MEMORANDUM TO:    Licensed Child Care Operators  
                  Directors of Education  
                  Children’s Service Managers, CMSMs/DSSABs  

FROM:    Jim Grieve  
          Assistant Deputy Minister  

DATE:    December 19, 2014  

SUBJECT:    Harmonized Fire Safety Requirements for Licensed Child Care Centres  

Through the release of the *Modernizing Child Care in Ontario* discussion paper in 2012, the government received valuable feedback. Respondents encouraged the government to reduce duplication and overlap in requirements for licensed child care providers by modernizing the legislative and regulatory framework for child care.

I am writing to inform you that on December 18, 2014, minor amendments were filed to O. Reg. 262 made under the *Day Nurseries Act*. These amendments pertain to fire safety requirements and are complementary to the amendments recently made by the Ministry of Community Safety and Correctional Services, to the Fire Code (O. Reg. 213/07) made under the *Fire Protection and Prevention Act, 1997*.

The regulatory changes to O. Reg. 262 and Ontario’s Fire Code align fire safety requirements for licensed child care operators in schools for children 4 years and older with those already in place for schools.

The regulatory changes also reflect the advice provided by the child care sector and will support operators.

The amendments to O. Reg. 262: i) provide alignment with Fire Code requirements for all licensed child care programs and ii) clarify the application of the amended Fire Code to school-based licensed child care programs serving full-day kindergarten students and older school children. Changes to both regulations will come into effect as of **January 1st, 2015**.

**For all licensed child care programs:**

The changes to O. Reg. 262 align the duration that fire safety records must be retained, with the requirement set out in the Fire Code. This means, for all licensed child care programs:

- Fire safety records will have to be retained for a period of at least 12 months instead of the 2 year requirement that was previously set out by O. Reg. 262.
For school-based licensed child care programs serving full-day kindergarten students and older school children:
The Fire Code has additional provisions for day nurseries that are not requirements for schools including, artwork (i.e. proportion of flammable materials allowed to cover wall space etc.), non-flammable waste receptacles and the frequency of fire drills.

When licensed child care programs serving full-day kindergarten students and older school children are located in school settings, particularly shared space, it was unclear if the Fire Code’s requirements for schools, or day nurseries, should apply.

To provide greater certainty:
- Amendments to the Fire Code clarify that fire safety requirements for schools apply to school-based licensed programs that serve full-day kindergarten students and older school children. More specifically, as with schools:
  - The requirement to hold three fire drills per term applies;
  - The Fire Code provisions for day nurseries, relating to the proportion of flammable materials allowed to cover wall space and non-flammable waste receptacles, do not apply.
- The complementary amendments to O. Reg. 262 will support consistency in the application of fire safety requirements to such programs.

Amendments to O. Reg. 262 can be found at: https://www.e-laws.gov.on.ca/html/source/regs/english/2014/elaws_src_regs_r14299_e.htm

Enquiries regarding amendments to the Fire Code can be directed to the Technical Services Section of the Office of the Fire Marshal and Emergency Management. Staff members may be reached either by telephone at 647-329-1100 or by e-mail at FireSafetyStandards@ontario.ca.

If you have questions about fire safety requirements and the licensing process, I encourage you to contact your local Ministry of Education Child Care Quality Assurance and Licensing office for more information. Contact information can be found at: http://www.edu.gov.on.ca/childcare/offices.html

Thank you for your on-going commitment to early years and child care programs and services in Ontario.

Sincerely,

Jim Grieve
Assistant Deputy Minister

c: Karen Maxwell, Assistant Deputy Minister, Policy and Strategic Planning, Community Safety and Correctional Services