

## OCCUPANCY CLASSIFICATION SUPPORTIVE LIVING ACCOMMODATIONS

### PURPOSE

This interpretation is to clarify the application of the Safety Codes Act (SCA) and the National Building Code-2019 Alberta Edition (NBC(AE)) in determining the occupancy classification of buildings as intended for clients receiving various levels of supportive living accommodation.

### DISCUSSION

Designation and Occupancy classification to facilities providing supportive living accommodations.

#### Care Occupancy

In proposed Group B, Division 3 care occupancy facilities some authorities having jurisdiction (AHJ) have required alternate occupancy classification to more restrictive, Group B, Division 2 treatment occupancy facilities.

Some reasons included the:

- ability of occupants to self evacuate.
- AHJ assesses levels of care as treatment occupancy or assesses that transitional or crisis intervention should presume a level of care as a treatment occupancy
- design of the building capable of being a treatment occupancy

The definitions within the NBC(AE) for care and treatment occupancies are not necessarily interchangeable with defined or described terms for supportive living under other regulations such as Supportive Living Accommodations Licensing Act (SLALA). Each regulation has its own context and objectives: for instance, supportive living residences regulated under SLALA may be classified as a Group B, Division 3 or a Group C occupancy. Accommodations where treatment is provided are regulated under other legislation and a Group B, Division 2 treatment occupancy classification would apply.

An assessment conducted by a Case Manager or Health Care Professional is required in the decision process for the proper placing of a patient/client/resident. A patient means all persons; inclusive of residents and clients who receive or have requested health care or services from Alberta Health Services and its health care providers. The duty and authority for assessment is with the Case Manager or Health Care Professional, not the AHJ.

Unless stated otherwise, all Code references in this STANDATA are to Division B of the National Building Code-2019 Alberta Edition

Issuance of this STANDATA is authorized by  
the Provincial Building Administrator

*[Original Signed]*  
Paul Chang

The logo for the province of Alberta, featuring the word "Alberta" in a stylized, cursive font with a small blue square at the end of the word.

Under SLALA regulation, an assessment is described as follows:

**Assessment**

25 An operator shall develop, maintain and implement written processes for the assessment of applicants for residency in the supportive living accommodation, including the assessment of

- applicants' physical, emotional and cognitive abilities in relation to the physical design and available services of the supportive living accommodation,
- applicants' behaviours in relation to the needs of current residents, and
- the suitability of available services in relation to the needs, safety and security of applicants

It is not the position of an AHJ to provide an assessment or presumption of level of care of an occupants needs for care or treatment in reviewing the occupancy classification proposed for a building.

Correspondence from the National Research Council supports our position that there is no assumption in the NBC(AE) or in the National Fire Code-2019 Alberta Edition (NFC(AE)) that residents in a Group B, Division 3 care occupancy must evacuate unassisted. On the contrary, the NBC(AE) and NFC(AE) requirements imply that residents in care occupancies and patients in treatment occupancies will both require assistance during an evacuation. The following measures were implemented to address this concern:

- larger egress capacity of 18.4 mm per person,
- wider exit stairs,
- fire compartments on floor areas, and
- a sufficient number of supervisory staff on duty to perform the fire safety plan.

Therefore, the building classification for a Group B, Division 3 care occupancy should not vary based on the capacity of the occupants to evacuate without assistance.

**CODE REFERENCES**

Article 1.4.1.2 of Division A states:

**1.4.1.2. Defined Terms**

*Care* means the provision of services other than *treatment* by or through care facility management to residents who require these services because of cognitive, physical or behavioural limitations.

*Care occupancy* means the *occupancy* or use of a *building* or part thereof where *care* is provided to residents. (See Note A-1.4.1.2.(1).)

*Treatment* means the provision of medical or other health-related intervention to persons, where the administration or lack of administration of these interventions may render them incapable of evacuating to a safe location without the assistance of another person. (See Note A-1.4.1.2.(1).)

*Treatment occupancy* means the *occupancy* or use of a *building* or part thereof for the provision of *treatment*, and where overnight accommodation is available to facilitate the *treatment*. (See Note A-1.4.1.2.(1).)

**Residential Occupancy**

In proposed Group C, residential occupancy facilities some AHJ's have required alternate occupancy classification to more restrictive, Group B, Division 3 care occupancy facilities.

Some reasons include but are not limited to the:

- occupants receive supportive living funding.
- AHJ assessed the clients as required to be in a care occupancy
- development permit was issued for a group home as applicable for the type of development approval (group homes are listed in the appendix of the NBC(AE) as a Group B, Division 3).

Occupancy classification for a supportive living accommodation classified as a Group C, residential occupancy should not vary based on reasons above.

### **APPLICATION**

The proposed construction of a building or part thereof in which the intent is to provide care services in the occupancy without treatment or to provide residential accommodations without required care services.

### **INTERPRETATION**

1. Where a building is intended and designated by the owner to provide care services that fall within the scope of Group B, Division 3 care occupancy classification, and no treatment is intended to be provided, the Group B, Division 3 care occupancy classification would be applicable.
2. Where a building is intended and designated by the owner to provide Group C, residential accommodations with no provision of required care services that fall within the scope of Group B, Division 3 care occupancy classification, the Group C, residential occupancy classification would be applicable.

This INTERPRETATION is applicable throughout the province of Alberta.