

Proposed Change 1666

Code Reference(s):	NBC25 Div.B 3.8.2.3. (first printing)
Subject:	Accessibility — Low-Cost and No-Cost Items
Title:	Clarification of Requirements for Certain Clear Spaces Where Required for Barrier-free Facilities
Description:	This proposed change requires clear floor spaces to be connected to a barrier-free path of travel where these spaces are required for barrier-free facilities.
Related Code Change Request(s):	CCR 1781, CCR 1783

This change could potentially affect the following topic areas:

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| ☐ Division A | ☒ Division B |
| ☐ Division C | ☒ Design and Construction |
| ☐ Building operations | ☒ Housing |
| ☒ Small Buildings | ☒ Large Buildings |
| ☐ Fire Protection | ☐ Occupant safety in use |
| ☒ Accessibility | ☐ Structural Requirements |
| ☐ Building Envelope | ☐ Energy Efficiency |
| ☐ Heating, Ventilating and Air Conditioning | ☐ Plumbing |
| | ☐ Construction and Demolition Sites |

Problem

The National Building Code of Canada (NBC) prescribes requirements for clear floor spaces within or adjacent to facilities that are intended to be barrier-free, such as lavatories, mirrors, telephones, water fountains, and water closets. The purpose of these clear floor spaces is to enable people using mobility devices to "park" their devices while using building facilities (e.g., while drinking from a water fountain). However, the NBC does not explicitly require that there be space to maneuver a mobility device when approaching or leaving the stationary position. This was also commented on in relation to another proposed change for the 2020 edition of the NBC.

While it may be implied that a barrier-free path of travel should connect to all the barrier-free facilities in a building (such as a path from the entrance of a washroom to a lavatory and to a barrier-free water closet), the NBC only states that a barrier-free path of travel be provided to all normally occupied floor areas.

The possible lack of a continuous barrier-free path could impede the movement of people using mobility devices and impede their access to and use of facilities in the building.

Justification

This proposed change would clarify that, where clear floor spaces are required by barrier-free facilities, the clear floor space

- needs to be served by a barrier-free path of travel, and
- is permitted to overlap (unless prohibited in specific cases).

By clarifying that required clear floor spaces need to be served by a barrier-free path of travel, this proposed change is expected to limit the probability that a person who uses a wheeled mobility device would not be able to circulate to or maneuver by barrier-free facilities.

This proposed change introduces a related explanatory Note to provide additional clarity on the intended interpretation of this proposed change.

This proposed change is also being introduced in response to a public review comment that was received during the 2020 Codes cycle.

PROPOSED CHANGE

[3.8.2.3.] 3.8.2.3. Areas Requiring or Served by a Barrier-Free Path of Travel **(See Note A-3.8.2.3.)**

- [1] 1)** Except as permitted by Sentence (2), a *barrier-free* path of travel from the entrances required by Sentence 3.8.2.2.(1) to be *barrier-free* shall be provided throughout the entrance *storey* and within all other normally occupied *floor areas*. (See Article 3.3.1.7. for additional requirements regarding *floor areas* above or below the *first storey* to which a *barrier-free* path of travel is required.)
- [2] 2)** A *barrier-free* path of travel for persons in wheelchairs is not required
- [a] a) to *service rooms*,
 - [b] b) to elevator machine rooms,
 - [c] c) to janitors' rooms,
 - [d] d) to *service spaces*,
 - [e] e) to crawl spaces,
 - [f] f) to *attic or roof spaces*,
 - [g] g) to the floor level above or below the entrance level in *buildings* no more than 2 *storeys* in *building height* or in *2-storey suites*, unless the floor level above or below (see Note A-3.8.2.3.(2)(g))
 - [i] i) is served by a passenger elevator, a platform-equipped

- passenger-elevating device, an escalator or an inclined moving walk,
- [ii] ii) is 600 m² or more in *floor area*,
- [iii] iii) contains facilities that are not contained on the entrance level, but that are integral to the principal function of the entrance level, or
- [iv] iv) contains an *assembly occupancy* more than 100 m² in *floor area*,
- [h] h) within a parking level with no *barrier-free* parking spaces,
- [i] i) within *high-hazard industrial occupancies*,
- [j] j) within portions of a *floor area* with fixed seats in an *assembly occupancy* where those portions are not part of the *barrier-free* path of travel to spaces designated for wheelchair use,
- [k] k) within floor levels of a *suite of residential occupancy* that are not at the same level as the entry level to the *suite*, or
- [l] l) within a *suite of residential occupancy* that has not been designated by an *authority having jurisdiction* to be accessible for use by persons with physical disabilities.

[3] --) Where a clear floor space is required to serve a *barrier-free* facility, the clear floor space shall

[a] --) be served by a *barrier-free* path of travel, and

[b] --) unless otherwise specified, be permitted to overlap another clear floor space, including a *barrier-free* path of travel.

(See Note A-3.8.2.3.(3).)

[4] 3) In an *assembly occupancy*, the number of spaces designated for wheelchair use within rooms or areas with fixed seats shall conform to Table 3.8.2.3. (See also Article 3.8.3.22. for additional requirements.)

[5] 4) The number of spaces designated for wheelchair use within waiting rooms or areas with fixed seats shall conform to Table 3.8.2.3. (See Note A-3.8.2.3.(4).) (See also Article 3.8.3.22. for additional requirements.)

[6] 5) Except as provided in Sentence (6), in an *assembly occupancy* with more than 25 fixed seats, each row of seats served by two aisles shall have one adaptable seat conforming to Subsection 3.8.3. located adjacent to one of the aisles. (See Note A-3.8.2.3.(5) and (6) and 3.8.3.22.(1) and (4).)

[7] 6) At least 5% of the adaptable seats required by Sentence (5) but no more than 20 adaptable seats shall adjoin a *barrier-free* path of travel. (See Note A-3.8.2.3.(5) and (6) and 3.8.3.22.(1) and (4).)

**Table [3.8.2.3.] 3.8.2.3.
Designated Wheelchair Spaces
Forming Part of Sentences [3.8.2.3.] 3.8.2.3.([4] 3) and ([5] 4)**

Number of Fixed Seats in Seating Area	Number of Spaces Required for Wheelchairs
2 - 99	2
100 - 499	3, plus 1 for each additional increment of 70 seats in excess of 100
500 - 1 999	9, plus 1 for each additional increment of 80 seats in excess of 500
2 000 - 7 999	28, plus 1 for each additional increment of 95 seats in excess of 2 000
Over 7 999	91, plus 1 for each additional increment of 100 seats in excess of 8 000

Note A-3.8.2.3.(3) Clear Floor Spaces Served by the Barrier-Free Path of Travel.

Sentence 3.8.2.3.(3) is intended to ensure the building facilities that are required to be barrier-free and have a clear floor space in accordance with Subsection 3.8.3. also connect to the barrier-free path of travel. Examples of these building facilities are certain lavatories, mirrors, water fountains, water closets and telephones. The connection between the barrier-free path of travel and the clear floor space enables a person using a wheeled mobility device to travel to the barrier-free building facility and maneuver within the clear floor space that is adjacent to, or within, the facility without being impeded.

Impact analysis

This proposed change is expected to improve the accessibility of barrier-free facilities for people who use wheeled mobility aids by providing explicit clarity that the clear floor spaces near these facilities need to be served by a barrier-free path of travel.

For designers who do not yet in practice connect clear floor spaces serving barrier-free facilities to the barrier free path of travel in their designs, the impact of this proposed change would be greater. Floor layouts and the location of facilities requiring clear floor spaces for accessibility purposes may need to be adjusted so that these spaces are served by a barrier-free path of travel and can be more easily accessed by their intended users.

For designers who already incorporate barrier-free paths of travel throughout floor areas to serve all relevant barrier-free facilities, the impact of this proposed change is expected to be negligible because their designs in practice are already compliant.

Enforcement implications

This proposed change is expected to simplify enforcement by providing greater clarity on where a barrier-free path of travel needs to connect to clear floor spaces serving barrier-free building facilities. The dimensional requirements can be verified using existing practices.

Who is affected

Designers and builders would need to ensure that their designs meet accessibility requirements for access to buildings and use of building facilities.

Regulators who review plans and buildings would need to check that clear floor spaces are adequately connected to a barrier-free path of travel.

People using wheelchairs or other mobility devices would be better able to access and use barrier-free building facilities.

OBJECTIVE-BASED ANALYSIS OF NEW OR CHANGED PROVISIONS

[3.8.2.3.] 3.8.2.3. ([1] 1) [F73-OA1]

[3.8.2.3.] 3.8.2.3. ([2] 2) no attributions

[3.8.2.3.] -- ([3] --) [F73-OA1]

[3.8.2.3.] -- ([3] --) [F74-OA2]

[3.8.2.3.] 3.8.2.3. ([4] 3) [F74-OA2]

[3.8.2.3.] 3.8.2.3. ([5] 4) [F74-OA2]

[3.8.2.3.] 3.8.2.3. ([6] 5) [F74-OA2]

[3.8.2.3.] 3.8.2.3. ([6] 5) [F10-OS3.7] Applies to portion of Code text: "... each row of seats served by two aisles shall have one adaptable seat conforming to Subsection 3.8.3. located adjacent to one of the aisles."

[3.8.2.3.] 3.8.2.3. ([7] 6) [F74-OA2]