



# Scope, Application and Enforcement

# 1.2

## Application

The requirements of this standard shall be:

- mandatory for all newly constructed and retrofitted facilities owned, leased or operated by the City of London; and
- encouraged for all other facilities, whether new or retrofitted.

All areas of newly designed or newly constructed facilities and altered portions of existing facilities shall comply with **Sections 2 to 5**, unless otherwise provided in this section or as modified in **Section 6**.

The specific facility types listed in **Section 6** shall, in addition to all of the provisions specified in **Sections 2 to 5**, comply with the additional design requirements specified in **Section 6**.

Where a facility contains more than one use covered by a special application section, each portion shall comply with the requirements for that section in addition to all other general provisions.

All facilities shall be accessible for employees, as well as patrons and other users. All areas intended for use by employees shall be designed and constructed to comply with this standard.

This standard applies to temporary facilities, as well as permanent facilities.

## Exception

The requirements of **Sections 2 to 5** do not apply to:

- service rooms;
- elevator machine rooms;
- janitor rooms;
- service spaces;
- crawl spaces;
- attic or roof spaces;
- residential occupancies;
- buildings of Group F Division 1 occupancy, as defined by the Ontario Building Code (latest edition with all amendments); and
- buildings which are not intended to be occupied on a daily or full-time basis, including, but not limited to, automatic telephone exchanges, pump houses and substations.

## 1.2.1 Retrofitting, Alterations and Additions

Application of these standards related to retrofitting, alterations and additions also requires the following:

- Each addition to an existing facility shall be regarded as an alteration;
- Each space or element added to the existing facility shall comply with the applicable provision(s) of this standard;
- Except where the provision of accessible features is technically infeasible, no alteration shall decrease or have the effect of decreasing accessibility or usability of an existing facility to below the requirements for new construction at the time of alteration;
- If existing elements, spaces or common areas are altered, then each such altered element / space / feature / area shall comply with all applicable provisions. If the applicable provision for new construction requires that an element / space / feature / area be on an accessible route and the altered element / space / feature / area is not on an accessible route, this route shall be altered to become accessible;
- If alterations of single elements, when considered together, amount to an alteration of a room or space in a facility, the entire space shall be made accessible;
- No alteration of an existing element, space or area of a facility shall impose a requirement for greater accessibility than that which would be required for new construction;
- If an escalator or stairs are proposed as a means of access where none existed previously, and major structural modifications are necessary for such installations, then a means of accessible access shall also be provided;
- If a planned alteration entails alterations to an entrance, and the facility has an accessible entrance, the entrance being altered is required to be accessible;
- If the alteration work is limited solely to the electrical, mechanical or plumbing system, hazardous material abatement, automatic sprinkler retrofitting, and does not involve the alteration of any elements or spaces required to be accessible under these standards, then this standard does not apply (except for alarms and assistive listening systems);
- An alteration that affects the usability of or access to an area containing a primary function shall be made to ensure that, to the maximum extent feasible, the path of travel to the altered area, the washrooms and drinking fountains serving the altered area are readily accessible to and usable by individuals with disabilities; and

- Where the provision of accessible features is technically infeasible, and the standard allows a reduction of manoeuvring space from the requirements for new construction, the reduced dimensions are minimums. Where possible, larger manoeuvring spaces must be provided.

## 1.2.2 Heritage Facilities

This standard will apply to alterations to a heritage facility, however, under the Ontario Human Rights Code, there are allowances for modification to the defining features of a heritage facility which are deemed to alter the essential nature or substantially affect the viability of the enterprise. Public heritage facilities should be assessed for compliance to accessibility standards on an individual basis, to determine the most effective and least disruptive means of retrofit, where required. Consider the following general guidelines:

- **Facilities and / or areas that are generally used independently by the public and have undergone extensive modernization should be permanently and fully accessible. This includes parking areas, reception areas, washrooms, food service areas and gift shops. It can also include walkways and garden areas. If accessibility is limited by non-heritage elements, those elements should be revised;**
- **Facilities and / or areas which are used only by guided tour groups, through which assistance could easily be provided to open doors or to place a temporary ramp, could remain as existing or with minor temporary modifications;**
- **It is desirable to provide a complete experience of a public heritage facility. If an accessible area or areas can be provided to fully experience a given site or facility context, access to the entire site or facility is not necessary; and**
- **Access to above-grade and below-grade areas is not necessary if the context of those areas can be adequately provided on the accessible floor level.**

If the retrofit for accessibility of a main public entrance in a heritage facility would substantially threaten or destroy the historic significance of the facility, access shall be provided at an alternative entrance with directional signs at the main public entrance. The accessible entrance should have a notification system (if not generally used by the public) and remote monitoring (if security is an issue).

Safe egress from a heritage facility is required.

### 1.2.3 Equivalent Facilitation

In a retrofit situation where the requirements of a section of this standard are technically infeasible to implement, equivalent facilitation may be proposed.

Equivalent facilitation proposals shall be referred to the **Director, Fleet & Facilities (or delegate)** for review and approval on an individual basis.

### 1.2.4 Implementation

The Facilities Design and Construction Division of the City of London, other City departments, as well as contracted consulting firms shall be responsible for the application of the 2021 Facility Accessibility Design Standards, when designing and administering all construction and renovation projects associated with new facilities, as well as the retrofit, alteration or addition to existing facilities, owned, leased or operated by the City of London.

Designing and constructing to this standard shall be included as a mandatory requirement in all City of London Request for Proposals, Tender Documents and Construction Contracts.

### 1.2.5 Enforcement

The Facilities Design and Construction Division of the City of London and other City departments, through the project management function, shall ensure compliance to this standard during the pre-planning, design, construction documents preparation and contracts administrative phases.