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April 30, 2024

Andria Vacca
Giannone Petricone Associates
96 Spadina Avenue, Suite 900
Toronto, Ontario
M5V 2J6

<via email: andria@gpaia.com>

Dear Andria Vacca:

**Re: Prince Edward County Winery
Major Occupancy Review
NSP Project Number: 22-405-1BC**

INTRODUCTION

NSP Consultant Inc. (NSP) was retained by Giannone Petricone Associates (GPA) to work with the design team to review the proposed drawings for a new development to be located in Prince Edward County (PEC). In particular, NSP was retained to review the prepared architectural drawings for compliance with the 2012 Ontario Building Code (OBC), O.Reg. 158/24, and the 2015 Ontario Fire Code (OFC), O.Reg. 33/19.

Specifically, NSP was retained to provide an interpretation regarding the major occupancy of the winery portion of the building.

The site will contain one complex that will be subdivided by a firewall. Therefore, the complex will provide two buildings: a winery, and an entertainment pavilion. The firewall will split the building so that each building may be classified independently.

NSP was provided with a letter from the building owner, indicating the amount of wine that will be stored. It is understood that the amount of wine to be stored is approximately 27,000 L, approximately 32,640 kg of wine. (See APPENDIX A)

DISCUSSION

WINERY

The proposed winery will have the following characteristics:

- Building area of 830 m². The floor area, as defined by the OBC, is approximately 676 m², and excludes the exit stairs, and elevator shafts,
- Building height of 2 storeys, with two mezzanine levels associated with the first storey,
- Classified to Article 3.2.2.76., “Group F, Division 3, up to 4 Storeys”:
 - Area limitation of 2,400 m², as a 2 storey building facing one street,
 - Combustible or noncombustible construction,
 - Floor assemblies shall be fire separations and shall have a 45-minute fire-resistance rating,
 - Mezzanines shall have, if of combustible construction, a fire-resistance rating not less than 45 minutes,
 - Roof assemblies shall have, if of combustible construction, a fire-resistance rating not less than 45 minutes,
 - Loadbearing walls, columns and arches supporting an assembly required to have a fire-resistance rating shall be of noncombustible construction or have a fire-resistance rating of not less than 45 minutes.

Wine is comprised of alcohol, usually approximately 8-14%. Based on a Safety Data Sheet (SDS) of generic red wine, wine has a flash point is 43°C. (See APPENDIX B). Based on the OFC, Article 4.1.2.1., wine is considered a Class II combustible liquid.

Since the building will contain a combustible liquid, its total mass has been considered to determine whether the building is considered a Group F, Division 2 medium hazard industrial occupancy, or a Group F, Division 3, low hazard industrial occupancy. The OBC defines a Group F, Division 3 major occupancy as a building that does not containing more than 50 kg/m² of combustible content, as per the definition in Division A, Article 1.4.1.2.

The building will contain approximately 32,640 kg of wine. It will be located in a floor area that is 676 m². Thus, it will have 48.3 kg/m² of combustible content within the floor area. Therefore, it does not exceed 50 kg/m² and is considered a Group F, Division 3 major occupancy. This is further supported by a document provided by City of Hamilton Building Department, attached as APPENDIX C.

Though wine is comprised of alcohol, because it contains a relatively low concentration, it is not flammable and only considered combustible in accordance with the OFC. Since it also meets the definition of a Group F, Division 3 low hazard industrial occupancy, the winery has been classified as an F3 use, and to Article 3.2.2.76. “Group F, Division 3, up to 4 Storeys”.

CONCLUSION

The proposed winery has a combustible content concentration of 48.3 kg/m², and thus, does not meet the definition of a Group F, Division 2 major occupancy. Thus, it has been classified as a Group F, Division 3 major occupancy.

If you have any further concerns, please contact NSP.

Sincerely,
NSP Consultant Inc.

A handwritten signature in black ink that reads "Nicole St-Pierre". The signature is written in a cursive style and is centered within a light blue rectangular box.

Nicole St-Pierre, Principal
BCIN 43253/113021

APPENDIX A

Volta Estate Winery Inc.

April 24, 2024

To Whom it May Concern including the Fire and Planning departments,

The sole product produced on the Volta Estate premises will be wine (not including ice wine).

Quantities produced annually will vary, but stored quantity will 27,000 Litres = 32, 640kg of wine.

Kindest Regards,

Gianni Del Degan

President, Volta Estate Winery

APPENDIX B



Safety Data Sheet

acc. to OSHA HCS

Printing date 10/03/2018

Reviewed on 10/03/2018

1 Identification

· **Product identifier**

· **Product name: Wine - Nominal 15 % ABV (Alcohol by volume)**

· **Part number:** ERM-BA003

· **Application of the substance / the mixture** Reference material for laboratory use only

· **Details of the supplier of the safety data sheet**

· **Manufacturer/Supplier:**

VHG Labs, Inc

LGC Standards

276 Abby Road

Manchester, NH 03103

UNITED STATES OF AMERICA

Tel : +1 (603) 622-7660

Fax : +1 (603) 622-5180

eMail : custsvc@vhglabs.com

Web : www.vhglabs.com

· **Information department:**

Product safety department

eMail : sds-request@lgcgroup.com

· **Emergency telephone number:**

INFOTRAC 24-hour Emergency telephone number:

800-535-5053 (US & Canada);

352-323-3500 (International)

2 Hazard(s) identification

· **Classification of the substance or mixture**



GHS02 Flame

Flam. Liq. 3 H226 Flammable liquid and vapor.

· **Label elements**

· **GHS label elements**

The product is classified and labeled according to the Globally Harmonized System (GHS).

· **Hazard pictograms**



GHS02

· **Signal word** Warning

· **Hazard statements**

H226 Flammable liquid and vapor.

· **Precautionary statements**

P210 Keep away from heat/sparks/open flames/hot surfaces. - No smoking.

P240 Ground/bond container and receiving equipment.

P241 Use explosion-proof electrical/ventilating/lighting/equipment.

P280 Wear protective gloves/protective clothing/eye protection/face protection.

(Contd. on page 2)



Safety Data Sheet

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Printing date 10/03/2018

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Product name: Wine - Nominal 15 % ABV (Alcohol by volume)

(Contd. of page 1)

P303+P361+P353 *If on skin (or hair): Take off immediately all contaminated clothing. Rinse skin with water/shower.*

P501 *Dispose of contents/container in accordance with local/regional/national/international regulations.*

- **Classification system:**
- **NFPA ratings (scale 0 - 4)**



Health = 0
Fire = 2
Reactivity = 0

- **HMIS-ratings (scale 0 - 4)**



Health = 0
Fire = 2
Reactivity = 0

- **Other hazards**
- **Results of PBT and vPvB assessment**
- **PBT:** Not applicable.
- **vPvB:** Not applicable.

3 Composition/information on ingredients

- **Chemical characterization: Mixtures**
- **Description: Aqueous solution.**

Dangerous components:

CAS: 64-17-5	Ethanol	Flam. Liq. 2, H225	10-25%
RTECS: KQ6300000			

4 First-aid measures

- **Description of first aid measures**
- **After inhalation:** Supply fresh air; consult doctor in case of complaints.
- **After skin contact:** Immediately wash with water and soap and rinse thoroughly.
- **After eye contact:** Rinse opened eye for several minutes under running water.
- **After swallowing:** Rinse mouth. Do not induce vomiting.
- **Information for doctor:**
- **Most important symptoms and effects, both acute and delayed** No further relevant information available.
- **Indication of any immediate medical attention and special treatment needed**
No further relevant information available.

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(Contd. on page 3)



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Product name: Wine - Nominal 15 % ABV (Alcohol by volume)

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5 Fire-fighting measures

- **Extinguishing media**
- **Suitable extinguishing agents:**
CO₂, extinguishing powder or water spray. Fight larger fires with water spray or alcohol resistant foam.
- **Special hazards arising from the substance or mixture**
Formation of toxic gases is possible during heating or in case of fire.
- **Advice for firefighters**
- **Protective equipment:** Wear self-contained respiratory protective device.

6 Accidental release measures

- **Personal precautions, protective equipment and emergency procedures**
Wear protective equipment. Keep unprotected persons away.
- **Environmental precautions:**
Dilute with plenty of water.
Do not allow to enter sewers/ surface or ground water.
- **Methods and material for containment and cleaning up:**
Absorb with liquid-binding material (sand, diatomite, acid binders, universal binders, sawdust).
Ensure adequate ventilation.
- **Reference to other sections**
See Section 7 for information on safe handling.
See Section 8 for information on personal protection equipment.
See Section 13 for disposal information.
- **Protective Action Criteria for Chemicals**

· **PAC-1:**

64-17-5	Ethanol	1,800 ppm
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· **PAC-2:**

64-17-5	Ethanol	3300 ppm
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· **PAC-3:**

64-17-5	Ethanol	15000 ppm
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7 Handling and storage

- **Handling:**
- **Precautions for safe handling** Store in cool, dry place in tightly closed receptacles.
- **Information about protection against explosions and fires:**
Keep ignition sources away - Do not smoke.
Protect against electrostatic charges.
- **Conditions for safe storage, including any incompatibilities**
- **Storage:**
- **Requirements to be met by storerooms and receptacles:**
Please refer to the manufacturers certificate for specific storage and transport temperature conditions.

(Contd. on page 4)



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Product name: Wine - Nominal 15 % ABV (Alcohol by volume)

(Contd. of page 3)

- Store only in the original receptacle unless other advice is given on the CoA.
- Keep container in a well-ventilated place. Keep away from sources of ignition and heat.
- **Information about storage in one common storage facility:** Store away from foodstuffs.
- **Further information about storage conditions:** Keep receptacle tightly sealed.
- **Specific end use(s)** No further relevant information available.

8 Exposure controls/personal protection

- **Additional information about design of technical systems:** No further data; see item 7.
- **Control parameters**

· **Components with limit values that require monitoring at the workplace:**

64-17-5 Ethanol	
PEL	Long-term value: 1900 mg/m ³ , 1000 ppm
REL	Long-term value: 1900 mg/m ³ , 1000 ppm
TLV	Short-term value: 1880 mg/m ³ , 1000 ppm

- **Additional information:** The lists that were valid during the creation were used as basis.
- **Exposure controls**
- **Personal protective equipment:**
- **General protective and hygienic measures:** Wash hands before breaks and at the end of work.
- **Breathing equipment:** Not required.
- **Protection of hands:**
The glove material has to be impermeable and resistant to the product/ the substance/ the preparation.
Selection of the glove material on consideration of the penetration times, rates of diffusion and the degradation
The protective gloves to be used must comply with the specifications of EC Directive 89/686/EEC and the related standard EN374



Protective gloves

- **Material of gloves** Nitrile rubber, NBR
- **Penetration time of glove material**
The exact break through time has to be found out by the manufacturer of the protective gloves and has to be observed.
- **Eye protection:**



Tightly sealed goggles



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Product name: Wine - Nominal 15 % ABV (Alcohol by volume)

(Contd. of page 4)

9 Physical and chemical properties

· Information on basic physical and chemical properties**· General Information****· Appearance:**

· Form:	Liquid
· Color:	Colorless
· Odor:	Alcohol-like
· Odor threshold:	Not determined.

· pH-value: Not determined.**· Change in condition**

· Melting point/Melting range:	Not determined.
· Boiling point/Boiling range:	Not determined.

· Flash point: 43 °C (109.4 °F)**· Flammability (solid, gaseous):** Not determined.**· Ignition temperature:** 425 °C (797 °F)**· Decomposition temperature:** Not determined.**· Auto igniting:** Product is not selfigniting.**· Danger of explosion:** Product is not explosive. However, formation of explosive air/vapor mixtures are possible.**· Explosion limits:**

· Lower:	3.5 Vol %
· Upper:	27.7 Vol %

· Vapor pressure at 20 °C (68 °F): 59 hPa (44.3 mm Hg)**· Density:** Not determined.**· Relative density** Not determined.**· Vapor density** Not determined.**· Evaporation rate** Not determined.**· Solubility in / Miscibility with****Water:** Fully miscible.**· Partition coefficient (n-octanol/water):** Not determined.**· Viscosity:****Dynamic:** Not determined.**Kinematic:** Not determined.**· Other information** No further relevant information available.

10 Stability and reactivity

· Reactivity Stable under normal conditions.**· Chemical stability** Stable under normal conditions.

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Product name: Wine - Nominal 15 % ABV (Alcohol by volume)

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- **Thermal decomposition / conditions to be avoided:**
Formation of toxic gases is possible during heating or in case of fire.
- **Possibility of hazardous reactions** May form flammable/explosive vapour-air mixture.
- **Conditions to avoid**
Sources of ignition
Heat.
- **Incompatible materials:** Strong oxidizing agents.
- **Hazardous decomposition products:** Formation of toxic gases is possible during heating or in case of fire.

11 Toxicological information

- **Information on toxicological effects**
- **Acute toxicity:**
- **Primary irritant effect:**
- **on the skin:** Based on available data, the classification criteria are not met.
- **on the eye:** Based on available data, the classification criteria are not met.
- **Sensitization:** Based on available data, the classification criteria are not met.
- **Additional toxicological information:**

- **Carcinogenic categories**

- **IARC (International Agency for Research on Cancer)**

64-17-5 Ethanol

1

- **NTP (National Toxicology Program)**

None of the ingredients is listed.

- **OSHA-Ca (Occupational Safety & Health Administration)**

None of the ingredients is listed.

12 Ecological information

- **Toxicity**
- **Aquatic toxicity:** No further relevant information available.
- **Persistence and degradability** No further relevant information available.
- **Behavior in environmental systems:**
- **Bioaccumulative potential** No further relevant information available.
- **Mobility in soil** No further relevant information available.
- **Additional ecological information:**
- **General notes:**
Water hazard class 1 (Self-assessment): slightly hazardous for water
Do not allow undiluted product or large quantities of it to reach ground water, water course or sewage system.
- **Results of PBT and vPvB assessment**
- **PBT:** Not applicable.
- **vPvB:** Not applicable.

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Product name: Wine - Nominal 15 % ABV (Alcohol by volume)

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· **Other adverse effects** No further relevant information available.

13 Disposal considerations

- **Waste treatment methods**
- **Recommendation:**
Must not be disposed of together with household garbage. Do not allow product to reach sewage system.
- **Uncleaned packagings:**
- **Recommendation:** Dispose in accordance with national regulations.
- **Recommended cleansing agent:** Water, if necessary with cleansing agents.

14 Transport information

- **UN-Number**
- **DOT, ADR, IMDG, IATA** UN1170
- **DOT** Ethanol solutions
- **ADR** 1170 Ethanol solutions
- **IMDG** ETHANOL SOLUTION (ETHYL ALCOHOL SOLUTION)
- **IATA** ETHANOL SOLUTION

· **Transport hazard class(es)**· **DOT**

- **Class** 3 Flammable liquids
- **Label** 3

· **ADR, IMDG, IATA**

- **Class** 3 Flammable liquids
- **Label** 3

· **Packing group**· **DOT, ADR, IMDG, IATA** III· **Environmental hazards:** Not applicable.

- **Special precautions for user** Warning: Flammable liquids
- **Danger code (Kemler):** 30
- **EMS Number:** F-E,S-D

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Product name: Wine - Nominal 15 % ABV (Alcohol by volume)

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· Stowage Category	A
· Transport in bulk according to Annex II of MARPOL73/78 and the IBC Code	Not applicable.
· Transport/Additional information:	
· ADR	
· Excepted quantities (EQ)	Code: E1 Maximum net quantity per inner packaging: 30 ml Maximum net quantity per outer packaging: 1000 ml
· UN "Model Regulation":	UN 1170 ETHANOL SOLUTIONS, 3, III

15 Regulatory information

- Safety, health and environmental regulations/legislation specific for the substance or mixture
- Sara

· Section 355 (extremely hazardous substances):

None of the ingredients is listed.

· Section 313 (Specific toxic chemical listings):

None of the ingredients is listed.

· TSCA (Toxic Substances Control Act):

All ingredients are listed.

· Proposition 65**· Chemicals known to cause cancer:**

None of the ingredients is listed.

· Chemicals known to cause reproductive toxicity for females:

None of the ingredients is listed.

· Chemicals known to cause reproductive toxicity for males:

None of the ingredients is listed.

· Chemicals known to cause developmental toxicity:

None of the ingredients is listed.

· Carcinogenic categories**· EPA (Environmental Protection Agency)**

None of the ingredients is listed.

· TLV (Threshold Limit Value established by ACGIH)

None of the ingredients is listed.

· NIOSH-Ca (National Institute for Occupational Safety and Health)

None of the ingredients is listed.

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Product name: Wine - Nominal 15 % ABV (Alcohol by volume)

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· Hazard pictograms

GHS02

· Signal word Warning**· Hazard statements**

H226 Flammable liquid and vapor.

· Precautionary statements

P210 Keep away from heat/sparks/open flames/hot surfaces. - No smoking.

P240 Ground/bond container and receiving equipment.

P241 Use explosion-proof electrical/ventilating/lighting/equipment.

P280 Wear protective gloves/protective clothing/eye protection/face protection.

P303+P361+P353 If on skin (or hair): Take off immediately all contaminated clothing. Rinse skin with water/shower.

P501 Dispose of contents/container in accordance with local/regional/national/international regulations.

· Chemical safety assessment: A Chemical Safety Assessment has not been carried out.**16 Other information**

The information in this Safety Data Sheet meets the requirements of the United States OCCUPATIONAL SAFETY AND HEALTH ACT and regulations promulgated thereunder (29 CFR 1910.1200 et. seq.) This document is intended only as a guide to the appropriate precautionary handling of the material by a person trained in, or supervised by a person trained in, chemical handling. The user is responsible for determining the application. Depending on usage, protective clothing including eye and face guards and respirators must be used to avoid contact with material or breathing chemical vapors/fumes. Exposure to this product may have serious adverse health effects. This chemical may interact with other substances. Since the potential uses are so varied, we cannot warn of all of the potential dangers of use or interaction with other chemicals or materials. We warrant that the chemical meets the specifications set forth on the label. We (LGC/VHG/ARMI) disclaim any other warranties, expressed or implied with regard to the product supplied hereunder, its merchantability or its fitness for a particular purpose. The user should recognize that this product can cause severe injury and even death, especially if improperly handled or the known dangers of use are not heeded. Read all precautionary information.

· Date of preparation / last revision 10/03/2018 / -**· Abbreviations and acronyms:**

ADR: Accord européen sur le transport des marchandises dangereuses par Route (European Agreement concerning the International Carriage of Dangerous Goods by Road)

IMDG: International Maritime Code for Dangerous Goods

DOT: US Department of Transportation

IATA: International Air Transport Association

ACGIH: American Conference of Governmental Industrial Hygienists

EINECS: European Inventory of Existing Commercial Chemical Substances

ELINCS: European List of Notified Chemical Substances

CAS: Chemical Abstracts Service (division of the American Chemical Society)

NFPA: National Fire Protection Association (USA)

HMIS: Hazardous Materials Identification System (USA)

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Product name: Wine - Nominal 15 % ABV (Alcohol by volume)

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PBT: Persistent, Bioaccumulative and Toxic
vPvB: very Persistent and very Bioaccumulative
NIOSH: National Institute for Occupational Safety
OSHA: Occupational Safety & Health
TLV: Threshold Limit Value
PEL: Permissible Exposure Limit
REL: Recommended Exposure Limit
Flam. Liq. 2: Flammable liquids – Category 2
Flam. Liq. 3: Flammable liquids – Category 3

· **Sources**

Tables 3.1 and 3.2 from Annex 6 of EC 1272/2008, EC 1907/2006, EH40/2005 as amended 2011, Registry of Toxic Effects of Chemical Substances (RTECS), The Dictionary of Substances and their Effects, 1st Edition, IUCLID.

· **Data compared to the previous version altered.** All sections have been updated.


US

APPENDIX C



Hamilton

INFORMATION REPORT

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	July 5, 2022
SUBJECT/REPORT NO:	Ontario Building Code (OBC) Review of Microbrewery Occupancies (PED22094) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Dio Ortiz (905) 546-2424 Ext. 4650
SUBMITTED BY:	Alan Shaw Director, Building and Chief Building Official Planning and Economic Development Department
SIGNATURE:	

COUNCIL DIRECTION

Not Applicable

INFORMATION

In response to inquiries from microbrewery operators, this information report has been prepared to provide clarity on the Ontario Building Code (OBC) construction requirements to provide a fire separation barrier between the brewery and public spaces. The City of Hamilton was provided with several examples of microbrewery establishments throughout Ontario with varying floor layouts including an open concept without any form of a fire separation or physical barrier. The Building Division has been asked to review the OBC provisions applicable to microbreweries and present information on how an open-concept layout can be compliant with the OBC.

Factors for Fire Separation Determination

The Building Division is charged with the responsibility for reviewing building permit applications for compliance with the minimum construction requirements of the OBC. Life safety and protection of occupants is one of the primary concerns for a Building Official during the building permit approval process. The concern is not only for protection from obvious hazards found in processes for a brewery and distillery but also for public uses that are deemed to be independent of the primary brewery or distillery use.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Ontario Building Code (OBC) Review of Microbrewery Occupancies (PED22094) (City Wide) - Page 2 of 4

There are three factors that are taken into consideration to determine when a fire separation is required:

1. Major Occupancies in a building;
2. Use and Operation of Facility; and,
3. Size and Scale of Occupancy.

Classification of major occupancies is the primary factor for the explicit OBC requirement to provide a fire separation. The OBC prescribes specific types of major occupancy classifications based on the use of the room or space and requires certain occupancies to be constructed with a fire separation that acts as a barrier against the spread of fire to other major occupancy or other parts of a building. Building Officials use judgment to determine granting consideration to the use, operation, size, and scale of all accessory uses relative to the microbrewery establishment.

Occupancy Classifications in a Microbrewery

For buildings that are comprised of a microbrewery, winery, distillery, or other similar uses, these are classified as a major industrial occupancy and can be either a high (F1), medium (F2), or low (F3) hazard industrial occupancy depending on the amount of combustible content found within the major occupancy.

Large-scale distillation and refining operations that have large quantities of flammable and combustible liquids are typically classified as an F1 occupancy. These highly hazardous operations contain processes that include the crushing of malts and contain a high accumulation of vapour and quantities of combustible materials.

Microbreweries typically contain limited quantities of flammable liquids and are often considered for a lower hazard category. Microbreweries are usually classified as an F3 occupancy but can be an F2 if the brewery operation is significant, containing more than 50 kg/m² or 1200 MJ/m² of combustible content.

The rise in the popularity of craft breweries and distilleries has tended for microbrewery establishments to also contain associated uses for the public such as a tasting room, dining room, retail store, public gathering event space, or multi-purpose room. The OBC classifies these spaces as occupancies for either assembly (A2), mercantile (E), or offices (D), or as an ancillary space. At issue for microbrewery establishments are when these public spaces are considered as separate major occupancies which dictate the requirement for construction of a fire separation; a physical barrier designed to prevent the spread of smoke and fire between major occupancies of the brewery operation and the public spaces for a minimum period of time to aid occupants to safely exit the building during a fire event.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

Exemptions for a Fire Separation

The OBC contains explicit provisions that do not require a microbrewery to construct a fire separation between the brewery and a public space major occupancy. The general condition for the exemption is when a brewery major occupancy is classified as F3 and the public space major occupancy is either a D or E use. The OBC allows restaurants and tasting/tap rooms that accommodate no more than 30 patrons to also be considered an E occupancy and thus be exempted from constructing a fire separation in microbrewery.

In addition to the major occupancy classification, rooms and spaces that are classified as an ancillary use instead of subsidiary to the brewery major occupancy are also considered for the exemption to construct a fire separation. Evaluation of a subsidiary occupancy is based on consideration of the use and operation of the building and includes factors such as independent operation from the brewery use, control or occupancy of the room or space, and direct or after-hours access. The OBC major occupancy definition deems subsidiary occupancies to a microbrewery to be a separate major occupancy, and accordingly, would be subject to any applicable fire separation requirements.

Findings on Open Concept Microbrewery Establishments

115 establishments were identified as microbreweries with an open-concept. In consultation with Building Officials in the municipalities listed with an open concept microbrewery, the establishments fell into one of four categories regarding the building permit approval:

1. Approved design complied with the exemption for a fire separation between an F3 brewery, and a D or E public space major occupancy
2. Building permit was approved with ancillary uses that were deemed to not be a major occupancy or significantly large
3. Approved design received an alternative solution approval with compensating construction demonstrating sufficiency of compliance with the OBC
4. Existing establishment does not conform to the originally approved building permit.

While the aforementioned are the prescriptive and acceptable provisions in the OBC, applicants have the option to submit for an alternative solution that achieves the objectives and intents of the OBC, or apply to the Building Code Commission, an adjudicative tribunal, to challenge the technical application and interpretation of the OBC by the City of Hamilton.

Municipalities and Building Officials across Ontario have remained consistent in the application of the OBC provisions for microbreweries. The existing microbrewery

**SUBJECT: Ontario Building Code (OBC) Review of Microbrewery Occupancies
(PED22094) (City Wide) - Page 4 of 4**

establishments in the City of Hamilton also received the same standard of review and approval. The City of Hamilton and the Building Division will continue to support the craft and microbreweries industry and will ensure to remain consistent in the application of the OBC for all building permit submissions.

APPENDICES AND SCHEDULES ATTACHED

Not Applicable