2); O. Reg. 379/82, s. 1 (2); O. Reg. 855/82, s. 1 (2); O. Reg. 482/83, s. 1 (2).

(3) Every producer shall pay to the commodity board any levies payable by the producer in respect of cream sold and delivered in any month that were not deducted and forwarded to the commodity board by the person who received the cream from the producer, not later than the 15th day of the next following month. R.R.O. 1980, Reg. 105, s. 2 (3), *revised*.

**REGULATION 78****LEVIES—MILK**

## DEFINITIONS

## 1. In this Regulation,

“commodity board” means The Ontario Milk Marketing Board constituted under the *Milk Act*;

“milk” means milk produced in Ontario from cows;

“producer” means a producer of milk in Ontario who sells milk to the commodity board;

“quota” means a quota fixed and allotted by the commodity board to

a producer in relation to the volume of sales by the commodity board of Classes 3, 4, 4a, 4b, 4c, 5, 5a and 6 milk as established by Regulation 753 of Revised Regulations of Ontario, 1990. R.R.O. 1980, Reg. 106, s. 1.

## LEVIES

2.—(1) Subject to subsection (4), every producer to whom a quota has been fixed and allotted shall pay to the commodity board, in addition to licence fees imposed under the *Milk Act*,

(a) levies at the rate of \$2.72 for each hectolitre of milk sold by the producer to the commodity board that is not in excess of such quota; and

(b) levies at the rate of \$17.03 for each hectolitre of milk sold by the producer to the commodity board that is in excess of such quota.

(2) Subject to subsection (4), every producer to whom a quota has not been fixed and allotted shall pay to the commodity board, in addition to the licence fees imposed under the *Milk Act*, levies at the rate of \$17.03 for each hectolitre of milk sold by the producer to the commodity board.

(3) The commodity board shall deduct from the money payable to a producer all levies payable by the producer to the commodity board under subsection (1) or (2).

(4) This section does not apply to that volume of milk sold by a producer to the commodity board for which the producer is paid the price for Class 1 or Class 2 milk plus 5.9 per cent of that volume. R.R.O. 1980, Reg. 106, s. 2.

**REGULATION 79****LEVIES OR CHARGES—CHICKEN**

## 1. In this Regulation,

“chicken” means chicken and parts thereof produced in Ontario;

“marketing agency” means the Canadian Chicken Marketing Agency constituted under the *Farm Products Marketing Agencies Act* (Canada). R.R.O. 1980, Reg. 107, s. 1.

2.—(1) Subject to subsections (2) and (3), the Lieutenant Governor in Council hereby grants to the marketing agency, in relation to the marketing of chicken locally within Ontario, authority to fix, impose and collect levies or charges from persons engaged in the production of chicken in Ontario and for such purpose to classify such persons into groups and fix the levies or charges payable by the members of the different groups in different amounts, and to use such levies or charges for the purposes of the marketing agency including the creation of reserves, the payment of expenses and losses resulting from the sale or disposal of any chicken and the equalization or adjustment among producers of chicken of money realized from the sale thereof during such period or periods of time as the marketing agency may determine. O. Reg. 687/87, s. 1, *part*.

(2) It is a condition of the grant of authority under subsection (1) that the marketing agency not fix, impose or collect a levy or charge of more than 50 cents per kilogram of chicken, live weight. O. Reg. 729/88, s. 1; O. Reg. 664/89, s. 1.

(3) The grant of authority under subsection (1) does not include the authority to fix, impose and collect levies or charges granted to The Ontario Chicken Producers' Marketing Board by Regulation 80 of Revised Regulations of Ontario, 1990. O. Reg. 687/87, s. 1, *part*.

3. Any person who receives chicken shall deduct from the money payable for the chicken any levies or charges payable to the marketing agency by the person from whom the chicken is received and shall forward such levies or charges to the Canadian Chicken Marketing Agency, or its agent designated for that purpose, not later than ten days from the last day of the week in which the chicken is received. R.R.O. 1980, Reg. 107, s. 3.

4. The marketing agency shall, at any time during normal office hours, make available to such auditor as the Minister of Agriculture and Food may designate, all books of account, records and documents relating to the receipt of funds under this Regulation and expenditures made by the marketing agency of money derived in whole or in part from funds received by the marketing agency under this Regulation. R.R.O. 1980, Reg. 107, s. 4.

## REGULATION 80

### LEVIES OR CHARGES—CHICKEN (OVER QUOTA)

1. In this Regulation,

"chicken" means chicken and parts thereof produced in Ontario;

"commodity board" means The Ontario Chicken Producers' Marketing Board constituted under the *Farm Products Marketing Act*. R.R.O. 1980, Reg. 108, s. 1.

2.—(1) Subject to subsection (2), the Lieutenant Governor in Council hereby grants to the commodity board, in relation to the marketing of chicken locally within Ontario, authority to fix, impose and collect levies or charges from persons engaged in the production or marketing of chicken in Ontario and for such purposes to classify such persons into groups and fix the levies or charges payable by the members of the different groups in different amounts and to use such levies or charges for the purposes of the commodity board including the creation of reserves, the payment of expenses and losses resulting from the sale or disposal of any chicken and the equalization or adjustment among producers of chicken of money realized from the sale thereof during such period or periods of time as the commodity board may determine. R.R.O. 1980, Reg. 108, s. 2 (1); O. Reg. 33/81, s. 1 (1).

(2) The commodity board shall fix, impose and collect levies under subsection (1) only on chicken produced or marketed by a producer in excess of the production quota fixed and allotted to the producer by the commodity board under the *Farm Products Marketing Act*. R.R.O. 1980, Reg. 108, s. 2 (2); O. Reg. 33/81, s. 1 (2).

3. Any person who receives chicken shall deduct from the money payable for the chicken any levies or charges payable to the commodity board by the person from whom he, she or it receives the chicken and shall forward such levies or charges to The Ontario Chicken Producers' Marketing Board within ten days after written request therefor has been made by The Ontario Chicken Producers' Marketing Board. R.R.O. 1980, Reg. 108, s. 3; O. Reg. 773/84, s. 1.

## REGULATION 81

### LEVIES OR CHARGES—CREAM

1. In this Regulation,

"commodity board" means The Ontario Cream Producers' Marketing Board constituted under the *Milk Act*;

"cream" means cream delivered to a plant in Ontario for manufacture into creamery butter. R.R.O. 1980, Reg. 109, s. 1.

2. The Lieutenant Governor in Council hereby grants to the commodity board, in relation to the marketing of cream locally within Ontario, authority to fix, impose and collect levies or charges from persons engaged in the production or marketing of cream and for such purpose to classify such persons into groups and fix the levies or charges payable by the members of the different groups in different amounts, and to use such levies or charges for the purposes of the commodity board, including the creation of reserves, the payment of expenses and losses resulting from the sale or disposal of any such cream and the equalization or adjustment among producers of cream of money realized from the sale thereof during such period or periods of time as the commodity board may determine. R.R.O. 1980, Reg. 109, s. 2.

3. Any person who receives cream shall deduct from the money payable for the cream any levies or charges payable to the commodity board by the person from whom the cream is received and shall forward such levies or charges to the commodity board not later than ten days from the last day of the month in which the person received the cream. R.R.O. 1980, Reg. 109, s. 3, *revised*.

## REGULATION 82

### LEVIES OR CHARGES—EGGS

1. In this Regulation,

"eggs" means eggs of a domestic hen other than hatching eggs;

"marketing agency" means the Canadian Egg Marketing Agency constituted under the *Farm Products Marketing Agencies Act* (Canada). R.R.O. 1980, Reg. 110, s. 1.

2.—(1) The Lieutenant Governor in Council hereby grants to the marketing agency, in relation to the marketing of eggs locally within Ontario the following authority:

1. To fix, impose and collect levies or charges from persons engaged in the production of eggs in Ontario.
2. For the purpose described in paragraph 1, to classify those persons into groups and fix the levies or charges payable by the members of different groups in different amounts, not exceeding in any case 10 cents per dozen of eggs.
3. To use those levies or charges for the purposes of the marketing agency as set out in subsection 2 (1) of the Act. O. Reg. 243/89, s. 1.

(2) The grant of authority under subsection (1) does not include the authority to fix, impose and collect levies or charges granted to The Ontario Egg Producers' Marketing Board by Regulation 83 of Revised Regulations of Ontario, 1990. O. Reg. 760/86, s. 1.

3. The Lieutenant Governor in Council further hereby grants to the marketing agency, in relation to the marketing of eggs locally within Ontario, authority to fix, impose and collect a charge from The Ontario Egg Producers' Marketing Board in the amount of \$3,791,899 and to use such charge for the purposes of the marketing agency, including the creation of reserves, the payment of expenses and losses resulting from the sale or disposal of any eggs and the equalization or adjustment among producers of eggs of money realized from the sale thereof during such period or periods of time as the marketing agency may determine. R.R.O. 1980, Reg. 110, s. 3.

4. The Lieutenant Governor in Council further hereby grants to the marketing agency, in relation to the marketing of eggs locally

within Ontario, authority to fix, impose and collect a charge from The Ontario Egg Producers' Marketing Board in the amount of \$1,181,067.53 plus an amount equal to such interest as may have accrued thereon during the period from the 15th day of December, 1979 to the date the charge is collected, and to use such charge for the purposes of the marketing agency, including the creation of reserves, the payment of expenses and losses resulting from the sale or disposal of any eggs and the equalization or adjustment among producers of eggs of money realized from the sale thereof during such period or periods of time as the marketing agency may determine. R.R.O. 1980, Reg. 110, s. 4.

5. The Lieutenant Governor in Council further hereby grants to the marketing agency, in relation to the marketing of eggs locally within Ontario, authority to fix, impose and collect a charge from The Ontario Egg Producers' Marketing Board in the amount of \$577,226.64, and to use such charge for the purposes of the marketing agency, including the creation of reserves, the payment of expenses and losses resulting from the sale or disposal of any eggs and the equalization or adjustment among producers of eggs of money realized from the sale thereof during such period or periods of time as the marketing agency may determine. O. Reg. 98/83, s. 1.

6. Any person who receives eggs shall deduct from the money payable for the eggs any levies or charges payable to the marketing agency by the person from whom the person receives the eggs and shall forward such levies or charges to the Canadian Egg Marketing Agency, or its agent designated for that purpose, not later than ten days from the last day of the week in which the person received the eggs. R.R.O. 1980, Reg. 110, s. 5.

7. The marketing agency shall, at any time, during normal office hours, make available to such auditor as the Minister of Agriculture and Food may designate, all books of account, records and documents relating to the receipt of funds pursuant to this Regulation and expenditures made by the marketing agency of money derived in whole or in part from funds received by the marketing agency under this Regulation. R.R.O. 1980, Reg. 110, s. 6.

### REGULATION 83

#### LEVIES OR CHARGES—EGGS (OVER QUOTA)

1. In this Regulation,

"commodity board" means The Ontario Egg Producers' Marketing Board constituted under the *Farm Products Marketing Act*;

"eggs" means eggs of a domestic hen produced in Ontario other than hatching eggs. O. Reg. 759/86, s. 1.

2.—(1) Subject to subsection (2), the Lieutenant Governor in Council hereby grants to the commodity board, in relation to the marketing of eggs locally within Ontario, authority to fix, impose and collect levies or charges from persons engaged in the production of eggs in Ontario and for those purposes to classify persons into groups and fix the levies or charges payable by the members of the different groups in different amounts and to use the levies or charges for the purposes of the commodity board, including the creation of reserves, the payment of expenses and losses resulting from the sale or disposal of any eggs and the equalization or adjustment among producers of eggs of money realized from the sale thereof during such period or periods as the commodity board may determine.

(2) The commodity board shall fix, impose and collect levies under subsection (1) only on,

(a) eggs produced by a producer in excess of the production quota fixed and allotted to the producer by the commodity board under the *Farm Products Marketing Act*; and

(b) eggs produced by a producer to whom the commodity

board has not fixed and allotted production quota. O. Reg. 759/86, s. 2.

3. Any person who receives eggs shall deduct from the money payable for the eggs any levies or charges payable to the commodity board by the person from whom he, she or it receives the eggs and shall forward the levies or charges to the commodity board within ten days after written request therefor has been made by the commodity board. O. Reg. 759/86, s. 3.

### REGULATION 84

#### LEVIES OR CHARGES—FOWL

1. In this Regulation,

"commodity board" means The Ontario Egg Producers' Marketing Board constituted under the *Farm Products Marketing Act*;

"fowl" means a domestic hen more than twenty weeks of age. R.R.O. 1980, Reg. 111, s. 1.

2. The Lieutenant Governor in Council hereby grants to the commodity board, in relation to the marketing of fowl locally within Ontario, authority to fix, impose and collect levies or charges from persons engaged in the production or marketing of fowl and for such purpose to classify such persons into groups and fix the levies or charges payable by the members of the different groups in different amounts, and to use such levies or charges for the purposes of the commodity board, including the creation of reserves, the payment of expenses and losses resulting from the sale or disposal of any such fowl and the equalization or adjustment among producers of fowl of money realized from the sale thereof during such period or periods of time as the commodity board may determine. R.R.O. 1980, Reg. 111, s. 2.

### REGULATION 85

#### LEVIES OR CHARGES—HATCHING EGGS

1. In this Regulation,

"hatching egg" means an egg intended to be hatched as a chick;

"marketing agency" means the Canadian Broiler Hatching Egg Agency constituted under the *Farm Products Marketing Agencies Act* (Canada). O. Reg. 367/87, s. 1.

2.—(1) The Lieutenant Governor in Council hereby grants to the marketing agency, in relation to the marketing of hatching eggs locally within Ontario, authority to fix, impose and collect levies or charges from persons engaged in the production of hatching eggs in Ontario and for such purpose to classify such persons into groups and fix the levies or charges payable by the members of the different groups in different amounts not exceeding, in any case, 0.5 cent for each hatching egg, and to use such levies or charges for the purposes of the marketing agency, including the creation of reserves, the payment of expenses and losses resulting from the sale or disposal of any hatching eggs, and the equalization or adjustment among producers of hatching eggs of money realized from the sale thereof during such period or periods of time as the marketing agency may determine.

(2) The grant of authority under subsection (1) does not include the authority to fix, impose and collect levies or charges on hatching eggs produced by a producer in excess of the production quota fixed and allotted to the producer by The Ontario Broiler and Roaster Hatching Egg and Chick Commission under the *Farm Products Marketing Act*. O. Reg. 367/87, s. 2.

3. Any person who receives hatching eggs shall deduct from the money payable for the hatching eggs any levies or charges payable to

the marketing agency by the person from whom he or she receives the hatching eggs and shall forward such levies or charges to the Canadian Broiler Hatching Egg Agency, or its agent designated for that purpose, not later than ten days after the last day of the week in which the person received the hatching eggs. O. Reg. 367/87, s. 3, revised.

4. The marketing agency shall, at any time during normal office hours, make available to such auditor as the Minister of Agriculture and Food may designate, all books of account, records and documents relating to the receipt of funds pursuant to this Regulation and expenditures made by the marketing agency of money derived in whole or in part from funds received by the marketing agency under this Regulation. O. Reg. 367/87, s. 4.

## REGULATION 86

### LEVIES OR CHARGES—HATCHING EGGS AND CHICKS (OVER QUOTA)

1. In this Regulation,

“commodity board” means the Ontario Broiler Hatching Egg and Chick Commission;

“regulated product” means a breeder chick, breeder cockerel, breeder hen, breeder pullet, chick, fowl or hatching egg. O. Reg. 95/90, s. 1.

2.—(1) Subject to subsection (2), the Lieutenant Governor in Council hereby grants to the commodity board, in relation to the marketing of a regulated product locally within Ontario, authority,

- (a) to fix, impose and collect levies or charges from persons engaged in the production or marketing of a regulated product in Ontario;
- (b) for the purposes referred to in clause (a), to classify persons into groups and fix the levies or charges payable by the members of the different groups in different amounts; and
- (c) to use the levies or charges for the purposes of the commodity board including,
  - (i) the creation of reserves,
  - (ii) the payment of expenses and losses resulting from the sale or disposal of any regulated product, and
  - (iii) the equalization or adjustment among producers of a regulated product of money realized from the sale of the product during the periods determined by the commodity board.

(2) The commodity board shall fix, impose and collect levies under subsection (1) only on,

- (a) a regulated product produced or marketed by a person in excess of the quota fixed and allotted to the person by the commodity board under the *Farm Products Marketing Act*; and
- (b) a regulated product produced or marketed by a person to whom the commodity board has not fixed and allotted a quota. O. Reg. 95/90, s. 2.

3. Any person who receives a regulated product shall deduct from the money payable for the regulated product any levies or charges payable to the commodity board by the person from whom the person receives the regulated product and shall forward the levies or charges to the commodity board within ten days after the commodity board has made a written request for them. O. Reg. 95/90, s. 3.

## REGULATION 87

### LEVIES OR CHARGES—MILK

1. In this Regulation,

“marketing agency” means the Canadian Dairy Commission constituted by the *Canadian Dairy Commission Act*;

“milk” means milk bought from producers and sold to processors by The Ontario Milk Marketing Board. R.R.O. 1980, Reg. 112, s. 1; O. Reg. 96/90, s. 1.

2.—(1) Subject to subsection (2), the Lieutenant Governor in Council hereby grants to the marketing agency, in relation to the marketing of milk locally within Ontario, authority to fix, impose and collect levies or charges from persons engaged in the production of milk in Ontario and for such purpose to classify such persons into groups and fix the levies or charges payable by the members of the different groups in different amounts, not exceeding in any case \$32 per hectolitre of milk, and to use such levies or charges for the purposes of the marketing agency, including the creation of reserves, the payment of expenses and losses resulting from the sale or disposal of evaporated milk, evaporated partly-skimmed milk, evaporated skim-milk, milk powder, skim-milk powder, butter and cheese and the equalization or adjustment among producers of milk of money realized from the sale thereof during such period or periods of time as the marketing agency may determine. R.R.O. 1980, Reg. 112, s. 2 (1); O. Reg. 518/82, s. 1; O. Reg. 814/82, s. 1(1); O. Reg. 426/85, s. 1 (1); O. Reg. 505/86, s. 1; O. Reg. 96/90, s. 2 (1).

(2) The Lieutenant Governor in Council hereby grants to the marketing agency, in relation to the marketing of milk locally within Ontario, authority to fix, impose and collect levies or charges from persons engaged in the production of milk in Ontario and for such purpose to classify such persons into groups and fix the levies or charges payable by the members of the different groups in different amounts, not exceeding in any case \$40 per hectolitre of milk,

- (a) where the milk was produced and sold by a person to whom a quota has been fixed and allotted by The Ontario Milk Marketing Board and such milk sold was in excess of such quota; or
- (b) where the milk was produced and sold by a person to whom no quota has been fixed and allotted by The Ontario Milk Marketing Board,

and to use such levies or charges for the purposes of the marketing agency, including the creation of reserves, the payment of expenses and losses resulting from the sale or disposal of evaporated milk, evaporated partly-skimmed milk, evaporated skim-milk, milk powder, skim-milk powder, butter and cheese and the equalization or adjustment among producers of milk of money realized from the sale thereof during such period or periods of time as the marketing agency may determine. R.R.O. 1980, Reg. 112, s. 2 (2); O. Reg. 275/82, s. 1; O. Reg. 814/82, s. 1 (2); O. Reg. 514/83, s. 1; O. Reg. 512/84, s. 1; O. Reg. 426/85, s. 1 (2); O. Reg. 96/90, s. 2 (2).

3. The Lieutenant Governor in Council hereby grants to the marketing agency, in relation to the marketing of milk locally within Ontario, authority to fix, impose and collect a charge from the Ontario Milk Marketing Board in the amount of \$35,782,343.10 and to use such charge for the purposes of the marketing agency, including the creation of reserves, the payment of expenses and losses resulting from the sale of evaporated milk, evaporated partly-skimmed milk, evaporated skim-milk, milk powder, skim-milk powder and butter and the equalization or adjustment among producers of milk of money realized from the sale thereof during such period or periods of time as the marketing agency may determine. R.R.O. 1980, Reg. 112, s. 3.

4. The Lieutenant Governor in Council hereby grants to the marketing agency, in relation to the marketing of milk locally within Ontario, authority to fix, impose and collect a charge from The

Ontario Milk Marketing Board in the amount of \$10,926,164.15, plus an amount equal to such interest as may have accrued thereon during the period from the 17th day of November, 1979 to the date the charge is collected and to use such charge for the purposes of the marketing agency, including the creation of reserves, the payment of expenses and losses resulting from the sale of evaporated milk, evaporated partly-skimmed milk, evaporated skim-milk, milk powder, skim-milk powder and butter and the equalization or adjustment among producers of milk of money realized from the sale thereof during such period or periods of time as the marketing agency may determine. R.R.O. 1980, Reg. 112, s. 4.

5. Any person who receives milk shall deduct from the money payable for the milk any levies or charges payable to the marketing agency by the person from whom the milk is received and shall forward such levies or charges to the marketing agency or its agent designated for that purpose, not later than ten days from the last day of the month following the month in which the milk was received. R.R.O. 1980, Reg. 112, s. 5.

6. The marketing agency shall, at any time during normal office hours, make available to such auditor as the Minister of Agriculture and Food may designate all books of account, records and documents relating to the receipt of funds under this Regulation and expenditures made by the marketing agency of money derived in whole or in part from funds received by the marketing agency pursuant to this Regulation. R.R.O. 1980, Reg. 112, s. 6.

## REGULATION 88

### LEVIES OR CHARGES—TOBACCO

1. In this Regulation,

“Board” means The Farm Products Marketing Board constituted under the *Farm Products Marketing Act*;

“commodity board” means The Ontario Flue-Cured Tobacco Growers' Marketing Board constituted under the *Farm Products Marketing Act*;

“tobacco” means unmanufactured flue-cured tobacco produced in Ontario, including flue-cured tobacco purchased or otherwise acquired by and readied for storage and sale by the commodity board. O. Reg. 619/86, s. 1.

2.—(1) The Lieutenant Governor in Council hereby grants to the commodity board, in relation to the marketing of tobacco locally within Ontario, authority to fix, impose and collect levies or charges from persons engaged in the production of tobacco in Ontario and for that purpose to classify such persons into groups and fix the levies or charges payable by the members of the different groups in differ-

ent amounts, not exceeding in any case 2 cents per pound of tobacco, and to use the levies or charges for the purposes of the commodity board, including the creation of reserves, the payment of expenses and losses resulting from the sale or disposal of any tobacco, and the equalization or adjustment among producers of tobacco of money realized from the sale thereof during such period or periods of time as the commodity board may determine.

(2) No regulation or order made or direction issued by the commodity board under subsection (1) takes effect until it is approved by the Board. O. Reg. 619/86, s. 2.

3. The commodity board shall, at any time during normal office hours, make available to such auditor as the Minister of Agriculture and Food may designate, all books of account, records and documents relating to the receipt of funds under this Regulation and expenditures made by the commodity board of money derived in whole or in part from funds received by the commodity board under this Regulation. O. Reg. 619/86, s. 3.

## REGULATION 89

### LEVIES OR CHARGES—TURKEYS

1. In this Regulation,

“commodity board” means The Ontario Turkey Producers' Marketing Board constituted under the *Farm Products Marketing Act*;

“turkeys” means turkeys produced or grown for the purpose of slaughter. R.R.O. 1980, Reg. 113, s. 1.

2. The Lieutenant Governor in Council hereby grants to the commodity board, in relation to the marketing of turkeys locally within Ontario, authority to fix, impose and collect levies or charges from persons engaged in the production or marketing of turkeys and for such purpose to classify such persons into groups and fix the levies or charges payable by the members of the different groups in different amounts, and to use such levies or charges for the purposes of the commodity board, including the creation of reserves, the payment of expenses and losses resulting from the sale or disposal of any such turkeys and the equalization or adjustment among producers of turkeys of money realized from the sale thereof during such period or periods of time as the commodity board may determine. R.R.O. 1980, Reg. 113, s. 2.

3. Any person who receives turkeys shall deduct from the money payable for the turkeys any levies or charges payable to the commodity board by the person from whom the turkeys were received and shall forward such levies or charges to the commodity board not later than ten days after the last day of the week in which the turkeys were received. R.R.O. 1980, Reg. 113, s. 3, *revised*.





## Commodity Futures Act

### *Loi sur les contrats à terme sur marchandises*

#### REGULATION 90

##### GENERAL

###### INTERPRETATION

1.—(1) Subject to subsection (2), the words and terms used herein that are defined in section 1 of the Act are used in this Regulation as therein defined unless otherwise defined in this Regulation or the context otherwise requires.

(2) The words and terms used herein that are defined in any Part of the Act are used as therein defined in the sections of this Regulation that relate to the subject-matter of that Part unless otherwise defined in this Regulation or the context otherwise requires. R.R.O. 1980, Reg. 114, s. 1.

###### DESIGNATION OF COMMODITIES

2. The following are designated as commodities under paragraph 5 of section 65 of the Act:

1. Government National Mortgage Association Certificates guaranteed by the Government National Mortgage Association of the United States of America.
2. Treasury bills, bonds and other evidences of indebtedness of the government of a country or of a political subdivision thereof.
3. Commercial paper of companies incorporated in the United States of America rated A-1 by Standard and Poor's Corporation and P-1 by Moody's Investor Service Inc.
4. Equity securities deliverable under a contract providing for the future delivery of equity securities traded on a commodity futures exchange registered by the Commission under section 19 of the Act.
5. Interests that are cash values deliverable under contracts traded on a commodity futures exchange, the amounts of which are determined with reference to,
  - i. indices of rates of interest,
  - ii. indices of prices or values, pertaining to any commodities, goods, articles, services, rights or interests or any combination thereof,
  - iii. a rate of interest, or
  - iv. an average of quotations for a rate of interest or for a series of rates of interest.
6. Interests that are cash values deliverable under contracts traded on a commodity futures exchange, the amounts of which are determined with reference to values of commodities. R.R.O. 1980, Reg. 114, s. 2; O. Reg. 809/82, s. 1; O. Reg. 622/84, s. 1; O. Reg. 289/89, s. 1.

###### EXECUTION AND CERTIFICATION OF DOCUMENTS

3.—(1) Except where otherwise provided in the Act or this Regulation, every document required or permitted to be filed with the Commission by an individual that is required to be signed or certified shall be manually signed and shall include below the signature the

name of the individual in typewritten or printed form. R.R.O. 1980, Reg. 114, s. 3 (1).

(2) Subject to subsection (3), every document required or permitted to be filed with the Commission by a person, other than an individual, or company that is required to be signed or certified shall be manually signed by an officer or director of the person or company or, subject to subsection (4), by the attorney or agent of the person or company and shall include below the signature the name of the officer, director, attorney or agent in typewritten or printed form. O. Reg. 226/81, s. 1.

(3) Where a partner signs or certifies a document required or permitted to be filed with the Commission on behalf of a professional partnership, the partner is not required to sign his or her name but if an individual other than a partner signs or certifies, the individual shall sign his or her name manually and the document shall include below the signature the name of the individual in typewritten or printed form.

(4) Where a document required or permitted to be filed with the Commission by any person or company has been executed by an attorney or agent of the person or company, a duly completed power of attorney or document of authority authorizing the signing of the document shall be filed with the document unless the Director permits the filing of the document without the power of attorney or document of authority. R.R.O. 1980, Reg. 114, s. 3 (3, 4).

###### FEES

4. Fees shall be paid to the Treasurer of Ontario in accordance with Schedule 1. O. Reg. 382/86, s. 1.

#### PART I INVESTIGATIONS

5. The following practices and procedures apply to investigations conducted under the Act:

1. Every summons issued by a person under subsection 7 (4) or section 9 of the Act shall be served personally on the individual summoned who shall be paid the like fees and allowances for attendance before the person as are paid for the attendance of a witness summoned to attend before the Ontario Court (General Division).
2. Every summons to a witness to appear before a person appointed to make an investigation under section 7 or 9 of the Act shall be in Form 1.
3. The service of a summons on a witness, the payment or tender of fees and allowances to the witness and the service of a notice on a witness may be proved by an affidavit in Form 2. R.R.O. 1980, Reg. 114, s. 5, *revised*.

#### PART II CONDITIONS OF RECOGNITION OF SELF REGULATORY BODIES

6. No association or organization shall be eligible for recognition as a self regulatory body under section 15 of the Act unless it has passed by-laws or regulations that impose requirements and conditions, applicable to its members who are dealers or advisers, that are deemed by the Commission to be substantially equivalent to the applicable requirements and conditions of registration set out in Part III. R.R.O. 1980, Reg. 114, s. 6.

### PART III REGISTRATION

#### INTERPRETATION

##### 7.—(1) In this Part,

“active assets” means money and the market value of assets readily convertible into money;

“adjusted liabilities” means total liabilities minus, without duplication, the sum of,

- (a) cash,
- (b) debit balances with deposit institutions,
- (c) the cash surrender value of life insurance where the registrant is the beneficiary,
- (d) the market value of securities that the registrant owns or has contracted to purchase, other than by way of commodity futures contract, and that have a margin rate of 5 per cent or less,
- (e) interest accrued to the registrant with respect to the securities referred to in clause (d), and
- (f) the market value of securities that have a margin rate of 5 per cent or less,
  - (i) included in non-segregated accounts of customers, partners, shareholders or dealers, or
  - (ii) held as collateral for secured loans receivable,

not exceeding the debit balance of the account or the secured loan receivable;

“anniversary date” means the day and month on which the current registration or renewal of registration was granted, but where any doubt exists, such date shall be determined by the Director;

“associate”, where used to indicate a relationship with any person or company means,

- (a) any company of which such person or company beneficially owns, directly or indirectly, voting securities carrying more than 10 per cent of the voting rights attached to all voting securities of the company for the time being outstanding,
- (b) any partner of that person or company,
- (c) any trust or estate in which such person or company has a substantial beneficial interest or as to which such person or company serves as trustee or in a similar capacity, and
- (d) any relative of such person, including the person’s spouse, or any relative of the person’s spouse, who has the same home as such person;

“Canadian Commodity Futures Examination” means an examination relating to the Canadian Commodity futures industry that has been prepared and is administered by the Canadian Securities Institute and is so designated by that Institute;

“Commodity Supervisors’ Examination” means an examination relating to the supervision of a dealer’s business that has been prepared by and is administered by the Canadian Securities Institute and is so designated by that Institute;

“dealer’s covering transaction” means a trade by a registered dealer in a commodity under a commodity futures contract or the acquisition by a registered dealer of a commodity futures option to enter into a commodity futures contract for the purpose of offsetting a

price risk incidental to the dealer’s ownership or cash or spot purchases or sales of a commodity, where the dealer, in relation to the commodity under the commodity futures contract,

- (a) assumes or acquires the right to assume,
  - (i) a short position that offsets the dealer’s ownership or purchase at a fixed price of,
    - (A) a like quantity of the same commodity that the dealer is obliged to deliver under the commodity futures contract, or
    - (B) an equivalent quantity of any other commodity, if the fluctuations in value of that commodity are substantially related to the fluctuations in value of the commodity that the dealer is obliged to deliver under the commodity futures contract, or
  - (ii) a long position that offsets the dealer’s forward sale at a fixed price of,
    - (A) a like quantity of the same commodity that the dealer is obliged to take delivery of under the commodity futures contract, or
    - (B) an equivalent quantity of any other commodity, if the fluctuations in value of that commodity are substantially related to the fluctuations in value of the commodity that the dealer is obliged to take delivery of under the commodity futures contract, and
- (b) effects liquidating trades in relation to positions assumed in the circumstances set out in clause (a);

“deposit institution” means,

- (a) a bank to which the *Bank Act* (Canada) applies,
- (b) a loan corporation or trust corporation registered under the *Loan and Trust Corporations Act*,
- (c) a credit union or credit union league incorporated under the provisions of the *Credit Unions and Caisses Populaires Act*, and
- (d) a member commercial bank of the Federal Reserve System of the United States of America;

“director”, where used in relation to a person includes a person acting in a capacity similar to that of a director of a company;

“financial institution” means,

- (a) the Government of Canada, the government of any province or territory of Canada, any municipal corporation, crown corporation or public board or commission in Canada,
- (b) the Bank of Canada, a bank to which the *Bank Act* (Canada) applies, any Quebec savings bank, and the pension funds of such banks,
- (c) a trust corporation or insurance company that is licensed to do business in Canada and has a minimum paid up capital and surplus of \$5,000,000, and the pension funds of such companies,
- (d) a credit union or credit union league with a minimum paid up capital and surplus of \$5,000,000,
- (e) a mutual fund with net assets of \$5,000,000, and

(f) a company, other than a dealer, having a minimum net worth of \$25,000,000 on the last audited balance sheet of the company, if the balance sheet is available for inspection by the Commission, and any trustee pension plan of such a company;

“liquid capital” means the amount by which active assets exceed the sum of total liabilities, but liquid capital may be increased by adding,

- (a) the loan value of any securities delivered pursuant to a subordinated loan agreement in the form prescribed by the Commission that are not included in the accounts, and
- (b) non-current liabilities fully secured by mortgages on real estate owned by the registrant;

“loan value” means the market value of such securities less the applicable margin requirements;

“margin”, “margin rate” and “margin requirements”, where used with respect to,

- (a) contracts, other than contracts entered into to effect a dealer’s covering transaction, means the minimum dollar amount per contract required under the rules and regulations of the commodity futures exchange on which the contract was entered into or required by the Commission that must be deposited with a member of the commodity futures exchange for the purpose of ensuring performance of obligations under the contract, and includes “original margin” or “initial margin”, being the amount that must be deposited on entering the contract, and “variation margin”, being the amount that must be deposited by a party to the contract to restore margin on deposit to original margin or initial margin when the margin on deposit falls to or under the required maintenance level because of adverse movement in the price of the commodity,
- (b) cash commodities, including securities and not including the currencies of Canada and the United States of America, means,
  - (i) the margin, margin rate or margin requirements established for the commodity by the Toronto Stock Exchange under by-laws of the Exchange, or
  - (ii) where by-laws referred to in subclause (i) are not applicable, 5 per cent of the market value of the commodity, if the owner of the commodity is a party to a contract representing a short hedge for a like quantity of the commodity, or 20 per cent of the market value of the commodity if the owner is not a party to such a contract;

“margin deficiency”, where used in relation to a customer’s account, including a customer’s account in a group of two or more customers’ accounts for which trades are effected through an omnibus account means, for the purpose of calculating net free capital, the amount by which deposits in a customer’s account are, at any time, below,

- (a) the maintenance level of deposits established by a commodity futures exchange or clearing house for the account, or
- (b) where a maintenance level is not established for the account, the original margin or initial margin established by a commodity futures exchange for the account;

“market value”, where used with respect to,

- (a) a commodity futures contract, means the settlement price on the relevant date or last trading day prior to the relevant date,

(b) a security, means

- (i) where a security is listed and posted for trading on a stock exchange,

(A) the bid price, or

(B) if the security is sold short, the ask price,

as shown on the exchange quotation sheets as of the close of business on the relevant date or last trading day prior to the relevant date, as the case may be, subject to an appropriate adjustment where an unusually large or unusually small quantity of securities is being valued, and

- (ii) where a security is not listed and posted for trading on a stock exchange, a value determined in accordance with subsection (3);

“minimum free capital” means the applicable amount determined in accordance with section 14;

“National Commodity Futures Examination” means an examination relating to the commodity futures industry that has been prepared by the Chicago Board of Trade and is administered in the United States of America by the National Association of Securities Dealers, Inc. and is administered in Canada by the Canadian Securities Institute;

“net free capital” means liquid capital after deducting,

- (a) the amount required to provide full margin for,

(i) cash commodities, other than securities, owned by the registrant,

(ii) securities owned by the registrant and securities sold short by the registrant,

(iii) firm trading accounts, and

- (b) the amount sufficient to provide for any margin deficiencies on,

(i) secured loans receivable,

(ii) customers’ accounts,

(iii) partners’ or shareholders’ accounts, other than trading,

(iv) secured loans payable by the registrant if the collateral is held by other than the registrant or a financial institution, and

(v) any other liquid capital items;

“omnibus account” means an account carried by a dealer for another dealer in which the transactions of two or more persons or companies are combined and effected in the name of the second mentioned dealer without disclosure of the identity of such persons or companies;

“total liabilities” means all liabilities including,

- (a) adequate provision for income taxes, and

(b) other accruals,

but excluding,

- (c) debts, the payment of which is postponed in favour of other creditors of the registrant pursuant to a subordination agreement in form approved by the Commission, and

(d) deferred income taxes relating to non-active assets;

“working capital” means the excess of current assets over current liabilities determined in accordance with generally accepted accounting principles. R.R.O. 1980, Reg. 114, s. 7 (1); O. Reg. 226/81, s. 2 (1-5).

(2) For the purposes of this Regulation, where a recommendation has been made in the Handbook of the Canadian Institute of Chartered Accountants which is applicable in the circumstances, the terms “generally accepted accounting principles”, “auditor’s report” and “generally accepted auditing standards” mean the principles, report and standards, respectively, recommended in the Handbook. R.R.O. 1980, Reg. 114, s. 7 (2).

(3) The market value of a security not listed and posted for trading on a stock exchange shall be determined as follows:

1. Subject to paragraphs 2, 3 and 4, the registrant shall assign a reasonable value on the basis of values shown on published market reports or inter-dealer quotation sheets on the relevant date or the last trading day prior to the relevant date.
2. The registrant may vary a value from that shown on published market reports or inter-dealer quotation sheets where, in light of all the circumstances, some other value would be more appropriate.
3. The Director may require that a different value from that determined under paragraph 1 or 2 be assigned, where in light of all the circumstances, some other value would be more appropriate.
4. Where no published market report or inter-dealer quotation sheet exists with respect to the security, the security shall be assigned a market value of zero unless the Director agrees otherwise. O. Reg. 226/81, s. 2 (6).

(4) A company shall be deemed to be an affiliate of another company if one of them is the subsidiary of the other or if both are subsidiaries of the same company or if each of them is controlled by the same person or company.

(5) A company shall be deemed to be controlled by another person or company or by two or more companies if,

- (a) voting securities of the first-mentioned company carrying more than 50 per cent of the votes for the election of directors are held, otherwise than by way of security only, by or for the benefit of the other person or company or by or for the benefit of the other companies; and
  - (b) the votes carried by such securities are entitled, if exercised, to elect a majority of the board of directors of the first-mentioned company.
- (6) A company shall be deemed to be a subsidiary of another company if,

- (a) it is controlled by,
  - (i) that other, or
  - (ii) that other and one or more companies each of which is controlled by that other, or
  - (iii) two or more companies each of which is controlled by that other; or
- (b) it is a subsidiary of a company that is that other’s subsidiary. R.R.O. 1980, Reg. 114, s. 7 (4-6).

#### CATEGORIES OF REGISTRATION

8.—(1) Every registrant who is a dealer shall elect to be classified into one of the following categories:

1. Futures commission merchant.
2. Introducing broker but only a person or company resident in Ontario and not a registrant or an associate of a registrant under the *Securities Act* may elect to be classified in this category.
3. Non-resident carrying broker but only a person or company not resident in Ontario, who is registered as a futures commission merchant with the Commodity Futures Trading Commission under the *Commodity Exchange Act* (U.S.) and who is a clearing member of an exchange recognized by the Commission under section 34 of the Act or designated as a contract market under the *Commodity Exchange Act* (U.S.) may elect to be classified in this category.

(2) Every registrant who is an adviser shall elect to be classified into one or more of the following categories:

1. Commodity trading adviser, but only a person or company that holds himself, herself or itself out as engaging in the business of advising others either directly or through publications or writings as to trading in contracts but that does not purport to design such advice to accord with the financial objectives of specific customers, or intends so to act, may elect to be classified in this category.
2. Commodity trading counsel, but only a person or company that engages in or holds himself, herself or itself out as engaging in the business of advising others as to trading in specific contracts or that is primarily engaged in giving continuous advice as to trading in contracts on the basis of the particular objectives of each customer, or intends so to act, may elect to be classified in this category.
3. Commodity trading manager, but only a person or company that has elected to be classified as a commodity trading counsel and that engages in or holds himself, herself or itself out as engaging in the business of managing trading in contracts for customers through discretionary authority granted by one or more customers, or intends so to act, may elect to be classified in this category. R.R.O. 1980, Reg. 114, s. 8.

#### CONDITIONS OF REGISTRATION—GENERAL

9.—(1) No registration or renewal of registration shall be granted unless the applicant has complied with the applicable requirements of this Part at the time of the granting of the registration or renewal of registration.

(2) Each registrant shall comply with the applicable requirements of this Part and the failure to do so shall be considered by the Commission in any proceeding under section 24 of the Act.

(3) No registrant or partner, officer or associate of a registrant shall have a direct or indirect interest in any other registrant without the approval of the Director. R.R.O. 1980, Reg. 114, s. 9.

#### NON-RESIDENT CARRYING BROKERS CONDITIONS OF REGISTRATION

10.—(1) Every non-resident carrying broker shall appoint an agent for service in Ontario, acceptable to the Director, and shall not change such agent without the prior consent of the Director.

(2) Every non-resident carrying broker shall submit to, and have approved by, the Director the document appointing the agent referred to in subsection (1) and any amendments at any time proposed therein.

(3) Every non-resident carrying broker shall, subject to section 32 of the Act, trade only in contracts for the customers of an introducing broker.

(4) Every non-resident carrying broker that trades in contracts for a customer of an introducing broker shall send, in the non-resident carrying broker's firm name, to the customer of the introducing broker confirmations, statements of purchase and sale and monthly statements relating to such trades.

(5) Every non-resident carrying broker that trades in contracts for a customer of an introducing broker shall forward all funds accruing to the customer as the result of the trades exclusively to the customer or to a person or company designated in writing by the customer but in no event to the introducing broker or any associate of the introducing broker.

(6) Subject to subsection (7), every non-resident carrying broker shall enter into a written guarantee, on terms acceptable to the Director, with each customer of an introducing broker for whom the non-resident carrying broker trades in contracts or with a trust corporation registered under the *Loan and Trust Corporations Act* under which the non-resident carrying broker agrees to pay to any customer of the introducing broker all sums which the introducing broker becomes legally obliged to pay to the customer as damages if such legal liability arises out of the introducing broker's performance of services for the customer in the introducing broker's capacity as a dealer.

(7) Where the Commission is satisfied it would not be prejudicial to the public interest, it may exempt, subject to such terms and conditions as it may impose, a non-resident carrying broker from the requirements of subsection (6).

(8) Subject to subsection (9) and unless the Director is otherwise satisfied as to their availability within a reasonable time to any person lawfully entitled to examine them, every registered non-resident carrying broker shall maintain in Ontario such records as are necessary to record properly the non-resident carrying broker's business transactions and financial affairs in Ontario.

(9) A registered non-resident carrying broker may keep the records referred to in subsection (8) by means of mechanical, electronic or other devices where the registrant,

- (a) takes adequate precautions, appropriate to the means used, to guard against the risk of falsification of the information recorded; and
- (b) provides a means for making the information available in an accurate and intelligible form within a reasonable time to any person lawfully entitled to examine the records.

(10) An applicant for registration as a non-resident carrying broker shall complete and execute Form 6.

(11) Section 40 and subsection 41 (1) apply with necessary modifications to the renewal of the registration of a non-resident carrying broker and subsections 43 (1) and (2) apply with necessary modifications to the amendment of such registration.

(12) Unless an express reference requires it, no other section of this Regulation other than sections 7, 8, and 9, applies to non-resident carrying brokers. R.R.O. 1980, Reg. 114, s. 10.

#### FUTURES COMMISSION MERCHANTS AND INTRODUCING BROKERS

##### *Conditions of Registration— Minimum Personnel*

11.—(1) Subject to subsection (2), every futures commission merchant and introducing broker shall have available to serve customers not less than,

- (a) two individuals,
  - (i) each of whom is registered as a partner or officer of the dealer or as a salesperson, or
  - (ii) one of whom is registered as a partner or officer of the dealer or as a salesperson and one of whom is the individual responsible for discharging the obligations of a person or company registered as a partner of the dealer; and
- (b) either of,
  - (i) a third individual as is referred to in clause (a), or
  - (ii) an employee of the dealer authorized by an individual referred to in clause (a) to accept customers' unsolicited instructions in his or her absence and designated by the Director under subsection 22 (3) of the Act as non-trading,

but the dealer need only make available two of such individuals at any time in normal circumstances and during usual business hours.

(2) The Director may exempt, subject to such terms and conditions as the Director may impose, a futures commission merchant or an introducing broker from the requirement of subsection (1) where the Director is satisfied that adequate service will be available to the customers of the dealer although fewer individuals than are required under subsection (1) are available to serve customers. R.R.O. 1980, Reg. 114, s. 11.

#### FUTURES COMMISSION MERCHANTS

##### *Conditions of Registration— Trading for Customers of Introducing Broker*

12.—(1) Every registered futures commission merchant that trades in contracts for a customer of an introducing broker and receives the money, securities or property to guarantee such trades or contracts shall send, in the futures commission merchant's firm name, to the customer of the introducing broker confirmations, statements of purchase and sale and monthly statements relating to such trades.

(2) Every registered futures commission merchant that trades in contracts for a customer of an introducing broker and receives the money, securities or property to guarantee such trades or contracts shall forward all funds accruing to the customer as the result of the trades exclusively to the customer or to a person or company designated in writing by the customer but in no event to the introducing broker or any associate of the introducing broker.

(3) Subject to subsection (4), every registered futures commission merchant that trades in contracts for the customers of an introducing broker and receives the money, securities or property to guarantee such trades or contracts shall enter into a written guarantee on terms acceptable to the Director, with each customer of an introducing broker for whom the futures commission merchant trades in contracts or with a trust corporation registered under the *Loan and Trust Corporations Act* under which the futures commission merchant agrees to pay to any customer of the introducing broker all sums which the introducing broker becomes legally obliged to pay to the customer as damages if such legal liability arises out of the introducing broker's performance of services for the customer in the introducing broker's capacity as a dealer.

(4) Where the Commission is satisfied it would not be prejudicial to the public interest, it may exempt, subject to such terms and conditions as it may impose, a futures commission merchant from the requirements of subsection (3). R.R.O. 1980, Reg. 114, s. 12.

## INTRODUCING BROKERS

*Conditions of Registration—Transmission of Customers' Margin to Non-Resident Carrying Broker of Registered Futures Commission Merchant; Letter to Customers*

13.—(1) Every introducing broker shall use the introducing broker's best efforts to ensure that the introducing broker's customers guarantee or secure their trades or contracts by means of cheques drawn in favour only of the registered non-resident carrying broker or registered futures commission merchant that trades for the customers of the introducing broker but if a customer,

- (a) pays money directly to the introducing broker;
- (b) makes a cheque payable directly to the introducing broker; or
- (c) delivers securities or property directly to the introducing broker,

the introducing broker shall forthwith transmit the money, proceeds of the cheque, securities or property directly and exclusively to the registered non-resident carrying broker or registered futures commission merchant.

(2) No introducing broker shall effect trades for customers through an omnibus account.

(3) Every introducing broker shall, prior to the opening of an account, provide the prospective customer with a letter, in form acceptable to the Director, that,

- (a) describes the operation of the introducing broker and the introducing broker's relationship to the non-resident carrying broker or registered futures commission merchant that trades in contracts for the introducing broker's customers which description shall relate to, at least, those matters referred to in subsections 10 (4) and (5) or subsections 12 (1) and (2); and
- (b) advises the prospective customer of the guarantee referred to in subsection 10 (6) or subsection 12 (3), its terms and the identity and address of the trust corporation, if any, that is a party to the guarantee. R.R.O. 1980, Reg. 114, s. 13.

## FUTURES COMMISSION MERCHANTS, INTRODUCING BROKERS AND ADVISERS

*Conditions of Registration—Capital Requirement*

14.—(1) Subject to subsection (2), every futures commission merchant shall maintain a minimum free capital that is the maximum amount, if any, that is deductible under any clause of the insurance policies required under section 20, plus the greater of,

- (a) \$75,000 in net free capital; or
- (b) the sum of,
  - (i) 10 per cent of the first \$2,500,000 of adjusted liabilities, plus  
8 per cent of the next \$2,500,000 of adjusted liabilities, plus  
7 per cent of the next \$2,500,000 of adjusted liabilities, plus  
6 per cent of the next \$2,500,000 of adjusted liabilities, plus  
5 per cent of adjusted liabilities in excess of \$10,000,000, and
  - (ii) the greater of,

(A) up to the first \$20,000,000 in market value of commodity futures contracts the sum of,

- 1. 2 per cent of the market value for contracts, other than for securities, representing a long position or the total number of commodity futures contracts, other than for securities, representing a short position in each commodity, whichever is the greater, carried for all customers' and firm accounts excluding exempted contracts and contracts entered into to effect a dealer's covering transaction, and
- 2. the amount arrived at by the application of the securities futures capital charge,

to a maximum of \$100,000, or

(B) the sum of,

- 1.  $\frac{1}{2}$  of 1 per cent of the market value of the total number of commodity futures contracts, other than for securities, representing a long position or the total number of commodity futures contracts, other than for securities, representing a short position in each commodity, whichever is the greater, carried for all customers' and firm accounts excluding exempted contracts and contracts entered into to effect a dealer's covering transaction, and
- 2. the amount arrived at by the application of the securities futures capital charge,

but the amount arrived at under subclauses (i) and (ii) shall be increased by the aggregate of all amounts arrived at by application of the customer concentration factor and of the commodity concentration factor, where,

- (iii) the customer concentration factor is derived by calculating for each customer or group of related customers and for firm accounts the maximum aggregate price movement if the market value of all commodity futures contracts, excluding exempted contracts, held at the relevant time for that customer or group of related customers or for firm accounts were to change by the standard daily limit moves applicable to such contracts respectively, and if, for any customer or group of related customers or for firm accounts, the amount so calculated, less any funds provided in excess of margin requirements, exceeds an amount equal to 15 per cent of the liquid capital of the dealer, then the excess shall be included in the determination of the customer concentration factor, and
- (iv) the commodity concentration factor is derived as to each commodity underlying commodity futures contracts held by the dealer, whether for customer or for firm account, by multiplying x by y, where,
  - (A) x is the number of commodity futures contracts equalling the greater of the long or the short position of commodity futures contracts in that commodity so held by the dealer at the relevant time, and
  - (B) y is the price movement resulting when such a commodity futures contract changes in market value by two standard daily limit moves,

and, where the amount so determined as to commodity futures contracts in any particular commodity, other than exempted contracts, and after deducting funds provided in excess of margin requirements as calculated under subsection (6) is, for five consecutive trading days, in excess of an amount equal to 40 per cent of the liquid capital of the dealer, then an amount equal to the excess as at the close of business on the fifth of such consecutive trading days shall be included in the determination of the commodity concentration factor. R.R.O. 1980, Reg. 114, s. 14 (1); O. Reg. 226/81, s. 3 (1, 2).

(2) A futures commission merchant is not required to maintain the amount calculated in accordance with clause (1) (b) with respect to those contracts resulting from trades executed on the instructions of,

- (a) another registered futures commission merchant; or
- (b) a registered introducing broker who transmits the money, securities or property to secure the trades or contracts directly to a registered non-resident carrying broker with whom the futures commission merchant places the order.

(3) Every introducing broker shall maintain a minimum free capital of the maximum amount, if any, that is deductible under any clause of the insurance policies required under section 20, plus \$50,000 in working capital.

(4) Every adviser shall maintain a minimum free capital of the maximum amount, if any, that is deductible under any clause of the insurance policies required under section 20, plus \$5,000 in working capital or such greater amount as the Director considers necessary where the adviser exercises control over clients' money, securities or property. R.R.O. 1980, Reg. 114, s. 14 (2-4).

(5) Subsection (4) does not apply to a commodity trading adviser who advises others through publications or writings and who,

- (a) provides no advice as to trading in contracts that is designed or purports to be designed to accord with the financial objectives of specific clients; and
- (b) does not exercise control over clients' money, securities or property. O. Reg. 684/85, s. 1.

(6) For the purpose of subclause (1) (b) (iv) the determination of funds provided in excess of margin requirements shall be the aggregate of amounts determined with respect to each account in which commodity futures contracts for the particular commodity are held on a short or long basis, whichever is relevant for purposes of the calculation of the commodity concentration factor, with the amount to be included for each such account being the lesser of,

- (a) the funds provided in excess of margin requirements held in that account at the relevant time; or
- (b) the amount by which the price of the net long or short position of futures contracts for the relevant commodity held in that account would change as a consequence of two standard daily limit moves. R.R.O. 1980, Reg. 114, s. 14 (5).

(7) for the purpose of this section,

“exempted contract” means,

- (a) spreads in the same commodity and entered into on the same commodity futures exchange,
- (b) short hedge positions where a warehouse receipt or other evidence of title for a like quantity of the commodity to be delivered under the contract is held by the dealer, and
- (c) commodity futures contracts held for financial institutions;

“securities futures capital charge” means that amount representing 10 per cent of the margin requirement for the total number of commodity futures contracts for securities representing a long position or the total number of commodity futures contracts for securities representing a short position in each security, whichever is the greater, carried for all customers' and firm accounts excluding exempted contracts and contracts entered into to effect a dealer's covering transaction. R.R.O. 1980, Reg. 114, s. 14 (6); O. Reg. 226/81, s. 3 (3).

(8) Despite this section, every registrant who is also a registrant under the *Securities Act* shall maintain the minimum free capital required of the registrant under the regulations under that Act. R.R.O. 1980, Reg. 114, s. 14 (7).

#### FUTURES COMMISSION MERCHANTS, INTRODUCING BROKERS AND ADVISERS

##### *Conditions of Registration—Reports*

15.—(1) Every adviser or introducing broker that is not a member in good standing of a self-regulatory body recognized by the Commission under section 15 of the Act shall deliver to the Commission within ninety days after the end of the adviser's or introducing broker's financial year a copy of the adviser's or introducing broker's audited financial statement for the financial year prepared in accordance with generally accepted accounting principles.

(2) Every financial statement required to be delivered under subsection (1) shall include,

- (a) an income statement, a statement of surplus and a statement of changes in financial position, each for the financial year; and
- (b) a balance sheet as at the end of the financial year signed by one director of the registrant.

(3) The financial statement required by subsection (1) shall be audited in accordance with generally accepted auditing standards.

(4) Every futures commission merchant that is not a member in good standing of a self-regulatory body recognized by the Commission under section 15 of the Act shall deliver to the Commission,

- (a) within ninety days after the futures commission merchant's financial year an audited report prepared in accordance with Form 3, or, if holding current registration under the *Securities Act*, an audited report prepared in accordance with Form 9 of the regulations under that Act; and
- (b) within thirty days after the end of each three month period in the futures commission merchant's financial year, other than the final such period, an unaudited report prepared in accordance with Form 3, or, if holding current registration under the *Securities Act*, an unaudited report prepared in accordance with Form 9 of the regulations under that Act.

(5) The report required by clause (4) (a) shall be audited in accordance with generally accepted auditing standards and the audit requirements published by the Commission.

(6) The financial statements required by this section shall be reported upon by a person, acceptable to the Commission, who is the auditor of the registrant or is an accountant eligible for appointment as the auditor. R.R.O. 1980, Reg. 114, s. 15.

16. Every registrant, except non-resident carrying brokers, shall, if the Commission at any time requests, enter into a subordination agreement in the form prescribed by the Commission. R.R.O. 1980, Reg. 114, s. 16.

17. Every futures commission merchant and introducing broker that is not a member in good standing of a self-regulatory body recognized by the Commission under section 15 of the Act shall deliver



to the Commission within fifteen business days of the end of each month a monthly financial and position report in such form as is prescribed by the published requirements of the Commission. R.R.O. 1980, Reg. 114, s. 17.

18.—(1) Every registrant, except non-resident carrying brokers, that is not a member in good standing of a self-regulatory body recognized by the Commission under section 15 of the Act shall issue a direction to an auditor instructing the auditor to conduct any audit requested by the Commission or the Director during the registrant's registration or renewal of registration and shall deliver a copy of the direction to the Commission,

- (a) with the registrant's application for registration; and
- (b) immediately after the registrant changes auditors.

(2) Where the Commission or the Director requests an auditor to conduct an audit of the financial affairs of a registrant in accordance with a direction referred to in subsection (1), all fees related to the audit shall be paid by the registrant. R.R.O. 1980, Reg. 114, s. 18.

19.—(1) Every audit required under section 18 of the Act shall relate to the affairs of the registrant and shall be performed in accordance with generally accepted auditing standards and the audit requirements published by the Commission.

(2) Every report of an auditor required under section 18 of the Act shall be prepared in accordance with generally accepted auditing standards.

(3) No registrant shall withhold, destroy or conceal any information or documents or otherwise fail to cooperate with a reasonable request made by an auditor of a registrant in the course of an audit required under section 18 of the Act. R.R.O. 1980, Reg. 114, s. 19.

FUTURES COMMISSION MERCHANTS, INTRODUCING  
BROKERS AND ADVISERS

*Conditions of Registration—Insurance*

20.—(1) Except where the Director is satisfied in a particular case that reduced or no coverage would not be prejudicial to the public interest, every futures commission merchant shall maintain insurance by means of,

- (a) a broker's blanket bond with trading losses coverage; or
- (b) a comprehensive dishonesty, disappearance and destruction policy with trading losses coverage,

on terms acceptable to the Director, in an amount of not less than \$200,000, or such larger amount as is indicated to be necessary by the statement referred to in section 21.

(2) Except where the Director is satisfied in a particular case that reduced or no coverage would not be prejudicial to the public interest, every introducing broker shall maintain insurance by means of,

- (a) a broker's blanket bond with trading losses coverage; or
- (b) a comprehensive dishonesty, disappearance and destruction policy with trading losses coverage,

on terms acceptable to the Director, in an amount of not less than \$100,000 or such larger amount as is indicated to be necessary by the statement referred to in section 21.

(3) Except where the Director is satisfied in a particular case that reduced or no coverage would not be prejudicial to the public interest, every adviser shall maintain insurance on terms acceptable to the Director in an amount of not less than \$10,000 or such larger amount as is indicated to be necessary by the statement referred to in section 21. R.R.O. 1980, Reg. 114, s. 20.

21.—(1) Except for members of a self-regulatory body recognized by the Commission under section 15 of the Act and non-resident carrying brokers, every person or company applying for registration or renewal of registration as a dealer or adviser shall deliver to the Director with the application a certified statement that full consideration has been given by the directors of the dealer or adviser to the amount of insurance necessary to cover insurable risks in the business of the applicant and that either,

- (a) the minimum amount of coverage required by this Regulation is sufficient; or
- (b) the minimum amount of coverage required by this Regulation is not sufficient but that an indicated amount of coverage would be sufficient.

(2) No registration or renewal of registration shall be granted where in the opinion of the Director the minimum amount of insurance required by this Regulation or, where a larger amount is indicated in a certified statement referred to in subsection (1), the amount stated in the statement is not sufficient. R.R.O. 1980, Reg. 114, s. 21.

22. Every registrant shall forthwith notify the Commission in writing of,

- (a) any change in; or
- (b) any claim, exceeding the lesser of \$25,000 or 5 per cent of the minimum free capital that is required to be maintained under section 14, made under,

the provisions of any insurance policy maintained pursuant to the requirements of this Part. R.R.O. 1980, Reg. 114, s. 22.

FUTURES COMMISSION MERCHANTS  
AND INTRODUCING BROKERS

*Conditions of Registration—  
Compensation Fund*

23. At such time as, in the opinion of the Commission, the number of registered dealers in Ontario, other than non-resident carrying brokers, is sufficient to sustain the operation of an adequate compensation fund or funds the Commission may require every dealer, except non-resident carrying brokers, to participate in such a fund approved by the Commission and established by a self-regulatory body recognized by the Commission under section 15 of the Act or a trust corporation registered under the *Loan and Trust Corporations Act*. R.R.O. 1980, Reg. 114, s. 23.

FUTURES COMMISSION MERCHANTS, INTRODUCING  
BROKERS AND ADVISERS

*Conditions of Registration—  
Record Keeping*

24.—(1) Every registered futures commission merchant, introducing broker or adviser shall maintain books and records necessary to record properly the futures commission merchant's, introducing broker's or adviser's business and financial affairs.

(2) All records may be kept by means of mechanical, electronic or other devices where such method of record keeping is not prohibited under other applicable legislation and the registrant,

- (a) takes adequate precautions, appropriate to the means used, to guard against the risk of falsification of the information recorded; and
- (b) provides a means for making the information available in an accurate and intelligible form within a reasonable time to any person lawfully entitled to examine the records.

(3) Without restricting the generality of subsection (1), a regis-



trant, other than a registered non-resident carrying broker, shall maintain each of the following books and records that, in the opinion of the Director, are appropriate to the registrant's business:

1. Blotters, or other records of original entry, containing an itemized daily record of all trades in contracts, all receipts and disbursements of cash, all other debits and credits, the account for which each transaction was effected, the date of the transaction, the commodity futures exchange, the name of the dealer, if any, used by the registrant as the registrant's agent to effect the trade and in the case of trades in commodity futures contracts,

- i. the commodity and quantity bought or sold,
- ii. the delivery month and year,
- iii. the price at which the contract was entered into, or

in the case of trades in commodity futures options,

- iv. the type and number,
- v. the premium,
- vi. the commodity futures contract that is the subject of the commodity futures option,
- vii. the delivery month and year of the commodity futures contract that is the subject of the commodity futures option,
- viii. the declaration date, and
- ix. the striking price.

2. Ledgers or other records maintained in detail reflecting all the assets and liabilities, income and expense and capital accounts.

3. Ledger accounts or other records itemizing separately for each account of every customer all trades in contracts and all other debits and credits to the account setting forth, with respect to all securities and property received to margin, guarantee or to secure the trades or contracts of customers,

- i. a description of the securities or property received,
- ii. the date when received,
- iii. the identity of any deposit institution where such securities or property are segregated,
- iv. the dates of deposit and withdrawal from such deposit institutions, and
- v. the date of return of such securities or property to the customer or other disposition thereof, together with the facts and circumstances of such other disposition,

and with respect to any investments of such money, proceeds or funds segregated for the benefit of customers,

- vi. the date on which such investments were made,
- vii. the identity of the person or company through or from whom such securities were purchased,
- viii. the amount invested,
- ix. a description of the securities invested in,
- x. the identity of the deposit institution, other dealer or

dealer registered under the *Securities Act* where such securities are deposited,

- xi. the date of liquidation or other disposition and the money received on such disposition, and
- xii. the identity of the person or company to or through whom such securities were disposed.

4. Ledgers or other records reflecting,

- i. money, securities and property which must be segregated for the benefit of customers under section 46 of the Act, and
- ii. money borrowed and money loaned, together with a record of the collateral therefor and any substitutions in the collateral.

5. A commodity record or ledger showing separately for each commodity as of the trade date all long positions or short positions in commodity futures contracts carried for the registrant's account or for the account of customers, and, in all cases, the name or designation of the account in which each position is carried.

6. An adequate record of each order and of any other instruction given or received with respect to a trade in a contract whether executed or unexecuted, showing,

- i. the terms and conditions of the order or instruction and of any modification or cancellation of the order or instruction,
- ii. the account to which the order or instruction relates,

- iii. where the order relates to an omnibus account, the component accounts within the omnibus account on whose behalf the order is to be executed and, if not dictated by the policy referred to in clause 27 (2) (h), the allocation among the component accounts intended on execution,

- iv. where the order or instruction is placed by an individual other than,

A. the person in whose name the account is operated, or

B. an individual duly authorized to place orders or instructions on behalf of a customer that is a company,

the name, sales number or designation of the individual placing the order or instruction,

- v. the time of the entry of the order or instruction, and, where the order is entered pursuant to the exercise of discretionary power of a registrant or any employee of a registrant, a statement to that effect,

- vi. to the extent feasible, the time of execution or cancellation, and

- vii. the time of report of execution.

7. Copies or other records of confirmations required by sections 42 and 45 of the Act, statements of purchase and sale required by section 43 of the Act, monthly statements required by section 44 of the Act and copies of notice of all other debits and credits of money, securities, property and proceeds of loans and other items for the accounts of customers.

8. Subject to subsection 28 (1), a customer record in respect of each amount containing,

- i. the name and address of the beneficial owner and the guarantor, if any, of the account, and
- ii. where trading instructions are accepted from a person or company other than the customer, written authorization or ratification from the customer naming the person or company,

but, in the case of a joint account or an account of a company, such records are required only in respect of the person or persons authorized to transact business for the account.

9. A record of the proof of money balances of all ledger accounts in the form of trial balances and a record of a reasonable calculation of minimum free capital, adjusted liabilities and capital required, prepared for each month within a reasonable time after the month. R.R.O. 1980, Reg. 114, s. 24.

25. Unless otherwise required by applicable legislation to be maintained for a longer period of time,

- (a) documents relating to unexecuted orders or instructions as prescribed by paragraph 6 of subsection 24 (3);
- (b) confirmations as prescribed by sections 42 and 45 of the Act;
- (c) statements of purchase and sale as prescribed by section 43 of the Act; and
- (d) monthly statements as prescribed by section 44 of the Act,

shall be maintained for a period of at least two years, and

- (e) documents relating to executed orders or instructions as prescribed in paragraph 6 of subsection 24 (3) shall be maintained for a period of at least six years and shall be retained in a readily accessible location for the first two years of that six-year period. R.R.O. 1980, Reg. 114, s. 25.

26.—(1) Subject to subsection (2), every registrant shall maintain the situs of the registrant's books and records in Ontario.

(2) Where the head office of the registrant is not in Ontario, the registrant shall maintain in Ontario such books and records as are necessary to record properly the registrant's business transactions and financial affairs in Ontario. R.R.O. 1980, Reg. 114, s. 26.

#### FUTURES COMMISSION MERCHANTS, INTRODUCING BROKERS AND ADVISERS

##### *Conditions of Registration—New Accounts, Supervision and Procedures*

27.—(1) No dealer or adviser, other than a non-resident carrying broker, shall be granted registration or renewal of registration unless the dealer or adviser has established a procedure to supervise the conduct of the dealer's or adviser's business and has submitted it to, and has had the procedure approved by, the Director.

(2) The procedure required by subsection (1) shall be set out in writing and shall relate to, at least,

- (a) the acceptance of new accounts;
- (b) the review and endorsement of transactions;
- (c) the regular review of correspondence;

(d) the regular review of each client's account;

(e) the receipt and control of clients' money, securities and property, including the authorization, allocation and delivery of clients' securities to deposit institutions as collateral for a loan;

(f) the investigation of individuals prior to sponsoring applications for registration as a salesperson of a registered dealer or as a partner or officer of a registered dealer or as a partner or officer of a registered adviser, as the case may be;

(g) the requirements relating to discretionary accounts, if any, including minimum equity levels and prompt approval by a designated partner or officer of each order and frequent review of the account;

(h) the policy followed with respect to allocation of executed orders among component accounts within omnibus accounts;

(i) the operation and review of firm trading accounts; and

(j) the review of the supervisory procedure.

(3) The names and offices of the individuals responsible for the procedure required by subsection (1) shall be filed with the Director on submission of the procedure and thereafter any changes in such names and offices shall be filed with the Director forthwith.

(4) Every dealer and adviser shall forthwith notify the Director in writing of any material change in the procedure required by subsection (1) to supervise the conduct of the dealer's or adviser's business.

(5) Every dealer and adviser shall comply in the procedure to supervise the conduct of the dealer's or adviser's business that has been submitted to the Director.

(6) This section does not apply to registrants who are members of a self-regulatory body recognized by the Commission under section 15 of the Act. R.R.O. 1980, Reg. 114, s. 27.

28.—(1) Each registrant that is a dealer, commodity trading counsel or commodity trading manager shall, before accepting the account of a customer, make enquiries that,

(a) will enable the registrant to establish the identity of the customer and, where appropriate,

(i) the credit worthiness of the customer, in accordance with guidelines established by the registrant, and

(ii) the reputation of the customer, if information known to the registrant causes doubt whether the customer is of good reputation; and

(b) will enable the registrant to assess the suitability of trading by the customer in view of the markets in which the customer intends to trade, the scale of trading the customer intends to undertake, and the general financial needs and objectives of the customer.

(2) Every dealer, commodity trading counsel and commodity trading manager shall, as frequently as is appropriate in view of the particular financial circumstances of the customer, obtain, by direct enquiry of the customer or by other means, information enabling the dealer, counsel or manager to determine whether the assessment under clause (1) (b) of the suitability of trading by the customer continues to be accurate.

(3) Clause (1) (b) and subsection (2) do not apply to a dealer who effects a trade on the instructions of a commodity trading manager, another dealer, an adviser registered under the *Securities Act*, or a financial institution. O. Reg. 226/81, s. 4.

(4) For the purposes of complying with the requirements of subsection (1) as to obtaining appropriate information concerning new customers, use of such form as is published by the Commission in this respect is sufficient, but other forms or procedures may be used where they are more appropriate.

(5) Despite subsections (1) and (3), where an account is opened and traded by a commodity trading counsel or commodity trading manager on behalf of a customer or customers,

- (a) where the commodity trading counsel or commodity trading manager executes orders in his, her or its own name or identifies his, her or its customer or customers by means of a code or symbols the dealer must satisfy itself as to the credit worthiness of the commodity trading counsel or commodity trading manager but shall not otherwise have any responsibility for the suitability of trading for the customer or customers of the commodity trading counsel or commodity trading manager; and
- (b) where the commodity trading counsel or commodity trading manager executes orders in the name of his, her or its customer with no agreement that payment of the account is guaranteed by the commodity trading counsel or commodity trading manager the dealer shall,
  - (i) obtain full information concerning the customer with a view to determining the credit worthiness of the customer,
  - (ii) obtain a letter of undertaking from the commodity trading counsel or commodity trading manager which letter shall refer to at least the familiarity of such commodity trading counsel or commodity trading manager with applicable rules of account supervision and which letter shall contain at least a covenant to make the investigation contemplated by such rules and to advise, where known, if the customer is
    - (A) a partner, officer, director, employee or security holder of a dealer,
    - (B) an associate of the individuals referred to in sub-subclause (A), or
    - (C) an affiliate of a dealer,

but the dealer shall not have responsibility for determining the suitability of any trade for the customer. R.R.O. 1980, Reg. 114, s. 28 (3-4).

29.—(1) In this section, “responsible person” means a commodity trading manager and every individual who is a partner, director or officer of a commodity trading manager together with every affiliate of a commodity trading manager and every individual who is a director, officer or employee of such affiliate or who is an employee of the commodity trading manager, if the affiliate or the individual participates in the formulation of, or has access prior to implementation to, trading decisions made on behalf of or the advice given to the client of the commodity trading manager.

(2) Every commodity trading counsel shall maintain standards directed to ensuring fairness in the allocation of trading opportunities among the commodity trading counsel’s customers and a copy of the policies established shall be furnished to each customer and filed with the Commission.

(3) Every commodity trading counsel shall charge clients directly for services and such charge may be based upon the dollar value of the client’s portfolio, but not on the value or volume of the transactions initiated for the client and, except with the written agreement of the client, shall not be contingent upon profits or performance.

(4) Every commodity trading manager shall obtain an undertaking from every responsible person not to trade for his, her or its

account, as the case may be, or knowingly permit or arrange for any associate to trade, in reliance upon information as to trades made or to be made for the account of a client of the commodity trading manager and the commodity trading manager shall establish and maintain procedures designed to disclose when a responsible person or an associate of a responsible person has contravened the undertaking.

(5) Where there has been a material change in the ownership or control of a commodity trading counsel or where it is proposed that a commodity trading counsel sell or assign the account of a customer in whole or in part to another registrant, the commodity trading counsel shall, prior to such sale or assignment or immediately after such material change, as the case may be, give a written explanation to the customer of the proposal or change and the commodity trading counsel shall inform the customer of the customer’s right to withdraw the customer’s account. R.R.O. 1980, Reg. 114, s. 29.

30.—(1) No futures commission merchant shall effect trades on the futures commission merchant’s own behalf or for any partner, officer, director or employee of the futures commission merchant or any associate of such persons through an omnibus account maintained for customers other than partners, officers, directors or employees of the futures commission merchant or any associate of such persons.

(2) No futures commission merchant shall effect trades for non-discretionary accounts through an omnibus account maintained for discretionary accounts.

(3) Every futures commission merchant shall require from each of the futures commission merchant’s customers for whom trades are effected through an omnibus account not less than that amount of margin that would be required from such customers if their trades were effected through fully disclosed accounts. R.R.O. 1980, Reg. 114, s. 30.

31.—(1) No registered dealer shall effect trades for a customer through a discretionary account without having secured from the customer prior written authorization defining the extent of the discretionary authority which authority shall,

- (a) subject to subsection (2), have a term of no more than twelve months;
- (b) not be renewable except in writing; and
- (c) be terminable on specified notice by either party.

(2) The prior written authorization referred to in subsection (1) may be of a term longer than twelve months where other arrangements, acceptable to the Director, to ensure the customer’s cognizance that the authorization continues in force are followed. R.R.O. 1980, Reg. 114, s. 31.

32. No registered dealer shall accept securities as margin except those bonds, debentures or other evidences of indebtedness referred to in subsection 35 (3). R.R.O. 1980, Reg. 114, s. 32.

33.—(1) Where a registrant maintains a commodity futures account and a securities account for the same customer and the commodity futures account contains an amount of money, securities, property, proceeds and funds in excess of the amount of margin required to be held in the account under section 41 of the Act and the securities account contains a debit balance of \$5,000 or more, the registrant shall transfer to the securities account as much of the excess amount in the commodity futures account as is necessary to eliminate or, if the excess amount is less than the debit balance amount, to reduce to the greatest extent possible the debit balance in the securities account.

(2) Subsection (1) does not apply to a registrant in respect of a customer’s commodity futures and securities accounts where the customer has directed the registrant, in writing or orally, if subsequently confirmed in writing,

- (a) to transfer an excess amount less than the excess amount otherwise required to be transferred under that subsection, or
- (b) not to transfer any excess amount,

from the commodity futures account to the securities account.

(3) In this section, "securities account" means an account on which a customer is charged interest when there is a debit balance in the account. O. Reg. 226/81, s. 5, *part*.

34. A registrant who maintains a commodity futures account and a securities account for the same customer may make a transfer of any amount of money, securities, property, proceeds and funds in the commodity futures account in excess of the amount of margin required to be held in the account under section 41 of the Act from the commodity futures account to the securities account of the customer if,

- (a) the transfer is made in accordance with a written agreement between the registrant and the customer; and
- (b) the transfer is not a transfer referred to in section 33. O. Reg. 226/81, s. 5, *part*.

FUTURES COMMISSION MERCHANTS  
AND INTRODUCING BROKERS

*Conditions of Registration—Segregation of Customers' Money,  
Securities and Property*

35.—(1) Subject to subsection (2), the segregation of money, securities, property, proceeds or funds required by section 46 of the Act may be satisfied by the deposit of such money, securities, property, proceeds or funds with a registered futures commission merchant or a clearing member of a commodity futures exchange recognized or registered by the Commission or designated by the Commodity Futures Trading Commission as a contract market under the *Commodity Exchange Act* (U.S.) to margin, guarantee or secure the trades or contracts of the customers of a registered dealer.

(2) All money, securities, property, proceeds or funds segregated for the benefit of customers under section 46 of the Act, when deposited by a registered dealer, other than a registered non-resident carrying broker, with a deposit institution or with another dealer shall be deposited under an account name that clearly shows that they are customers' money, securities, property, proceeds or funds.

(3) No registered dealer, other than a registered non-resident carrying broker, shall invest money, proceeds or funds segregated for the benefit of customers under section 46 of the Act except in bonds, debentures, or other evidences of indebtedness,

- (a) of or guaranteed by the Government of Canada or any province of Canada or by the Government of the United States of America or any state thereof;
- (b) of or guaranteed by a bank listed in Schedule I to the *Bank Act* (Canada) applies, a trust corporation or loan corporation registered under the *Loan and Trust Corporations Act* or an insurance company licensed under the *Insurance Act*; or
- (c) of or guaranteed by a bank which is a member of the Federal Reserve Board in the United States of America,

and maturing not more than one year from the date of purchase.

(4) Any investment of money, proceeds or funds under subsection (3) shall be made through an account or accounts maintained under subsection (1) and proceeds from the sale of such securities shall be redeposited in such account or accounts.

(5) Securities purchased under subsection (3), when deposited by

a registered dealer with a deposit institution, with another dealer or with a dealer registered under the *Securities Act* shall be deposited under an account name that clearly shows that they are customers' securities.

(6) Any securities purchased under subsection (3) shall be included in the registered dealer's books and records at values not more than the close of market on the last preceding trading day. R.R.O. 1980, Reg. 114, s. 33 (1-6).

36. Every written agreement referred to in subsection 46 (2) of the Act shall, as it relates to the pledge of a customer's securities or property with a dealer for the purpose of trading in contracts, be in Form 4. R.R.O. 1980, Reg. 114, s. 34.

FUTURES COMMISSION MERCHANTS, INTRODUCING  
BROKERS AND ADVISERS

*Conditions of Registration—  
Proficiency Requirements*

37.—(1) No individual shall be granted registration as a salesperson, as a partner or officer of a registered futures commission merchant or introducing broker unless the individual has successfully completed the National Commodity Futures Examination and the Canadian Commodity Futures Examination.

(2) No individual shall be granted registration as a commodity trading adviser or as a partner or officer of a registered commodity trading adviser unless the individual has successfully completed the National Commodity Futures Examination and the Canadian Commodity Futures Examination and has been employed performing research in the analysis area of the commodity futures industry for at least two years.

(3) No individual shall be granted registration as a commodity trading counsel or as a partner or officer of a registered commodity trading counsel unless the individual has successfully completed the National Commodity Futures Examination and the Canadian Commodity Futures Examination and has been employed performing research in the analysis area of the commodity futures industry for at least three years.

(4) No person, other than an individual, or company shall be granted registration as a partner of a registered commodity trading adviser unless an individual employed by the person or company and responsible for discharging the obligations of the person or company as a partner of the adviser has successfully completed the National Commodity Futures Examination and the Canadian Commodity Futures Examination and has been employed performing research in the analysis area of the commodity futures industry for at least two years.

(5) No person, other than an individual, or company shall be granted registration as a partner of a registered commodity trading counsel unless an individual employed by the person or company and responsible for discharging the obligations of the person or company as a partner of the adviser has successfully completed the National Commodity Futures Examination and the Canadian Commodity Futures Examination and has been employed performing research in the analysis area of the commodity futures industry for at least three years.

(6) No person, other than an individual, or company shall be granted registration as a partner of a registered futures commission merchant or introducing broker unless an individual employed by the person or company and responsible for discharging the obligations of the person or company as a partner of the registered dealer has successfully completed the National Commodity Futures Examination and the Canadian Commodity Futures Examination.

(7) The Director may exempt, subject to such terms and conditions as the Director may impose, a person or company from the requirements of this section where in the Director's opinion the person or an individual employed by the person or company and respon-

is for discharging the obligations of the person or company as registrant has the educational qualifications and experience that are equivalent to those required under this section and it would not be prejudicial to the public interest to do so. R.R.O. 1980, Reg. 114, s. 35.

38.—(1) Subject to subsection (2), no dealer except a non-resident carrying broker shall be granted registration unless each individual responsible for supervising the commodity business of that dealer has successfully completed the Commodity Supervisors' Examination.

(2) The Director may exempt, subject to such terms and conditions as the Director may impose, a dealer from the requirements of subsection (1) where in the Director's opinion each individual responsible for supervising the commodity futures business of that dealer has the educational qualifications and experience that are equivalent to those required under subsection (1) and it would not be prejudicial to the public interest to do so. R.R.O. 1980, Reg. 114, s. 36.

#### APPLICATION FOR REGISTRATION

39.—(1) An applicant for registration as a futures commission merchant, introducing broker or adviser shall complete and execute Form 5. R.R.O. 1980, Reg. 114, s. 37 (1).

(2) An applicant for registration as a,

- (a) salesperson; or
- (b) partner or officer of a registered futures commission merchant, introducing broker or adviser,

shall complete and execute Form 7, unless the information required by Form 7 has previously been filed with the Commission by the applicant and the information, as filed, is current and correct as of the date of the application. O. Reg. 226/81, s. 7.

(3) Where an applicant for registration as a salesperson is being submitted by the applicant in Form 7, the intended employer shall complete and execute a certificate in Form 8 and the certificate shall form a part of the salesperson's application.

(4) Despite subsection (1), where a person or company is registered as a dealer or adviser under the *Securities Act* it may, in lieu of completing and executing Form 5, file a letter with the Director requesting registration as a futures commission merchant or adviser under this Act.

(5) Despite subsection (3), where a salesperson or a partner or officer of a registered dealer or adviser is registered under the *Securities Act* the salesperson, partner or officer may, in lieu of completing and executing Form 7, file a letter with the Director requesting registration as a salesperson or partner or officer of a registered futures commission merchant or adviser under this Act. R.R.O. 1980, Reg. 114, s. 37 (3-5).

#### RENEWAL OF REGISTRATION

40.—(1) Subject to subsection (2), every registration and renewal of registration expires at the end of the day preceding the first anniversary of the granting of the registration or renewal of registration, as the case may be.

(2) The registration or renewal of registration of every salesperson, floor trader, partner and officer of a registered dealer expires at the same time as the registration or renewal of registration of the registered dealer. O. Reg. 382/86, s. 2.

(3) Every application for renewal of registration shall be filed no later than thirty days prior to the date on which the registration or renewal of registration expires. R.R.O. 1980, Reg. 114, s. 38 (2).

41.—(1) An applicant for renewal of registration as a dealer or

adviser shall complete and execute Form 9 or, where the applicant is registered under the *Securities Act*, shall file a letter with the Director requesting renewal of registration under this Act.

(2) An applicant for renewal of registration as a salesperson or as a partner or officer of a registered dealer or adviser shall complete and execute Form 10 or, where the applicant is registered under the *Securities Act*, shall file a letter with the Director requesting renewal of registration under this Act. R.R.O. 1980, Reg. 114, s. 39.

#### EXAMINATION OF REGISTRANTS

42. Every notice to submit to an examination under section 28 of the Act shall be in Form 11. R.R.O. 1980, Reg. 114, s. 40.

#### AMENDMENTS TO REGISTRATION

43.—(1) Subject to subsection (2), every notice to the Director under subsection 30 (1) or (2) of the Act shall be by way of a letter filed with the Director providing the information required by the applicable part of such subsections.

(2) Upon receipt and review of the letter referred to in subsection (1) the Director may require an application for amendment of registration prepared in accordance with Form 12.

(3) Subject to subsection (4), every notice to the Director under subsection 30 (3) of the Act shall be in the form of a letter filed with the Director providing the information required by the applicable part of such subsection.

(4) Upon receipt and review of the letter referred to in subsection (3) the Director may require an application for amendment of registration prepared in accordance with Form 13.

(5) Where the reason for submission of an application for amendment of registration in Form 13 is the transfer of the salesperson from the employ of one registered dealer to another registered dealer, the new employer shall complete and execute a certificate in Form 8 and such certificate shall form a part of the application for amendment of registration. R.R.O. 1980, Reg. 114, s. 41.

#### EXEMPTION FROM REGISTRATION REQUIREMENTS

44.—(1) Registration as an adviser is not required to be obtained by,

- (a) a producers' co-operative;
- (b) a trade association;
- (c) a dealer in or processor, broker or seller of cash commodities; or
- (d) a farming or livestock management service organization,

that issues advice, analyses and reports exclusively to its members or customers, where the performance of the service as an adviser is solely incidental to its principal business.

(2) Registration as an adviser is not required to be obtained by a dealer acting as a commodity trading manager where,

- (a) a self-regulatory body recognized by the Commission under section 15 of the Act to whose discipline the dealer is subject has passed by-laws or regulations that,
  - (i) govern the activities of its members as commodity trading managers,
  - (ii) impose standards and conditions applicable to all members managing trading in contracts for customers through discretionary authority granted by the customers,

- (iii) are substantially equivalent to the requirements and conditions of registration for commodity trading managers set out in this Regulation, and
  - (iv) together with any amendments thereto, have been approved by the Commission as the substantial equivalent of the requirements and conditions of registration for commodity trading managers set out in this Regulation;
- (b) the self-regulatory body recognized by the Commission under section 15 of the Act to whose discipline the dealer is subject has,
- (i) recognized certain activities of the dealer as being the equivalent of those of a commodity trading manager and has so advised the Commission, and
  - (ii) with respect to the dealer, provided the Commission with,
    - (A) the names of any partner or officer or employee designated and approved pursuant to the applicable by-laws or regulations, to make trading decisions on behalf of, or to offer advice to, customers, and
    - (B) any changes made from time to time in the designation and approval of any partner or officer or employee; and
  - (c) the designated and approved individuals referred to in clause (b), who are resident in Ontario, are registered to trade in contracts under section 22 of the Act.
- (3) Registration as an adviser is not required to be obtained by a dealer acting as a commodity trading manager where,
- (a) the procedure required to be submitted to and approved by the Director under subsection 27 (1) includes provisions applicable to trading in contracts for customers through discretionary authority granted by the customers that are substantially equivalent to the requirements and conditions to registration for commodity trading managers set out in this Regulation, and that, together with any amendments thereto, have been approved by the Director as the substantial equivalent of the requirements and conditions of registration for commodity trading managers set out in this Regulation;
  - (b) the dealer provides the Director with the names of any partner or officer or employee who makes trading decisions on behalf of, or offers advice to customers and any changes made from time to time in such names; and
  - (c) the individuals referred to in clause (b), who are resident in Ontario, are registered to trade in contracts under section 22 of the Act. R.R.O. 1980, Reg. 114, s. 42.

#### PART IV TRADING GENERALLY

45. Every statement furnished under section 40 of the Act to a prospective customer by a registered dealer or registered adviser shall be in,
- (a) Form 14 where the prospective customer contemplates trades in commodity futures contracts; or
  - (b) Form 15 where the prospective customer contemplates trades in commodity futures options. R.R.O. 1980, Reg. 114, s. 43.

#### PART V ENFORCEMENT

##### ENDORSEMENT OF WARRANTS

46. The endorsement of a warrant by a provincial judge or justice of Ontario provided for by section 58 of the Act shall be in accordance with Form 16. R.R.O. 1980, Reg. 114, s. 44.

##### Schedule 1

1. In this Schedule,

“anniversary date” means the date of the first anniversary of the granting of a registration or a renewal of a registration, as the case may be;

“total regulatory capital” means the aggregate of lines 71, 72, 73, 74, 75 and 76 of Statement A of Form 3, the amount receivable on demand under a standby subordinated loan agreement with a bank to which the *Bank Act* (Canada) applies and the noncurrent portion of capitalized leases.

2.—(1) Every application for registration as a dealer shall be accompanied by a fee equal to the aggregate of,

(a) the greater of,

(i) \$750, and

(ii) an amount equal to the aggregate of,

A. 0.12 per cent of the first \$50,000,000 of total regulatory capital of the applicant, and

B. 0.06 per cent of the total regulatory capital in excess of \$50,000,000 of the applicant,

except that where the applicant is registered or is applying at the same time to become registered as a dealer under the *Securities Act*, the fee under this clause is \$750;

(b) \$100 for each proposed branch office of the applicant in Ontario at the date of the application; and

(c) \$300 for each proposed salesperson, floor trader, partner and officer of the applicant at the date of the application, except that,

(i) where the applicant is applying at the same time to become a member of The Toronto Futures Exchange, the fee under this clause is \$200 for each such person, and

(ii) where a proposed salesperson, floor trader, partner or officer is, or is applying at the same time to become, registered as a salesperson, partner or officer under the *Securities Act*, the fee under this clause in respect of the person is \$100.

(2) Every application for renewal of registration as a dealer shall be accompanied by a fee equal to the aggregate of,

(a) the greater of,

(i) \$750, and

(ii) an amount equal to the aggregate of,

A. 0.12 per cent of the first \$50,000,000 of total regulatory capital of the dealer, and

B. 0.06 per cent of the total regulatory capital in excess of \$50,000,000 of the dealer,

except that where the dealer is registered or is applying at the same time to become registered as a dealer under the *Securities Act*, the fee under this clause is \$750;

- (b) \$100 for each branch office of the applicant in Ontario at the date of the application;
- (c) \$100 for each amendment of registration as a dealer since the granting of registration or since the preceding anniversary date of the applicant, whichever date is later; and
- (d) \$300 for each salesperson, floor trader, partner and officer of the applicant at the anniversary date of the applicant, except that,

- (i) where the applicant is a member of The Toronto Futures Exchange, the fee under this clause is \$200 for each such person,
- (ii) where a salesperson, floor trader, partner or officer is also registered as a salesperson, partner or officer under the *Securities Act*, the fee under this clause in respect of such person is \$100.

(3) Every application for registration as a salesperson, floor trader, partner or officer of a registered dealer shall be accompanied by a fee of \$300, except that,

- (a) where the registered dealer is a member of The Toronto Futures Exchange, the fee under this subitem is \$200; or
- (b) where the salesperson, floor trader, partner or officer is also registered as a salesperson, partner or officer under the *Securities Act*, the fee under this subitem is \$100.

(4) Every application for registration or renewal of registration as a floor trader, other than a floor trader acting on behalf of a registered dealer, shall be accompanied by a fee of \$200.

3.—(1) Every application for registration as an adviser shall be accompanied by a fee equal to the aggregate of,

- (a) \$750;
- (b) \$100 for each proposed branch office of the applicant in Ontario at the date of the application; and
- (c) \$300 for each proposed partner and officer of the applicant at the date of the application except that where the proposed partner or officer is, or is applying at the same time to become, registered under the *Securities Act*, the fee under this clause in respect of such person is \$100.

(2) Every application for renewal of registration as an adviser shall be accompanied by a fee equal to the aggregate of,

- (a) \$750;
- (b) \$100 for each branch office of the applicant in Ontario at the date of the application;
- (c) \$100 for each amendment of registration as an adviser since the granting of registration or the preceding anniversary date of the applicant, whichever date is later; and
- (d) \$300 for each partner and officer of the applicant at the anniversary date of the applicant except that where the partner or officer is also registered as a partner or officer under the *Securities Act*, the fee under this clause in respect of such person is \$100.

(3) Every application for registration as a partner or officer of a registered adviser shall be accompanied by a fee of \$300 except that where the partner or officer is also registered as a partner or officer under the *Securities Act*, the fee under this subitem is \$100.

4. Every application to the Commission under subsection 24 (3) of the Act shall be accompanied by a fee of \$100.

5. Every application to the Director under subsection 30 (4) of the Act shall be accompanied by a fee of \$100.

6. Every application to the Commission or the Director under any section of the Act or this Regulation, on a matter requiring the formal consent or approval of the Commission or the Director, which is not otherwise provided for in this Schedule, shall be accompanied by a fee of \$250.

7. The fee for an examination of the financial affairs of a registrant or a clearing house of a commodity futures exchange in Ontario by a person appointed under section 14 of the Act is an amount equal to the amount paid by the Commission for the examination but not exceeding \$750 per day per person.

8. Every notice to the Commission under section 4 of the Act shall be accompanied by a fee of \$50.

9. Where a statement referred to in section 62 of the Act is certified for a person or company by the Commission or a member of the Commission or by the Director, the fee is \$50 plus 50 cents per page photocopied where the statement includes photocopies of documents required to be made available for public inspection.

10. Where a decision, document, record or thing referred to in section 5 of the Act is certified for a person or company, the fee is \$50 plus 50 cents per page photocopied for the purpose of the certificate.

11. The fee for photocopying is 50 cents per page photocopied.

12. The fee for transcripts is \$2.50 per page, except that where the transcripts have been prepared on an expedited basis, the fee is \$3 per page. O. Reg. 382/86, s. 3.

**Form 1**

*Commodity Futures Act*

SUMMONS TO A WITNESS BEFORE

RE: .....

TO: .....

You are hereby summoned and required to attend before .....

at a hearing/examination to be held at .....

in the ..... of ..... on ..... day the .....



day of ..... 19..... at the hour of ..... o'clock in the ..... noon (local time, and so from day to day until the hearing/examination is concluded or the Ontario Securities Commission otherwise orders, to give

evidence on oath .....

and to bring with you and produce at such time and place .....

Dated this ..... day of ..... 19.....

ONTARIO SECURITIES COMMISSION

..... (Signature)

NOTE:

You are entitled to be paid the same personal allowances for your attendance at the hearing/examination as are paid for the attendance of a witness summoned to attend before the Ontario Court (General Division).

You are entitled to be represented by counsel when you attend the hearing/examination.

If you fail to attend and give evidence at the hearing/examination, or to produce the documents or things specified at the time and place specified, without lawful excuse, you are liable to punishment by the Supreme Court in the same manner as if for contempt of that court for disobedience to a subpoena.

R.R.O. 1980, Reg. 114, Form 1; O. Reg. 226/81, s. 9, revised.

Form 2

Commodity Futures Act

AFFIDAVIT OF SERVICE

Province of Ontario ) IN THE MATTER OF the Commodity Futures
) Act,
..... of ..... )
) AND
) IN THE MATTER OF .....
)
) .....

I .....
of the ..... of ..... in the .....
of ....., make oath and say:

- 1. THAT I did on the ..... day of ....., 19..... personally serve ..... at about ..... with a true copy of the \* ..... herein hereunto annexed by delivering the same to and leaving the same with ..... at the ..... of ..... in the ..... of .....
2. THAT I did at the same time and place produce and pay the sum of ..... Dollars conduct money.
3. THAT to effect such service I necessarily travelled ..... miles.

SWORN before me at the ..... )
of ..... in the ..... )
of ....., this ..... ) (signature of deponent)
day of ....., 19..... )

A Commissioner, etc.

\*Instruction: Indicate whether a notice or a summons to witness.



**Form 3**

*Commodity Futures Act*

**DEALER'S REPORT AND FINANCIAL INFORMATION**

**GENERAL INSTRUCTIONS**

1. All statements and schedules must be filed. If a schedule is not applicable a "nil" return must be filed.
2. Amounts may be rounded off to the nearest dollar on all statements and schedules.
3. All statements must be prepared on a trade date basis.
4. Additional schedules should be attached showing details of any significant amounts that have not been clearly described in the following statements and schedules.
5. Reference should be made to the definition of words and terms in the Act and the Regulations.

**NOTES TO FINANCIAL STATEMENTS**

6. Notes which may be necessary for fair presentation of financial statements should be attached to Statement A.

**ONTARIO SECURITIES COMMISSION**

.....  
(Name of Registrant)

**REPORT AND FINANCIAL INFORMATION**

AT

.....

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C. Statement of adjusted liabilities .....	
D. Statement of minimum free capital .....	
E. Statement of segregation requirements and funds on deposit in segregation .....	
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2. Secured loans receivable .....	
3. Securities owned and securities sold short at market value/Cash commodities, other than securities owned, at market value .....	
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9. Changes in reserves and subordinated loans .....	
10. Contingent liabilities and commitments .....	
11. Summary statement of income .....	

- 12. Statement of changes in excess net free capital .....
- 13. Open contracts .....

(Name of Registrant)

AUDITORS' REPORT

To: The Ontario Securities Commission

We have examined the following Financial Statements of ..... (Firm Name)

as at ..... (Date)

- Statement A — Statement of Assets and Liabilities and Capital
- Statement B — Statement of Net Free Capital
- Statement C — Statement of Adjusted Liabilities
- Statement D — Statement of Minimum Free Capital
- Statement E — Statement of Segregation Requirements and Funds on Deposit in Segregation

Our examination was made in accordance with generally accepted auditing standards and accordingly included such tests and other procedures as we considered necessary in the circumstances, including the audit procedures prescribed by the Ontario Securities Commission.

In our opinion,

(i) the Statement of Assets and Liabilities and Capital presents fairly the financial position of the firm as at ..... (Date)

in the form required under the Regulations to the Commodity Futures Act, in accordance with the basis of accounting disclosed in Note 1 to the Statement applied on a basis consistent with that of the preceding year; and

(ii) the Statements of Net Free Capital, Adjusted Liabilities, Minimum Free Capital, and Segregation Requirements and Funds on Deposit in Segregation as at ..... (Date)

are presented in accordance with applicable instructions in the Regulations under the Commodity Futures Act.

..... (Signature) ..... (Date)

NOTE: A measure of uniformity in the form of the auditors' report is desirable in order to facilitate identification of circumstances where the underlying conditions are different. Therefore, when auditors are able to express an unqualified opinion their report should take the above form.

Any limitations in the scope of the audit must be discussed in advance with the Ontario Securities Commission.

STATEMENT A

(Page 1 of 2)

(Name of Registrant)

STATEMENT OF ASSETS AND LIABILITIES AND CAPITAL ASSETS

(As at ..... )

- 1. Cash on hand and in bank—general funds \$.....
- 2. Dealer's residual financial interest in, or dealer's funds in excess of margin deficiencies advanced to, customers' accounts (Statement E) .....
- 3. Clearing house margin deposits—nonsegregated .....
- 4. Receivable from other dealers—nonsegregated .....
- 5. Receivable from customers—segregated accounts .....
- 6. Other receivables .....
- 7. Secured loans receivable .....
- 8. Inventories .....

(a) Cash commodities, other than securities, hedged	.....
(b) Cash commodities, other than securities, unhedged	.....
(c) Securities owned—at market	.....
9. Accrued interest on securities owned	.....
10. Recoverable and overpaid income taxes	.....
11. Cash surrender value of life insurance where the registrant is the beneficiary	.....
12. Commissions receivable—received within 25 days	.....
13. Other active assets—received within 25 days	.....
14. Partners/shareholders' accounts other than trading	.....
15. ....	.....
16. ....	.....
20. TOTAL ACTIVE ASSETS	\$.....
21. Fixed assets	.....
22. Exchange seats	.....
23. Other non-active assets (give details)	.....
24. ....	.....
30. TOTAL NON-ACTIVE ASSETS	\$.....
TOTAL ASSETS	\$.....

STATEMENT A

(Page 2 of 2)

.....  
(Name of Registrant)

LIABILITIES AND CAPITAL

(As at ..... )

51. Loan and bank overdrafts	\$.....
52. Amount by which funds required to be segregated exceed funds in segregation (Statement E)	.....
53. Partners/shareholders' accounts other than trading	.....
54. Dividends and interest payable	.....
55. Provision for income taxes	.....
56. Deferred income taxes (active assets)	.....
57. Accounts payable and accrued expenses	.....
58. Payable to customers—non-segregated	.....
59. Payable to other dealers—non-segregated	.....
60. Securities sold short at market	.....
61. Other liabilities (give details)	.....
62. ....	.....
63. ....	.....
70. TOTAL LIABILITIES	\$.....
71. Deferred income taxes (non-active assets)	.....
72. Subordinated loans (shareholder/partners)	.....
73. Subordinated loans—(Other)	.....
74. Capital	.....

75. Retained earnings or undivided profits	.....	
76. Reserves	.....	
77. ....	=====	=====
80. TOTAL LIABILITIES AND CAPITAL		<u>\$.....</u>

## NOTES AND INSTRUCTIONS

Line 10 Include only overpayment of prior year's income taxes or current year's instalments. Taxes recoverable due to current year losses may be included to the extent that they can be carried back and applied against taxes previously paid.

Lines 12 and 13 Amounts not received within 25 days after the date of this report must be shown on Line 23.

Line 23 Include such items as:

Prepaid expenses  
 Deferred charges  
 Deferred income tax debits  
 Investments in and advances to subsidiaries and affiliates  
 Other non-active assets.

STATEMENT B

.....  
 (Name of Registrant)

STATEMENT OF NET FREE CAPITAL

(As at ..... )

## REFERENCE

1. A - 20	Total active assets	\$.....
	Deduct—	
2. A - 70	Total liabilities	=====
3.	Add:	
	Loan value of any securities advanced under subordinated loans in the form prescribed by the Commission that are not included in the accounts (attach a schedule giving details)	.....
	Non-current liabilities fully secured by mortgages on real estate owned by the registrant	=====
4.	LIQUID CAPITAL	\$.....
	Deduct amount required to provide full margin for:—	
5.	Cash commodities including securities, other than the currencies of Canada and the United States, owned by the registrant	\$.....
6.	Securities owned by the registrant and securities sold short by the registrant	.....
7.	Firm trading accounts	.....
	Deduct amounts sufficient to provide for any margin deficiencies on:—	
8.	Secured loans receivable	.....
9.	Customers' accounts	.....
10.	Partners' or shareholders' accounts, other than trading	.....
11.	Secured loans payable by the registrant if the collateral is held by other than the registrant or a financial institution	.....

12.	Other liquid capital items	.....
		.....
13.	NET FREE CAPITAL	\$.....

NOTES AND INSTRUCTIONS

Line 3 Do not include amounts which fall due within one year in non-current liabilities.

Line 12 This item should include all margin requirements not mentioned above e.g., out of balance security positions, margin on contingent liabilities.

STATEMENT C

.....  
(Name of Registrant)

STATEMENT OF ADJUSTED LIABILITIES

(As at ..... )

REFERENCE

1.	A - 70 Total liabilities	\$.....	
		.....	\$.....
2.	Deduct—		
3.	A - 1 Cash	.....	
4.	Debit balances with financial institutions not included in 3	.....	
5.	A - 11 Cash surrender value of life insurance where the registrant is the beneficiary	.....	
6.	Market value of securities owned by the registrant having a margin rate of 5% or less	.....	
7.	Accrued interest relating to securities in line 6 above	.....	
8.	The market value of securities which have a margin rate of 5% or less, included in non-segregated accounts of customers, partners, shareholders, or dealers or held as collateral for secured loans receivable, not exceeding the debit balance of the account or the secured loan receivable	.....	\$.....
9.	ADJUSTED LIABILITIES		\$.....

NOTES AND INSTRUCTIONS

Line 6 Exclude securities which have been deposited with other dealers as margin or securities deposited in segregated accounts to cover margin deficiencies or to prevent the accounts from becoming undermargined.

Line 8 If this deduction is made, care should be taken not to duplicate the deductions made under line 4. A separate Schedule, "C", should be attached showing separately for each account, the market value of the securities and the debit balances.

STATEMENT D

.....  
(Name of Registrant)

STATEMENT OF MINIMUM FREE CAPITAL

(As at ..... )

REFERENCE

1.	C - 9 Adjusted liabilities	\$.....
2.	Capital requirements on adjusted liabilities	
	10% on first \$2,500,000 or part thereof	.....
	8% on next \$2,500,000 or part thereof	.....

	7% on next \$2,500,000 or part thereof	.....
	6% on next \$2,500,000 or part thereof	.....
	5% on balance over \$10,000,000	.....
3.	The greater of,	
	a. up to the first \$20,000,000 in market value of commodity futures contracts the sum of,	
	A. 2 per cent of the market value for contracts, other than for securities, representing a long position or the total number of commodity futures contracts, other than for securities, representing a short position in each commodity, whichever is the greater, carried for all customers' and firm accounts excluding exempted contracts and contracts entered into to effect a dealer's covering transaction, and	
	B. the amount arrived at by the application of the securities futures capital charge (Subsection 14 (7) ),	
	to a maximum of \$100,000, or	
	b. the sum of,	
	A. ½ of 1 per cent of the market value of the total number of commodity futures contracts, other than for securities, representing a long position or the total number of commodity futures contracts, other than for securities, representing a short position in each commodity, whichever is the greater, carried for all customers' and firm accounts excluding exempted contracts and contracts entered into to effect a dealer's covering transaction, and	
	B. the amount arrived at by the application of the securities futures capital charge (Subsection 14 (7) ).	.....
4.	Customer concentration factor (Subclause 14 (1) (b) (iii) )	.....
5.	Commodity concentration factor (Subclause 14 (1) (b) (iv) )	.....
6.	Total on adjusted liabilities and contracts (minimum \$75,000)	\$.....
7.	Capital requirement on insurance-deductible amounts:	
	Amounts deductible (greatest under any clause)	.....
8.	Minimum free capital required	\$.....
9.	B – 13 Net Free Capital	.....
10.	Excess (deficiency) Net Free Capital	\$.....

NOTES AND INSTRUCTIONS

Line 10 All deficiencies must be reported immediately to the Ontario Securities Commission. An explanation must be given on this Schedule for any capital deficiency and the action taken to correct it.

STATEMENT E

.....  
(Name of Registrant)

STATEMENT OF SEGREGATION REQUIREMENTS  
AND FUNDS ON DEPOSIT IN SEGREGATION

(As at ..... )

REQUIREMENT

1.	Net ledger balances of customers	
	(a) Cash .....	\$.....
	(b) Securities—at market .....	.....

2. Net unrealized profit-loss in open contracts held for customers .....	.....
3. Net equity of customers (1 + 2) .....	.....
4. Add—accounts liquidating to a deficit and accounts with debit balances with no open contracts (Schedule 1) .....	.....
5. Amount required to be segregated (3 + 4) .....	<u>\$.....</u>
<b>FUNDS ON DEPOSIT IN SEGREGATION</b>	
6. Deposited in segregated accounts with financial institutions:	
(a) Cash .....	\$.....
(b) Securities representing investment of customers' funds—at market .....	.....
(c) Securities deposited by customers in lieu of cash margin—at market .....	.....
7. Margin on deposit with clearing houses	
(a) Cash .....	.....
(b) Securities deposited by customers in lieu of cash margin—at market .....	.....
8. Due to/from clearing houses .....	.....
9. Equities with other dealers who carry customers' trades on an omnibus basis .....	.....
10. Segregated funds on hand:	
(a) Cash .....	.....
(b) Securities representing investment of customers' funds—at market .....	.....
(c) Securities deposited by customers in lieu of cash margin—at market .....	.....
11. TOTAL AMOUNT IN SEGREGATION .....	<u>.....</u>
12. EXCESS DEFICIENCY OF FUNDS IN SEGREGATION (Line 11 minus Line 5) .....	<u>\$.....</u>
	A2/A52

NOTES AND INSTRUCTIONS

Line 12 The registrant shall immediately report to the Commission any deficiency of funds in segregation.

.....  
(Name of Registrant)

AUDITORS' REPORT

To the Ontario Securities Commission

Pursuant to our examination of Statements A to E, we have examined the Schedules 11 and 12 to the Report and Financial Information of

.....  
(Firm Name)

for the ..... months ended .....  
(Date)

In our opinion Schedule 11, the Summary Statement of Income, presents fairly the results of its operations for the year then ended in the form required by the Regulations under the *Commodity Futures Act*, in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding year; and Schedule 12, the Statement of Changes in Excess Net Free Capital for the year then ended, is presented in accordance with the applicable requirements of the Regulations under the *Commodity Futures Act*.

The additional information set out in Schedules 1 to 10 and Schedule 13 have been subjected to the tests and other auditing procedures applied in the examination of the Financial Statements A to E and Schedules 11 and 12, and in our opinion, are fairly stated in all respects material in relation to these financial statements taken as a whole.

.....  
(Signature)

.....  
(Date)

NOTE: A measure of uniformity in the form of the auditor's report is desirable in order to facilitate identification of circumstances where the

underlying conditions are different. Therefore, when auditors are able to express an unqualified opinion their report should take the above form.

Any limitations in the scope of the audit must be discussed in advance with the Ontario Securities Commission.

**CERTIFICATE OF PARTNERS OR DIRECTORS**

.....  
(Firm Name)

I/We have examined the attached Statements A to E and Schedules 1 to 13 and certify that, to the best of my/our knowledge, they present fairly the financial position of the firm at .....  
..... and the results of operations for the period then ended, and are in agreement with the books of the firm.

I/We certify that the following information is true and correct to the best of my/our knowledge for the period from the last audit to the date of the attached Statements which have been prepared in accordance with the requirements of the Regulations under the *Commodity Futures Act*.

**ANSWERS**

- (1) Do the attached statements fully disclose all assets and liabilities including the following? (If not, give full particulars):
  - (a) Outstanding options.
  - (b) Actions commenced against the firm or partners or corporation or any other litigation pending?
  - (c) Income tax arrears of partners or corporation?
  - (d) Other contingent liabilities, guarantees, returned drafts, accommodation endorsements or commitments affecting the financial position of the firm?
- (2) Are all Exchange seats which are operated by the firm owned outright and clear of encumbrance by the firm? If not give details.

.....  
(Date)

.....  
.....  
.....  
.....

To be signed by:—

- (i) chief executive officer/partner
- (ii) chief financial officer
- (iii) the chief accountant
- (iv) at least two directors/partners if not included in (i) to (iii) above.

Any partner/director and any officer or employee with senior management responsibility for areas where unrecorded liabilities may occur must sign a copy of this report to indicate that he or she has examined it and is satisfied that, to the best of his or her knowledge, it is correct.

**SCHEDULE 1**

.....  
(Name of Registrant)

**ANALYSIS OF CUSTOMERS' ACCOUNTS**

	Debit	Amount Required to Provide Full Margin
1. Accounts with margin deficiency (subsection 7 (1) )	.....	.....
2. Accounts that contain debit balances with no open trades	.....	.....
<b>TOTAL</b>	.....	.....



3. Less allowance for bad debts or accounts provided for but included above	.....	.....
	<u>          </u>	<u>          </u>
	A-5	B-9

NOTES AND INSTRUCTIONS

1. Customers with more than one account may use an account with excess funds to secure an account which liquidates to a deficit or to secure an account with a margin deficiency if each account and balance involved is clearly identified on a separate Schedule, "1A". Such an arrangement must be evidenced by a written agreement.
2. LINE 1. The total deficit in customer accounts that liquidate to a deficit should be entered in the left-hand column under the heading "Debit". The total margin deficiency in customer accounts should be entered in the right-hand column. For example, customer A's account liquidates to a deficit of \$1,000 and his commodity position requires \$2,000 margin; customer B's equity amounts to \$1,500 and his commodity position requires \$2,000 margin. The entries in line 1 should be "Debit"—\$1,000 and "Amount Required to provide Full Margin"—\$3,500 (\$3,000 as to customer A and \$500 as to customer B).

SCHEDULE 2

.....  
(Name of Registrant)

SECURED LOANS RECEIVABLE

Name of Borrower and Term	Amount of Loan Including Accrued Interest	Market Value of Collateral	Loan Value of Collateral	Required to Margin
(Note 1)				.....
				<u>          </u>
				B-8

NOTES:

1. A borrower may be identified in column 1 by means of a code or symbols provided that the code or symbols and their meaning and any change or addition thereto are submitted.
2. Market values shall include accrued interest.
3. The total to column 2 should be entered at line 7 on Statement A.
4. Receivables are to be fully margined at all times.

SCHEDULE 3

.....  
(Name of Registrant)

A. SECURITIES OWNED AND SECURITIES SOLD SHORT AT MARKET VALUE

	Balance		Margin Required (Subsection 7 (1) )
	Debit (Long)	Credit (Short)	
1. Securities having a margin rate of 5% or less	.....	.....	.....
Less—dealer's securities deposited in segregation and with other dealers (seg- regated accounts)	.....		
2. Carry debit to Statement C, line 6	.....		
3. Other securities	.....	.....	.....
Less—securities on deposit with other dealers (Segregated accounts)	.....	.....	.....
	<u>          </u>	<u>          </u>	<u>          </u>
	A-8 (c)	A-60	B-6

**B. CASH COMMODITIES OTHER THAN SECURITIES OWNED AT MARKET VALUE**

11. Cash commodities, other than securities:		•
(a) Hedged	\$.....	\$.....
(b) Unhedged	.....	.....
12. ....	.....	.....
13. ....	<u>.....</u>	<u>.....</u>
20. TOTAL	\$ <u>    </u> A-8 (a) or 8 (b)	\$ <u>    </u> B-5

**NOTES AND INSTRUCTIONS**

All securities are to be valued at market but no adjustment need be made for securities with no collateral value, carried on the books at less than market.

Attach a schedule setting out the name and description of each security, market price, market value, margin rate and margin. In the case of debt instruments where yield rate is used to determine market price the yield rate must be disclosed. Information may be given in summary form as to securities issued or guaranteed by the Government of Canada or any province of Canada. The summary should include the total market values and total margin requirements for all Government of Canada issues for which the same margin rate is prescribed, and like totals—also by margin rate categories—for provincial issues. It is not necessary to distinguish between provinces. Insignificant holdings of securities that require 100 per cent margin may be shown in total.

SCHEDULE 4

.....  
(Name of Registrant)

**ANALYSIS OF PARTNERS'/SHAREHOLDERS' ACCOUNTS, OTHER THAN TRADING**

	<u>Balances</u>	<u>Amount Required to Fully Margin</u>
1. Unsecured debits	.....	.....
2. Free credits	.....	Nil
3. ....	<u>.....</u>	<u>.....</u>
TOTAL	\$ <u>    </u> A-14	\$ <u>    </u> A-53

**NOTES AND INSTRUCTIONS**

Attach a schedule showing for each partner/shareholder account the debit or credit money balance.

SCHEDULE 5

(Page 1 of 2)

.....  
(Name of Registrant)

**ANALYSIS OF INCOME TAXES**

(To be completed at financial year end only)

**A. INCOME TAX PAYABLE (Recoverable)**

1. Balance payable (recoverable) at last year end		\$.....
2. Payments made or (received) relating to above balance	\$.....	
3. Adjustments, including reassessments relating to prior period (give details if significant)	<u>.....</u>	<u>.....</u>
4. Balance, if any, relating to prior years		.....

5. Provision for income taxes currently payable, including taxes on extra-ordinary items OR	.....	
Recovery of income taxes due to losses in the current period	<u>.....</u>	<u>.....</u>
6. SUB-TOTAL		.....
7. Payments on account of the current period		<u>.....</u>
8. SUB-TOTAL		.....
9. Other adjustments (give details)		<u>.....</u>
10. Current balance payable (recoverable)		<u>\$.....</u>
	A-10—if recoverable	
	A-55—if payable	

B. DEFERRED INCOME TAXES

	Debit	CREDIT	
		Re Active Assets and Liabilities	Re Non-Active Assets
1. Balance at last year end	\$.....	\$.....	\$.....
2. Changes during the period (give details if significant)	<u>.....</u>	<u>.....</u>	<u>.....</u>
3. Present balance	<u>\$.....</u> A-23	<u>\$.....</u> A-56	<u>\$.....</u> A-71

SCHEDULE 5  
(Page 2 of 2)

.....  
(Name of Registrant)

C. RECONCILIATION

1. Income Taxes provided (recovered) (Line A5)		\$.....
2. Adjustments relating to prior periods (Line A3)		.....
3. Other adjustments (Line A9)		.....
4. Net change in deferred income taxes (Line B2)		<u>.....</u>
5. Total income taxes		<u>\$.....</u>
6. Total income taxes per Schedule 11 (Line 6)	\$.....	
7. Income taxes included in Schedule 11 (Line 8)	.....	
8. Income taxes charged or credited directly to retained earnings (Schedule 8, items 11 or 12)	<u>.....</u>	
9. Total income taxes (agrees with Line C5)		<u>\$.....</u>

NOTES AND INSTRUCTIONS

1. On this Schedule balances recoverable i.e., debits, should be shown in brackets.
2. Line A-10—If the balance includes amounts relating to other than the current year then analysis should be provided by year.

SCHEDULE 6

.....  
(Name of Registrant)

OPEN CONTRACTS, FIRM TRADING ACCOUNT

Market	Commodity	No. of Contracts		Full Margin Required (Subsection 7 (1) )
		Long	Short	
				B-7

SCHEDULE 7

.....  
(Name of Registrant)

LOANS AND BANK OVERDRAFTS

		Margin Required
1. Bank Overdrafts	\$.....	Nil
2. Loans—Secured (Give details)	.....	.....
3. Loans—Unsecured (Give details)	.....	Nil
4. ....	.....	.....
TOTAL	.....	.....
	A-51	B-11

NOTE:

Line 2. Detail given must include the name of lender, amount of the loan, and the description, quantity, market price and total market value of each security held by the lender as collateral. In addition, the margin rate and total margin requirement must be provided. The loans must be margined in full at all times. Any margin deficiency must be carried to statement B, line 11. The margin requirement for such loans is the market value of the collateral less the amount of the loan, less any margin already provided on the collateral (e.g. in inventory).

SCHEDULE 8

.....  
(Name of Registrant)

CHANGES IN CAPITAL AND RETAINED EARNINGS

A. CAPITAL

1. Balance at last year end	\$.....
2. Increases during period—give details	
(a)	.....
(b)	.....
(c)	.....
3.	.....
4.	.....
5. Decreases during period—give details	
(a)	.....
(b)	.....
(c)	.....

6.	.....	
7.		\$ A-74
8. Analysis of present capital		
(a)	.....	
(b)	.....	
(c)	.....	
9. To agree with line 7 above		\$ _____
<b>B. RETAINED EARNINGS (CORPORATIONS) OR UNDIVIDED PROFITS (PARTNERSHIPS)</b>		
10. Balance at last year end	.....	
11. Increases during period—give details		
(a) net income for the period (Schedule 11, line 11)	.....	
(b)	.....	
(c)	.....	.....
12. Decreases during period—give details		
(a) net loss for the period (Schedule 11, line 11)	.....	
(b) dividends paid or partners drawings	.....	
(c)	.....	
(d)	.....	.....
13. Present retained earnings or undivided profits		\$ A-75

NOTES AND INSTRUCTIONS

Line 8 —Indicate the class of shares and give further details on their attributes. Indicate the nature of partnership interest, i.e., whether general or limited.

Lines 10 and 12—Direct charges or credits to retained earnings are to be restricted to capital transactions (e.g. dividends, premium on share redemptions, and prior period adjustments). All income items of an extraordinary or unusual nature (e.g. profits or losses on sale or fixed assets or commodity futures exchange seats), are to be included in Schedule 11 in arriving at net income or loss for the period. The latter amount is to be transferred in total to retained earnings (line 11 (a) or 12 (a) ).

The adjustment of inventory to market value must also be included in Schedule 11.

SCHEDULE 9

.....  
(Name of Registrant)

CHANGES IN RESERVES AND SUBORDINATED LOANS

A. RESERVES

1. Balance at beginning of period	\$.....
2. Changes during the period (describe on an attached note)	<u>.....</u>
3. Balance at current date	<u>\$.....</u> A-76

B. SUBORDINATED LOANS

	Shareholders/ Partners and Employees	Others
4. Balance at last year-end	\$.....	\$.....
5. Increases during period—give name of lenders		
(a) .....	.....	.....
(b) .....	.....	.....
(c) .....	.....	.....
(d) .....	.....	.....
(e) .....	<u>.....</u>	<u>.....</u>
6.	<u>.....</u>	<u>.....</u>
7.	.....	.....
8. Decreases during period—give name of lender		
(a) .....	.....	.....
(b) .....	.....	.....
(c) .....	.....	.....
(d) .....	.....	.....
(e) .....	.....	.....
(f) .....	<u>.....</u>	<u>.....</u>
9.	<u>.....</u>	<u>.....</u>
10. Present subordinated loans	<u>\$.....</u> A-72	<u>\$.....</u> A-73

NOTES:

Reserves

The nature of reserves should be described and should only include appropriations of retained earnings. Allowances for bad debts must not be shown here.

Subordinated Loans

At the annual audit date only, attach a schedule showing the amount of each loan outstanding and the name of the lender. Subordinated debentures issued under a trust debenture should be disclosed in total only.

SCHEDULE 10

.....  
(Name of Registrant)

CONTINGENT LIABILITIES AND COMMITMENTS

DESCRIPTION AMOUNT

NOTES AND INSTRUCTIONS

1. Include only items not recorded on Statement A.
2. Insignificant contingent liabilities or commitments need not be described unless in aggregate they are significant in amount. In this case the aggregate amount should be shown as "miscellaneous".
3. In the event that a dollar amount cannot be determined, describe the item in detail giving reasons for the inability to assign a dollar value.
4. Examples of contingent liabilities or commitments include:
  - Unfunded pension liabilities
  - Leases
  - Guarantees or endorsement
  - Discounted notes
  - Legal actions pending
  - Pending income tax claims assessments
  - Returned drafts
5. Contingent liabilities and commitments must be included up to the date of filing this report.

SCHEDULE 11

.....  
(Name of Registrant)

SUMMARY STATEMENT OF INCOME FOR THE MONTHS ENDED

(With comparative figures for the ..... ended .....)

	<u>Current Period</u>	<u>Comparable Previous Period (if available)</u>
I. REVENUE—		
(i) Commission	\$.....	\$.....
(ii) Interest	.....	.....
(iii) Firm Trading Accounts:		
(a) Realized gain (loss)	.....	.....
(b) Unrealized gain (loss)	.....	.....
(iv) Other income (give details)	<u>.....</u>	<u>.....</u>
2. Total Revenue	<u>\$.....</u>	<u>\$.....</u>
3. EXPENSES—		
(i) Commission	.....	.....
(ii) Employee Compensation	.....	.....
(iii) Occupancy and equipment rental	.....	.....
(iv) Interest	.....	.....
(v) Communications	.....	.....

(vi) Bad debt expense	.....	.....
(vii) Other (operating)	.....	.....
4. Total Expenses	<u>\$.....</u>	<u>\$.....</u>
5. Income (Loss) before income taxes (Line 2, minus Line 4)	.....	.....
6. Income taxes (see note)	.....	.....
7. Income (Loss) before extraordinary items	.....	.....
8. Extraordinary items (net of income tax) (see note)	.....	.....
11. Net income (loss) for period	<u>\$.....</u> S8—Line 11 or 12	<u>\$.....</u>

## NOTES AND INSTRUCTIONS

The period covered in this Schedule should be from the previous year-end. The comparative figures should be for the comparable period in the previous year where these are available.

A comparative statement of income prepared in accordance with generally accepted accounting principles and containing at least the information shown in the Schedule may be substituted. This statement should be affixed to the Schedule.

It is recognized that the components of the revenue and expense classification on this Schedule may vary between firms. However, it is important that each firm be consistent between periods except where it is approved by the Ontario Securities Commission. Fair presentation may require the separate disclosure of additional and/or unusual items by way of a note to this Schedule.

Line 6 All income taxes including notional income tax at 33 $\frac{1}{3}$  per cent on partnerships profits. Where the total income taxes on line 6 are materially different from the reported profit on line 5 multiplied by the current year's tax rate, an explanation of the difference should be provided.

Line 8 Extraordinary items should include only gains, losses and provisions for losses which, by their nature, are not typical of the normal business activities of the firm, and are not expected to occur regularly over a period of years. Examples are profits or losses on the sale of fixed assets, commodity futures seats or other non-active assets, profits or losses resulting from closing operations, etc. A list of items should be provided.

## SCHEDULE 12

.....  
(Name of Registrant)

## STATEMENT OF CHANGES IN EXCESS NET FREE CAPITAL

FOR THE ENDED

## SUMMARY OF CHANGES

1. Excess (deficiency) of net free capital at beginning of period	.....	.....
ADD		
2. Increase in liquid capital	.....	.....
3. Decrease in margin required	.....	.....
4. Decrease in minimum free capital required	<u>.....</u>	<u>.....</u>
DEDUCT		
5. Decrease in liquid capital	.....	.....
6. Increase in margin required	.....	.....
7. Increase in minimum free capital required	<u>.....</u>	<u>.....</u>
8. Excess (deficiency) of net free capital at end of period		<u>\$.....</u>

D-10



SCHEDULE 13

.....  
(Name of Registrant)

OPEN CONTRACTS (1)

(A) CUSTOMERS'

(B) FIRM, PARTNERS', SHAREHOLDERS', DIRECTORS' AND EMPLOYEES'

.....  
(Date)

Market	Commodity	Number of Contracts		Less Exempted Contracts (2) and Dealer's Covering Contracts (3)		Adjusted Number of Contracts		Settlement Price	Market Value of Total Long and Total Short for Each Commodity	
		Long	Short	Long	Short	Long	Short		Long	Short
TOTAL MARKET VALUE									\$	\$

INSTRUCTIONS

1. A separate schedule must be prepared for each of category A and B. Cross out A or B whichever not applicable.
2. For definition of exempted contracts see subsection 14 (7).
3. Dealer's covering contracts are contracts entered into to effect a dealer's covering transaction. For a definition of dealer's covering transaction, see subsection 7 (1).

R.R.O. 1980, Reg. 114, Form 3; O. Reg. 226/81, s. 10.

**Form 4**

*Commodity Futures Act*

LOAN AGREEMENT

To: .....  
(Name of Firm)

The undersigned customer agrees that any securities or property that the customer pledges with you shall be subject to a lien for the discharge of the customer's obligation to you to the extent only of the actual amount advanced by you and may be pledged, repledged, hypothecated or rehypothecated provided no more of such securities or property than is fair and reasonable in view of the customer's indebtedness to you is so pledged, repledged, hypothecated or rehypothecated.

DATED: .....  
.....  
(Signature of Customer)

WITNESSED: .....

R.R.O. 1980, Reg. 114, Form 4.

**Form 5**

*Commodity Futures Act*

NOTE: Should any space be insufficient for your answers, a statement may be attached and marked as an exhibit cross-referencing each statement to the item to which it pertains provided it is initialled by the applicant and the Commissioner taking the affidavit.

APPLICATION FOR REGISTRATION AS FUTURES COMMISSION MERCHANT,  
INTRODUCING BROKER OR ADVISER

Application is made for registration under the *Commodity Futures Act*, as .....

in the category of ..... (See categories set out at section 8 of the regulations under the *Commodity Futures Act*.)

The following statements of fact are made in respect thereof:

- 1. (a) Name of Applicant .....
- (b) Head Office Business Address (including postal code) .....
- Telephone No: .....
- (c) Address for service in Ontario .....
- (d) Name of non-resident carrying broker or registered futures commission merchant that trades in contracts for customers (to be answered by introducing brokers) .....

2. The applicant maintains accounts at the following bank(s):  
(state bank and branches through which business is transacted)  
.....

3. Is applicant applying for registration of any branch offices? .....

If so, state addresses (including postal code) .....

Instructions: Answer "Yes" or "No" to the following questions. If "Yes" give particulars.

- 4. Has the applicant, or to the best of the applicant's information and belief has any affiliate of the applicant,
  - (a) been registered in any capacity under the *Commodity Futures Act* of Ontario? .....
  - (b) applied for registration in any capacity, under the *Commodity Futures Act* of Ontario?  
.....
- 5. Is the applicant, or to the best of the applicant's information and belief is any affiliate of the applicant, now, or has any such person or company been,
  - (a) registered or licensed in any capacity in any other province, state or country which required registration or licensing to trade in commodity futures contracts or commodity futures options?  
.....
  - (b) registered or licensed in any other capacity in Ontario or any other province, state or country under any legislation which

requires registration or licensing to deal with the public in any capacity? (e.g. as a securities dealer, insurance agent, real estate agent, used car dealer, mortgage broker, etc.)

.....  
.....

(c) refused registration or a licence mentioned in 5 (a) or (b) above or has any registration or licence been suspended or cancelled in any category mentioned in 5 (a) or (b) above?

.....  
.....

6. Is the applicant, or to the best of the applicant's information and belief is any affiliate of the applicant, now, or has any such person or company been,

(a) a member of any commodity futures exchange, clearing house of a commodity futures exchange, association of commodity futures dealers or similar organization in any province, state or country?

.....

(b) refused membership in any commodity futures exchange, clearing house of a commodity futures exchange, association of commodity futures dealers or similar organization, in any province, state or country?

.....

(c) suspended as a member of any commodity futures exchange, clearing house of a commodity futures exchange, association of commodity futures dealers or similar organization, in any province, state or country?

.....

7. Has the applicant, or to the best of the applicant's information and belief has any affiliate of the applicant, operated under, or carried on business under, any name other than the name shown in this application?

.....  
.....

8. Has the applicant, or to the best of the applicant's information and belief has any affiliate of the applicant, ever been,

(a) convicted or presently have outstanding a charge or indictment under the law of any province, state or country, except minor traffic violations?

.....

Instruction: Question 8 (a) refers to all laws, e.g. Criminal, Immigration, Customs, Liquor, etc., of any province, state or country in any part of the world.

(b) the defendant or respondent in any proceeding in any civil court in any jurisdiction in any part of the world wherein fraud was alleged?

.....  
.....

(c) at any time declared bankrupt or made a voluntary assignment in bankruptcy? (If "Yes", give particulars and also attach a certified copy of discharge)

.....  
.....

(d) refused a fidelity bond? .....

.....

9. Attach and mark as an exhibit properly identified a statement setting out the name in full of, and position held by, the applicant or each partner, officer or director of the applicant, and provide for each such person a completed Form 7, Application for Registration/Information Statement, attached and marked as exhibits to this application, unless such information has previously been filed with the Commission.

10. A—CAPITALIZATION OF A COMPANY:

Complete below or attach marked as an exhibit to the application a statement containing the information called for below, to provide information with respect to the financial structure and control of the applicant company:

(a) The authorized and issued capital of the company, stating:

	<i>Preferred Shares</i> (State number of shares and dollar value)	<i>Common Shares</i> (State number of Shares and dollar value)
	Shares \$	Shares \$
(1) authorized capital		
(2) issued		
(3) total dollar value of other securities:		
(i) Bonds		
(ii) Debentures		
(iii) Notes		
(iv) Any other loans, state source and maturity dates		
	\$ _____	\$ _____
	_____	_____
	TOTAL	\$

(b) The names, addresses and usual place of residence of registered, and direct, and indirect, beneficial owners of each class of security or obligation issued, and, if a trust is the beneficial owner, the names, addresses and usual place of residence of each person or company having a beneficial interest in the trust, and the nature and extent of the holdings and percentage of interest attributable to each security holder, lender or beneficiary.

(c) State name and address of every depository holding any of the assets of the company: Instruction: Answer "Yes" or "No" to the following questions. If "Yes" give particulars.

(d) Has any person or company undertaken to act as a guarantor in relation to the financial or other undertakings of applicant?  
.....

(e) Has a subrogation been executed by the creditor(s) in relation to loans owing by the applicant?  
.....

(f) Is there any person or company whose name is not disclosed in the statement called for by (b) above who has any direct or indirect interest in the applicant, either beneficially or otherwise?

**B—CAPITALIZATION OF A PARTNERSHIP OR PROPRIETORSHIP:**

Attach, marked as an exhibit to the application, a statement containing the information called for below with respect to the assets of the partnership or proprietorship, and demonstrate therein the degree of control (voting power) of each of the participants in the application.

(i) Amount of paid-in capital \$.....

(ii) Description of the assets:

(iii) State name and address of every depository holding any of the assets:

(iv) Source, amount and maturity date of any obligations owing by the partnership, if any:  
(Where applicable, give names and addresses of creditors)

Instruction: Answer "Yes" or "No" to the following questions. If "Yes" give particulars.

(v) Has any person or company undertaken to act as a guarantor in relation to the financial or other undertakings of applicant?  
.....  
.....

(vi) Has a subrogation been executed by the creditor(s) in relation to loans owing by the applicant? .....

(vii) Is there any person or company whose name is not disclosed above who has any interest in the applicant, either beneficially or otherwise? .....

Dated at ..... (name of applicant)

this ..... day of ....., 19..... By ..... (signature of applicant, partner or officer)

..... (official capacity)

AFFIDAVIT

IN THE MATTER OF the Commodity Futures Act

Province of Ontario ) I, ..... (name in full)
..... of ..... )
TO WIT: ) of the .....
) in the County of .....

MAKE OATH AND SAY:

- 1. I am the applicant (or a partner or officer of the applicant) herein for registration and I signed the application.
2. The statements of fact made in the application are true.

SWORN before me at the ..... )
)
in the ..... of ..... )
this ..... day of ..... 19.... )

..... (A Commissioner, etc.)

..... (signature of deponent)

R.R.O. 1980, Reg. 114, Form 5.

Form 6

Commodity Futures Act

APPLICATION FOR REGISTRATION AS A NON-RESIDENT CARRYING BROKER

Application is made for registration under the Commodity Futures Act as a non-resident carrying broker.

The following statements of fact are made in respect thereof:

- 1. (a) Name of Applicant .....
(b) Head Office Business Address (including postal code)
.....
Telephone No: .....
(c) Agent for service in Ontario .....
Address (including postal code) .....
Telephone No: .....
(d) Name of introducing broker .....

2. Has the applicant, or to the best of the applicant's information and belief has any affiliate of the applicant,

(a) been registered in any capacity under the *Commodity Futures Act* of Ontario?

.....  
.....

3. Is the applicant, or to the best of the applicant's information and belief is any affiliate of the applicant, now, or has any such person or company been,

(a) registered or licensed in any capacity in any other province, state or country which required registration or licensing to trade in commodity futures contracts or commodity futures options?

.....  
.....

(b) registered or licensed in any other capacity in Ontario or any other province, state or country under any legislation which requires registration or licensing to deal with the public in any capacity? (e.g. as a securities dealer, insurance agent, real estate agent, used car dealer, mortgage broker, etc.)

.....  
.....

(c) refused registration or a licence mentioned in 3 (a) or (b) above or has any registration or licence been suspended or cancelled in any category mentioned in 3 (a) or (b) above?

.....  
.....

4. Is the applicant, or to the best of the applicant's information and belief is any affiliate of the applicant, now, or has any such person or company been,

(a) a member of any commodity futures exchange, clearing house of a commodity futures exchange, association of commodity futures dealers or similar organization in any province, state or country?

.....  
.....

(b) refused membership in any commodity futures exchange, clearing house of a commodity futures exchange, association of commodity futures dealers or similar organization, in any province, state or country?

.....  
.....

5. Has the applicant, or to the best of the applicant's information and belief has any affiliate of the applicant, operated under, or carried on business under, any name other than the name shown in this application?

.....  
.....

6. Has the applicant, or to the best of the applicant's information and belief has any affiliate of the applicant, ever been,

(a) convicted or presently have outstanding a charge or indictment under the law of any province, state or country, except minor traffic violations?

.....  
.....

Instruction: Question 6 (a) refers to all laws, e.g. Criminal, Immigration, Customs, Liquor, etc., of any province, state or country in any part of the world.

(b) the defendant or respondent in any proceeding in any civil court in any jurisdiction in any part of the world wherein fraud was alleged?

.....  
.....

- (c) at any time declared bankrupt, or made a voluntary assignment in bankruptcy? (If "Yes", give particulars and also attach a certified copy of discharge)  
 .....  
 .....
- (d) refused a fidelity bond? .....

AFFIDAVIT

IN THE MATTER OF the *Commodity Futures Act*

Province of Ontario ) I, .....  
 ) (name in full)  
 ..... of ..... )  
 of the ..... )  
 TO WIT: )  
 in the County of ..... )

MAKE OATH AND SAY:

1. I am the applicant (or a partner or officer of the applicant) herein for registration and I signed the application.
2. The statements of fact made in the application are true.

SWORN before me at the ..... )  
 )  
 in the ..... of ..... )  
 )  
 this ..... day of ..... 19.... )  
 ..... )  
 (A Commissioner, etc.) (signature of deponent)

R.R.O. 1980, Reg. 114, Form 6.

Form 7

*Commodity Futures Act*

**Uniform Application for Registration/Approval**

Canadian Securities and Commodity Futures Legislation

General Instructions

1. This form is to be used by every individual seeking registration or approval from a Canadian Securities Commission or similar authority and/or a self-regulatory organization, or submitting an application for registration or approval as a partner, director or officer of a dealer, broker or adviser to a Canadian Securities Commission or similar authority.
2. This form may also be used by any individual submitting an application for registration as a dealer, broker or adviser to a Canadian Securities Commission or similar authority.
3. All applicable questions must be answered. Failure to do so may cause delays in the processing of the application form.
4. This form and all attachments added thereto must be typewritten. Any form or attachment completed by any other means may be considered not properly filed.
5. All attachments pertaining to any question must be made exhibits to the form and each one must be so marked. All signatures must be originals. The Commissioner of Oaths before whom the application is sworn, as well as the applicant, is required to initial all attachments.
6. In completing the application, applicants should seek advice from an authorized officer of the sponsoring firm or from a legal adviser, if necessary.
7. Number of originally-signed copies of the form to be filed with the self-regulatory organization and/or Securities Commission or similar authority varies from province to province. If unsure of the procedure, please consult the Registration Department of the self-regulatory organization through which you are applying or the applicable Securities Commission, or similar authority.

8. Applicants for registration in Quebec need only disclose information for the past 10 years in respect of Questions 15B), 15D), 17A), 17B), 18 and 19.

1. APPLICANT:

Last Name		First, Second & Third Names	
Residential address (with postal code)		Area Code: Telephone:	
Address for service in province of registration (with postal code)		Social insurance number (not required for applications in Ontario)	
Present position in the firm		Commenced employment on Day    Month    Year	

2. FIRM:

Name	Area Code: Telephone:
Address where applicant will be working (street, city, province, postal code)	

3. TYPE OF REGISTRATION OR APPROVAL REQUESTED:

**INSTRUCTION:** Check ALL applicable boxes to indicate the registration or approval requested. The "Types of Registration or Approval Requested" have the meaning attributed to them in the applicable securities act, commodity futures act, or regulation and in by-laws, rules and regulations of exchanges, the Investment Dealers Association of Canada and other self-regulatory organizations. Applicants filing for restricted registration should file under OTHER, specifying the nature of the restricted registration applied for.

<p><b>REGISTERED REPRESENTATIVE OR SALESPERSON REGISTRATION:</b></p> <p><input type="checkbox"/> Securities</p> <p><input type="checkbox"/> Commodity Futures</p> <p><input type="checkbox"/> Commodity Futures Options</p> <p><input type="checkbox"/> Options</p> <p><input type="checkbox"/> Mutual Funds</p> <p><input type="checkbox"/> Floor Trader--Securities <input type="checkbox"/></p> <p style="padding-left: 20px;">-- Commodity Futures <input type="checkbox"/></p> <p><input type="checkbox"/> Individual Member</p> <p><input type="checkbox"/> Scholarship Plans</p> <p><input type="checkbox"/> Other (specify) .....</p>	<p><b>OTHERS:</b></p> <p><input type="checkbox"/> Partner</p> <p><input type="checkbox"/> Director</p> <p><input type="checkbox"/> Officer (title) .....</p> <p style="padding-left: 20px;">--Trading <input type="checkbox"/></p> <p style="padding-left: 20px;">--Non-Trading <input type="checkbox"/></p> <p style="padding-left: 20px;">--Counselling <input type="checkbox"/></p> <p><input type="checkbox"/> Branch Manager</p> <p><input type="checkbox"/> Director, Investor, or Officer of approved affiliated company (delete designation not applicable)</p> <p><input type="checkbox"/> Industry Investor</p> <p><input type="checkbox"/> Non-industry Investor</p> <p><input type="checkbox"/> Portfolio Manager</p> <p><input type="checkbox"/> Designated/Alternate Registered Options Principal</p> <p><input type="checkbox"/> Designated/Alternate Registered Futures Principal</p> <p><input type="checkbox"/> Designated/Alternate Registered Futures Option Principal</p> <p><input type="checkbox"/> Other (specified) .....</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

4. APPLYING FOR REGISTRATION/APPROVAL FROM THE FOLLOWING:

**INSTRUCTION:** Check all appropriate boxes to indicate the Canadian Securities Commissions or similar authority and/or self-regulatory organizations with which the applicant is seeking registration or approval.

<b>SECURITIES COMMISSIONS OR SIMILAR AUTHORITIES</b>			
<input type="checkbox"/> Alberta	<input type="checkbox"/> New Brunswick	<input type="checkbox"/> Nova Scotia	<input type="checkbox"/> Quebec
<input type="checkbox"/> British Columbia	<input type="checkbox"/> Newfoundland	<input type="checkbox"/> Ontario	<input type="checkbox"/> Saskatchewan
<input type="checkbox"/> Manitoba	<input type="checkbox"/> Northwest Territories	<input type="checkbox"/> Prince Edward Island	<input type="checkbox"/> Yukon Territory
<b>SELF-REGULATORY ORGANIZATIONS</b>			
<input type="checkbox"/> Alberta Stock Exchange	<input type="checkbox"/> Toronto Stock Exchange		
<input type="checkbox"/> Investment Dealers Association of Canada	<input type="checkbox"/> Vancouver Stock Exchange		
<input type="checkbox"/> Montreal Exchange	<input type="checkbox"/> Winnipeg Commodity Exchange		
<input type="checkbox"/> Toronto Futures Exchange	<input type="checkbox"/> Winnipeg Stock Exchange		
	<input type="checkbox"/> Other (specify) .....		



5. PERSONAL DESCRIPTION OF APPLICANT:

(A)

DATE OF BIRTH Day    Month    Year			PLACE OF BIRTH City			Province	Country	Sex
Height	Weight	Colour of eyes	Colour of hair	Name of spouse & nature of his/her employment				
Citizenship			If NOT a Canadian citizen, answer question 5 (B) below.					

(B)

Are you a permanent resident?	Number of years of continuous residence in Canada	Passport			
		Country	Place of Issue	Date of Issue	Number

6. PHOTOGRAPH:

**INSTRUCTION:** Attach hereto two copies of a black and white photograph, full face, showing a true likeness of the applicant as the applicant now appears and taken within the last 6 months; they must measure 2" x 2", be of passport quality and bear on the back the date on which the photographs were taken, the signature of the applicant and that of the Commissioner of Oaths or that of an officer, director, partner or branch manager of the sponsoring firm.

7. EDUCATION:

(A)

Instruction: State the last school attended in each level	Degree or Diploma	Date Obtained
High School or Secondary Level		
Post-Secondary, College CEGEP or University		
Professional Education		
Other		

Have you successfully completed:

	Yes	No	Exempt*	Date Completed
Canadian Securities Course Examination based on Manual for Registered Representatives	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	.....
Partners/Directors/Officers Qualifying Examination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	.....
Canadian Investment Finance (course 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	.....
Part I	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	.....
Part II	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	.....
F.C.S.I.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	.....
Chartered Financial Analyst Course	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	.....
Qualifying Examination for Registered Options Principal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	.....
Canadian Options Course	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	.....
Canadian Investment Funds Course	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	.....
National Commodity Futures Examination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	.....
Canadian Commodity Futures Examination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	.....
Canadian Futures Examination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	.....
Commodity Supervisors' Examination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	.....
Branch Managers' Examination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	.....
Other (specify) .....				.....

\*If you have been granted exemption, attach full particulars.

(B) Have you ever applied for and been refused exemptions from any of the above listed examination requirements? (If so, give particulars as an attachment) .....

8. EMPLOYMENT HISTORY:

A) The following information constitutes full disclosure of your business activities, including any periods of self-employment and unemploy-

ment, for 10 years immediately prior to the date of this application, excluding any summer employment while a full-time student, but including all securities or commodities industry employment during and prior to the ten-year period.

Name and address of employer	Name and title of immediate supervisor	Nature of employment and duties of applicant	Reasons for leaving	FROM mo. yr.	TO mo. yr.
PRESENT:					
PREVIOUS:					

B)

Have you ever been discharged by an employer for cause? .....  
 (If so, give particulars as an attachment).  
 .....  
 .....

9. RESIDENTIAL HISTORY: (give all home addresses for the past 10 years)

Include street, city, province & postal code	FROM mo. yr.	TO mo. yr.
PRESENT:		
PREVIOUS:		

10. REFERENCES:

Give three names as references, excluding relatives and persons associated with the sponsoring firm. References must include a bank or trust corporation at which you have an account (give account number)

Name	Firm Name	Business Address (with postal code) and Telephone (with area code)	Occupation

Account No. at reference bank or trust co.: .....

Note: Account No. need not be given if this form is accompanied by a reference from a bank or trust co. with which the applicant has an account.

ANSWER "YES" OR "NO" TO EACH OF QUESTIONS 11 TO 20 INCLUSIVE.  
 IF THE ANSWER TO ANY OF THE FOLLOWING QUESTIONS IS "YES",  
 COMPLETE DETAILS MUST BE ATTACHED BY WAY OF EXHIBIT.

11. CHANGE OF NAME:

**INSTRUCTION:** Name changes resulting from marriage, divorce, court order or any other process should be listed here giving appropriate dates.

Have you ever had, used, operated under, or carried on business under any name other than the name mentioned in Question 1 of this form, or have you ever been known under any other name?

12. PRIOR REGISTRATION OR LICENSING:

A) Are you now or have you ever been registered or licensed, or applied for registration or a licence in any capacity under any act or regulation thereof, regulating trading in securities, commodities or commodity futures contracts of any province, territory, state or country?

List all authorities with whom you were registered and the dates of registration. State whether the registration is currently in effect.

B) Are you now, or have you ever been a partner, shareholder, director or officer of any company or of a partnership which has been registered or licensed, or is now registered or licensed (except as an issuer if you are or have been solely a shareholder) in any capacity under any act or regulation thereof, regulating trading in securities, commodities or commodity futures contracts of any province, territory, state or country?

C) Are you now or have you ever been registered or licensed, or applied for registration or a licence, under any legislation which requires registration or licensing to deal with the public, in any capacity other than trading in securities, commodities or commodity futures contracts in any province, territory, state or country?

**QUESTIONS 13 TO 18 INSTRUCTION:** In answering Questions 13 to 18, and particularly Question 15, you may need assistance from an authorized officer of the sponsoring firm or from a legal adviser. Full details are required as attachments in respect of any question to which the applicant answers "yes". These details must include the circumstances, the relevant dates, the names of the parties involved and the final determination if known.

13. REFUSAL, SUSPENSION, CANCELLATION OR DISCIPLINARY MEASURE

A) Have you ever been refused registration or a licence, or has your registration or licence been suspended or cancelled, under any act or regulation thereof, regulating trading in securities, commodities or commodity futures contracts of any province, territory, state or country?

B) Are you now or have you ever been a partner, shareholder, director or officer of a company or of a partnership which has, during the time of your association with it, been refused registration (except a registration as an issuer if you are or have been solely a shareholder) or a licence, or whose registration has been suspended or cancelled under any act, or regulation thereof, regulating trading in securities, commodities or commodity futures contracts of any province, territory, state or country?

C) Have you ever been refused registration or a licence, or has your registration or licence been suspended or cancelled, under any legislation which requires registration or licensing to deal with the public in any capacity other than trading in securities, commodities or commodity futures contracts in any province, territory, state or country?

D) Have you been denied the benefit of any exemption from registration or licensing provided by any act or regulation thereof regulating trading in securities, commodities or any commodity futures contracts of any province, territory, state or country?

E) Has any prior or current registration or licensing to deal or trade in securities, commodities or commodity futures contracts held by you or any partnership or company of which you were at the time of such event a partner, officer or director or holder of voting securities carrying more than 5 per cent of the votes carried by all outstanding voting securities ever been the subject of disciplinary action undertaken by any authority regulating or supervising trading in securities, commodities, or commodity futures contracts?

14. SELF-REGULATORY ORGANIZATIONS:

Have you or has any partnership or company of which you are or were at the time of such event a partner, director, officer or holder of voting securities carrying more than 5% of the votes carried by all outstanding voting securities:

A) Ever been a member of any stock exchange, commodities exchange, commodity futures exchange, association of investment dealers, investment bankers, brokers, broker-dealers, mutual fund dealers, commodity futures dealers, investment counsel, other professional association or any similar organization in any province, territory, state or county?

B) Ever been refused registration or licensing or approval for membership or approval in any other capacity by/in any of the institutions or associations described in Question 14A?

C) Ever been the subject of disciplinary action undertaken by any authority as described in question 14A?

15. OFFENCES UNDER THE LAW

INSTRUCTION: Offences under such federal statutes as the Income Tax Act (Canada) and the Immigration Act (Canada) constitute criminal offences and must be disclosed when answering this question. It should be noted that pleas or findings of guilt for impaired driving are Criminal Code (Canada) matters and must be disclosed. Where you have pleaded guilty or been found guilty of an offence, such offence must be reported even though an absolute or conditional discharge has been granted.

You are not required to disclose any offence for which a pardon has been granted under the Criminal Records Act (Canada) and such pardon has not been revoked. Under such circumstances, the appropriate response would be: "No".

If you are in doubt as to previous dealings you have had with law enforcement agencies and the applicability of this question with respect to such encounters, you should obtain the advice of an authorized officer of your sponsor or a legal adviser.

A) Past Offences Involving Securities or Commodities—

Have you ever pleaded guilty or been found guilty under any law of any province, territory, state or country of any offence relating to trading in securities, commodities, commodity futures contracts or options or with the theft thereof, or with any related offence, or been a party to any proceedings taken on account of fraud arising out of any trade in or advice in respect thereof? .....

B) Past Offences Involving Other Criminal Offences or Contraventions—

Have you ever pleaded guilty or been found guilty under any law of any province, territory, state or country for contraventions or other criminal offences not noted in A) above? .....

C) Current Charges or Indictments—

Are you currently the subject of a charge or indictment, under any law of any province, territory, state or country for contraventions, criminal offences or other conduct of the type described in A) or B) above (see also instructions above)? .....

D) Partnership or Company Offences or Current Charges or Indictments—

Has any partnership or company of which you are or were at the time of such event a partner, officer, director or a holder of voting securities carrying more than 5% of the votes carried by all outstanding voting securities, ever pleaded guilty or been found guilty, or is any such partnership or company currently the subject of a charge or indictment, under any law of any province, territory, state or country for contraventions, criminal offences or other conduct of the type described in A) or B) above (see also instructions above)? .....

16. CIVIL PROCEEDINGS

Has any claim been made successfully or, to your knowledge, is any claim pending in any civil proceeding before a court or other tribunal in any province, territory, state or country which was, or is, based in whole or in part on fraud, theft, deceit, misrepresentation or similar conduct? .....

A) Against you? .....

B) Against any partnership or company of which you are or were at the time of such event, or at the time such proceedings were commenced, a partner, director, officer or holder of young securities carrying more than 5% of the votes carried by all outstanding voting securities? .....

17. BANKRUPTCY

A) Under the law of any province, territory, state or country have you ever:

(a) been declared bankrupt or made a voluntary assignment in bankruptcy? .....

(b) made a proposal under any legislation relating to bankruptcy or insolvency? .....

(c) been subject to or instituted any proceedings, arrangement or compromise with creditors including, without limitation, produced a declaration under the Quebec Voluntary Deposit of Salary Wages Law or had a receiver and/or manager appointed to hold your assets? .....

If yes, and if applicable, attach copy of any discharge, release or document with similar effect.

B) Has any partnership or corporation of which you are or were at the time of such event a partner, director, officer or holder of voting securities carrying more than 5% of the votes carried by all outstanding voting securities ever:

(a) been declared bankrupt or made a voluntary assignment in bankruptcy? .....

(b) made a proposal under any legislation relating to bankruptcy or insolvency? .....

(c) been subject to proceedings under any legislation relating to the winding-up, dissolution or companies' creditors arrangements? .....

(d) been subject to or instituted any proceedings, arrangement or compromise with creditors or had a receiver and/or manager appointed to hold its assets? .....

If yes, and if applicable, attach copy of any discharge, release or document with similar effect.

18. JUDGMENT OR GARNISHMENT:

Has any judgment or garnishment ever been rendered against you or is any judgment or garnishment outstanding against you, in any civil court in any province, state or country for damages or other relief in respect of a fraud or for any reason whatsoever? .....

19. SURETY BOND OR FIDELITY BOND

A) Have you ever applied for a surety bond or fidelity bond and been refused? .....

If yes, attach name and address of bonding company, and when and why the bond was refused.

B) Are you presently bonded? .....

20. BUSINESS ACTIVITIES

A) Will you be actively engaged in the business of the firm with which you are now applying and devote the major portion of your time thereto? .....

B) Are you engaged in any other business or have any other employment for gain except your occupation with the firm with which you are now applying? .....

If so, attach full details including the full name and address of the business, the nature of the business, your title or position and the amount of time you devote to the business. ....

C) Are you a partner, director, officer, shareholder or other contributor of capital of a partnership or of a company having as its principal business that of a broker, dealer or adviser in securities, commodities, commodity futures contracts or options other than the firm with which you are now applying? If so, attach full details. ....

21. A) State the number, value, class and percentage of shares or the amount of partnership interest you own or propose to acquire upon approval. If acquiring shares upon approval, state source, i.e. treasury shares, or if upon transfer, state name of transferor. ....

B) State the value of subordinated debentures or bonds of the firm to be held by you or any other subordinated loan to be made by you to the firm. ....

C) Are you or will you upon approval be the beneficial owner of the shares, bonds, debentures, partnership interest or other notes held by you? If no, state name, residential address and occupation of the beneficial owner. ....

CAUTION

FILING OF ANY FALSE INFORMATION OR FAILURE TO DISCLOSE FULL INFORMATION REQUIRED BY OR ON THIS APPLICATION MAY RESULT IN ITS REJECTION OR IN DISCIPLINARY ACTION TAKEN AGAINST THE APPLICANT AND/OR THE SPONSORING FIRM WITHIN THE PROVISIONS OF THE APPLICABLE SECURITIES AND/OR COMMODITY FUTURES LEGISLATION, REGULATIONS AND POLICY STATEMENTS OF THE SECURITIES REGULATORY AUTHORITIES AND WITHIN THE TERMS OF THE BY-LAWS, RULINGS, RULES AND/OR REGULATIONS OF ANY ONE OF THE SELF-REGULATORY ORGANIZATIONS TO WHICH THIS APPLICATION IS SUBMITTED, OR MAY RESULT IN A REFUSAL TO REGISTER THE APPLICANT.

CERTIFICATE AND AGREEMENT OF APPLICANT AND SPONSORING FIRM

The undersigned hereby certify that the foregoing statements are true and correct to the best of our knowledge, information and belief and hereby undertake to notify the self-regulatory organization in writing of any material change therein as prescribed by any by-law or rule of the respective self-regulatory organizations.

We agree that we are conversant with the by-laws, rulings, rules and regulations of the self-regulatory organizations listed in Question 4.

We agree to be bound by and to observe and comply with them as they are from time to time amended or supplemented, and we agree to keep ourselves fully informed about them as so amended and supplemented. We submit to the jurisdiction of the self-regulatory organizations and, wherever applicable, the Governors, Directors and committees thereof, and we agree that any approval granted pursuant to this application may be revoked, terminated or suspended at any time in accordance with the then applicable by-laws, rulings, rules and regulations. In the event of any such revocation or termination, the undersigned applicant agrees forthwith to terminate association with the undersigned sponsoring firm and thereafter not to accept employment with or perform services of any kind for any member or member house of the self-regulatory organizations or any approved affiliated company or other affiliate of any such member or member house, in each case if and to the extent provided in the then applicable by-laws, rulings, rules and regulations of the self-regulatory organizations. Our obligations above are joint and several.

We agree to the transfer of this application form, without amendment, to another of the self-regulatory organizations listed in Question 4 of this application form in the event that at some time in the future the undersigned applicant applies to such other self-regulatory organization.

The undersigned applicant has discussed the questions in this application and in particular Questions 15 and 16 with an officer or branch manager of this firm. The undersigned authorized officer is satisfied that the applicant fully understands the questions, and further certifies on behalf of the sponsoring firm that the applicant will be engaged as registered or approved.

The undersigned applicant acknowledges and consents that any of the self-regulatory organizations may obtain any information whatsoever from any source, as permitted by law in any jurisdiction in Canada or elsewhere.

Dated at ..... this ..... day of ..... 19.....

(Signature of Applicant)

(Name of Sponsoring Firm)

By ..... (Partner or Authorized Officer)

**AFFIDAVIT**

I, the undersigned applicant, do depose and say that I have read and understand the questions in this application form as well as the answers made by myself thereto and the Caution set out above, and that statements of fact made therein and in the attachments, if any, are true.

Sworn before me ..... (Commissioner of Oaths, etc.) ..... (Signature of Deponent)

at the city of ....., Province of .....

this ..... day of ..... 19.....

The Provinces of Saskatchewan & Manitoba require this affidavit to be sworn before a notary public or barrister or solicitor where the applicant is outside the province at the time of application.

It is an offence under applicable Canadian securities and commodity futures legislation to file an application which contains a statement that, at the time and in light of the circumstances in which it is made, is false or misleading, or which fails to state any material fact.

O. Reg. 685/85, s. 1.

**Form 8**

*Commodity Futures Act*

**CERTIFICATE OF INTENDED EMPLOYER**

(To be completed by the intended employer and submitted separately in support of every application for registration as a salesperson made in Form 7 and every application for amendment of registration as a salesperson made in Form 14 on transfer from the employ of one registered dealer to another).

1. (a) Name of intended Employer

.....

(b) Business Address in Ontario (including postal code)

.....

2. (a) Name of intended Employee-Applicant in full

.....

(b) Residence Address (including postal code)

.....

3. Code or symbol, if any, to be used to identify intended Employee-Applicant in written confirmations of trade

.....

To the Director:

On the basis of due and diligent inquiry made of the background of the applicant named above and other information available, the undersigned believes this person to be of good character and reputation and either has successfully completed or has the qualifications to undertake and successfully complete one of the courses of study approved by the Commission to which end all reasonable assistance will be furnished by us.

And I request that the application be granted.

Dated at .....  
 this ..... day of ....., 19.....  
 (Name of Dealer)  
 (Signature of proprietor, partner, officer)  
 By .....  
 (Official Capacity)

R.R.O. 1980, Reg. 114, Form 8.

**Form 9**

*Commodity Futures Act*

**APPLICATION FOR RENEWAL OF REGISTRATION AS DEALER OR ADVISER**

Application is made for renewal of registration under the *Commodity Futures Act* as .....

in the category of .....

and the following statements of fact are made in respect thereof:

1. Name of Applicant .....

2. Head Office Business Address (including postal code)

.....

Telephone No. ....

3. Have there been any changes which would make the information given in the last application for registration, amendment of registration or renewal of registration made under the *Commodity Futures Act* and the regulations false or misleading?

(Answer "Yes" or "No") .....

(If answer is "Yes", attach, and mark as an exhibit to this application, a statement of such changes giving full particulars using the same numbering for each item of change as it appears in the application form in which the information was contained.)

Dated at .....  
 this ..... day of ....., 19.....  
 (Name of Applicant)

By .....  
 (Signature of applicant, partner or officer)

.....  
 (Official Capacity)

**AFFIDAVIT**

**IN THE MATTER OF the *Commodity Futures Act***

Province of Ontario I, .....  
 ..... of ..... (name in full)  
 of the .....  
 in the ..... of .....

**MAKE OATH AND SAY:**

1. I am the applicant (or a partner or officer of the applicant) herein for renewal of registration and I signed the application for renewal of registration.
2. The statements of fact made in the application for renewal of registration are true.

SWORN before me at the ..... )  
 in the ..... of ..... )  
 this ..... day of ....., 19..... )  
 ..... )  
 (A Commissioner, etc.) ) ..... (Signature of deponent)

R.R.O. 1980, Reg. 114, Form 9.

**Form 10**

*Commodity Futures Act*

NOTE: Should any space be insufficient for your answer, a statement may be attached and marked as an exhibit cross-referencing each statement to the item to which it pertains provided it is initialled by the informant and the Commissioner taking the affidavit.

**APPLICATION FOR RENEWAL OF REGISTRATION AS SALESPERSON OR AS A PARTNER OR OFFICER OF A REGISTERED DEALER OR REGISTERED ADVISER**

Application is made for renewal of registration under the *Commodity Futures Act* as

(NOTE: As officer state office occupied; if also director so state).

1. (a) Name of registered dealer or registered adviser

.....

(b) Name of Applicant in full

.....

(c) Residence Address (including postal code)

.....

Telephone No. ....

2. Have there been any changes in the information previously given by you in your last application for registration or for renewal of registration filed with the Commission?

(Answer "Yes" or "No") .....

3. If the answer to item 2 is "Yes", give full particulars of every change, using the same numbering for each item of change as it appears in the application form in which the information was contained.

4. If no photograph supplied within the last 5 years, attach two copies, full face, size 2 x 2 inches bearing on the back your signature and that of the registered dealer or registered adviser.

Dated at ..... this ..... day of ....., 19.....

..... (signature of applicant)

**AFFIDAVIT**

**IN THE MATTER OF the *Commodity Futures Act***

Province of Ontario ) I, .....  
 ) (name in full)

..... of ..... ) of the .....

) in the county of .....

To Wit: )

MAKE OATH AND SAY:

1. I am the applicant herein for renewal of registration and I signed the application.

2. The statements of fact made in the application are true.



SWORN before me at the ..... )  
 in the ..... of ..... )  
 this ..... day of ....., 19..... )  
 ..... )  
 (A Commissioner, etc.) ) ..... (signature of deponent)

REQUEST OF EMPLOYER

(To be completed in support of every application made for renewal of registration as a salesperson)

The undersigned employer hereby requests that the registration of the above applicant be renewed.

Dated at ..... (Name of Dealer)  
 this ..... day of ....., 19.....  
 By ..... (Signature of proprietor, partner or officer)  
 ..... (official capacity)

R.R.O. 1980, Reg. 114, Form 10.

Form 11

Commodity Futures Act

NOTICE TO SUBMIT TO EXAMINATION UNDER SECTION 28 OF THE ACT

Province of Ontario ) IN THE MATTER OF the *Commodity Futures Act*  
 ..... of ..... ) AND  
 ) IN THE MATTER OF .....  
 ) .....

To: .....

TAKE NOTICE THAT you are required to attend at .....  
 ..... on ..... day, the ..... day of ....., 19.....,  
 at the hour of ..... o'clock in the ..... noon, and so from day to day to give further information or material and to submit to  
 examination under oath by a person designated by the Director on ..... day, the ....., day of  
 ....., 19....., pursuant to section 28 of the *Commodity Futures Act*.

Dated at ....., this ..... day of ....., 19.....  
 ..... (signature)

R.R.O. 1980, Reg. 114, Form 11.

Form 12

Commodity Futures Act

APPLICATION FOR AMENDMENT OF REGISTRATION AS DEALER OR ADVISER

Instruction: Applicants for amendment of registration as NON-RESIDENT CARRYING BROKER shall complete only clauses (a) and (b) of item 1.

Name of Registrant .....

Application is made for amendment to our existing registration as:

.....  
 .....

under the *Commodity Futures Act* and the following statements of fact are made in respect thereof.

1. Attached hereto and marked as an exhibit to the application is a statement of particulars of any change in,
  - (a) the name of the applicant,
  - (b) address for service or any business address,
  - (c) partners, officers or directors and the reason for any such person's resignation, dismissal, severance or termination of employment or office,
  - (d) holders of voting securities of the applicant,
  - (e) salesperson's employed and the reason for the termination of any salesperson's employment,
  - (f) branch offices in Ontario, or
  - (g) the person in charge of any branch office in Ontario.
2. Attached hereto and marked as an exhibit to the application is an Application for Registration Information Statement in Form 7 from each new partner or officer for whom registration to trade or to act as an adviser on behalf of the applicant is sought.
3. Attached hereto and marked as an exhibit to the application is a statement of changes which have occurred in the financial structure and control of the applicant which would make the information previously given by the applicant pursuant to this or any previous regulation, false, or misleading.

Dated at ..... (name of applicant)  
 this ..... day of ..... this, 19.....  
 By ..... (Signature of applicant, partner or officer)  
 ..... (official capacity)

AFFIDAVIT

IN THE MATTER OF the *Commodity Futures Act*

Province of Ontario ) I, .....  
 ..... of ..... ) (name in full)  
 ) of the .....  
 ) in the ..... of .....  
 )  
 ) MAKE OATH AND SAY:

1. I am the applicant (or a director or officer of the applicant) for amendment to registration, and I signed the application.
2. The statements of fact made in the application for amendment to the registration are true.

SWORN before me at the ..... )  
 in the ..... of ..... )  
 this ..... day of ....., 19..... )  
 ..... )  
 (A Commissioner, etc.) ) (signature of deponent)

R.R.O. 1980, Reg. 114, Form 12; O. Reg. 226/81, s. 12.

Form 13

*Commodity Futures Act*

APPLICATION FOR AMENDMENT OF REGISTRATION AS SALESPERSON

Name of Registrant .....

Application is made for amendment to my existing registration as salesperson under the *Commodity Futures Act* and the following statements of fact are made in respect thereof.

1. Attached hereto and marked as an exhibit to the application is a statement of particulars with respect to:

- (a) any change in address for service or any business address,
- (b) termination of employment with a registered dealer, or
- (c) commencement of employment with a registered dealer.

2. Attached hereto and marked as an exhibit to the application is a Certificate of Intended Employer in Form 8.

Dated at .....

this ..... day of ....., 19.....

.....  
(Signature of Applicant)

R.R.O. 1980, Reg. 114, Form 13.

### Form 14

#### Commodity Futures Act

#### INFORMATION STATEMENT

[NOTE: This form consists of two parts, a brief introduction and the statement itself. The first part should appear on a separate sheet, with the second part attached.]

#### PART I

##### TO: PROSPECTIVE COMMODITY FUTURES CUSTOMERS

For the speculator, futures trading is a high risk activity in which it may not be possible to limit the extent of potential liability. Before you buy or sell a contract you should be certain you can afford to lose not only the money you put up initially but additional money as well.

Attached is an information statement on certain aspects of futures trading. The following are among the points that you should consider in studying this statement:

1. *Financial Exposure*—You should fully understand the description of margin arrangements and of how you can be required to put up additional money even after your initial trade. See the section headed “Risk”.
2. *Settlement Procedures*—Once you have made a trade, you cannot sit back and treat it as a long-term investment. You must arrange to meet margin calls. And before the end of the contract term you must arrange an offsetting transaction, if you want to avoid having to settle by making or taking physical delivery. See the section headed “Settlement of Contracts”.
3. *Use of Funds*—Money you deposit with a dealer as margin may earn interest or be used by the firm in its business and you should be aware of the firm’s policy as to whether it will pay you interest on this money. Also, if the value of the contract moves in your favour, money will be credited by the clearing house and you should be aware of your dealer’s policy as to whether it will permit you to withdraw any amounts credited to it when the contract moves in your favour. These policies, discussed under “Interest on Customer’s Balance” and “Disbursement of Funds During Life of Contract” can have a significant impact on the economic results of your trading.

*These are not the only parts of the attached material that are important. You should study the material carefully, and ask any questions about it that may occur to you, before you enter your first transaction.*

(Sign name of firm)

#### PART II

#### SUMMARY DESCRIPTION OF COMMODITY FUTURES TRADING

##### NATURE OF THE CONTRACTS

1.01 When you trade in commodity futures contracts you are entering contracts to make or take delivery of a specified quantity or quality, grade or size of a commodity during a designated futures month at a price agreed upon when the contract is entered into on your behalf on a commodity futures exchange.

##### MARGIN

1.02 Each commodity futures exchange requires its members to obtain mandatory minimum margin from customers for whom the exchange members act. Many commodity futures exchanges set minimum margin requirements on the basis of a two tier system which is comprised of an “initial margin” requirement and a “maintenance” level. “Initial margin” is the original deposit required, the earnest money when the contract is entered into. If the market price moves against the customer’s position causing the margin on deposit to fall to or under a prescribed level called “maintenance” the customer will be required to furnish “variation margin” or additional funds to restore margin on deposit to initial margin. Other commodity futures exchanges set minimum margin requirements on the basis of a single rate which must be deposited when the contract is entered into and which must be maintained at all times while the contract position remains open. The minimum initial margin is thus in practice equal to the maintenance level. Under both systems margin is calculated at the end of each day and more frequently during active markets. When variation margin is required it must be furnished immediately.

## DAILY PRICE LIMITS

1.03 Commodity futures exchanges also impose maximum daily permissible price changes in each commodity—"daily price limits"—certain amounts above or below the previous day's closing price, beyond which limits, no trades may be affected.

1.04 The reason for such limits is to prevent sudden extreme price movements. However, the result can be days elapsing before a trading level is found. The loss to a trader on the wrong side of the market and seeking to offset the trader's contract can be substantial.

## SETTLEMENT OF CONTRACTS

1.05 Only a very small proportion of commodity futures contracts are, in fact, settled through actual delivery of a commodity. Instead, they are usually settled by entering an opposite or offsetting contract. To settle a contract in which a certain amount of a particular commodity for a given delivery month was bought, the buyer subsequently contracts to sell a like amount of that commodity for the same delivery month. To settle a contract in which a commodity was sold, the seller buys an equal amount. Any difference between the price at the time the original contract was made and the price at the time the liquidating or offsetting contract is entered into is settled in cash.

## RISK

2.01 The risk of loss in commodity futures trading is substantial. You should, therefore, carefully consider whether such trading is suitable for you in light of your financial condition, objectives and temperament. In considering whether to trade, you should be aware of the following:

- (1) You may sustain a total loss of the initial margin funds and any additional funds that you deposit with your broker to establish or maintain a position in the commodity futures market. If the market moves against your position, you may be called upon by your broker to deposit a substantial amount of additional margin funds, on short notice, in order to maintain your position. If you do not provide the required funds within the prescribed time, your position may be liquidated at a loss, and you will be liable for any resulting deficit in your account.
- (2) Under certain market conditions, you may find it difficult or impossible to liquidate a position. This can occur, for example, when the market makes a "limit move".
- (3) Placing contingent orders, such as "stop-loss" or "stop-limit" order, will not necessarily limit your losses to the losses to the intended amounts, since market conditions may make it impossible to execute such orders.
- (4) A "spread" position may not be less risky than a simple "long" or "short" position.
- (5) The high degree of leverage that is often obtainable in futures trading because of the small margin requirements can work against you as well as for you. The use of leverage can lead to large losses as well as gains.
- (6) As most transactions are made in foreign currencies the risk you assume includes those related to currency fluctuations.
- (7) In the event of the bankruptcy of a dealer it is probable that you would merely have, as to your claim against funds deposited as margin, the status of an unsecured creditor whether or not such funds were segregated under the *Commodity Futures Act*. You would then participate in available assets on a proportional basis with other unsecured creditors.

2.02 This brief statement cannot, of course, disclose all the risks and other significant aspects of the commodity markets. You should therefore carefully study and become familiar with all aspects of commodity futures trading.

## MARGIN

[The following two paragraphs may be modified to describe, briefly and clearly, the policy of the particular dealer if it differs from that described.]

3.01 ..... generally requires from its customers more margin than  
(Name of Dealer)

the minimum amounts prescribed by a commodity exchange. When variation margin is required from the customer the amount deposited must restore margin on deposit to the original deposit required by the firm.

3.02 In lieu of cash, margin requirements may be met by the deposit, in denominations of not less than \$10,000, of Treasury Bills issued by the Government of Canada or by the Government of the United States. Since a Treasury Bill is sold at a discount to mature at par, interest will accrue to the bearer.

## TRANSFER OF FUNDS BETWEEN CUSTOMER'S BALANCE

4.01 If you also maintain a securities account, ..... shall, unless you  
(Name of Dealer)

direct otherwise, transfer free funds between accounts if such transfer is necessary to reduce or eliminate a debit balance of \$5,000 or more. Free funds may otherwise be transferred between accounts only if the transfer is made in accordance with a written agreement between us.

[If the customer is asked to sign such an agreement, a brief and clear summary of its terms should be added here.]

INTEREST ON CUSTOMER'S BALANCE

5.01 Funds deposited to meet margin requirements and customers' funds in excess of margin requirements, including funds representing equity gains on contracts entered into on behalf of customers which have been paid to ..... while the contract is still open may be used by (Name of Dealer) ..... in its business. .... (Name of Dealer) (Name of Dealer)

does/does not [use alternative which is applicable] pay interest to the customer on these funds.

[This section may be modified to describe, briefly and clearly, the policy of the particular dealer in respect of payment of interest on credit balances if it differs from that described.]

DISBURSEMENT OF FUNDS DURING LIFE OF CONTRACT

6.01 ..... does/does not [use alternative which is applicable] (Name of Dealer) permit a customer to withdraw equity gains on contracts entered into on the customer's behalf and paid out to ..... while the contract is still open. .... (Name of Dealer)

[This section may be modified to describe, briefly and clearly, the policy of the particular dealer if it differs from that described.]

COMMISSIONS AND OTHER TRANSACTION COSTS

ACKNOWLEDGEMENT

I acknowledge having received an Information Statement dated ..... prior to the opening of my account with ..... (Name of Registrant)

Dated: .....

Account No.: ..... (Signature of Customer)

NOTES AND INSTRUCTIONS

A copy of the form of Information Statement and each amendment thereto shall be filed by the registrant with the Commission.

Paragraphs

3.01 and 3.02—These paragraphs need only be included in an Information Statement furnished to its prospective customers by a registered dealer.

Paragraph 4.01—This paragraph need only be included in an Information Statement prepared by a registered dealer who is also registered as a dealer under the Securities Act.

Paragraph 5.01—This paragraph need only be included in an Information Statement prepared by a registered dealer.

Paragraph 6.01—This paragraph need only be included in an Information Statement prepared by a registered dealer.

Paragraph 7.01—Furnish details concerning commissions and other transaction costs. Any attached schedule is to be referred to here as forming part of this Information Statement.

There should be a statement forming part of the text at paragraph 7.01 or of any attached schedule that the commissions and other transaction costs detailed are effective as at the date of the opening of the customer's account and may be subject to change. The statement should advise the customer that the firm will furnish details of any such changes on request.

Acknowledgement—The acknowledgment is to be executed in duplicate by the customer and a copy is to be retained by the registrant. O. Reg. 226/81, s. 13.

Form 15

Commodity Futures Act

SUMMARY DISCLOSURE STATEMENT EXCHANGE TRADED COMMODITY FUTURES OPTIONS

Every summary disclosure statement relating to exchange traded commodity futures options shall include:

- (1) The following boldface statements in substantially the following form in ten point type on the first page:

Before you trade in commodity futures options, you should carefully read this statement. This is important because of the particular risks involved.

If you plan to buy an option, you should realize that you will pay both a premium and a commission. The premium compensates the seller, or writer, of the option for the risk the seller or writer assumes; the commission compensates the broker who handles the transaction for you. Accordingly, if you are to avoid a loss the price of the commodity must—before the end of the option period—rise sufficiently that the consequent increase in the price of the underlying futures contract will absorb both the premium and the commission.

If you plan to sell (i.e., write) an option, you will be obligated to provide a futures contract to cover the option should the purchaser of the option exercise. If you write an option and do not own the underlying futures contract, there is no limit on your possible loss, which is determined entirely by the amount of the rise in the price of the commodity and the underlying futures contract.

**NO SECURITIES COMMISSION OR SIMILAR AUTHORITY IN CANADA HAS IN ANY WAY PASSED UPON THE MERITS OF THE COMMODITY FUTURES OPTIONS DESCRIBED HEREIN AND ANY REPRESENTATION TO THE CONTRARY IS AN OFFENCE.**

- (2) A statement to the effect that:

- (i) Specific market movements of the commodity futures contracts underlying the commodity futures options cannot be accurately predicted,
- (ii) The writer of a call option who does not own the commodity futures contract required to be delivered upon exercise of the option is subject to risk of loss should the price of the underlying commodity futures contract increase by an amount in excess of the premium, less transaction costs,
- (iii) The writer of a call option who owns the commodity futures contract underlying the option is subject to the full risk of the writer's underlying position; in exchange for the premium, so long as the writer remains obligated under the option contract, the writer has given up an opportunity for gain resulting from an increase in the price of the underlying commodity futures contract above the price at which the option may be exercised,
- (iv) The writer of a put option is subject to risk of loss should the price of the underlying commodity futures contract decrease by an amount in excess of the premium, less transaction costs;

- (3) A description of the commodity futures options being offered including:

- (i) The nature and type of the options and the manner in which they are traded,
- (ii) The commodity futures contracts underlying the options,
- (iii) The total quantity and quality of the commodities which are the subject of the underlying commodity futures contract,
- (iv) The duration of the option,
- (v) A general description of the elements which may comprise the purchase price to be charged including the premium commissions, costs, fees and other charges as well as the method by which the premium is established,
- (vi) The services to be provided for the separate elements comprising the purchase price,
- (vii) A general description of any and all costs in addition to the purchase price which may be incurred by an option holder if the commodity futures option is exercised, including, but not limited to commissions (whether denominated as sales commissions or otherwise), and all similar fees and charges which may be incurred,
- (viii) The procedural requirements for exercise of the option being offered,
- (ix) A clear explanation of any force majeure clause contained in the option, and
- (x) A general description of any material risks involved in the option transactions not included in the statements required by item 2.

- (4) A general description of the commodity futures exchange on which the options are traded, including the operation of the clearing mechanism and an explanation of any exchange or clearing house guarantees; and

- (5) If the commodity futures option is incapable of being liquidated by an offsetting transaction on or subject to the rules of the commodity futures exchange on which it is traded, a statement to the effect that,

- (i) the price of the commodity futures contract underlying the option must either rise above or fall below (as the case may be) the striking price by an amount in excess of the sum of the premium and all other costs incurred in entering into and exercising the commodity futures option in order for the option customer to realize a profit on the option transaction, and
- (ii) an option customer will be unable to sell any option purchased in any market to recover any of the purchase price, but rather may only liquidate by exercising an option before the expiration date of the option.

- (6) A clear explanation of the effect of any foreign currency fluctuations with respect to the commodity options being offered.

(7) A form of acknowledgement in substantially the following form:

I acknowledge having received a Summary Disclosure Statement dated ..... prior to the opening of my account with ..... (Name of Dealer)

Dated .....

Account No. .... (Signature of Customer)

Instruction: The acknowledgement is to be executed in duplicate by the customer and a copy is to be retained by the dealer.

R.R.O. 1980, Reg. 114, Form 15.

Form 16

Commodity Futures Act

ENDORSEMENT OF WARRANT

Province of Ontario )
..... )
(territorial jurisdiction)

Pursuant to subsection 58 (1) of the Commodity Futures Act and pursuant to application this day made to me, I hereby authorize the execution of this warrant within the said territorial jurisdiction.

Dated this ..... day of ....., 19....., at .....

(a Provincial Judge or Justice in and for the Province of Ontario)

R.R.O. 1980, Reg. 114, Form 16.

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**Community Psychiatric Hospitals Act**  
**Loi sur les hôpitaux psychiatriques communautaires**

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**REGULATION 91**

**GENERAL**

DEFINITIONS

1. In this Regulation,

“attending physician” means the medical practitioner who attends a patient in a hospital;

“board” means the governing board of an institution, building or other premises or place of which all or any part is approved as a community psychiatric hospital;

“inspector” means a person appointed by the Minister for the purposes of making inspections under this Regulation;

“medical practitioner” means a legally qualified medical practitioner;

“Ministry” means the Ministry of Health;

“out-patient” means a person who is not a patient and who attends an out-patient department for the purpose of receiving examination, diagnosis or treatment for a psychiatric disorder;

“out-patient department” means that part of a hospital that is established and maintained for the purpose of examining, diagnosing and treating out-patients;

“physical treatment” includes electro shock therapy and insulin shock therapy;

“superintendent” means the person who has the direct and actual superintendence of a hospital. R.R.O. 1980, Reg. 115, s. 1.

APPLICATION

2. This Regulation applies to any institution, building or other premises or place, or to any part or parts thereof, approved by the Lieutenant Governor in Council under section 3 of the Act as a community psychiatric hospital. R.R.O. 1980, Reg. 115, s. 2.

MANAGEMENT AND OPERATION

3. The board is responsible for the enforcement of the Act, this Regulation and the by-laws of the hospital. R.R.O. 1980, Reg. 115, s. 3.

4. The superintendent is responsible to the board for the due observance and enforcement of the Act, this Regulation and the by-laws of the hospital. R.R.O. 1980, Reg. 115, s. 4.

5. The superintendent is the officer representing the hospital with whom the Minister, an inspector and other officers of the Ministry shall deal with respect to hospital matters. R.R.O. 1980, Reg. 115, s. 5.

STAFF

6.—(1) The board shall provide for,

- (a) the appointment and functioning of a superintendent, a medical staff, a nursing staff and an auditor; and

- (b) the establishment of an administrative and accounting system.

(2) An auditor shall not be appointed for a hospital unless the auditor is licensed under the *Public Accountancy Act*. R.R.O. 1980, Reg. 115, s. 6.

7. A hospital shall have on duty at all times sufficient nursing staff to give such nursing care to every patient in the hospital as is required for the patients' care and treatment. R.R.O. 1980, Reg. 115, s. 7.

8. Where the Ministry furnishes medical staff or nursing, technical or other assistants to a hospital, the medical staff and nursing, technical and other assistants are responsible to the board and subject to its directions in the performance of their duties. R.R.O. 1980, Reg. 115, s. 8.

FISCAL YEAR

9. The fiscal year of a hospital shall be from the 1st day of April to the 31st day of March next following. R.R.O. 1980, Reg. 115, s. 9.

MEETINGS

10. An annual meeting of the hospital shall be held between the 1st day of January and the 31st day of May in each year on a day fixed by the board. R.R.O. 1980, Reg. 115, s. 10.

11. The board shall hold at least six meetings a year upon such days and times as are fixed by the chair and superintendent. R.R.O. 1980, Reg. 115, s. 11.

INSPECTIONS

12. An inspector may,

- (a) inspect the premises, management and operation of a hospital;

- (b) require the superintendent, a member of the medical staff or a hospital employee,

- (i) to furnish any information in his or her possession or under his or her control, and

- (ii) to make returns, reports or statements in writing,

relating to the management and operation of the hospital;

- (c) examine and audit all the hospital books, accounts and records; and

- (d) investigate any hospital matter and require information from any person in respect of any hospital matter. R.R.O. 1980, Reg. 115, s. 12.

PATIENTS

13. A hospital shall keep a register of patients. R.R.O. 1980, Reg. 115, s. 13.

14. When a patient is admitted to a hospital, the patient shall be issued a register number. R.R.O. 1980, Reg. 115, s. 14.

15.—(1) Any person who is believed to be suffering from a psychiatric disorder and to be in need of the observation, care and treatment provided in a hospital may be admitted thereto on his or her own application or on the application of a medical practitioner on his or her behalf.

(2) An application for admission by a medical practitioner may be made orally or in writing to the superintendent, and the person for whom the application is made shall not be taken to the hospital for admission or admitted thereto until the admission has been awarded.

(3) Where an application for admission is made by a person who is not a medical practitioner, the superintendent may admit the person as a patient if,

- (a) the person requires treatment; and
- (b) the person's mental condition, in the opinion of the superintendent, is such as to render him or her competent to apply for admission. R.R.O. 1980, Reg. 115, s. 15.

16. Where a medical practitioner sends any person to a hospital for admission and he or she knows or suspects that the person is or may become dangerous for any reason to himself or herself or to other patients, the medical practitioner shall notify the superintendent of the danger. R.R.O. 1980, Reg. 115, s. 16.

17.—(1) When a patient is no longer in need of treatment in a hospital, the attending physician shall write an order that the patient is discharged.

(2) A patient shall be deemed to be discharged when the attending physician writes the order under subsection (1) and communicates it to the patient.

(3) A patient who is discharged shall leave the hospital but the patient may, at his or her option and with the approval of the superintendent, remain in the hospital for a further period not exceeding twenty-four hours.

(4) When a patient under the age of sixteen years is discharged, the person liable for his or her maintenance shall remove the patient from the hospital but, at the request of the person so liable and with the approval of the superintendent, the patient may be permitted to remain in the hospital for a further period not exceeding twenty-four hours. R.R.O. 1980, Reg. 115, s. 17.

18.—(1) A person who is admitted to a hospital shall give the name and address of a relative or friend to be notified under subsection (3).

(2) The attending physician shall notify the superintendent when he or she believes that the relative or friend should be present at the hospital with a patient.

(3) The superintendent shall so notify the relative or friend. R.R.O. 1980, Reg. 115, s. 18.

#### ORDERS FOR TREATMENT

19.—(1) All orders for treatment shall be in writing on a paper attached to the medical record of the patient.

(2) Orders for treatment shall be dated and signed by an attending physician or a medical practitioner authorized by him or her, but an attending physician or a medical practitioner authorized by him or her may dictate by telephone orders for treatment to a person designated by the superintendent to take the orders.

(3) The person to whom the order has been dictated shall transcribe and sign the order and endorse thereon the name of the medical practitioner and the date and time of receiving the order.

(4) When a medical practitioner has dictated an order by tele-

phone, he or she shall sign the order on his or her first visit to the hospital thereafter. R.R.O. 1980, Reg. 115, s. 19.

#### CASE RECORDS

20. Within seventy-two hours after the admission of a patient, the board shall cause a medical practitioner to,

- (a) write a medical history;
- (b) make a physical examination and record his or her findings; and
- (c) make and record a provisional diagnosis. R.R.O. 1980, Reg. 115, s. 20.

21. The board shall cause to be compiled for each patient a medical record including,

- (a) identification;
- (b) history of present illness;
- (c) history of previous illnesses;
- (d) family history;
- (e) provisional diagnosis;
- (f) orders for treatment;
- (g) progress notes;
- (h) reports of,
  - (i) condition on discharge,
  - (ii) consultations,
  - (iii) follow-up care,
  - (iv) laboratory examinations,
  - (v) medical, surgical and physical treatment,
  - (vi) physical examinations,
  - (vii) radiological examinations,
  - (viii) cause of death,
  - (ix) post mortem examination, if any, and
  - (x) final diagnosis. R.R.O. 1980, Reg. 115, s. 21.

22.—(1) A person who makes any part of a record under sections 20 and 21 shall deliver the part to the superintendent.

(2) The superintendent is responsible for the safe-keeping of all records relating to a patient. R.R.O. 1980, Reg. 115, s. 22.

23.—(1) When a patient dies, the attending physician shall report the cause of death in writing to the superintendent for the medical record of the patient.

(2) Where the attending physician completes the medical certificate required by subsection 21 (3) of the *Vital Statistics Act* and delivers a copy to the superintendent, subsection (1) does not apply. R.R.O. 1980, Reg. 115, s. 23.

24. When a medical practitioner performs a post mortem examination on the body of a patient, he or she shall make and sign a report of the examination and deliver it to the superintendent for the medical record of the patient. R.R.O. 1980, Reg. 115, s. 24.

## OUT-PATIENT DEPARTMENT

25. Where an out-patient department is maintained in a hospital, the superintendent shall provide therein,

- (a) medical staff and nursing, technical and other assistants in regular attendance;
- (b) adequate equipment;
- (c) facilities and clerical staff for keeping records; and
- (d) facilities for the examination, diagnosis and treatment for psychiatric disorders of outpatients. R.R.O. 1980, Reg. 115, s. 25.

## REGULATION 92

## GRANTS

I. In this Regulation,

"in-patient" means a person admitted to and assigned a bed in a hospital;

"in-patient services" means all of the following services to an in-patient:

1. Accommodation and meals at the standard or public ward level.
2. Necessary nursing service provided and paid for by the hospital to meet the medical needs of a patient as determined by the attending physician.
3. Laboratory, radiological and other diagnostic procedures, together with the necessary interpretations for the purpose of maintaining health, preventing disease, and assisting in the diagnosis and treatment of any psychiatric disorder.
4. Drugs, biological and related preparations that are prescribed by an attending physician in accordance with accepted practice and sound teaching and administered in a hospital, but not including any proprietary medicine as defined from time to time by the regulations made under the *Food and Drugs Act* (Canada) that does not contain any substance or preparation containing any substance referred to in Schedule C, D, E, F, G or N under the *Health Disciplines Act*.
5. Use of treatment room and anaesthetic facilities, including necessary equipment and supplies.
6. Routine surgical supplies.
7. Use of occupational therapy and physiotherapy facilities where available.
8. Services rendered by persons who receive remuneration from the hospital to provide such services, including physicians;

"insured person" means a person who is entitled to insured services under the plan established under the *Health Insurance Act* and who is admitted to a hospital established or approved under section 3 of the *Community Psychiatric Hospitals Act*;

"insured services" means in-patient and out-patient services to which an insured person is entitled without charge under the plan established under the *Health Insurance Act*;

"out-patient" means a person who receives out-patient services;

"out-patient services" means all the following services provided to an out-patient by a hospital:

1. Laboratory, radiological and other diagnostic procedures, together with the necessary interpretations for the purpose of maintaining health, preventing disease and assisting in the diagnosis of any psychiatric disorder.
2. Use of treatment room and anaesthetic facilities, including necessary equipment and supplies.
3. Routine surgical supplies.
4. Use of occupational therapy and physiotherapy facilities where available.
5. Necessary nursing service and meals.
6. Services rendered by persons who receive remuneration from the hospital to provide such services, including physicians;

"per day rate" means the amount payable, as determined by the Minister, in respect of the provision of in-patient services by the hospital;

"standard ward accommodation" means a bed in a hospital area designated by the hospital and approved by the Minister as standard or public ward accommodation. R.R.O. 1980, Reg. 116, s. 1.

2. Provincial aid may be paid to a hospital in accordance with this Regulation and in an amount determined as prescribed by this Regulation. R.R.O. 1980, Reg. 116, s. 2.

3.—(1) The provincial aid shall be an amount equivalent to the actual cost of providing,

- (a) general maintenance, including light, heat and power;
- (b) administration;
- (c) depreciation on furniture, equipment and apparatus; and
- (d) in-patient and out-patient services, including salaries, supplies and equipment including the expense of,
  - (i) the medical superintendent's office,
  - (ii) radiology and laboratory examinations,
  - (iii) medical records,
  - (iv) dietary services for patients only,
  - (v) housekeeping for patients only, and
  - (vi) the laundry.

(2) There shall be deducted from the provincial aid payable to a hospital under subsection (1) the following revenue received by the hospital:

1. Payment for in-patient services rendered by the hospital to non-insured persons at the per day rate for standard ward accommodation.
2. 50 per cent of all payments received for in-patient services in excess of the per day rate for standard ward accommodation.
3. All money received from a municipality or the provincial or federal government.
4. 75 per cent of all money received from charitable organizations, benevolent foundations and individual endowments

and bequests, unless the money is provided to the hospital for a specific purpose that is not ordinarily included in the routine operation of the hospital. R.R.O. 1980, Reg. 116, s. 3.

4.—(1) The hospital shall annually prepare and submit to the Minister a budget estimate of the costs referred to in section 3, including particulars of the clinical services proposed and the estimated cost thereof.

(2) The hospital may submit amendments to the budget estimate to the Minister. R.R.O. 1980, Reg. 116, s. 4.

5.—(1) Provincial aid may be paid provisionally in equal monthly instalments in advance, subject to final adjustment upon receipt of the annual financial statement of the hospital.

(2) The annual financial statement mentioned in subsection (1) shall include particulars of the revenue mentioned in subsection 3 (2). R.R.O. 1980, Reg. 116, s. 5.

6. In this section and in sections 7, 8 and 9,

“auxiliary-services accommodation” means that part of a hospital established and maintained by the hospital,

- (a) as autopsy facilities,
- (b) as a laboratory,
- (c) as a dispensary,
- (d) for diagnosis or treatment by X-ray,
- (e) for treatment by occupational therapy,
- (f) for treatment by physiotherapy,
- (g) for emergency services,
- (h) for community health services,
- (i) for hospital training facilities,
- (j) for a dietary department that includes,
  - (i) kitchens and food preparation areas, including formula rooms,
  - (ii) refrigerated areas and refrigeration equipment,
  - (iii) day stores but excluding bulk stores,
  - (iv) dining rooms, cafeterias, snack bars and coffee shops,
  - (v) food pantries and serveries in nursing unit,
  - (vi) dietitians' offices,
  - (vii) dishwashing areas, and
  - (viii) garbage disposal areas,
- (k) for a central supply service that includes areas for,
  - (i) receiving,
  - (ii) clean-up,
  - (iii) work space,
  - (iv) glove preparation,
  - (v) sterilization,

- (vi) sterile supply storage,
- (vii) unsterile supply storage,
- (viii) distributing, and
- (ix) necessary related office accommodation;

“out-patient department” means that part of a hospital that is established and maintained for the purpose of examining, diagnosing and treating out-patients. R.R.O. 1980, Reg. 116, s. 6.

7.—(1) Provincial aid in the form of,

- (a) a hospital-construction capital grant;
- (b) a capital grant for an out-patient department or auxiliary-services accommodation; or
- (c) a capital grant for a renovation project,

may be paid to a hospital in the amount prescribed by section 8.

(2) An application for a hospital-construction capital grant shall be made in Form 1.

(3) An application for a capital grant for an out-patient department or auxiliary-services accommodation shall be made in Form 2.

(4) An application for a capital grant for a renovation project shall be made in Form 3. R.R.O. 1980, Reg. 116, s. 7.

8.—(1) A hospital-construction capital grant may be made where accommodation is established or acquired for beds for the treatment of patients, and shall not exceed \$8,500 for each bed so provided for, or the difference between any amount in respect of the same accommodation made by the Government of Canada and the actual cost that is not in excess of \$10,500, whichever is the lesser.

(2) A capital grant for an out-patient department or auxiliary-services accommodation may be made where accommodation is established, or acquired to establish or enlarge, an out-patient department or auxiliary-services accommodation or where major alterations or improvements are made in an out-patient department or auxiliary-services accommodation, and shall not exceed \$3,200 for each 27.87 square metres of floor space so acquired, or the actual cost, whichever is the lesser.

(3) A capital grant for a renovation project may be paid where accommodation for beds, outpatient department or auxiliary-services accommodation is renovated, improved, modernized or converted from another use and shall not exceed, the lesser of,

- (a) \$3,000,
- (i) in the case of the part of a hospital other than an out-patient department or auxiliary-services accommodation for each bed improved by the renovation, or
- (ii) in the case of an out-patient department or auxiliary-services accommodation for each 27.87 square metres of floor space; or

(b) an amount equal to the total cost of the renovation project.

(4) Amounts of money received or to be received by a hospital from,

- (a) grants made by the Government of Canada;
- (b) municipal contributions; or
- (c) public subscriptions,

shall be deducted from a capital grant payable to the hospital for a renovation project. R.R.O. 1980, Reg. 116, s. 8.

- 9. A capital grant may be paid in instalments of,
  - (a) one-quarter when one-quarter of the work is completed;
  - (b) one-quarter when one-half of the work is completed;
  - (c) one-quarter when three-quarters of the work is completed; and
  - (d) the balance where the building project is completed, furnished and equipped. R.R.O. 1980, Reg. 116, s. 9.

**Form 1**

*Community Psychiatric Hospitals Act*

**APPLICATION FOR A HOSPITAL CONSTRUCTION CAPITAL GRANT**

To: The Minister of Health,  
Queen's Park,  
Toronto M7A 1A2 Ontario.

The ..... hospital applies for  
(name of hospital)

a hospital-construction capital grant under the Act and regulations and in support gives the following information:

- 1. Name of municipalities served by applicant hospital .....
- 2. Population of each municipality referred to in Item 1 .....
- 3. Estimated cost of proposed building project in detail, including the cost of,
  - (a) acquisition of site, if part of this project;
  - (b) work on site and landscaping;
  - (c) new construction;
  - (d) additions or alterations to, or renovation of, hospital buildings;
  - (e) acquisition of existing buildings;
  - (f) additions or alterations to, or renovation of, existing buildings acquired as part of this project;
  - (g) fixed equipment;
  - (h) furnishings;
  - (i) architect's fees;
  - (j) other professional fees; and
  - (k) any other expenditures required for the project.
- 4. Estimated cost per cubic metre of new construction, excluding the cost of fixed equipment and furnishings.
- 5. Name and address of architect.
- 6. Proposed method of financing in detail:
  - (a) Cash on hand;
  - (b) Other assets;
  - (c) Municipal contributions,

- (i) already received, or
- (ii) promised for the future;
- (d) Public subscription,
  - (i) amount already received, or
  - (ii) pledges anticipated.

If the hospital is to be partly financed by means of a mortgage, debentures or other loans, give details of proposal.

- 7. The municipality has (has not) agreed to contribute, and a vote was taken on the by-law by electors of the municipality and the result was ..... for and ..... against.
- 8. Proposed date of start of building project.
- 9. Expected date of completion of building project.

Date ....., 19....

.....  
Chair or Secretary of the Board

R.R.O. 1980, Reg. 116, Form 1.

**Form 2**

*Community Psychiatric Hospitals Act*

**APPLICATION FOR A CAPITAL GRANT FOR AN OUT-PATIENT DEPARTMENT OR AUXILIARY-SERVICES ACCOMMODATION**

To: The Minister of Health,  
Queen's Park,  
Toronto M7A 1A2 Ontario.

The ..... hospital applies for a  
(name of hospital)

capital grant under the Act and regulations, in respect of an out-patient department or auxiliary-services accommodation and in support gives the following information:

- 1. The building project involves,
  - (a) the acquisition of existing buildings;
  - (b) additions or alterations to, or renovation of, existing buildings;
  - (c) new construction; or
  - (d) additions or alterations to, or renovation of, hospital buildings.
- 2. The dimensions of accommodation of proposed auxiliary-services accommodation or out-patient department:
 

Divisions of proposed out-patient department	Area in Square Metres
.....	.....
.....	.....
- 3. Estimated cost of proposed building project in detail, including the cost of,
  - (a) acquisition of site, if part of this project;

- (b) work on site and landscaping;
  - (c) new construction;
  - (d) additions or alterations to, or renovation of, hospital buildings;
  - (e) acquisition of existing buildings;
  - (f) additions or alterations to, or renovation of, existing buildings acquired as part of this project;
  - (g) fixed equipment;
  - (h) furnishings;
  - (i) architect's fees;
  - (j) other professional fees; and
  - (k) any other expenditures required for the project.
4. Estimated cost per cubic metre of new construction, excluding the cost of fixed equipment and furnishings.
  5. Name and address of architect.
  6. Proposed method of financing in detail:
    - (a) Cash on hand;
    - (b) Other assets;
    - (c) Municipal contributions,
      - (i) already received, or
      - (ii) promised for the future;
    - (d) Public subscription,
      - (i) amount already received, or
      - (ii) pledges anticipated.

If the hospital is to be partly financed by means of a mortgage, debentures or other loans, give details of proposal.
  7. The municipality has (has not) agreed to contribute, and a vote was taken on the by-law by electors of the municipality and the result was ..... for and ..... against.
  8. Proposed date of start of building project.
  9. Expected date of completion of building project.

Date ....., 19....

.....  
Chair or Secretary of the Board

R.R.O. 1980, Reg. 116, Form 2.

**Form 3**

*Community Psychiatric Hospitals Act*

**APPLICATION FOR A CAPITAL GRANT FOR A RENOVATION PROJECT**

To: The Minister of Health,  
Queen's Park,  
Toronto M7A 1A2 Ontario.

The .....  
(name of hospital)

applies for a capital grant for a renovation project under the Act and regulations, and in support of the application gives the following information:

1. Reasons for considering the proposed project to be a major renovation project:  
.....
2. Date(s) when building(s) to be renovated was (were) first constructed .....  
.....
3. Years of expected life of building(s) after renovation is completed .....  
.....
4. The number of beds of all types that will be abandoned because of the renovation .....  
.....
5. Have the plans for the renovation project been approved by the local fire department of the municipality in which the hospital is located?  
.....  
.....
6. Describe the present deficiencies of the existing structure, facilities and services .....  
.....
7. Describe the increased bed accommodation, improvements in facilities, services, efficiency and economy or any other improvements that will result from the renovation project:  
.....  
.....
8. Describe the type of construction, materials, fireproofing, finishes and equipment proposed to be used in the renovation project:  
.....  
.....
9. Further explanation and remarks:  
.....  
.....
10. Estimated cost of proposed building project in detail, including the cost of,
  - (a) acquisition of site, if part of this project;
  - (b) work on site and landscaping;
  - (c) new construction;
  - (d) additions or alterations to, or renovation of, hospital buildings;
  - (e) acquisition of existing buildings;

- (f) additions or alterations to, or renovation of, existing buildings acquired as part of this project;
  - (g) fixed equipment;
  - (h) architect's fees;
  - (i) other professional fees; and
  - (j) any other expenditures required for the project.
11. Estimated cost per cubic metre of new construction, excluding the cost of fixed equipment.
12. Name and address of architect or consulting engineer.
13. Proposed methods of financing in detail:
- (a) Cash on hand;
  - (b) Other assets;
  - (c) Municipal contributions,
    - i. already received, or
    - ii. promised for the future;
- (d) Public subscription,
  - i. amount already received, or
  - ii. pledges anticipated.

If the hospital is to be partly financed by means of a mortgage, debentures or other loans, give details of proposal.

14. The municipality has (has not) agreed to contribute, and a vote was taken on the by-law by electors of the municipality and the result was  
 ..... for and ..... against.

15. Proposed date of start of building project.

16. Expected date of completion of building project.

Date ....., 19....  
 .....  
 Chair or Secretary of the Board

R.R.O. 1980, Reg. 116, Form 3.





## Community Recreation Centres Act *Loi sur les centres de loisirs communautaires*

### REGULATION 93

#### GENERAL

1. In this Regulation,

“applicant” means an applicant for a grant under the Act;

“building project” means,

- (a) the construction of all or any part of one or more new buildings or structures or an addition or extension to an existing building or structure,
- (b) the acquisition of land or all or any part of one or more existing buildings or structures and any alteration or addition thereto, or
- (c) the renovation or alteration of one or more existing buildings or structures,

for the purposes of a community recreation centre. R.R.O. 1980, Reg. 117, s. 1.

2. A capital grant may be paid for a community recreation centre where the community recreation centre is used or is to be used for one of the following purposes:

1. A community hall with a floor area of not less than 20 square metres.
2. A playing field consisting of an outdoor area with space and of a design for more than one type of sport or recreational activity.
3. One or more tennis courts of a size that is in accordance with the specifications of the Official Playing Rules of the Canadian Lawn Tennis Association and that includes such shelters or other amenities as the Minister may approve.
4. An indoor or outdoor swimming pool.
5. A snow skiing facility located on a site approved by the Minister, and that is not a cross-country ski trail and that includes at least one shelter, a beginner's slope and a tow and such other slopes, jumps or amenities that may be approved by the Minister.
6. An outdoor or indoor skating arena or rink of a size and design suitable for use by the public in the community.
7. A fun fitness trail consisting of a trail with one or more facilities along the route of the trail for community recreational activities.
8. A gymnasium consisting of an enclosed structure for gymnastic and community recreational activities.
9. A cultural centre designed and constructed to include an auditorium, art gallery and facilities for the performance of visual and creative arts. R.R.O. 1980, Reg. 117, s. 2.

3. Subject to sections 4 and 5, the amount of a grant payable under section 6 of the Act shall be equal to the cost of the building project approved by the Minister. R.R.O. 1980, Reg. 117, s. 3.

4. Despite section 6 of the Act, where the Minister is of the opinion that the financial resources available to a municipality, after payment to the municipality of the maximum amount of the capital grant prescribed under that section, would be insufficient to pay for a building project or for the municipality's share of a building project under an agreement for the joint establishment of the community recreation centre without placing an undue financial burden on the municipality, the maximum amount of the grant that may be paid shall not exceed the lesser of \$150,000 or 50 per cent of the cost of the building project or of the value of the municipality's contribution, as the case may be. R.R.O. 1980, Reg. 117, s. 4.

5. Despite section 6 of the Act, if special facilities approved by the Minister for handicapped persons that are not required under the *Building Code Act* are provided in a community recreation centre, the amount of the grant payable under subsection 6 (1) or (2) of the Act for the community recreation centre may exceed the lesser of \$75,000 or 25 per cent of the cost of the building project, or of the value of the contribution of the applicant to the building project, as the case may be, by an amount equal to the cost, approved by the Minister, of the special facilities. R.R.O. 1980, Reg. 117, s. 5.

6.—(1) Before commencing a building project or at such other time before payment of the grant as the Minister may approve, an applicant shall file with the Minister,

- (a) plans and specifications prepared by an architect or professional engineer or, if the Minister approves, a sketch drawn to scale, of the community recreation centre showing,
  - (i) the size and location of the site, and
  - (ii) the location on the site, the size and any interior partitions and use or any intended use of all or any part of one or more buildings, structures, facilities and areas; and
- (b) evidence satisfactory to the Minister that the applicant is solely, or jointly with one or more other persons or organizations,
  - (i) the owner or lessee of, or
  - (ii) under an agreement in writing, otherwise legally entitled to use,

the property comprising the community recreation centre for a fixed and continuous period of time that, in the opinion of the Minister, justifies payment of the grant.

(2) Where the plans and specifications or sketch, as the case may be, show that any part of a building project is used or will be used for a purpose not included in section 2, the Minister may require the applicant to furnish further particulars about the use or proposed use including the extent of the use and the name of any organization or person engaging or proposed to engage in the use. R.R.O. 1980, Reg. 117, s. 6.

7.—(1) An application for payment of a capital grant shall be made to the Minister in a form prescribed by the Minister within three years after the expenditure by the applicant of the amount or amounts applied for.

(2) An applicant shall file with the Minister, together with the application for a grant,

- (a) a statement in a form prescribed by the Minister showing,
- (i) the actual or estimated cost of the building project,
  - (ii) any amount expended for the building project before the date of the application, and
  - (iii) a separate record of money received or to be received from any person or organization other than the applicant, as a contribution towards the cost of the building project including donations of services and materials and the value thereof, the total value of all such contributions and the value of contributions made or to be made by each such person or organization;
- (b) if the building project has commenced but is not complete, a statement by an architect or professional engineer of the progress made at the date of the application of the progress made towards completion of the building project; and
- (c) if the applicant is an approved corporation, a board or a band, a copy of the by-law or resolution providing for the establishment of the community recreation centre.

(3) The Minister may require an applicant who files a statement under clause (2) (a) to furnish such further particulars as the Minister considers necessary to establish the actual cost of the building project and may require a valuation of the building project to be made by an appraiser with qualifications acceptable to the Minister. R.R.O. 1980, Reg. 117, s. 7.

8. If a municipality, board, band or approved corporation changes the site or use of, or structurally alters, sells, leases, mortgages or otherwise disposes of an interest in a community recreation centre for which payment of a capital grant has been made, without the approval in writing of the Minister, or if such approval has been given, is in default of any condition for repayment imposed under section 10 of the Act, the whole or any part of the grant may be recovered as a debt due to the Crown in right of Ontario from the municipality, board, band or approved corporation, as the case may be,

- (a) out of money payable by Ontario to the municipality,

board, band or approved corporation, under the authority of any Act; or

- (b) in any court of competent jurisdiction. R.R.O. 1980, Reg. 117, s. 8.

9.—(1) A capital grant under the Act for the construction of all or any part of one or more new buildings or structures, or for an extension, alteration or renovation to one or more buildings or structures may be payable in amounts of the estimated total grant to be determined by the Minister at such times as the Minister may approve, but not exceeding 75 per cent of the estimated total grant, and an application for any such amount shall be accompanied by a certificate of an architect or professional engineer stating the progress made towards completion of the construction, extension, alteration or renovation, as the case may be.

(2) The total payment of a capital grant for a building project shall not be made until,

- (a) an architect or professional engineer certifies that,
- (i) the building project has been completed in accordance with the plans and specifications or sketch, as the case may be, thereof submitted to the Minister under subsection 6 (1),
  - (ii) the building project is ready to be used as a community recreation centre; and
- (b) the applicant for the grant submits a report stating,
- (i) the actual cost of the building project,
  - (ii) that the total of the unpaid accounts applicable to the building project does not exceed the amount of the grant remaining to be paid,
  - (iii) that the amount of the grant remaining to be paid will be applied first to the payment of the unpaid accounts referred to in subclause ii, and
  - (iv) that all refundable sales tax has been taken into account. R.R.O. 1980, Reg. 117, s. 9.

**Compulsory Automobile Insurance Act**  
**Loi sur l'assurance-automobile obligatoire**

**REGULATION 94**

**Form 1**

**CERTIFICATE OF INSURANCE**

*Compulsory Automobile Insurance Act*

1. Subject to section 2, every person making an application for the issuance, validation or transfer of a permit for a motor vehicle shall certify in Form 1 that the motor vehicle is insured under a contract of automobile insurance. O. Reg. 402/81, s. 1.

2. Where a person has registered or is registering under the Canadian Agreement on Vehicle Registration, the person when making an application for the issuance, validation or transfer of a permit for one or more motor vehicles shall certify in Form 1 or Form 2 that each motor vehicle is insured under a contract of automobile insurance. O. Reg. 402/81, s. 2.

<p align="center">Certificate of Insurance</p> <p>I hereby certify that the motor vehicle bearing Vehicle Identification Number ..... is insured under a contract of automobile insurance made with:—</p> <p>Name of Insurance Company .....</p> <p>Policy No. ....</p> <p>Signature ..... Date .....</p>	<p>Office Use</p> <p>— Plate # .....</p> <p>— Date of Issue .....</p> <p>— Office # .....</p>
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O. Reg. 402/81, Form 1.

**Form 2**

*Compulsory Automobile Insurance Act*

*(For use only where the applicant has registered or is registering under the Canadian Agreement on Vehicle Registration (CAVR) )*

**CERTIFICATE OF INSURANCE**

I hereby certify that the motor vehicle(s) listed below is (are) insured under a contract of automobile insurance made with the insurance company (companies) shown:

Vehicle Identification Number	Name of Insurance Company	Policy Number

CAVR Fleet No. .... Date .....

Name of CAVR Registrant .....

Signature .....

O. Reg. 402/81, Form 2.

**REGULATION 95**

Governor General or a department of the Government of Canada. O. Reg. 124/80, s. 1.

**EXEMPTIONS**

1. The Act does not apply to,

- (a) the Governor General;
- (b) a department of the Government of Canada;
- (c) the operator of a motor vehicle owned by or leased to the

2.—(1) Subject to the conditions set out in subsection (2), the Act does not apply to,

- (a) a member in good standing of the Conservative Mennonite Churches of Ontario who is a member of the Conservative Mennonite Automobile Brotherhood Assistance Plan; or
- (b) the operator of a motor vehicle owned by or leased to a person referred to in clause (a).

(2) The following conditions apply to the exemption granted by subsection (1):

1. The Conservative Mennonite Churches of Ontario shall establish a plan to provide for financial responsibility, resulting from motor vehicle accidents, for its members.
2. The Plan referred to in paragraph 1 shall be known as the Conservative Mennonite Automobile Brotherhood Assistance Plan.
3. Where a new Plan Administrator is appointed, the new Plan Administrator shall forthwith advise the Superintendent of their name and address.
4. Any Mennonite who is a member in good standing of one of the Conservative Mennonite Churches of Ontario may, by written application to his or her pastor, apply for membership in the Plan.
5. If the pastor approves the application, the pastor shall submit the application to the Plan Administrator who shall keep a record of all approved applications.
6. The Plan Administrator shall complete and furnish each member of the Plan with an identification card in Form 1.
7. The Plan Administrator may cancel any membership by giving thirty days written notice of the cancellation to the member by registered mail.
8. Where the death of or personal injury to or loss of or damage to property of any person is occasioned in Ontario by a member of the Plan or a person operating a motor vehicle of a member of the Plan, the Plan shall pay claims to persons who are not members of the Plan to the same extent as if the Plan were an insurer and as if the motor vehicle of the member was insured under a contract of automobile insurance but the liability of the Plan shall be limited to the minimum liability provided for in subsection 251 (1) of the *Insurance Act*, in respect of any one accident.
9. The Plan Administrator shall, at the request of the Superintendent, provide the Superintendent with proof that the Plan has established an irrevocable line of credit in the amount of at least \$100,000 with chartered banks operating in Ontario.
10. —(1) For the purposes of completing the Certificate of Insurance required by the Act, a member of the Plan, shall mark on the certificate "Exempt-C.M.A.B.A. Plan" and shall sign the Certificate.

(2) At the time of submitting the Certificate of Insurance, the member shall submit the identification card in Form 1 for inspection.

11. A member of the Plan or the operator of a motor vehicle owned by a member of the Plan, as the case may be, shall have the identification card in Form 1 in the motor vehicle at all times while operating the motor vehicle on a highway and shall surrender the identification card for reasonable inspection upon the demand of a police officer. O. Reg. 124/80, s. 2.

**Form 1**

*Compulsory Automobile Insurance Act*

**CONSERVATIVE MENNONITE AUTOMOBILE BROTHERHOOD ASSISTANCE PLAN**

Name and Address of Member .....

Effective Date .....

Day ..... Month ..... Year ....

Date of Expiry .....

Day ..... Month ..... Year ....

Vehicle—Year ..... Make .....

Serial Number .....

Self-Insurance Identification

The member named on this card is exempt from the *Compulsory Automobile Insurance Act*, in accordance with the regulations made thereunder.

**CONSERVATIVE MENNONITE AUTOMOBILE BROTHERHOOD ASSISTANCE PLAN**

.....  
Plan Administrator

.....  
Address of Plan Administrator

O. Reg. 124/80, Form 1.

## Condominium Act *Loi sur les condominiums*

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### REGULATION 96

#### GENERAL

##### INTERPRETATION

**1.** In this Regulation,

“Condominium Corporations Index” means the Condominium Corporations Index under subsection 5 (1) of the Act;

“condominium property” means property as defined in subsection 1 (1) of the Act to which the Act applies;

“Condominium Register” means the Condominium Register under subsection 5 (3) of the Act;

“land registrar” means the land registrar in whose registry or land titles division, as the case may be, the property is situate. R.R.O. 1980, Reg. 121, s. 1.

#### PART I REGISTRATION AND RECORDING

**2.** A declaration and description shall not be received for registration unless,

- (a) the declaration appears to be executed by every owner of and every person having a registered mortgage against the land and interests appurtenant to the land described in the description;
- (b) the declaration is accompanied by such proof as to the execution by, and age of every such owner and person as is required by or under the *Land Titles Act* or the *Registry Act* in the case of a transfer or deed, with respect to each owner, and in the case of a cessation of charge or certificate of discharge of mortgage, with respect to each person having a registered mortgage;
- (c) the description has been approved by the Examiner of Surveys appointed under the *Land Titles Act*; and
- (d) the declaration contains a schedule to be known as Schedule A that describes the property intended to be governed by the Act. R.R.O. 1980, Reg. 121, s. 2.

**3.** The Condominium Corporations Index shall be in Form 1. R.R.O. 1980, Reg. 121, s. 3.

**4.—(1)** Where a declaration and description are received for registration, the land registrar shall,

- (a) endorse on the declaration and description the day, hour and minute of receipt, which shall be the same for both the declaration and the description;
- (b) assign to the declaration a registration number in the series of numbers used for instruments dealing with land;
- (c) assign to the description an identification that shall comprise the component under Column 2 of the Schedule and the words “Condominium Plan No.” together with the number assigned as part of the name of the corporation under subclause (e) (ii);

(d) record in the Condominium Corporations Index such particulars with reference thereto as are indicated by the headings of the columns in Form 1; and

(e) assign a name to the corporation as required by subsection 10 (2) of the Act, which name shall comprise the component in Column 2 of the Schedule set opposite the name of the land titles or registry division, followed by,

(i) the words “Condominium Corporation”, and

(ii) the abbreviation “No.” together with the next available consecutive number. R.R.O. 1980, Reg. 121, s. 4 (1); O. Reg. 348/82, s. 1; O. Reg. 582/84, s. 1.

(2) No change shall be made in the name of a condominium corporation after the name is assigned under clause (1) (e). R.R.O. 1980, Reg. 121, s. 4 (2-4).

**5.** In respect of a condominium property under the *Land Titles Act*, except where the condominium property is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, the Condominium Register shall be kept in a loose-leaf book and shall include a set of four groups of pages consisting of,

- (a) a Property Parcel Register in Form 2;
- (b) a Constitution Index in Form 3;
- (c) a Common Elements and General Index in Form 4; and
- (d) a series of Unit Registers, one for each unit included in the property, in Form 5. R.R.O. 1980, Reg. 121, s. 5; O. Reg. 582/84, s. 2.

**6.** In respect of a condominium property under the *Registry Act*, except where the condominium property is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, the Condominium Register shall be kept in a loose-leaf book and shall include a set of four groups of pages consisting of,

- (a) a Property Abstract Index in Form 6;
- (b) a Constitution Index in Form 3;
- (c) a Common Elements and General Index in Form 4; and
- (d) a series of Unit Indexes, one for each unit included in the property, in Form 5. R.R.O. 1980, Reg. 121, s. 6; O. Reg. 582/84, s. 3.

**7.—(1)** Where a condominium property is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, the Condominium Register shall be kept in automated form and shall contain one Unit Index for each unit.

(2) A Unit Index shall contain,

- (a) the unit number and level number of the unit;
- (b) the identification required by clause 4 (1) (c);
- (c) reference to the land titles or registry division in which the condominium property is situate;
- (d) the description of the condominium property; and

- (e) an entry of every instrument, notice and entry relating to the condominium property. O. Reg. 582/84, s. 4.
- 8.** A consent under clause 3 (1) (b) of the Act of a person having a registered charge or mortgage shall be in Form 7. O. Reg. 348/82, s. 2.
- 9.—(1)** An amendment to a declaration under subsection 3 (4) of the Act shall be in Form 8 and shall be accompanied by a declaration of an authorized officer of the corporation in Form 9.
- (2) Where an amendment to a declaration requires an amendment to the registered description, the amendment to the declaration shall not be registered unless an amendment to the description is registered at the same time. R.R.O. 1980, Reg. 121, s. 8.
- 10.** Where a declaration and description are received for registration under the *Land Titles Act*, except where the condominium property is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, the land registrar shall,
- record them in the existing parcel register where the land that includes the condominium property is entered;
  - re-enter the condominium property in a Property Parcel Register;
  - record them in a Constitution Index;
  - record them in a Common Elements and General Index; and
  - establish a Unit Register for each unit included in the condominium property. R.R.O. 1980, Reg. 121, s. 9; O. Reg. 582/84, s. 5.
- 11.** Where a declaration and description are received for registration under the *Registry Act*, except where the condominium property is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, the land registrar shall,
- record them in the existing abstract index for the land that includes the condominium property;
  - prepare an abstract index in Form 6 for the condominium property and record therein,
    - the certificate of title under the *Certification of Titles Act*, making a general reference to the exceptions, limitations, qualifications and reservations in Schedule B of the certificate,
    - the instruments referred to Schedule C of the certificate,
    - all instruments registered after the effective date of the certificate and before date of registration of the declaration and description, and
    - the declaration and description;
  - record them in the Constitution Index;
  - record them in the Common Elements and General Index; and
  - establish a Unit Index for each unit included in the condominium property. R.R.O. 1980, Reg. 121, s. 10; O. Reg. 348/82, s. 3; O. Reg. 582/84, s. 6.
- 12.** Where a declaration and description that affect land in a part of Ontario designated under Part II of the *Land Registration Reform Act* are received for registration, the land registrar shall,
- record them in the existing parcel register or abstract index where the land that includes the condominium property is entered;
  - establish a Unit Index for each unit included in the condominium property;
  - where the *Land Titles Act* applies to the land, re-enter the condominium property in each Unit Index;
  - where the *Registry Act* applies to the land, record in each Unit Index,
    - the certificate of title under the *Certification of Titles Act*, making a general reference to the exceptions, limitations, qualifications and reservations in Schedule B of the certificate,
    - the instruments referred to in Schedule C of the certificate, and
    - all instruments registered after the effective date of the certificate and before the date of registration of the declaration and description; and
  - record the declaration and description in each Unit Index. O. Reg. 582/84, s. 7.
- 13.** A notice of a resolution changing the address for service and the mailing address of a condominium corporation under subsection 3 (7) of the Act shall be in Form 12 and shall be recorded in the Condominium Corporations Index. O. Reg. 165/83, s. 1.
- 14.** A certificate referred to in subsection 28 (5) of the Act shall be in Form 13. R.R.O. 1980, Reg. 121, s. 12.
- 15.—(1)** In this section, “easement” means an easement, right of way, right or licence in the nature of an easement, *profit à prendre* or other incorporeal hereditament, but does not include such an easement arising by operation of law.
- (2) Every easement that is appurtenant to the land included in the property and every easement to which the land included in the property is subject and is shown on the condominium description shall be described in the declaration and shall be set out in Schedule A thereto.
- (3) Every easement that is appurtenant to the land to be included in the property or to which the land to be included in the property is subject, that is shown on the condominium description and that is to be effectively created upon the registration of the declaration and description, shall be described in the declaration and shall be set out in Schedule A thereto. R.R.O. 1980, Reg. 121, s. 13 (1-3).
- (4) Except where the condominium property is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, where an easement affecting the common elements or a part of the common elements, but not affecting a unit,
- was in existence at the time of registration of the declaration and description, the easement shall be recorded in the Common Elements and General Index and in the Property Abstract Index or Property Parcel Register, as the case may be; or
  - is created on or after the registration of the declaration and description, the easement shall be recorded in the Common Elements and General Index.
- (5) Where a condominium property is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, every easement affecting the common elements shall be recorded in each Unit Index. O. Reg. 582/84, s. 8, *revised*.
- 16.** For the purposes of the *Land Titles Act* and the *Registry Act*, the Condominium Register shall be deemed to be a register or an

abstract index, as the case may be, for the parcel of land that comprises the condominium property. R.R.O. 1980, Reg. 121, s. 14.

17.—(1) Where, after the registration of a declaration and description, an instrument that mentions or purports to affect all units and common elements included in a condominium property is received for registration, and

- (a) the instrument is a deed or transfer of the property under section 44 of the Act, a notice of termination under section 43 or 45 of the Act or an order for termination under section 46 of the Act, the procedures prescribed by sections 25 to 31 of this Regulation apply;
- (b) the instrument is a by-law of the condominium corporation, or an amendment to the declaration or description, the instrument shall be recorded,
  - (i) where the condominium property is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, in each Unit Index, and
  - (ii) in all other cases, subject to subsection 18 (2), only in the Constitution Index;
- (c) the instrument is an encumbrance to which subsection 7 (8) of the Act applies or an instrument dealing with all the units included in the property in respect of such an encumbrance, the instrument shall be recorded,
  - (i) where the condominium property is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, in each Unit Index, and
  - (ii) in all other cases, only in the Common Elements and General Index; or
- (d) the instrument is not an instrument mentioned in clause (a), (b) or (c), the instrument shall be recorded,
  - (i) where the condominium property is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, in each Unit Index, and
  - (ii) in all other cases, subject to subsection (2), only in the Common Elements and General Index. R.R.O. 1980, Reg. 121, s. 15 (1); O. Reg. 582/84, s. 9 (1).

(2) Where an instrument registered after the 1st day of January, 1981, to which subclause (1) (d) (ii) applies is a complete discharge of an encumbrance recorded in the Property Parcel Register or Property Abstract Index or is an application for a caution under the *Land Titles Act*, or is a deed, transfer or other instrument by which ownership of the condominium property is changed and is received for registration before the registration of a deed or transfer of any unit and common interest, that instrument shall also be recorded in the Property Parcel Register or Property Abstract Index, as the case may be. R.R.O. 1980, Reg. 121, s. 15 (2); O. Reg. 582/84, s. 9 (2).

(3) Despite subsection 18 (1) of the *Registry Act*, a by-law of a condominium corporation shall not be entered in the by-law index under the subsection. R.R.O. 1980, Reg. 121, s. 15 (3).

18.—(1) Subject to subsection (2), where, after the registration of a declaration and description, an instrument that mentions one or more units and common interests, but not all the units and common elements included in the condominium property, is received for registration, the instrument shall be recorded only in the Unit Register or Unit Index, as the case may be, for each unit mentioned in the instrument. R.R.O. 1980, Reg. 121, s. 16 (1).

(2) Where the common elements and one or more units and common interests, but not the units and common elements included in the condominium property, are mentioned in a by-law of a con-

dominium corporation or in an amendment of the declaration or description, the by-law or amendment shall be recorded,

- (a) where the condominium property is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, in each Unit Index; and
- (b) in all other cases, in the Constitution Index, the Common Elements and General Index and the Unit Register or Unit Index for each unit mentioned in the by-law or amendment. O. Reg. 582/84, s. 10.

19.—(1) The description of a unit and common interest in an instrument received for registration shall comprise the unit number, the level number or letter, the identification of the condominium plan, a reference to the name of the municipality in which the condominium is situate at the time of execution of the instrument and, where the condominium is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, the unit's property identifier. O. Reg. 165/83, s. 2, part; O. Reg. 582/84, s. 11 (1).

(2) The description of the unit referred to in subsection (1) shall include a reference to the land registry office in which the plan is registered, and may include a reference to the appurtenant common interest with or without a specification of the percentage stated in the declaration. O. Reg. 165/83, s. 2, part.

(3) An encumbrance to which subsection 7 (8) of the Act applies, a transfer or deed of the property and a release or discharge affecting all units and common elements under subsection 44 (2) of the Act, a notice of termination under section 43 or 45 of the Act, an order under section 46 of the Act and any other instrument purporting to affect the title of all units and common elements comprising a condominium property may describe the property as "all the units and common elements comprising the property included in" followed by the identification of the plan, a reference to the land registry office for the land titles or registry division in which the plan is registered and, where the condominium is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, a reference to the property identifiers of all the units. R.R.O. 1980, Reg. 121, s. 17 (2); O. Reg. 582/84, s. 11 (2).

20. Where a land registrar is requested to furnish a certificate of search or an abstract in respect of a unit, the certificate or abstract shall include references to,

- (a) where the condominium property is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, every instrument entered in the Unit Index; and
- (b) in all other cases, the instruments recorded in the Unit Register or Unit Index, the Constitution Index and the Common Elements and General Index, and, in the case of an abstract, the instruments recorded in the Property Abstract Index commencing with the certificate of title under the *Certification of Titles Act*. O. Reg. 582/84, s. 12.

21. Where, at the time of registration of a declaration and description, the land comprising the condominium property is in an area to which the *Land Titles Act* did not apply, but the application of that Act is subsequently extended to that area, and,

- (a) the land registry office for the land titles division is combined with the land registry office for the registry division, a new Condominium Register shall be established when the first declaration and description are registered in the land registry office for the land titles division and the Condominium Corporations Index previously established shall be continued; or
- (b) the land registry office for the land titles division is not combined with the land registry office for the registry division, no further entry shall be made in the Condominium Corporations Index in that land registry office for that registry

division. R.R.O. 1980, Reg. 121, s. 19; O. Reg. 582/84, s. 13.

22. The provisions of the *Land Titles Act* and the *Registry Act* and the regulations made thereunder with respect to the dimensions of instruments apply to instruments under the *Condominium Act* except that, a declaration or an amendment thereof or a by-law of a condominium corporation may be prepared on paper not less than eight inches by 10½ inches, and the sheets may be printed on both sides. R.R.O. 1980, Reg. 121, s. 20.

23. Where land or an easement over land is or has been transferred to or acquired by a condominium corporation, and the corporation intends the land or easement to be added to the common elements, the addition may be effected by the registration of a dedication in Form 10, either as a part of the deed, transfer or other instrument, or as a separate instrument and shall be accompanied by a Declaration in Form 11. R.R.O. 1980, Reg. 121, s. 21.

24. A discharge of a portion of an encumbrance, under subsection 7 (10) of the Act, shall be in a form, having regard to the nature of the encumbrance, sufficient for registration under the *Land Titles Act* or the *Registry Act*, as the case may be, and shall describe the land in accordance with section 19. R.R.O. 1980, Reg. 121, s. 22.

25.—(1) A notice of termination under section 43 of the Act shall be in Form 14. R.R.O. 1980, Reg. 121, s. 23 (1).

(2) Where a notice of termination in Form 8 is received for registration, it shall be recorded,

- (a) where the condominium property is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, in each Unit Index; and
- (b) in all other cases, in the Constitution Index the Common Elements and General Index the Unit Register or Unit Index for each of the units included in the condominium property,

and in the new parcel register or new abstract index under section 29 or 30. O. Reg. 582/84, s. 14.

(3) In recording a notice in Form 14 it shall be sufficient to describe the co-owners in the tenancy in common arising on the registration of the notice as, "all the former unit owners as tenants in common". R.R.O. 1980, Reg. 121, s. 23 (3).

26.—(1) Where the instruments mentioned in subsection 44 (2) of the Act are tendered for registration, the land registrar shall not receive the transfer or deed for registration unless,

- (a) it appears to be executed by the authorized officers of the corporation under its seal;
- (b) it is accompanied by a release or discharge that appears to be executed by all persons having registered claims against the units and common elements created after the registration of the declaration and description;
- (c) the transfer or deed and every release or discharge is accompanied by such proof as to the execution by, and the age and spousal status of every such owner and person, as is required by or under the *Land Titles Act* or the *Registry Act* in the case of a transfer or deed, with respect to the owners, and in the case of a cessation of charge or certificate of discharge of mortgage, with respect to the persons having registered claims; and
- (d) the transfer or deed is accompanied by a certificate signed by the authorized officers of and under the seal of the corporation stating that the sale was authorized by a vote of the owners who at the time of the vote owned 80 per cent of the units. R.R.O. 1980, Reg. 121, s. 24 (1); O. Reg. 348/82, s. 6.

(2) A release or discharge under subsection 44 (2) of the Act shall be in Form 15. R.R.O. 1980, Reg. 121, s. 24 (2).

(3) Where a release or discharge to which subsection (1) applies is received for registration,

- (a) where it mentions one or more, but not all, units included in the condominium property, it shall be recorded only in the Unit Register or Unit Index for the unit or units mentioned; or
- (b) where it mentions or applies to all units included in the condominium property, it shall be recorded,
  - (i) where the condominium property is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, in each Unit Index, and
  - (ii) in all other cases, only in the Common Elements and General Index. R.R.O. 1980, Reg. 121, s. 24 (3); O. Reg. 582/84, s. 15 (1).

(4) Where a transfer or deed to which subsection (1) applies is received for registration it shall be recorded,

- (a) where the condominium property is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, in each Unit Index; and
- (b) in all other cases,
  - (i) where it relates to a sale of the property, in the Constitution Index, the Common Elements and General Index, the Unit Register or Unit Index for each of the units included in the condominium property and in the new parcel register or new abstract index under section 29 or 30, or
  - (ii) where it relates to a sale of a part of the common elements, only in the Common Elements and General Index and in the new parcel register or new abstract index under section 30. O. Reg. 582/84, s. 15 (2).

27.—(1) A notice of termination under subsection 45 (2) of the Act shall be in Form 16. R.R.O. 1980, Reg. 121, s. 25 (1).

(2) A land registrar shall not receive a notice of termination in Form 16 for registration unless,

- (a) it appears to be executed by the authorized officers of the corporation under its seal, and all the persons having registered claims against the units and common elements created after the registration of the declaration and description; and
- (b) it is accompanied by such proof as to the execution by, and the age and spousal status of, every such owner or person as is required by or under the *Land Titles Act* or the *Registry Act* in the case of a transfer or deed, with respect to the owners, and in the case of a cessation of charge or certificate of discharge of mortgage, with respect to the persons having registered claims. R.R.O. 1980, Reg. 121, s. 25 (2); O. Reg. 348/82, s. 7.

(3) Where a notice in Form 16 is received for registration, it shall be recorded,

- (a) where the condominium property is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, in each Unit Index; and
- (b) in all other cases, in the Constitution Index, the Common Elements and General Index, the Unit Register or Unit Index for each of the units included in the condominium property,



and in the new parcel register or new abstract index under section 29 or 30. O. Reg. 582/84, s. 16.

(4) In recording a notice in Form 16 it shall be sufficient to describe the executing parties as being the corporation, described by its full name, and owners and claimants as "all the owners and registered claimants", and to describe the co-owners in the tenancy in common arising on the registration of the notice as "all the former unit owners as tenants in common". R.R.O. 1980, Reg. 121, s. 25 (4).

28.—(1) Where an order is made under section 46 of the Act terminating the government of the property by the Act, the order is inoperative in that respect until it is registered.

(2) Where an order of termination is tendered for registration, the registrar shall not receive the order for registration unless the conditions, if any, as to its registration as are contained in the order have been complied with, or until proof thereof is furnished to the land registrar. R.R.O. 1980, Reg. 121, s. 26 (1, 2).

(3) Where an order for termination is received for registration, the registrar shall record it,

- (a) where the condominium property is in a part of Ontario designated under Part II of the *Land Registration Reform Act*, in each Unit Index; and
- (b) in all other cases, in the Constitution Index, the Common Elements and General Index, the Unit Register or Unit Index for each unit included in the condominium property,

and in the new parcel register or new abstract index under section 29 or 30. O. Reg. 582/84, s. 17.

29. Where a notice of termination under section 43 or 45 of the Act, a transfer of the property under section 44 of the Act or an order for termination under section 46 of the Act is received for registration under the *Land Titles Act*, the land registrar shall open a new parcel register for the property, describing the land as it was described in the Property Parcel Register or, in the case of a condominium property in a part of Ontario designated under Part II of the *Land Registration Reform Act*, in the Unit Indexes taking into account any intervening additions to or sale of part of the common elements and,

- (a) in the case of a transfer, describing the owner by his, her or its name;
- (b) in the case of a notice, describing the owners as "all the former owners of units included in" the condominium plan;
- (c) in the case of an order, describing the owner or owners by the method that seems most suitable, having regard to the order; and
- (d) referring to such claims as apply, in accordance with subsection 43 (2) of the Act, subsection 44 (3) of the Act, or subsection 45 (3) of the Act, or in accordance with the order, as the case may be. R.R.O. 1980, Reg. 121, s. 27; O. Reg. 582/84, s. 18.

30. Where a notice of termination under section 43 or 45 of the Act, a deed of the property under section 44 of the Act or an order for termination under section 46 of the Act is received for registration under the *Registry Act*, the land registrar shall open under section 83 of that Act a new abstract index for the property, taking into account any addition to or sale of part of the common elements, and shall record therein the notice, deed or order, and shall note in the abstract that the land was previously subject to the *Condominium Act*, noting the identification of the condominium plan. R.R.O. 1980, Reg. 121, s. 28.

31. Where a deed or transfer in respect of a sale of part of the common elements is received for registration,

- (a) under the *Land Titles Act*, the land registrar shall open a new parcel for the part, having regard to subsection 44 (3) of the *Condominium Act*; or
- (b) under the *Registry Act*, the land registrar shall open a new abstract index under section 83 of that Act for the part and shall record therein the deed and shall note therein that the land was previously subject to the *Condominium Act*, noting the identification of the condominium plan. R.R.O. 1980, Reg. 121, s. 29.

32. A notice of lien under subsection 32 (5) of the Act shall be in Form 17. R.R.O. 1980, Reg. 121, s. 30.

## PART II GENERAL

33.—(1) A certificate under subsection 32 (8) of the Act shall be in Form 18 and shall be accompanied by the following statements and information:

1. A copy of the last annual financial statements of the corporation (audited if available).
2. A copy of the corporation's current budget.
3. A copy of the corporation's declaration.
4. A copy of the corporation's by-laws.
5. A copy of the corporation's rules.
6. A copy of any management agreement.
7. A copy of all current insurance certificates.

(2) A discharge of a lien under subsection 32 (7) of the Act shall be in Form 19.

(3) The fee that a corporation may charge for the certificate, statements and information referred to in subsection 32 (8) of the Act shall not exceed \$25. R.R.O. 1980, Reg. 121, s. 31.

34. Pursuant to subsection 52 (6) of the Act, a declarant shall provide the following documents with the disclosure statement:

1. A copy of the corporation's declaration or proposed declaration.
2. A copy of the corporation's by-laws or proposed by-laws.
3. A copy of the corporation's rules or proposed rules.
4. A copy of any insurance trust agreement or proposed insurance trust agreement. R.R.O. 1980, Reg. 121, s. 32.

35. The rate of interest under subsections 53 (2) and (3) of the Act on money held in trust under subsection 53 (1) of the Act shall,

- (a) for the six months immediately following the last day of March of each year, be 1 per cent per annum below the rate paid on The Province of Ontario Savings Office savings accounts on the 1st day of April of that year; and
- (b) for the six months immediately following the last day of September of each year, be 1 per cent per annum below the rate paid on The Province of Ontario Savings Office savings accounts on the 1st day of October of that year. R.R.O. 1980, Reg. 121, s. 33.

36.—(1) In this Regulation, "insured" means a purchaser under an agreement of purchase and sale of a proposed condominium unit who has paid money to which section 53 of the Act applies, to a declarant and the purchaser's successors and assigns.

(2) A policy that insures against loss of any money paid by an insured to a declarant to which section 53 of the Act applies and to loss of any interest payable by a declarant to an insured under that section and that is in accordance with this Regulation is prescribed security for the purposes of clause 53 (1) (b) of the Act.

(3) The premiums payable in respect of a policy shall be paid by the declarant.

(4) A policy shall take effect when it has been executed by the insured and by or on behalf of the insurer and the declarant.

(5) The obligations of an insurer to an insured under a policy shall not be affected by,

- (a) failure of the declarant to pay any premiums owing under the policy;
- (b) failure of the declarant to notify the insurer of the receipt of money to which section 53 of the Act applies from the insured; or
- (c) breach of any term or condition of the policy.

(6) An insurer shall, immediately upon receipt of written notice of a claim by an insured under a policy, provide the insured with forms upon which to make proof of loss.

(7) Where an insurer receives written notice of a claim under subsection (6) it shall pay the insured within sixty days after the right of the insured to payment under the policy has been established.

(8) An insurer shall remain liable under a policy until,

- (a) a deed or transfer of the unit acceptable for registration is delivered to the insured;
- (b) the declarant pays to the insured all money to which section 53 of the Act applies and all interest payable by the declarant to the insured under that section; or
- (c) the insurer pays the insured the amount of the loss.

(9) Where an insurer is required to make a payment under a policy, interest at the rate prescribed under section 35 shall be paid to the insured to the date of payment of the loss.

(10) Where a policy contains a provision that derogates in any manner from any right or benefit conferred on an insured by this Regulation such provision is void to the extent that it derogates from such right or benefit. R.R.O. 1980, Reg. 121, s. 34.

37.—(1) In this section,

“purchaser” means a purchaser, the purchaser’s successors and assigns under an agreement of purchase and sale of a proposed condominium unit who has paid money, to which section 53 of the Act applies, to a declarant;

“warranty corporation” means the corporation designated under section 2 of the *Ontario New Home Warranties Plan Act*.

(2) A deposit receipt executed by the warranty corporation providing for compensation to a purchaser is prescribed security for the purposes of clause 53 (1) (b) of the Act.

(3) A deposit receipt shall constitute prescribed security only if, by the terms of the deposit receipt, the amount which the warranty corporation is liable to pay to a purchaser thereunder is,

- (a) where the amount of money paid by a purchaser to a declarant to which section 53 of the Act applies is \$20,000 or less, the amount so paid; or
- (b) where the amount of money paid by a purchaser to a declar-

ant to which section 53 of the Act applies is greater than \$20,000, \$20,000 or such greater amount as may be provided under the deposit receipt.

(4) Despite subsection (2), where a deposit receipt establishes a limit on the liability of the warranty corporation, such deposit receipt shall not constitute prescribed security unless it contains a statement to the effect that any amount paid by a purchaser to a declarant in excess of such limit is subject to subsection 53 (1) of the Act.

(5) A purchaser is not liable for the payment to any insurer of any premium payable in respect of a policy of insurance that the warranty corporation takes out to insure its obligation to pay under the deposit receipt.

(6) A deposit receipt shall take effect when it has been executed by a purchaser and by or on behalf of the warranty corporation and by or on behalf of a declarant.

(7) The obligations of the warranty corporation to a purchaser under a deposit receipt shall not be affected by,

- (a) failure of the declarant to comply with any term or condition of the declarant’s agreement with the corporation;
- (b) failure of a declarant to notify the corporation or its insurer or insurers of the receipt from the purchaser of money to which section 53 of the Act applies;
- (c) failure of the corporation to notify its insurer or insurers of the receipt from the purchaser of money to which section 53 of the Act applies;
- (d) breach of any term or condition of the deposit receipt; or
- (e) breach by a purchaser or declarant of any term or condition of any policy of insurance taken out by the corporation.

(8) The warranty corporation shall, immediately upon receipt of written notice of a claim by a purchaser under a deposit receipt, provide the purchaser with forms upon which to make proof of loss.

(9) Where the warranty corporation receives written notice of a claim under subsection 8, it shall pay the purchaser within sixty days after the right of the purchaser to payment under the deposit receipt has been established.

(10) The warranty corporation shall remain liable under a deposit receipt until,

- (a) a deed or transfer of the unit acceptable for registration is delivered to the purchaser;
- (b) the declarant pays to the purchaser all money to which section 53 of the Act applies; or
- (c) the warranty corporation pays to the purchaser the amount of any loss to the extent of the corporation’s liability.

(11) Where the warranty corporation is required to make a payment under a deposit receipt, interest at the rate prescribed by section 35 shall be paid to the purchaser to the date of payment of the loss.

(12) Where a deposit receipt contains a provision that derogates in any manner from any right or benefit conferred on a purchaser by this Regulation such provision is void to the extent that it derogates from such right or benefit. R.R.O. 1980, Reg. 121, s. 35.

38. The following are exempted from the provisions of section 59 of the Act:

1. Co-operative housing corporations incorporated under the *Co-operative Corporations Act* or any predecessor thereof or under any other similar legislation of Canada or any

- province of Canada, the main purpose and activity of which is the provision of housing for its members.
2. Any person offering for sale any interest in land together with a grant of exclusive occupancy or use for residential purposes of part of a building where the interest and grant constitute a security under the *Securities Act*, and

- i. a preliminary prospectus and a prospectus have been filed with respect to the offering and receipts therefor obtained from the Director under the *Securities Act*, or
- ii. the offering is exempt from the prospectus requirements of the *Securities Act*. R.R.O. 1980, Reg. 121, s. 36.

**Form 1**

*Condominium Act*

CONDOMINIUM CORPORATIONS INDEX

Registration No. of Declaration	Registration Date	Full Name of Corporation	Address for Service	Mailing Address	Land
		..... Condominium Corporation No. ....			

O. Reg. 165/83, s. 3.

**Form 2**

*Condominium Act*

PROPERTY PARCEL REGISTER

..... Condominium Plan No. ....

LAND TITLES DIVISION OF .....

Estate: Fee Simple

Title: Absolute

In addition to encumbrances, etc., recorded below, this title is subject to the *Land Titles Act* and the *Condominium Act*.

NOTE: *The remainder of this Form is to follow the authorized parcel register form for the land titles system.*

O. Reg. 348/82, s. 8.

**Form 3**

*Condominium Act*

CONSTITUTION INDEX

(Name of Condominium Corporation)

(Identification of condominium plan)

Registration No.	Registration Date	Nature of Instrument	Remarks

NOTE: This index is to be used exclusively for recording the declaration and description and the by-laws of the condominium corporation and amendments thereto.

R.R.O. 1980, Reg. 121, Form 3.

**Form 4**

*Condominium Act*

COMMON ELEMENTS AND GENERAL INDEX

..... CONDOMINIUM PLAN No. ....

(to be printed in index)

NOTICE: INSTRUMENTS AFFECTING OWNERSHIP OF INTERESTS IN COMMON ELEMENTS, AS APPURTENANT TO UNITS, ARE RECORDED IN THE UNIT REGISTERS (OR INDEXES)

NOTE: The remainder of this Form is to follow the authorized parcel register form for land in the land titles system or abstract index form for land in the registry system.

R.R.O. 1980, Reg. 121, Form 4.

**Form 5**

*Condominium Act*

UNIT REGISTER OR INDEX

Unit (No.) Level (No.)

..... CONDOMINIUM PLAN No. ....

(to be printed in register or index)

NOTICE: SEE THE CONSTITUTION INDEX FOR THE DECLARATION, BY-LAWS, ETC., AND THE COMMON ELEMENTS AND GENERAL INDEX FOR INSTRUMENTS AFFECTING THE COMMON ELEMENTS AND ALL UNITS AND THE PROPERTY PARCEL REGISTER (OR PROPERTY ABSTRACT INDEX) FOR PRIOR TITLE.

NOTE: The remainder of this Form is to follow the authorized parcel register form for land in the land titles system or abstract index form for land in the registry system.

R.R.O. 1980, Reg. 121, Form 5.

**Form 6**

*Condominium Act*

PROPERTY ABSTRACT INDEX

..... CONDOMINIUM PLAN No. ....

ABSTRACT INDEX OF PRIOR TITLE

Registration No.	Instrument	Date of Instrument	Registration Date	Grantor	Grantee	Consideration etc.	Land and Remarks

R.R.O. 1980, Reg. 121, Form 6, revised.

**Form 7**

*Condominium Act*

CONSENT UNDER CLAUSE 3 (1) (b) OF THE ACT

I (We) ....., having a registered charge (or mortgage) within the meaning of clause 3 (1) (b) of the *Condominium Act*, registered

as Number ..... in the Land Registry Office for the Land Titles (or Registry) Division of ..... hereby consent to the registration of this declaration pursuant to the *Condominium Act* against the land or interests appurtenant to the land described in the description.

Dated at .....,

this ..... day of .....

....., 19.....

O. Reg. 348/82, s. 9.

**Form 8**

*Condominium Act*

**AMENDMENT TO DECLARATION**

PURSUANT to a by-law registered as Number ..... in the Land Registry Office for the Land Titles (or Registry) Division of ..... Condominium Corporation No. ....

HEREBY AMENDS its declaration registered as Number ..... in the said Land Registry Office as follows:

The names of all owners and all persons having registered charges (or mortgages) against the units and common interest on the date the by-law was registered are set out in Schedule A hereto.

The consents of all owners and all persons having registered charges (or mortgages) against the units and common interests are included in Schedule B hereto.

Witness the seal of the Corporation duly affixed by the authorized officers of the Corporation at ..... this ..... day of ....., 19.....

.....  
(corporate seal)

.....  
(signatures)

**Schedule A**

The following are the names of all owners and all persons having registered charges (or mortgages) against the units and common interests of ..... Condominium Corporation No. .... on the ..... day of ....., 19.....

**Schedule B**

**CONSENT TO AMENDMENT**

I (We) ....., being the registered owners of (or having a registered charge (or mortgage) against) Unit (Number) Level (Number) of (identification of condominium plan) registered in the Land Registry Office for the Land Titles (or Registry) Division of .....

hereby consent to the amendment to the declaration of the Corporation set out in the by-law of the Corporation registered as Number ..... in the said Land Registry Office.

Dated at ....., this ..... day of ....., 19.....

.....  
(signature)

O. Reg. 348/82, s. 10, revised.

**Form 9**

*Condominium Act*

SOLEMN DECLARATION IN RESPECT OF AMENDMENTS TO CONDOMINIUM DECLARATION IN THE MATTER OF AN AMENDMENT TO THE DECLARATION OF ..... CONDOMINIUM CORPORATION NO. ....

I, ..... solemnly declare as follows:

- 1. I am the secretary (or other authorized officer) of ..... Condominium Corporation No. ....
- 2. A by-law authorizing the attached amendment was registered on the ..... day of ....., 19..... as No. .... in the Land Registry Office for the Land Titles (or Registry) Division of .....
- 3. The names of all owners and all persons having registered charges (or mortgages) against the units and common interests of the date the by-law was registered are set out in Schedule A to the amendment.
- 4. The consents of all owners and all persons having registered charges (or mortgages) against the units and common interests are included in Schedule B to the amendment.
- 5. The persons whose consents are included in Schedule B are the persons whose names are set out in Schedule A (except as follows):

AND I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

DECLARED BEFORE ME

at the City of .....,

in the ..... of .....

this ..... day of ....., 19.....

R.R.O. 1980, Reg. 121, Form 9.

**Form 10**

*Condominium Act*

DEDICATION OF ADDITIONAL LAND TO COMMON ELEMENTS

The Board of the hereinbefore mentioned ..... Condominium Corporation No. .... hereby dedicates the hereinbefore (or hereinafter) described easement or land as an addition to the common elements of ..... Condominium Plan No. ....

Witness the seal of the Corporation duly affixed by the authorized officers of the Corporation at ..... this ..... day of ....., 19.....

..... (Corp. Seal)

..... signature(s)

R.R.O. 1980, Reg. 121, Form 10, revised.

**Form 11**

*Condominium Act*

SOLEMN DECLARATION IN RESPECT OF ADDITION TO COMMON ELEMENTS

IN THE MATTER OF AN ADDITION TO THE COMMON ELEMENTS OF ..... CONDOMINIUM PLAN NO. ....

I, ..... solemnly declare as follows:

- 1. I am the secretary (or other authorized officer) of ..... Condominium Corporation No. ....

- 2. A vote under subsection 38 (1) of the *Condominium Act*, was obtained in favour of the acquisition and dedication of the subject easement or land.
- 3. The acquisition is:
  - a substantial addition to the common elements and an 80 per cent vote was obtained
  - OR
  - not a substantial addition to the common elements and a majority vote of owners was obtained.

AND I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

DECLARED BEFORE ME

at the City of .....

in the ..... of .....

this .....day of ....., 19.....

R.R.O. 1980, Reg. 121, Form 11.

**Form 12**

*Condominium Act*

**NOTICE OF CHANGE OF ADDRESS  
(UNDER SUBSECTION 3 (7) OF THE ACT)**

TO: The Land Registrar for the Land Titles (*or* Registry) .....

Division of .....

NOTICE is hereby given that .....

Condominium Corporation No. ...., by resolution duly passed by the Board of Directors on the ..... day of ....., 19..... changed,

(a) its address for service to .....

(b) its mailing address to .....

Dated: ..... Signed .....  
(Secretary or other authorized officer)

O. Reg. 165/83, s. 4.

**Form 13**

*Condominium Act*

**CERTIFICATE**

..... Condominium Corporation No. .... hereby certifies that the By-law Number ..... attached hereto was made in accordance with the *Condominium Act*, being Chapter C.26 of the Revised Statutes of Ontario, 1990 and any amendments thereto, the Declaration and the By-laws of the Corporation, and that the said By-law Number ..... has not been amended and is in full force and effect.

Dated at the ..... in ..... this ..... day of ....., 19.....

CONDOMINIUM CORPORATION NO.:

By .....  
(secretary)

(seal)

R.R.O. 1980, Reg. 121, Form 13.

**Form 14**

*Condominium Act*

NOTICE OF TERMINATION UNDER SUBSECTION 43 (1) OF THE ACT

.....  
(name of Condominium Corporation)

HEREBY GIVES NOTICE under subsection 43 (1) of the *Condominium Act*, that,

1. The board of directors of the Corporation did on the ..... day of ....., 19..... determine that substantial damage to 25 per cent of the building occurred on the ..... day of ..... 19.....
2. On a vote, on the ..... day of ....., 19..... the owners who at that time owned 80 per cent of the units voted for termination.
3. This notice is given in respect of the property included in ..... Condominium Plan No. .... registered in the Land Registry Office for the Land Titles (*or* Registry) Division of .....
4. Upon registration of this notice, subsection 43 (2) of the *Condominium Act* applies.

Witness the seal of the Corporation duly affixed by the authorized officers of the Corporation at ..... this ..... day of ....., 19.....

..... (Corp. Seal)  
.....  
(signatures)

R.R.O. 1980, Reg. 121, Form 14; O. Reg. 348/82, s. 12.

**Form 15**

*Condominium Act*

RELEASE OR DISCHARGE OF CLAIM UNDER SUBSECTION 44 (2) OF THE ACT

I, (We) ..... the chargee(s) (*or as the case may be*) under a charge (*or as the case may be*) registered in the Land Registry Office for the Land Titles (*or* Registry) Division of ..... as No. .... against Unit ..... Level ..... of ..... Condominium Plan No. .... (*or, as the case may be*), under subsection 44 (2) of the *Condominium Act*, hereby release (*or* discharge) my (our) claim in respect of the condominium property (*or* that part of the common elements described, etc. ....).

..... Date ..... signature(s)  
.....  
(seal, if corporation)

.....  
Witness (where executing party is not a corporation)

R.R.O. 1980, Reg. 121, Form 15; O. Reg. 348/82, s. 13.

**Form 16**

*Condominium Act*

NOTICE OF TERMINATION UNDER SUBSECTION 45 (2) OF THE ACT

WE ..... and the undersigned, being all the persons having registered claims against the property created after the registration of the declaration and description.

HEREBY GIVE NOTICE under subsection 45 (2) of the *Condominium Act*, that, by a vote on the ..... day of ....., 19..... the owners



who at that time owned 80 per cent of the units authorized the termination of the government by the *Condominium Act*, of the property included in (identification of Condominium Plan) registered in the Land Registry Office for the Land Titles (or Registry) Division of .....

AND THAT all the persons having registered claims, as aforesaid, having consented, upon the registration of this notice, subsection 45 (3) of the *Condominium Act*, applies.

Witness the seal of the Corporation duly affixed by the authorized officers of the Corporation at ..... this ..... day of ....., 19.....

..... (Corp. Seal)

..... (signatures)

REGISTERED CLAIMANTS

(Witness)

..... (signature of individual)

(NAME AS REGISTERED IN PRINT)
RE: UNIT (NO.) LEVEL (NO.)
(or RE: ALL UNITS AND COMMON ELEMENTS)

(Corp. seal)

(signatures of officers of corporate claimant)

(NAME OF CORPORATE CLAIMANT IN PRINT)
RE: UNIT (NO.) LEVEL (NO.)
(or RE: ALL UNITS AND COMMON ELEMENTS)

R.R.O. 1980, Reg. 121, Form 16; O. Reg. 348/82, s. 14.

Form 17

Condominium Act

NOTICE OF LIEN UNDER SUBSECTION 32 (5) OF THE ACT

..... (Name of Condominium Corporation)

HEREBY GIVES NOTICE that it has a lien under the *Condominium Act* against Unit (No.), Level (No.) of (identification of Condominium plan), registered in the Land Registry Office for the Land Titles (or Registry) Division of ..... and the common interest appurtenant thereto for unpaid common expenses for the amount of \$..... at the date hereof and for such further amounts as are hereafter not paid when they become due.

Upon payment of the amount outstanding at any time and upon demand, the Corporation will give the owner a discharge of the lien in the prescribed form.

The lien does not secure payments of common expenses which became due more than three months before the date of registration of this notice.

Witness the seal of the Corporation duly affixed by the authorized officers of the Corporation at ..... this ..... day of ....., 19.....

..... (Corporate Seal)

..... (signatures)

R.R.O. 1980, Reg. 121, Form 17; O. Reg. 348/82, s. 15.

Form 18

Certificate # .....

Condominium Act

CERTIFICATE

(under subsection 32 (8) of the Condominium Act)

Name of Condominium Corporation

Current Mailing Address:

Current Address for Service:

(hereinafter referred to as the "Corporation")

The Corporation hereby certifies that as of the date hereof:

1. The owner of unit ..... level ..... (suite ..... address ..... ) of (identification of Condominium plan), registered in the Land Registry Office for the Land Titles (or Registry) Division of ..... is not in default in the payment of common expenses;

OR

The owner ..... is in default in the payment of common expenses in the amount of \$..... (if applicable: and a notice of lien has been registered against this unit);

2. The amount of \$..... in prepaid common expenses stands to the credit of the said owner in the corporation's record (if applicable);

3. A payment on account of common expenses of \$..... is due on (next due date) for the period (date) to (date);

4. The current budget (a copy of which is attached hereto) is accurate and may result in a surplus of \$..... or may result in a deficit of \$.....

(strike out where not applicable)

5. The corporation's reserve fund(s) amounts to \$..... as of ..... (date)

6. The Corporation has no knowledge of any circumstances that may result in an increase in the common expenses for the said unit; (where applicable add: except (here give particulars of any potential increase including any special assessment and the reason for it) );

7. The Corporation is not presently a party to any legal action (where applicable add: except (here give brief particulars of any action to which the Corporation is a party) );

8. The Corporation is (is not) presently considering any substantial addition, alteration or improvement to or renovation of the common elements or any substantial change in the assets of the corporation (give particulars of the proposed substantial change);

9. The Corporation has secured all policies of insurance that are required under the provisions of the Condominium Act;

10. The property manager is ..... (full name, address and telephone number)

11. The Directors and Officers of the Corporation are as follows:

Name Address Position

Dated at ..... , this ..... day of

....., 19.....

signatures and position held

(corporate seal)

Pursuant to the provisions of the Act and the Regulations the Corporation may charge a fee not to exceed \$25 for this Certificate and the accompanying statements and information.

(NOTE: Such other information may be included in the Certificate as the Corporation considers appropriate).

This Certificate shall be accompanied by the following statements and information:

1. A copy of the last annual financial statements of the corporation (audited if available).
2. A copy of the corporation's current budget.
3. A copy of the corporation's declaration.
4. A copy of the corporation's by-laws.
5. A copy of the corporation's rules.
6. A copy of any management agreement.
7. A copy of all current insurance certificates.

R.R.O. 1980, Reg. 121, Form 18; O. Reg. 348/82, s. 16.

**Form 19**

*Condominium Act*

**DISCHARGE OF LIEN UNDER SUBSECTION 32 (7) OF THE ACT**

..... having received payment of the amount  
(name of Condominium Corporation)

mentioned in the notice of lien registered as No. .... in respect of UNIT (No.) LEVEL (No.) of (identification of condominium plan) registered in the Land Registry Office for the Land Titles (or Registry) Division of ....., pursuant to subsection 32 (7) of the *Condominium Act* hereby discharge the said UNIT from the said lien.

Witness the seal of the Corporation duly affixed by the authorized officers of the Corporation at ....., this ..... day of ....., 19.....

..... (Corp. Seal)  
.....  
(signatures)

R.R.O. 1980, Reg. 121, Form 19; O. Reg. 348/82, s. 17.

**Schedule**

COLUMN 1 Registry or Land Titles Division (see Note 1)	COLUMN 2 Component of name of Corporation and Plan
1. Algoma (No. 1) (L.T.)	1. Algoma
2. Brant (No. 2)	2. Brant
3. Bruce (No. 3) (L.T.)	3. Bruce
4. Cochrane (No. 6) (L.T.)	4. Cochrane
5. Dufferin (No. 7)	5. Dufferin
6. Dundas (No. 8)	6. Dundas
7. Port Hope (No. 9) (L.T.)	7. Port Hope
8. Newcastle (No. 10) (L.T.)	8. Newcastle
9. Elgin (No. 11) (L.T.)	9. Elgin
10. Essex (No. 12) (L.T.)	10. Essex
11. Frontenac (No. 13)	11. Frontenac
12. Glengarry (No. 14)	12. Glengarry
13. Grenville (No. 15)	13. Grenville
14. Grey North (No. 16)	14. Grey
15. Grey South (No. 17)	15. Grey South
16. Haldimand (No. 18)	16. Haldimand
17. Haldimand-Norfolk (No. 37) (L.T.)	17. Haldimand-Norfolk
18. Haliburton (No. 19)	18. Haliburton
19. Halton (No. 20) (L.T.)	19. Halton

20. Hastings (No. 21) (L.T.)	20. Hastings
21. Huron (No. 22)	21. Huron
22. Kenora (No. 23) (L.T.)	22. Kenora
23. Kent (No. 24)	23. Kent
24. Lambton (No. 25)	24. Lambton
25. Lanark North (No. 26)	25. Lanark North
26. Lanark South (No. 27)	26. Lanark
27. Leeds (No. 28)	27. Leeds
28. Lennox (No. 29)	28. Lennox
29. Manitoulin (No. 31) (L.T.)	29. Manitoulin
30. Middlesex East (No. 33) (L.T.)	30. Middlesex
31. Middlesex West (No. 34) (L.T.)	31. Middlesex West
32. Muskoka (No. 35) (L.T.)	32. Muskoka
33. Niagara North (No. 30) (L.T.)	33. Niagara North
34. Niagara South (No. 59) (L.T.)	34. Niagara South
35. Nipissing (No. 36) (L.T.)	35. Nipissing
36. Norfolk (No. 37)	36. Norfolk
37. Northumberland East (No. 38)	37. Northumberland East
38. Northumberland West (No. 39)	38. Northumberland
39. Durham (No. 40) (L.T.)	39. Durham
40. Ottawa-Carleton (No. 4) (L.T.)	40. Carleton
41. Oxford (No. 41) (L.T.)	41. Oxford
42. Parry Sound (No. 42) (L.T.)	42. Parry Sound
43. Peel (No. 43) (L.T.)	43. Peel
44. Perth (No. 44)	44. Perth
45. Peterborough (No. 45) (L.T.)	45. Peterborough
46. Prescott (No. 46) (L.T.)	46. Prescott
47. Prince Edward (No. 47)	47. Prince Edward
48. Rainy River (No. 48) (L.T.)	48. Rainy River
49. Renfrew (No. 49)	49. Renfrew
50. Russell (No. 50) (L.T.)	50. Russell
51. Simcoe (No. 51) (L.T.)	51. Simcoe
52. Stormont (No. 52)	52. Stormont
53. Sudbury (No. 53) (L.T.)	53. Sudbury
54. Thunder Bay (No. 55) (L.T.)	54. Thunder Bay
55. Timiskaming (No. 54) (L.T.)	55. Timiskaming
56. Metropolitan Toronto (No. 66) (L.T.)	56. Metropolitan Toronto
57. Victoria (No. 57)	57. Victoria
58. Waterloo North (No. 58)	58. Waterloo North
59. Waterloo South (No. 67)	59. Waterloo South
60. Wellington North (No. 60)	60. Wellington North
61. Wellington South (No. 61)	61. Wellington
62. Wentworth (No. 62) (L.T.)	62. Wentworth
63. York North (No. 65) (L.T.)	63. York Region

NOTE: "L.T." indicates that the division is a Land Titles division.

O. Reg. 348/82, s. 18.

## REGULATION 97

### SURVEYS AND THE DESCRIPTION

#### 1. In this Regulation,

"exclusive use portion" means a part of the common elements that is to be used by the owners of one or more designated units and not by all the owners;

"plan sheets" means,

- (a) the plans that comprise the description specified in section 4 of the Act, or
- (b) the plans showing exclusive use portions;

"structural plans" means plans that are mechanically reproduced on such translucent material as the examiner approves and that are,

- (a) copies of the architectural and engineering drawings prepared for a condominium project, revised to show all changes made to the date of registration, or

- (b) plans comparable to architectural drawings containing sufficient information to enable the construction of the building therefrom, where the copies of the original drawings referred to in clause (a) are unavailable or are inadequate for purposes of construction. R.R.O. 1980, Reg. 122, s. 1, *revised*.

2.—(1) Every exterior angle of the property of a condominium shall be defined in the survey by a Standard Iron Bar, a Rock Bar, or a Rock Post as those terms are defined in subsection 1 (1) of Regulation 1027 of Revised Regulations of Ontario, 1990 made under the *Surveys Act*. R.R.O. 1980, Reg. 122, s. 2 (1); O. Reg. 349/82, s. 1 (1), *revised*.

(2) Walls, floors, ceilings or other physical features shall be adopted as the survey monuments that control the boundaries of units or exclusive use portions where the boundaries are located within the building or within 6 metres from a building situated on the condominium property. R.R.O. 1980, Reg. 122, s. 2 (2).

(3) Except as provided in subsection (2), an angle in the boundary of a unit or exclusive use portion shall be defined by an Iron Bar or a Rock Post as those terms are defined in subsection 1 (1) of Regulation 1027 of Revised Regulations of Ontario, 1990 made under

the *Surveys Act*. R.R.O. 1980, Reg. 122, s. 2 (3); O. Reg. 349/82, s. 1 (2), *revised*.

(4) Despite subsection (3), monumentation of exclusive use portions under subsection (3) may be limited to the angles on the exterior boundaries of tiers of exclusive use portions. R.R.O. 1980, Reg. 122, s. 2 (4).

(5) Regulation 1027 of Revised Regulations of Ontario, 1990, except sections 3 to 8, applies to condominium properties. O. Reg. 349/82, s. 1 (3).

3.—(1) The monuments referred to in subsection 2 (2) and the relationship of the boundaries of units thereto shall be described fully in a schedule to the declaration and reference to the schedule shall be included on the plan sheets designating the units.

(2) The schedule to the declaration referred to in subsection (1) shall be signed by the surveyor to verify that the written description of the monuments and boundaries corresponds with the boundary specifications referred to in subsection (4).

(3) The diagrams required under clause 4 (1) (d) of the Act shall be shown on the plan sheets designating the units or on a separate plan sheet.

(4) The unit boundary specifications required under clause 4 (1) (c) of the Act shall be shown on cross sections either on the plan sheets designating the units or on a separate plan sheet. R.R.O. 1980, Reg. 122, s. 3.

4.—(1) The levels of a condominium shall be numbered consecutively, in ascending order, beginning with the number "1" except that plans of levels below level 1 shall be lettered in descending order in alphabetic sequence beginning with the letter "A".

(2) The plan sheet of each level shall be designated by the word "Level" together with the number or letter.

(3) Where the floor plans of two or more levels are the same, only one plan sheet is required for those levels.

(4) The plan sheet number and the total number of plan sheets shall be indicated on each plan sheet.

(5) Despite subsection 15 (3),

(a) section 10 and section 21 of Regulation 997 of Revised Regulations of Ontario, 1990 do not apply to plan sheets other than the plan sheet required by clause 4 (1) (a) of the Act; and

(b) subsection 13 (2) and section 15 of Regulation 997 of Revised Regulations of Ontario, 1990 do not apply to units and exclusive use portions where they are defined in relation to the buildings. R.R.O. 1980, Reg. 122, s. 4.

5.—(1) Every unit shall be designated on a plan sheet by the word "UNIT" followed by a number, and the units shall be numbered consecutively beginning with the number "1" on each level, and there shall not be more than one unit designated on each level by the same number.

(2) Exclusive use portions shall be designated on a separate plan of survey by numbers or letters or by numbers and letters.

(3) Subsection (2) does not apply to exclusive use portions that are balconies, where the balconies are shown clearly by light lines of uniform width, which may be broken, on a plan sheet referred to in subsection (1). R.R.O. 1980, Reg. 122, s. 5.

6. Subject to subsection 5 (3), the limits of units, common elements and exclusive use portions shall be shown on the plan sheets by solid lines heavier than the lines referred to in section 10 of Regu-

lation 997 of Revised Regulations of Ontario, 1990. R.R.O. 1980, Reg. 122, s. 6.

7.—(1) In this section,

"business and personal services purposes" means the use of a unit or part thereof for the transaction of business or the rendering or receiving of professional or personal services;

"industrial purposes" means the use of a unit or part thereof for assembling, fabricating, manufacturing, processing, repairing or storing of goods and materials;

"mercantile purposes" means the use of a unit or part thereof for the displaying or selling of retail goods, wares or merchandise.

(2) For the purposes of clause 4 (1) (e) of the Act, "have been constructed" means,

(a) with respect to all buildings, constructed at least to the following state of completion:

1. Roof assemblies are in place and are waterproof.
2. Exterior walls including the brick veneer, metal siding, stucco or other outside covering are in place.
3. Outside doors and windows are in place so that the building is weather proof.
4. Floor assemblies are constructed to the sub-floor.
5. Walls and ceilings, including those in any lobby or corridor, are completed to the drywall including taping and sanding, plaster or other final covering.
6. All underground garages, if any, have walls and floor assemblies in place.
7. All elevators, if any, are operable.
8. Installations with respect to the provision of water, electricity, sewage removal and drainage are in place.
9. Installations with respect to the provision of heat are in place and operable.
10. All indoor and outdoor swimming pools, if any, are constructed;

(b) with respect to units intended for residential purposes, constructed at least to the following state of completion:

1. Interior partitions are in place.
2. Perimeter walls, interior structural walls, interior columns, interior partitions and ceilings are completed to the drywall including taping and sanding, plaster or other final covering.
3. Perimeter doors are in place;

(c) with respect to units intended for industrial purposes, perimeter doors are in place; and

(d) with respect to units intended for mercantile purposes or business and personal services purposes,

(i) perimeter doors are in place, and

(ii) ceilings and perimeter walls separating the units from the common elements are completed to the drywall including taping and sanding, plaster or other final covering.

(3) Despite paragraph 4 of clause (2) (a), with respect to units intended for industrial purposes, 50 per cent of the area of the floor assembly at grade, provided that it is the lowermost floor, does not have to be in place.

(4) Despite paragraph 5 of clause (2) (a), with respect to units intended for industrial purposes, wall or ceiling coverings, interior partitions or walls between units do not have to be in place.

(5) Despite paragraph 5 of clause (2) (a) with respect to units intended for mercantile purposes or business and personal services purposes, interior partitions or walls between units do not have to be in place. O. Reg. 133/81, s. 1.

8.—(1) The plan sheet required under clause 4 (1) (a) of the Act and the plan sheets designating the units shall,

- (a) where any unit is designated, be certified on the plan by the surveyor in Form 1;
- (b) show Form 2 in the upper right corner;
- (c) show Forms 2 and 3 of Regulation 997 of Revised Regulations of Ontario, 1990 immediately below Form 2;
- (d) show Form 3 immediately below Form 2 of Regulation 997 of Revised Regulations of Ontario, 1990;
- (e) show below Form 3 the following notation:

“Declaration registered as Number....”; and

- (f) be endorsed by each owner in Form 4. R.R.O. 1980, Reg. 122, s. 7 (1); O. Reg. 446/90, s. 1.

(2) Plan sheets of exclusive use portions shall be certified by the surveyor in Form 5. R.R.O. 1980, Reg. 122, s. 7 (2).

9. A section or perspective drawing, sufficiently accurate to portray the vertical relationship of all levels, shall be drawn on the plan sheet required under clause 4 (1) (a) of the Act and on each plan sheet designating units or exclusive use portions. R.R.O. 1980, Reg. 122, s. 8.

10. All easements and similar interests that are appurtenant to the land that are included in the property, and easements and similar interests to which the property is subject shall be indicated in broken outline and lettering, on the plan sheet required under clause 4 (1) (a) of the Act, and shall further be set out in Form 6 below the registration and approval certificates. R.R.O. 1980, Reg. 122, s. 9.

11. When the description is submitted to the examiner for approval one set of paper prints of the structural plans and a copy of the proposed declaration shall be submitted in addition to the requirements of subsection 3 (8) of Regulation 997 of Revised Regulations of Ontario, 1990. R.R.O. 1980, Reg. 122, s. 10.

12. With respect to the items specified in clauses 4 (1) (b), (e) and (f) of the Act, inclusion of those items in a complete submission is sufficient for the examiner to approve a description. O. Reg. 446/90, s. 2.

13.—(1) At the time of registration of the description there shall be delivered to the Land Registrar,

- (a) the original description;
- (b) three duplicates of the description; and
- (c) one set of paper prints of the structural plans,

and the Land Registrar shall,

- (d) endorse the particulars of registration of the description on the original and the duplicates in Form 2;

- (e) retain the original and one duplicate of the description and the paper prints of the structural plans;
- (f) transmit one duplicate of the description to the clerk of the local municipality in which the land is situate; and
- (g) transmit one duplicate of the description to the Regional Office of the Assessment Division of the Ministry of Revenue.

(2) A duplicate of the description shall be a mechanically reproduced copy on such material and by such process as the examiner approves.

(3) For the purposes of clauses (1) (a), (b), (d), (e), (f) and (g), the description does not include the structural plans. R.R.O. 1980, Reg. 122, s. 11.

14.—(1) An amendment to a registered description referred to in clause 4 (1) (a), (b), (c), (d) or (f) of the Act or a plan sheet of exclusive use portions may be made by registering the amendment and an amendment to the registered declaration that relates to the amendment to the description shall be registered at the same time. R.R.O. 1980, Reg. 122, s. 12 (1).

(2) An amendment to a description to which subsection (1) applies shall not be registered unless it is approved or exempted by the Minister of Municipal Affairs or a council or delegate thereof as provided for in sections 4 and 5 of the *Planning Act*.

(3) Subsection (2) does not apply to an amendment to a description under subsection 3 (8) of the Act. O. Reg. 237/85, s. 1.

(4) A registered amendment to a description shall for all purposes be substituted for the portion of the description so amended.

(5) The original portion of a registered description that is superseded by a registered amendment thereto,

- (a) shall be marked to show that an amendment has been registered in substitution therefor; and
- (b) shall be retained in the land registry office and be made available for inspection when required.

(6) An amendment to a description shall be integrated with the description, but shall be clearly marked to show,

- (a) that it is an amendment; and
- (b) the date of its registration.

(7) Such entries shall be made in the condominium register as are required to reflect an amendment to the description. R.R.O. 1980, Reg. 122, s. 12 (3-6).

15.—(1) This Regulation applies to descriptions and amendments to descriptions where the description or amendment is executed on or after the 1st day of February, 1979.

(2) Section 1 of Regulation 997 of Revised Regulations of Ontario, 1990 extends to the interpretation of this Regulation.

(3) Sections 1 to 16 and 18 to 24 of Regulation 997 of Revised Regulations of Ontario, 1990 apply with necessary modifications to descriptions and amendments thereto to which subsection (1) applies.

(4) Despite subsection (3), Regulation 997 of Revised Regulations of Ontario, 1990 does not apply to structural plans. R.R.O. 1980, Reg. 122, s. 13.

**Form 1**

*Condominium Act*

**SURVEYOR'S CERTIFICATE**

I hereby certify that the buildings have been constructed and that the diagrams of the units shown on this plan are substantially accurate and substantially in accordance with the structural plans.

.....  
(date) (signature)

.....  
(name in print)

Ontario Land Surveyor

R.R.O. 1980, Reg. 122, Form 1.

**Form 2**

*Condominium Act*

**CERTIFICATE OF REGISTRATION**

.....  
(name)

CONDOMINIUM PLAN NO. ....

LEVEL - (or LEVELS ..... to ..... )

UNIT - (or UNITS ..... to ..... )

Registered in the Land Registry Office for the (Registry) (Land Titles) Division of .....

at ..... o'clock on the ..... day of ....., 19.....

.....  
(Signature)  
Land Registrar

R.R.O. 1980, Reg. 122, Form 2.

**Form 3**

**SURVEYOR'S CERTIFICATE**

I certify that:

1. This survey and plan are correct and in accordance with the *Surveys Act* and ..... (name of appropriate Act) and the regulations made thereunder.

2. The survey was completed on the day of ....., 19.....

.....  
(date) (signature)

.....  
(name in print)

Ontario Land Surveyor

R.R.O. 1980, Reg. 122, Form 3.

**Form 4**

*Condominium Act*

**OWNER'S CERTIFICATE**

This is to certify that the property included in this plan has been laid out into units and common elements in accordance with my (our) instructions.

Dated at ..... this ..... day of ....., 19.....

.....  
(Signature)

.....  
(name in print)

R.R.O. 1980, Reg. 122, Form 4.

**Form 5**

*Condominium Act*

**SURVEYOR'S CERTIFICATE**

I hereby certify that this plan of survey accurately shows the extent and location of the exclusive use portions of the common elements.

.....  
(date) (signature)

.....  
(name in print)

Ontario Land Surveyor

R.R.O. 1980, Reg. 122, Form 5.

**Form 6**

*Condominium Act*

SCHEDULE OF APPURTENANT AND SERVIENT INTERESTS (Pursuant to section 4 (1) (f) of the <i>Condominium Act</i> )			
	Part	Plan	Described In
TOGETHER WITH (APPURTENANT INTERESTS)			
SUBJECT TO (SERVIENT INTERESTS)			

R.R.O. 1980, Reg. 122, Form 6.





**Conservation Authorities Act**  
**Loi sur les offices de protection de la nature**

**REGULATION 98****CONSERVATION AREAS—AUSABLE-BAYFIELD**

## INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but not a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Ausable-Bayfield Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but not an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but not an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 330/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 330/88, s. 2.

## PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 330/88, s. 3.

## PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) be abusive, insulting or threatening or make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) No person shall enter or remain in a conservation area or part thereof that is designated as closed during certain times during those times. O. Reg. 330/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 330/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 330/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 330/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons if they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle; or
- (b) up to two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 330/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 330/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 330/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 330/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 330/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 330/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 330/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 330/88, Sched.

## REGULATION 99

### CONSERVATION AREAS—CATARAQUI REGION

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Cataraqui Region Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 197/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 197/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 197/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 197/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 197/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 197/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 197/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle other than a motorcycle; or
- (b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 197/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use

permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 197/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 197/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 197/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 197/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 197/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 197/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 197/88, Sched.

## REGULATION 100

### CONSERVATION AREAS—CATFISH CREEK

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Catfish Creek Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 86/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 86/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 86/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;

- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 86/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 86/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 86/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 86/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle other than a motorcycle; or
- (b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 86/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 86/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons,
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 86/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;

- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 86/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 86/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 86/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 86/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 86/88, Sched.

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 198/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 198/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 198/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;

## REGULATION 101

### CONSERVATION AREAS—CENTRAL LAKE ONTARIO

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Central Lake Ontario Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

- (e) possess, shoot, discharge or use a spring gun, air gun, fire-arm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 198/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 198/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 198/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 198/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle other than a motorcycle; or
- (b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 198/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 198/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 198/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;



- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 198/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 198/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 198/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 198/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 198/88, Sched.

## REGULATION 102

### CONSERVATION AREAS—CREDIT VALLEY

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Credit Valley Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 199/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 199/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 199/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;

- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, fire-arm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 199/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 199/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 199/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 199/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle other than a motorcycle; or
- (b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 199/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 199/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 199/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the

Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

- (2) No person shall, in the conservation area,
- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
  - (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
  - (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
  - (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
  - (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
  - (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 199/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 199/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 199/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 199/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 199/88, Sched.

## REGULATION 103

### CONSERVATION AREAS—CROWE VALLEY

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

(a) on snow, ice, or snow and ice, or

(b) on land and water,

but not a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Crowe Valley Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but not an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but not an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 292/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 292/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 292/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

(a) beg;

(b) deface, remove or damage any property;

(c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;

(d) remove or destroy any soil or rock; or

- (e) be abusive, insulting or threatening or make excessive noise or disturb other persons.
- (2) No person shall, in the conservation area, except under a permit issued by the Authority,
- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
  - (b) possess or ignite fireworks;
  - (c) camp;
  - (d) make an excavation;
  - (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
  - (f) erect, paint or affix a sign or notice;
  - (g) sell or offer for sale an article or service;
  - (h) engage in fund raising;
  - (i) advertise or carry on a business or enterprise;
  - (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
  - (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
  - (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area, except at the locations designated by the Authority.

(4) No person shall enter or remain in a conservation area or part thereof that is designated as closed during certain times during those times. O. Reg. 292/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 292/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 292/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 292/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority,

after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons if they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle; or
- (b) up to two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 292/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 292/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and

- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 292/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

- (2) No person shall, in the conservation area,
- operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
  - operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
  - park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
  - park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
  - leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
  - operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 292/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 292/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 292/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 292/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 292/88, Sched.

## REGULATION 104

### CONSERVATION AREAS—ESSEX REGION

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- on snow, ice, or snow and ice, or
- on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Essex Region Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 200/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 200/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 200/88, s. 3.

## PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 200/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 200/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 200/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation

area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 200/88, s. 7.

## CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle other than a motorcycle; or
- (b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 200/88, s. 8.

## DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 200/88, s. 9.

## ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 200/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

- (2) No person shall, in the conservation area,
  - (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
  - (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
  - (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
  - (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
  - (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
  - (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 200/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 200/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 200/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 200/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 200/88, Sched.

## REGULATION 105

### CONSERVATION AREAS—GANARASKA REGION

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Ganaraska Region Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but not an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means a person designated by the Authority as being in charge of the conservation area. O. Reg. 623/89, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 623/89, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer

of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 623/89, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language or make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area, except at the locations designated by the Authority.

(4) No person shall enter or remain in a conservation area or part thereof that is designated as closed during certain times. O. Reg. 623/89, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 623/89, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 623/89, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 623/89, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons if they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) The holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle; or
- (b) two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a motor vehicle on a camp-site if in so doing the number of motor vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 623/89, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 623/89, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large,

in the conservation area.



(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 623/89, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

- (2) No person shall, in the conservation area,
  - (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
  - (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
  - (c) park a motor vehicle except in accordance with subsection 8 (4), (5) or 9 (2);
  - (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
  - (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
  - (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 623/89, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 623/89, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 623/89, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 623/89, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136

Subsections 138 (1), 140 (1), (2), (3) and (4), 141 (1), (2), (5) and (6), 142 (1), (2), (3), (4), (6), (7) and (8)

Sections 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167, 168

Subsections 170 (1), (2), (3), (8), (9), (10), (11) and (12), 172 (1)

Sections 173, 177 to 180

Subsection 182 (2)

Section 188

O. Reg. 623/89, Sched.

## REGULATION 106

### CONSERVATION AREAS—GRAND RIVER

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

(a) on snow, ice, or snow and ice, or

(b) on land and water,

but not a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Grand River Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but not an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but not an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 293/88, s. 1.

2. This Regulation does not apply to any conservation area that is

operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 293/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 293/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) be abusive, insulting or threatening or make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area, except at the locations designated by the Authority.

(4) No person shall enter or remain in a conservation area or part thereof that is designated as closed during certain times during those times. O. Reg. 293/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 293/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 293/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 293/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons if they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle; or
- (b) up to two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 293/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 293/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat

into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 293/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 293/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 293/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 293/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 293/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 293/88, Sched.

## REGULATION 107

### CONSERVATION AREAS—GREY SAUBLE

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but not a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Grey Sauble Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but not an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but not an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 294/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 294/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 294/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) be abusive, insulting or threatening or make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area, except at the locations designated by the Authority.

(4) No person shall enter or remain in a conservation area or part thereof that is designated as closed during certain times during those times. O. Reg. 294/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 294/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 294/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 294/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons if they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle; or
- (b) up to two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 294/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use

area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 294/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 294/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 294/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or

(b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 294/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 294/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 294/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 294/88, Sched.

## REGULATION 108

### CONSERVATION AREAS—HALTON REGION

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Halton Region Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 365/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 365/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 365/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or

(l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area, except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 365/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 365/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 365/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 365/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons if they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle other than a motorcycle; or
- (b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 365/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
  - (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.
- (2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 365/88, s. 9.

## ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 365/88, s. 10.

## VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

- (2) No person shall, in the conservation area,
- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
  - (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
  - (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
  - (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
  - (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
  - (f) operate a commercial vehicle, as defined in the *Truck*

*Transportation Act*, except with the permission of the superintendent. O. Reg. 365/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 365/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 365/88, s. 13.

## APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 365/88, s. 14.

## Schedule

*Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 365/88, Sched.

## REGULATION 109

## CONSERVATION AREAS—HAMILTON REGION

## INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Hamilton Region Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 114/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 114/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 114/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;

(h) engage in fund raising;

(i) advertise or carry on a business or enterprise;

(j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;

(k) conduct a public meeting or do anything that is likely to cause persons to congregate; or

(l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 114/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 114/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area, except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area, except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 114/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 114/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle other than a motorcycle; or
- (b) not more than two motorcycles.

(5) No person shall park, except with the permission of the super-



intendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 114/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 114/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 114/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;

(c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);

(d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;

(e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or

(f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 114/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 114/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 114/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 114/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 114/88, Sched.

## REGULATION 110

### CONSERVATION AREAS—KAWARTHA REGION

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but not a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Kawartha Region Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but not an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but not an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 295/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 295/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 295/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) be abusive, insulting or threatening or make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;

(d) make an excavation;

(e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;

(f) erect, paint or affix a sign or notice;

(g) sell or offer for sale an article or service;

(h) engage in fund raising;

(i) advertise or carry on a business or enterprise;

(j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;

(k) conduct a public meeting or do anything that is likely to cause persons to congregate; or

(l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area, except at the locations designated by the Authority.

(4) No person shall enter or remain in a conservation area or part thereof that is designated as closed during certain times during those times. O. Reg. 295/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 295/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 295/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 295/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons if they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle; or
- (b) up to two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 295/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 295/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 295/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 295/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 295/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 295/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 295/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 295/88, Sched.

## REGULATION 111

### CONSERVATION AREAS—KETTLE CREEK

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Kettle Creek Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 201/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 201/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 201/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 201/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 201/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 201/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 201/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle other than a motorcycle; or
- (b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 201/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 201/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 201/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 201/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 201/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 201/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 201/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 201/88, Sched.

## REGULATION 112

### CONSERVATION AREAS— LAKE SIMCOE REGION

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Lake Simcoe Region Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but not an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 366/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 366/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 366/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;

- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) be abusive, insulting or threatening or make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area, except at the locations designated by the Authority.

(4) No person shall enter or remain in a conservation area or part thereof that is designated as closed during certain times. O. Reg. 366/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 366/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 366/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 366/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
  - (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.
- (2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons if they are a single family of parents and their children, to occupy the camp-site designated in the permit.
- (3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.
- (4) A holder of a camping permit may park, on the camp-site,
- (a) one motor vehicle; or
  - (b) two motorcycles.
- (5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.
- (6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 366/88, s. 8.

## DAY-USE AREA PERMITS

## 9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 366/88, s. 9.

## ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied

by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 366/88, s. 10.

## VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 366/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 366/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 366/88, s. 13.

## APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 366/88, s. 14.

## Schedule

*Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 366/88, Sched.

## REGULATION 113

## CONSERVATION AREAS—LAKEHEAD REGION

## INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but not a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means The Lakehead Region Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but not an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but not an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 296/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 296/88, s. 2.

## PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 296/88, s. 3.

## PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) be abusive, insulting or threatening or make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area, except at the locations designated by the Authority.

(4) No person shall enter or remain in a conservation area or part thereof that is designated as closed during certain times during those times. O. Reg. 296/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 296/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 296/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.



(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 296/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons if they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle; or
- (b) up to two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 296/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 296/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 296/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 296/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 296/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 296/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 296/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 296/88, Sched.

## REGULATION 114

### CONSERVATION AREAS—LONG POINT REGION

#### INTERPRETATION

##### 1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Long Point Region Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 54/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 54/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer

of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 54/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 54/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 54/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area, except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area, except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area, except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 54/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area, except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 54/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle other than a motorcycle; or
- (b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 54/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 54/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons,

(b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or

(c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 54/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle, except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle, except in accordance with subsection 8 (4), (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 54/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 54/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 54/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 54/88, s. 14.

**Schedule***Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 54/88, Sched.

**REGULATION 115****CONSERVATION AREAS—LOWER THAMES VALLEY**

## INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

(a) on snow, ice, or snow and ice, or

(b) on land and water,

but not a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Lower Thames Valley Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but not an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but not an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 297/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 297/88, s. 2.

## PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 297/88, s. 3.

## PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

(a) beg;

(b) deface, remove or damage any property;

(c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;

(d) remove or destroy any soil or rock; or

(e) be abusive, insulting or threatening or make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

(a) kill, trap, pursue or disturb a wild bird, reptile or animal;

(b) possess or ignite fireworks;

(c) camp;

(d) make an excavation;

(e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;

(f) erect, paint or affix a sign or notice;

(g) sell or offer for sale an article or service;

(h) engage in fund raising;

(i) advertise or carry on a business or enterprise;

(j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;

(k) conduct a public meeting or do anything that is likely to cause persons to congregate; or

(l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area, except at the locations designated by the Authority.

(4) No person shall enter or remain in a conservation area or part thereof that is designated as closed during certain times during those times. O. Reg. 297/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conserva-

tion area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 297/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 297/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 297/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons if they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle; or
- (b) up to two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 297/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 297/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 297/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 297/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 297/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 297/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 297/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 297/88, Sched.

## REGULATION 116

### CONSERVATION AREAS—LOWER TRENT REGION

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Lower Trent Region Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario

Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 115/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 115/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 115/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 115/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 115/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 115/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 115/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site, except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle other than a motorcycle; or
- (b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 115/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a

day-use permit area, except under a permit issued by the Authority; or

- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 115/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons,
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 115/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle, except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 115/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 115/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 115/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 115/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 115/88, Sched.

## REGULATION 117

### CONSERVATION AREAS—MAITLAND VALLEY

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Maitland Valley Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 55/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 55/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 55/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;



- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 55/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 55/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area, except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area, except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area, except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 55/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area, except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 55/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site, except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle other than a motorcycle; or
- (b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a

designated parking area with the superintendent's permission. O. Reg. 55/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area, except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 55/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons,
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 55/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle, except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), (5) or 9 (2);

- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 55/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 55/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 55/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 55/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 55/88, Sched.

## REGULATION 118

### CONSERVATION AREAS—MATTAGAMI REGION

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but not a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Mattagami Region Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but not an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the

Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but not an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 367/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 367/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 367/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) be abusive, insulting or threatening or make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;

- (e) possess, shoot, discharge or use a spring gun, air gun, fire-arm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area, except at the locations designated by the Authority.

(4) No person shall enter or remain in a conservation area or part thereof that is designated as closed during certain times during those times. O. Reg. 367/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 367/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 367/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 367/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons if they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle; or
- (b) up to two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 367/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 367/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 367/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a road-way or other place designated by the Authority;

- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 367/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 367/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 367/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 367/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 367/88, Sched.

## REGULATION 119

### CONSERVATION AREAS— METROPOLITAN TORONTO AND REGION

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Metropolitan Toronto and Region Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 593/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 593/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 593/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language, or make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area, except at the locations designated by the Authority.

(4) No person shall enter or remain in a conservation area or part thereof that is designated as closed during certain times during those times. O. Reg. 593/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 593/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 593/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 593/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons if they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle; or
- (b) up to two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 593/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 593/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 593/88, s. 10.

## VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place that is likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 593/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 593/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 593/88, s. 13.

## APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 593/88, s. 14.

## Schedule

*Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 593/88, Sched.

## REGULATION 120

## CONSERVATION AREAS—MISSISSIPPI VALLEY

## INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Mississippi Valley Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 202/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 202/88, s. 2.

## PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 202/88, s. 3.

## PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;

- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 202/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 202/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 202/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 202/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle other than a motorcycle; or
- (b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 202/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 202/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by

the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 202/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

- (2) No person shall, in the conservation area,
  - (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
  - (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
  - (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
  - (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
  - (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
  - (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 202/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 202/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 202/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 202/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 202/88, Sched.

## REGULATION 121

### CONSERVATION AREAS—MOIRA RIVER

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but not a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Moira River Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but not an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but not an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 594/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 594/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer



of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 594/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language, or make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area, except at the locations designated by the Authority.

(4) No person shall enter or remain in a conservation area or part thereof that is designated as closed during certain times during those times. O. Reg. 594/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 594/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area

except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 594/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 594/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons if they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle; or
- (b) up to two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 594/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 594/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;

(b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or

(c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

(a) hunting or training is permitted in the conservation area; and

(b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 594/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

(a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;

(b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;

(c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);

(d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;

(e) leave a bicycle in a place that is likely to cause danger or inconvenience to other persons; or

(f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 594/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

(a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or

(b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 594/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 594/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 594/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 594/88, Sched.

## REGULATION 122

### CONSERVATION AREAS—NAPANEE REGION

#### INTERPRETATION

##### 1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

(a) on snow, ice, or snow and ice, or

(b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Napanee Region Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 116/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 116/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 116/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 116/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 116/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area, except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 116/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 116/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle other than a motorcycle; or
- (b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 116/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 116/88, s. 9.

## ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 116/88, s. 10.

## VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 116/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 116/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 116/88, s. 13.

## APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 116/88, s. 14.

## Schedule

*Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 116/88, Sched.

## REGULATION 123

## CONSERVATION AREAS—NIAGARA PENINSULA

## INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but not a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Niagara Peninsula Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but not an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but not an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 298/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 298/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 298/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) be abusive, insulting or threatening or make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;
- (k) conduct a public meeting or do anything that is likely to cause persons to congregate; or
- (l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area, except at the locations designated by the Authority.

(4) No person shall enter or remain in a conservation area or part thereof that is designated as closed during certain times during those times. O. Reg. 298/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 298/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 298/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 298/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons if they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle; or
- (b) up to two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 298/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use

permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 298/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 298/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 298/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 298/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 298/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 298/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 298/88, Sched.

## REGULATION 124

### CONSERVATION AREAS—NICKEL DISTRICT

#### INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the Nickel District Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 203/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 203/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 203/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;
- (e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;
- (f) erect, paint or affix a sign or notice;
- (g) sell or offer for sale an article or service;
- (h) engage in fund raising;
- (i) advertise or carry on a business or enterprise;
- (j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;

(k) conduct a public meeting or do anything that is likely to cause persons to congregate; or

(l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 203/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 203/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 203/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 203/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle other than a motorcycle; or
- (b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 203/88, s. 8.

## DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 203/88, s. 9.

## ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 203/88, s. 10.

## VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;

(e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or

(f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 203/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 203/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 203/88, s. 13.

## APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 203/88, s. 14.

## Schedule

*Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 203/88, Sched.

## REGULATION 125

CONSERVATION AREAS—  
NORTH BAY—MATTAWA

## INTERPRETATION

1. In this Regulation,

“all-terrain vehicle” means a self-propelled vehicle intended to be driven,

- (a) on snow, ice, or snow and ice, or
- (b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

“Authority” means the North Bay-Mattawa Conservation Authority;

“boat” means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

“camp-site” means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;



“conservation area” means the land owned by the Authority;

“highway” means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

“motorcycle” means a motorcycle as defined in the *Highway Traffic Act*;

“motorized snow vehicle” means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

“motor vehicle” means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

“officer” means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

“off-road vehicle” means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

“power boat” means a boat that is propelled otherwise than by sail or muscular power;

“roadway” means a roadway as defined in the *Highway Traffic Act*;

“superintendent” means the person designated by the Authority as being in charge of the conservation area. O. Reg. 204/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 204/88, s. 2.

#### PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 204/88, s. 3.

#### PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

- (a) beg;
- (b) deface, remove or damage any property;
- (c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;
- (d) remove or destroy any soil or rock; or
- (e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

- (a) kill, trap, pursue or disturb a wild bird, reptile or animal;
- (b) possess or ignite fireworks;
- (c) camp;
- (d) make an excavation;

(e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;

(f) erect, paint or affix a sign or notice;

(g) sell or offer for sale an article or service;

(h) engage in fund raising;

(i) advertise or carry on a business or enterprise;

(j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;

(k) conduct a public meeting or do anything that is likely to cause persons to congregate; or

(l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 204/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 204/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 204/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 204/88, s. 7.

#### CAMPING PERMITS

8.—(1) No person shall,

- (a) occupy a camp-site except under a permit issued by the Authority; or
- (b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

- (a) one motor vehicle other than a motorcycle; or
- (b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 204/88, s. 8.

#### DAY-USE AREA PERMITS

9.—(1) No person shall,

- (a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or
- (b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 204/88, s. 9.

#### ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

- (a) make excessive noise or disturb other persons;
- (b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or
- (c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

- (a) hunting or training is permitted in the conservation area; and
- (b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 204/88, s. 10.

#### VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

- (a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;
- (b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;
- (c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);
- (d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;
- (e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or
- (f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 204/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

- (a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or
- (b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 204/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 204/88, s. 13.

#### APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 204/88, s. 14.

#### Schedule

##### *Highway Traffic Act*

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 204/88, Sched.

























