

# Nova Scotia Building Code Regulation

USERS VERSION

September 1, 2019

Regulations Respecting the Nova Scotia Building Code made by the  
Minister of Municipal Affairs under Section 4 of Chapter 46 of the  
Revised Statutes of Nova Scotia, 1989, the Building Code Act





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## Amendments to the current Building Code Regulations

Regulation Number	Filed	Effective	Notation
<b>N.S. Reg 26/2017</b>	March 1, 2017	April 1, 2017	<b>R</b>
<b>N.S. Reg 44/2019</b>	March 12, 2019	May 1, 2019	<b>R<sub>1</sub></b>
<b>N.S. Reg 45/2019</b>	March 12, 2019	September 1, 2019	<b>R<sub>2</sub></b>

Order dated February 28, 2017

Repeal of regulations and regulations made by the Minister of Municipal Affairs pursuant to Section 4 of the Building Code Act. In the matter of Section 4 of Chapter 46 of the Revised Acts of [Statutes of Nova Scotia,] 1989, *the Building Code Act*

In the matter of the repeal and replacement of the Nova Scotia Building Code Regulations made by the Minister of Municipal Affairs under Section 4 of the Building Code Act

### Order

I, Zach Churchill, Minister of Municipal Affairs for the Province of Nova Scotia, pursuant to Section 4 of Chapter 46 of the Revised Statutes of [Nova Scotia,] 1989, the *Building Code Act* effective April 1, 2017,

- (a) Repeal the Nova Scotia Building Code Regulations, N.S. Reg. 176/2014, made by Order of the Minister of Municipal Affairs dated November 18, 2014; and
- (b) Make new regulations respecting the Nova Scotia building code in the form set forth in the attached.

Dated and made at Halifax, Province of Nova Scotia, February 28, 2017.

sgd: Zach Churchill  
Honourable Zach Churchill  
Minister of Municipal Affairs



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**Acknowledgements**

The Department of Municipal Affairs and Housing gratefully acknowledges the contributions of the many individual volunteers who participate in the code development process. In particular, the Department recognizes the following volunteers for the continuing support.

**Nova Scotia Building Advisory Committee**

Heather Corrigan (Chair)	Jon Mullin (Vice Chair)
David Bateman	Ivan Doncaster
Doug Foster	George Cotaras
Martin Livingston	Gary Ruitenberg
Andrew Goreham	Fred Jeffers
David Pearson	Alfred Doucette

## Building Code Website Information

The general building code information website address is:

<http://novascotia.ca/buildingcode>

This site also includes:

- Rules of Procedure for a Hearing

- Application forms for a Hearing

- Links to the

  - Building Code Act

  - Building Code Regulations

**Building Officials** The Administration and Enforcement of these Regulations and The Building Code Act is the responsibility of the municipalities.

**Building Code Act** A copy of the Building Code Act is available at:

<http://nslegislature.ca/legc/statutes/buildcod.htm>

**Building Code Regulation** A copy of the Building Code Regulations is available at:

<http://www.novascotia.ca/just/regulations/regs/bcregs.htm>

### Building Code Regulation Information

**R, R<sub>1</sub> and Bold text** is used to designate changes from the previous edition of the regulation.

**Disclaimer:** This document is prepared for convenience only. For accurate reference please see an official copy of the regulations.

Attention

**SIGNUP ONLINE for automatic receipt of updates**

<https://beta.novascotia.ca/sign-building-code-updates>

**OR**

Please take a few moments to fill out this form and return it so we can keep you updated on any amendments or errata to these Regulations. As well you will be added to our mailing list for any advisory notices that are issued by the Department on the Nova Scotia Building Code Regulations.

Any personal information collected on this form will only be used for this stated purpose. Personal information collected here is subject to the privacy provisions of the *NS Freedom of Information & Access to Privacy Act*.

The completed form may be mailed to:

Building Code Regulations  
Office of the Fire Marshal  
PO Box 231 Halifax Central  
Halifax, NS  
B3J 3M4

fax to: 1-902-424-3239  
e-mail to: [joe.rogers@novascotia.ca](mailto:joe.rogers@novascotia.ca)

**please print**

\_\_\_\_\_ name: \_\_\_\_\_

\_\_\_\_\_ mailing address: \_\_\_\_\_

\_\_\_\_\_ city/town \_\_\_\_\_ province \_\_\_\_\_ postal code \_\_\_\_\_

\_\_\_\_\_ street address (if different): \_\_\_\_\_

\_\_\_\_\_ city/town \_\_\_\_\_ province \_\_\_\_\_ postal code \_\_\_\_\_

\_\_\_\_\_ phone \_\_\_\_\_ fax \_\_\_\_\_ e-mail \_\_\_\_\_

# Code Change Form

(only one proposed change on any one submission - duplicate as necessary - print single sided)

(Attach additional pages as necessary or use any other format as long as all the information indicated below is included.)

**Mail to:** Executive Secretary  
Nova Scotia Building Advisory Committee  
PO Box 231 Halifax Central  
Halifax, NS  
B3J 3M4

fax to: 1-902-424-3239

e-mail to: [joe.rogers@novascotia.ca](mailto:joe.rogers@novascotia.ca)

**please print**

name:

mailing address:

city/town

province

postal code

street address (if different):

city/town

province

postal code

phone

fax

e-mail

**Code Reference it is proposed to change** (Article, Sentence, etc.)

**Problem** - Why should the existing provision be changed or, if proposing an addition to the Code, what is missing?:

**Proposed Change/Addition** - What wording for the change/addition do you think should be used in the Code?:

**Justification/Explanation** - How does proposed change/addition address the problem?:

**Cost Implications** - Will the change/addition entail any added costs? Will it provide benefits measurable in monetary terms?

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**Enforcement Implications** - Can the proposed change/addition be enforced by the infrastructure available to enforce this Code? Will its enforcement require an increase in resources?

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**Other Comments:**

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**Attached Supporting Material:** [Please attach supporting documentation or additional pages if required]

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**Has this submission previously been made to the Canadian Code Centre for a change to the National Code?**

Yes

No

**If your answer is yes what was the outcome of that submission?** [Note: If a submission has been made to the Canadian Code Centre the NSBAC will review the outcome of that submission.]

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**Please note** The NS Building Advisory Committee may decide to forward a code change suggestion to the Canadian Commission on Building and Fire Codes for national review. Personal information collected on this form is used only for the purpose of consultation regarding code change suggestions. This personal information may be shared with other public bodies for the purpose of consultation. Any personal information collected is subject to the privacy provisions of the *NS Freedom of Information & Protection of Privacy Act*, and the federal *Access to Information Act*.



## Part 1: Repeals, Interpretation, Scope, Definitions and Administration

### 1.1. Repeals, Adoption and Interpretation

#### 1.1.1. Title, Repeals, and Effective Date

##### 1.1.1.1. Title

These regulations may be cited as the Nova Scotia *Building Code Regulations*.

##### 1.1.1.2. Repeal and Effective Dates

(1) The Nova Scotia *Building Code Regulations*, N.S. Reg. 176/2014, made by the Minister of Municipal Affairs on November 18, 2014, are repealed effective April 1, 2017.

(2) These Nova Scotia *Building Code Regulations* made by the Minister of Municipal Affairs are effective on and after April 1, 2017.

#### 1.1.2. Adoptions

##### 1.1.2.1. Nova Scotia Building Code

(1) These regulations adopt the *National Building Code of Canada, 2015*, including all revisions, errata and corrections to errata made by that body on or before October 31, 2016, which together with these regulations shall be known as the “Nova Scotia Building Code” and may be referred to as the “Code”.

(2) These regulations adopt the *National Energy Code of Canada for Buildings, 2015*, including all revisions, errata and corrections to errata made by that body on or before October 31, 2016 and shall be known as part of the “Nova Scotia Building Code” and may be referred to as part of the “Code”.

#### 1.1.3. Interpretation

##### 1.1.3.1. Numbering System

(1) These regulations have been prepared following the same decimal numbering system as used in the *Code*.

(2) The first number indicates the Part of these regulations; the second, the Section in the Part; the third, the Subsection and the fourth, the Article in the Subsection. An Article may be further broken down into Sentences (indicated by numbers in brackets), and the Sentence further divided into Clauses and Sub-clauses. They are illustrated as follows:

A	Division
3	Part
3.5.	Section
3.5.2.	Subsection
3.5.2.1.	Article
3.5.2.1.(2)	Sentence
3.5.2.1.(2)(a)	Clause
3.5.2.1.(2)(a)(i)	Sub-clause

### **1.1.3.2. Schedules**

**(1)** The Schedules “A” through “A-11” inclusive, “B”, “C” and “D” form part of these regulations.

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### **1.1.4. Nova Scotia Building Advisory Committee**

#### **1.1.4.1. Appointment of Nova Scotia Building Advisory Committee**

**(1)** The Minister may appoint to the Committee such number of members as the Minister determines, for such terms as may be specified in the appointments.

**(2)** The Committee shall include

- (a) a representative of the Fire Marshal for the Province,
- (b) a representative appointed from among persons nominated by the Nova Scotia Accessibility Advisory Board,
- (c) a representative of municipal government appointed from among persons nominated by the Executive of the Union of Nova Scotia Municipalities,
- (d) a representative appointed from among persons nominated by the Executive of the Association of Professional Engineers of Nova Scotia,
- (e) a representative appointed from among persons nominated by the Executive of the Nova Scotia Association of Architects,
- (f) a representative appointed from among persons nominated by the Executive of the Nova Scotia Home Designers Association,
- (g) a representative appointed from among persons nominated by the Executive of the Association of Interior Designers of Nova Scotia,
- (h) a representative appointed from among persons nominated by the Executive of the Nova Scotia Home Builders Association,
- (i) a representative appointed from among persons nominated by the Executive of the Construction Association of Nova Scotia,
- (j) a representative appointed from among persons nominated by the Executive of the Nova Scotia Building Officials Association,
- (k) a representative appointed from among persons nominated by the Executive of the Atlantic Canada Regional Council of Carpenters, Millwrights and Allied Workers, who shall be a resident of Nova Scotia, and
- (l) up to 3 additional members, as selected by the Minister.

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**(3)** If an organization specified in Sentence 1.1.4.1.(2) is unable to select a representative, the Minister may appoint a member selected by a similar organization that the Minister determines to be a replacement organization.

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## 1.2. Scope and Application

### 1.2.1. Application

#### 1.2.1.1. Scope

- (1) These regulations apply to the administration and enforcement of the *Building Code Act* in the design, *construction*, erection, placement and *occupancy* of new *buildings*, and the *alteration*, reconstruction, *demolition*, removal, relocation, *occupancy* and change of *occupancy* classification of existing *buildings* and to the *work* necessary to correct *unsafe conditions* in existing *buildings* reported to the *authority having jurisdiction* or observed during an inspection.
- (2) Any construction or condition that lawfully existed prior to the effective date of these regulations need not conform to these regulations provided that such construction or condition does not constitute an *unsafe condition* in the opinion of the *authority having jurisdiction*.
- (3) *Construction* pursuant to a *building* permit in effect prior to December 31, 2009, and still in effect, need not conform to these regulations provided that such *construction* conforms to the regulations in force on the date that the *building* permit was issued.
- (4) Where a *building* or any part thereof is altered, these regulations apply to the parts of the *building* that are altered.
- (5) Where the whole or any part of a *building* is relocated either within or into the area of jurisdiction of the *authority having jurisdiction* these regulations apply only to the parts of the *building* that are being altered or *constructed*.
- (6) When the whole or any part of a *building* is demolished, these regulations apply to the *work* involved in the *demolition* and to the *work* required to any parts remaining after *demolition* to the extent that deficiencies occurring or remaining after *demolition* require correction.
- (7) When a *building* is damaged by fire, earthquake or other cause, these regulations apply to the *work* necessary to reconstruct damaged portions of the *building*.
- (8) “Alternate Compliance Methods for Existing *Buildings*”, contained in Schedule “D” of these regulations, or a combination of the “Alternate Compliance Methods for Existing *Buildings*”, and the *Code*, may be used where a *building* existed prior to March 13, 1987, and
  - (a) the existing *building* is undergoing *construction* other than for a change of use, or
  - (b) the existing *building* is undergoing *construction*, and where a change of *occupancy* classification results in an *occupancy* with a reduced fire hazard risk.
- (9) When a *heritage building* or part thereof is undergoing a change in *occupancy* classification, the *owner* may choose the “Alternate Compliance Methods for Existing *Buildings*” contained in Schedule “D” of these regulations, or a combination of the “Alternate Compliance Methods for Existing *Buildings*” and the *Code*.

**(10)** When any *building* in a *Heritage Conservation District* is undergoing a change in *occupancy* classification, the *owner* may choose the “Alternate Compliance Methods for Existing *Buildings*” contained in Schedule “D” of these regulations, or a combination of the “Alternate Compliance Methods for Existing *Buildings*” and the *Code*.

### 1.2.1.2. Exemptions

**(1)** The *Code* does not apply to:

- (a) sewerage, water, electrical, telephone, rail or similar systems located above, below or on an area that has been dedicated or deeded for public use,
- (b) public utility towers and poles, television and radio or other communication aerials and towers, except for loads resulting from those located on or attached to *buildings*,
- (c) flood control, dams for public water supply, hydroelectric dams and their related structures (not excluding *buildings*),
- (d) mechanical or other equipment and *appliances* not specifically regulated by the *Code*,
- (e) above-ground or below-ground bulk storage tanks not regulated under Part 6 of the *Code*, or the National Farm Building Code of Canada,
- (f) free-standing signs,
- (g) fences,
- (h) retaining walls or exterior steps not attached to, and forming part of, a *building’s* construction,
- (i) *manufactured homes* built to CSA Z240 MH Series Standard “Manufactured Homes”, except for
  - (i) the notifications required by Sentence 2.1.1.11.(1) where the *manufactured home* was constructed before January 1, 2010, and has not been structurally altered, or
  - (ii) the notifications required by Sentence 2.1.1.11.(1) and the requirements of Section 9.36. Energy Efficiency Measures where the *manufactured home* is constructed after December 31, 2009,

(See Appendix A-1.2.1.2.(1)(i) and (j). NSBCR)

- (j) *modular homes* certified to CAN/CSA-A277 “Procedure for Factory Certification of Buildings” as complying with the requirements of this *Code*, except for
  - (i) the notifications required by Sentence 2.1.1.11.(1) where the *modular home* was constructed before January 1, 2010, and has not been structurally altered, or
  - (ii) the notifications required by Sentence 2.1.1.11.(1) and the requirements of Section 9.36. Energy Efficiency Measures where the *modular home* is constructed after December 31, 2009.

(See Appendix A-1.2.1.2.(1)(i) and (j). NSBCR)

**(2)** Unless a municipality otherwise requires by by-law, or where regulations are in another enactment, the *Code* applies but a *building* permit is not required for

- (a) accessory *buildings* not greater than 20 m<sup>2</sup> (215.2 ft.<sup>2</sup>) in area,
- (b) except under Clause 1.2.1.2.(2)(c), interior and exterior non-structural material *alterations* and material repairs with a monetary value of \$5000.00 or less,
- (c) replacement or installation of a new plumbing fixture that does not increase the hydraulic load of the drainage system or require alterations to an existing water distribution system or drainage system.

### 1.2.1.3. Home-Based Business Exemptions

(See Appendix A-1.2.1.3., NSBCR)

- (1) The *authority having jurisdiction* may consider a *home-based business* as part of the Group C *residential occupancy* of a *dwelling unit* and not a *major occupancy* for the purposes of the *Code*, if all of the following criteria are met:
- (a) the business or service use of the *dwelling unit*, an accessory *building* to the unit, or both, is secondary to the *residential occupancy* use of the *dwelling unit*,
  - (b) at least 1 full-time resident of the *dwelling unit* with the *home-based business* operates the business or service,
  - (c) the business or service use is not a Group F1 – *High-hazard industrial occupancy*, or a Group F2-*Medium-hazard industrial occupancy*,
  - (d) the *home-based business* uses an aggregate *floor area* of less than 50 m<sup>2</sup>, and;
  - (e) the *home-based business* uses less than 25% of the *floor area* of the *dwelling unit*.
- (2) A *home-based business*, that meets all of the criteria in Sentence (1), is not considered a separate and adjoining *major occupancy* from the *dwelling unit* for the separation requirements in Article 3.1.3.1. (Part 3, Division B) of the *National Building Code of Canada*.
- (3) The *authority having jurisdiction* must not require additional water closets, under Article 3.7.2.2. (Part 3, Division B) of the *National Building Code of Canada*, for a *dwelling unit* with
- (a) a *home-based business* that meets all the criteria in Sentence (1), or
  - (b) a *home-based business* located within an accessory *building* if that *building* is less than 45 m from the *dwelling unit*.
- (4) A *dwelling unit* with a *home-based business* conducted within the unit is considered a *building* which is exempt from the *barrier-free* design requirements under Clause 3.8.2.1.(1)(a) of the regulations.
- (5) A *home-based business*, that meets all the criteria in Sentence (1), is not considered a separate *major occupancy* from the *dwelling unit* for occupancy classification purposes in Subsection 9.10.2. (Part 9, Division B) of the *National Building Code of Canada*.

## 1.3 Definitions of Words and Phrases

### 1.3.1. Definitions

#### 1.3.1.1. General

(1) Definitions contained in Section 2 of the *Building Code Act* also apply in these regulations.

#### 1.3.1.2. Italicized Words

(1) The words and phrases defined in Sentence 1.4.1.2.(1) (Part 1, Division A) of the *Code*, identified in these regulations in italics, also apply in these regulations unless otherwise defined.

### 1.3.1.3. Specific Definitions

(1) In these regulations the following definitions apply:

“*Architect*” means a member licensed to practice or licensee of the Nova Scotia Association of Architects.

“*Building Code Act*” or “*Act*” means Chapter 46 of the Revised Statutes of Nova Scotia, 1989, the *Building Code Act*.

“*Building Official*” means a person appointed as an inspector pursuant to Section 5 of the Act.

“*Camping accommodation*” means any *building* within a campground that is intended to serve the public or is intended as rental accommodation for the travelling or vacationing public.

“*Code*” means the Nova Scotia *Building Code*.

“*Construct*” means to do anything in the erection, installation, extension, relocation, material alteration or material repair of a *building* and includes the installation of a factory-made *building* fabricated or moved from elsewhere.

“*Demolition*” means the doing of anything in the removal of a *building* or any material part thereof.

“*Field Review of Construction*” means, and is limited to, the review of the *construction work* at intervals appropriate to the stage of *construction*, at the project site and where applicable at the fabrication location where *building* components are fabricated for use at the project site, that the *designer* in their professional discretion considers necessary to determine general compliance with the design drawings accepted by the *authority having jurisdiction* and all revisions thereto. “*Field Review of Construction*” does not include the coordination, quality and performance of *construction*.

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“*Heritage Building*” means a registered heritage property, registered under the *Heritage Property Act* by the Province or by a municipality.

“*Heritage Conservation District*” means a heritage conservation district designated by a municipality in accordance with the *Heritage Property Act*.

“*Home-based business*” means a business or service use located in a *dwelling unit* that is used or occupied as a single housekeeping unit.

“*Interior Designer*” means a member licensed to practice or a licensee of the Association of Interior Designers of Nova Scotia.

“*Manufactured home*” means a transportable, single- or multiple-section *dwelling unit* certified by an accredited certification body, as complying with the CAN/CSA Series Z240 Series “Manufactured Homes” at the time of manufacture, prior to placement on the site.

“*Modular home*” means a finished section or sections of a complete *dwelling unit* built in a

factory for transport to the site for installation, and certified to CSA Standard A277 “Procedures for the Factory Certification of Buildings”, by an accredited certification body, at the time of manufacture, prior to placement on the site.

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“National Building Code of Canada” means the National Building Code of Canada, 2015 as issued by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, NRCC No. 56190, including all revisions, errata and corrections to errata made by that body on or before October 31, 2016.

“National Energy Code of Canada for Buildings” means the National Energy Code of Canada for Buildings, 2015 as issued by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, NRCC No. 56191, including all revisions, errata and corrections to errata made by that body on or before October 31, 2016.

“National Farm Building Code of Canada” means the National Farm Building Code of Canada, 1995 as issued by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, NRCC No. 38732, including all revisions, errata and corrections to errata made by that body on or before October 31, 2016.

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“National Plumbing Code of Canada” means the National Plumbing Code of Canada, 2015 as issued by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, NRCC No. 56193, including all revisions, errata and corrections to errata made by that body on or before October 31, 2016.

“*Owner*” includes a person controlling the property under consideration, and also prima facie the assessed *owner* of the property whose name appears on the assessment role prepared in accordance with the *Assessment Act*.

“*Professional Engineer*” means a member or licensee of the Association of Professional Engineers of Nova Scotia.

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“*Recreational Cabin*” means a *building* which meets the criteria in Sentence 9.38.1.1.(1).

“*Roofed accommodation*” means a *building*, part of a *building*, or a group of *buildings* that is intended as rental accommodation for the travelling or vacationing public.

“*Work*” means any construction duty or function regulated by these regulations, carried out on or about a construction site or on, in, or about a *building* or part thereof.

## 1.4. Administration

### 1.4.1. Permits

#### 1.4.1.1. General

(1) A permit is required if *work* regulated by the *Code* is to be done.

(2) The *authority having jurisdiction* may place a value on the cost of the *work* based on an accepted costing standard for the purpose of determining permit fees to be applicable.

**(3)** The *authority having jurisdiction* may, if applicable, withhold a *building* permit until satisfied that there is a valid on-site sewage disposal system approval issued by the Department of Environment, or notification has been given to the Department of Environment for systems that do not require an approval for the construction of a *building* requiring a new *private sewage disposal system*. (See Appendix A-1.4.1.1.(3), NSBCR)

**(4)** The *authority having jurisdiction* may, if applicable, withhold an occupancy permit

- (a) until satisfied that there is a valid electrical permit issued by the electrical authority having jurisdiction,
- (b) until satisfied that the civic address is posted where a municipality has so provided by by-law, in accordance with Section 313 of the *Municipal Government Act*,
- (c) until the certificate of installation for the on-site sewage system, where applicable, is provided, or
- (d) until a fire safety plan, which the authority having jurisdiction over fire safety matters has approved, is in place for that *occupancy*.

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**(5)** The *authority having jurisdiction* may, if applicable, withhold a *building* permit until satisfied that there is a valid “Minister’s Consent For Building and Access to Property” issued by the Department of Transportation and Infrastructure Renewal, under the *Public Highways Act*.

**(6)** Where a municipality has so provided by by-law, the *authority having jurisdiction* may withhold the issuance of a *building* permit until satisfied that any and all applicable regulations of the *Heritage Property Act*, and the *Municipal Government Act*, including any Land Use Bylaw, Subdivision Bylaw, lot grading plan or Development Agreement, have been complied with and all required permits have been issued by the Development Officer.

**(7)** Unless a municipality in accordance with Section 7 of the *Building Code Act* has provided other or additional regulations by by-law, an occupancy permit is required

- (a) to allow the initial occupancy of a *building* or part thereof,
- (b) when the *occupancy* classification of a *building* or part thereof is changed, or
- (c) to allow partial *demolition* or *alteration* of a *building*.

#### **1.4.1.2. Application**

**(1)** To obtain a permit the *owner* shall file an application as prescribed by the *authority having jurisdiction*.

#### **1.4.1.3. Required Information**

**(1)** Every *building* permit application as a minimum shall

- (a) identify and describe in detail the *work* and *occupancy* to be covered by the permit for which application is made,
- (b) describe the land by including where Nova Scotia property mapping exists the unique Parcel Identifier (PID) or where this mapping does not exist the assessment account number, and a description that will readily identify and locate the building lot,
- (c) include plans and specifications as required by Subsection 2.2.2. of Division C of the *Code*,
- (d) state the valuation of the proposed work and be accompanied by the required fee,
- (e) state the names, addresses and telephone numbers of the *owner*, *architect*,

- professional engineer*, or other designer, constructor and any inspection or testing agency that has been engaged to monitor the *work* or part of the *work*,
- (f) describe any special building systems, materials and appliances, and
  - (g) such additional information as may be required by the *authority having jurisdiction*.

#### **1.4.1.4. Letter of Undertaking when Professional Required to Design**

**(1)** The *owner* shall, along with the application referred to in Article 1.4.1.2. of the NSBCR, submit a letter of undertaking to the *authority having jurisdiction* for the *Field Review of Construction* when the *building*, or part thereof, has been designed within the scope of any one or more of the following:

- (i) Part 3, Division B of the *Code*,
- (ii) Part 4, Division B of the *Code*,
- (iii) Article 2.1.1.6. of the NSBCR for *buildings* within the scope of Part 9, Division B of the *Code*.

#### **1.4.1.5. Dimensional Tolerances**

**(1)** If, in the opinion of the *authority having jurisdiction*, safety to life will not be reduced and *barrier-free* design and access will not be adversely affected, an *authority having jurisdiction* may accept a minor variation, not more than 2%, in a dimension or measure given in the *Code*. (See Appendix A-1.4.1.5., NSBCR)

#### **1.4.1.6. Deviations**

**(1)** The *owner* shall not deviate, nor authorize a deviation, from the *Code*, or the conditions of a permit, without first obtaining permission in writing to do so from the *authority having jurisdiction*.

#### **1.4.1.7. Land Survey**

**(1)** In addition to Clause 1.4.1.3.(1)(c) the *owner*, if requested by the *authority having jurisdiction*, shall submit an up-to-date plan of survey or real property report, prepared by a registered Nova Scotia Land Surveyor, containing sufficient information regarding the site and the location of the *building*,

- (a) to establish before *construction* begins that the provisions of the *Code* related to the site and the location of the *building* will be complied with, and
- (b) to verify, upon completion of the *work*, compliance with all such provisions.

#### **1.4.1.8. Responsibility for carrying out work**

**(1)** The acceptance of drawings and specifications, the granting of a permit, and inspections made by the *authority having jurisdiction* shall not in any way relieve the *owner*, *owner's* agent, the constructor, the *architect*, the *professional engineer*, or the designer, of a *building* from their respective responsibility for carrying out the *work* or having it carried out in accordance with these regulations, including ensuring that the *occupancy* of the *building*, or any part thereof, is in accordance with the terms of the permit.

#### **1.4.1.9. Inspection Exemption**

**(1)** *Modular homes* and *manufactured homes* are subject to the notification for inspection required by Sentence 2.1.1.11.(1) of these regulations, and are exempt for the work certified at the factory as complying with CAN/CSA Series Z240 Series "Manufactured Homes" or certified

to CSA Standard A277 "Procedures for the Factory Certification of Buildings". (See Appendix A-1.2.1.2.(1)(i) and (j), NSBCR)

#### **1.4.1.10. Site Grading**

**(1)** The *authority having jurisdiction* may require an *owner* to have a *building* site graded in conformance with any storm drainage plan, prepared or accepted by the *authority having jurisdiction*, for the area in which the *building* is located.

#### **1.4.1.11. Permission to Proceed in Part**

**(1)** The *authority having jurisdiction* may allow, at the risk of the *owner*, with conditions if necessary, to ensure conformance with the *Code*, the *owner* to proceed with excavation or *construction* of part of a *building* before the plans of the entire *building* have been submitted.

**(2)** If the *authority having jurisdiction* allows excavation or *construction* of part of a *building* under Sentence (1), the *owner* shall submit all such plans and specifications as may be required in connection therewith by the *authority having jurisdiction*, including at a minimum, complete plans and specifications for the *work* that is authorized under Sentence (1).

**(3)** If an *owner* proceeds to excavate or *construct* part of a *building* under Sentences (1) and (2), the *owner* proceeds without assurance that the excavation or *construction* of other parts of the *building* will be allowed.

#### **1.4.1.12. Temporary Building or Occupancy** (See Appendix A-1.4.1.12.)

**(1)** Notwithstanding anything contained elsewhere in these regulations, a permit for a temporary *building* or part thereof, or a temporary change of *occupancy* classification of an existing *building*, may be issued by the *authority having jurisdiction*, authorizing for a limited time only the erection and existence of a *building*, or part thereof, or for a temporary change of *occupancy* classification, for an *occupancy* that, because of its nature, will exist for a short time, under circumstances that warrant only selective compliance with the *Code*.

**(2)** A permit for a temporary *building* or temporary change of *occupancy* classification shall state the date after which and the conditions under which the permit is no longer valid.

**(3)** A permit for a temporary *building* or temporary change of *occupancy* classification may be extended provided permission in writing is granted by the *authority having jurisdiction*.

**(4)** A permit for a temporary *building* or temporary change of *occupancy* classification shall be posted on the *building*.

**(5)** A permit issued for a tent or temporary *air-supported structure*, shall be required to be renewed every 12 months.

**(6)** A permit issued for a temporary change of *occupancy* classification shall be required to be renewed every 12 months.



## Part 2: Responsibilities and Obligations

### 2.1 Obligations of Owner

#### 2.1.1. General

##### 2.1.1.1. Required Permits and Plans Review

(1) Every *owner* shall obtain all required permits or approvals prior to commencing the *work* to which they relate.

(2) The *owner* must submit to the Office of the Fire Marshal the *building* plans for *construction* or *alteration* for review, prior to the start of the *construction* or *alteration* for a *building* or facility containing one or more of the following classes of *occupancies*:

- (a) an *assembly occupancy* (Group A) to which one or more of the following apply:
  - (i) it is more than 3 *storeys* high including the *storeys* below *grade*,
  - (ii) it has an area greater than 600 m<sup>2</sup>,
  - (iii) it is in a non-residential *building* that is used for a school, college or university and that has an *occupant load* of more than 40 persons,
- (b) a *care or detention occupancy* (Group B),
- (c) a *residential occupancy* (Group C) that is licensed or regulated under the Homes for Special Care Act, or
- (d) a *high-hazard industrial occupancy* (Group F, Division 1) that is more than 2 *storeys* high or has an area greater than 600 m<sup>2</sup>.

##### 2.1.1.2. Start-up Date

(1) Every *owner* shall give written notice to the *authority having jurisdiction* of the date on which the *owner* intends to begin *work* prior to commencing *work* on the *building* site.

##### 2.1.1.3. Notice of Employees

(1) Every *owner* shall, prior to commencing the *work*, give notice in writing to the *authority having jurisdiction* of the name, address and telephone number of

- (a) the constructor or other person in charge of the *work*,
- (b) the designer of the *work*,
- (c) the *architect(s)*, *professional engineer(s)*, and prime consultant(s) performing the *Field Review of Construction(s)*, and
- (d) any inspection or testing agency engaged to monitor the *work* or part of the *work*.

(2) Every *owner* shall give notice in writing to the *authority having jurisdiction*

- (a) as soon as any change in ownership or change in the address of the *owner* occurs prior to the issuance of an occupancy permit,
- (b) prior to occupying any portion of the *building* if it is to be occupied in stages, and
- (c) of any change in or termination of employment of a person referred to in Sentence (1) during the course of the *construction*, as soon as practical but not later than 72 hours after such change or termination occurs.

**2.1.1.4. Plans at Site**

(1) Every *owner* shall ensure that the plans, specifications and related documents on which the issuance of the *building* permit was based are available at the site of the *work* for inspection during working hours by the *authority having jurisdiction*, and that the permit, or true copy thereof, is posted conspicuously on the site during the entire execution of the *work*.

**2.1.1.5. Professional Design and Review**

(1) The *owner* who undertakes to *construct* or have *constructed* a *building* or part thereof within the scope of Part 3 or Part 4 in Division B of the *Code* shall,

- (a) ensure that an *architect, professional engineer, or interior designer*, as required, are appointed to undertake the design of the *building* or part thereof, and
- (b) complete and submit a letter of undertaking in the form specified in Schedule "A" for the *Field Review of Construction* of such *buildings*.

**2.1.1.6. Design Regulations for Structural Components**

(1) Where the dimensions of a structural component are not provided in Part 9 of the *Code* for use in a *building* within the scope of that part, and such dimensions are to be determined on the basis of calculation, testing or other means of evaluation, the *owner* shall

- (a) ensure that a *professional engineer* is appointed to undertake the design of the structural component, and
- (b) when required by the *authority having jurisdiction*, complete and submit a letter of undertaking in the form specified in Schedule "A" for the *Field Review of Construction* for this structural component.

**2.1.1.7. Site Conditions, Size, or Complexity Requiring Professional Design and Inspection**

(1) Where the site conditions, the size or complexity of a *building*, part of a *building* or *building* component warrant, the *authority having jurisdiction* may require the *owner* to file a Letter of Undertaking and have appropriate *Field Review of Construction* letters submitted as deemed necessary.

**2.1.1.8. Design Regulations for Sprinklered Building**

(1) Where a *building* is required or intended to be sprinklered, the *owner* shall

- (a) ensure that a *professional engineer* is appointed to undertake the design of the sprinkler system, and
- (b) complete and submit a Letter of Undertaking in the form specified in Schedule "A" of the *Field Review of Construction*

(2) Where the *alteration* of an existing *building* requires changes to an existing sprinkler system, the *authority having jurisdiction* may waive compliance with Clauses 2.1.1.8.(1)(a) and (b).

(3) Where Clauses 2.1.1.8.(1), (a) and (b) are waived, the design documents and test results conducted on the system, required under the provincial maintenance regulations made under the *Fire Safety Act* must be filed with the *authority having jurisdiction*.

**2.1.1.9. Alteration to Property Boundary or Ground Elevation**

(1) No *owner* or person hired by the *owner* shall allow the ground elevations or the property boundaries of a building lot to be changed so as to place a *building* or part thereof in

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contravention of these regulations, unless the *building* or part thereof is so altered, after obtaining the necessary permit, that no contravention will occur as a result of the change of the property boundary or grades.

#### **2.1.1.10. Right of Entry**

(1) Every *owner* shall allow the *authority having jurisdiction* to enter any *building* or premises at any reasonable time for the purpose of administering and enforcing these regulations in accordance with the provisions of Subsections 10(1), 10(2), and 10(3) of the *Building Code Act*.

#### **2.1.1.11. Notification for Inspection and Certification of Field Review of Construction**

(1) The *owner* of a *building* being *constructed* under the scope of Part 9 of the *Code* shall notify the *authority having jurisdiction* to inspect for compliance with the *Code* at the following stages of *construction*:

- (a) footings in place,
- (b) subfloor plumbing,
- (c) subfloor and foundation insulation,
- (d) pre-backfill,
- (e) except for *manufactured* and *modular homes*
  - (i) the framing, roof, and plumbing and mechanical systems,
  - (ii) insulation and vapour barrier before wall framing is covered, and
- (f) for *manufactured* and *modular homes*,
  - (i) superstructure installation and anchorage systems,
  - (ii) foundation insulation and vapour barrier before wall framing is covered, and plumbing connections below the first floor, and
- (g) before occupancy.

(See Appendix A-2.1.1.11.(1) and (2) and A-1.2.1.2.(1)(i) and (j), NSBCR)

(2) The *owner* of a *building* being *constructed* outside the scope of Part 9 of the *Code* shall notify the *authority having jurisdiction* to inspect for compliance with the *Code*

- (a) of the intent to undertake *construction* that will be inspected and will be reviewed as per the appropriate Letter of Undertaking required by Article 2.1.1.5., 2.1.1.6., or 2.1.1.7.,
- (b) of intent to cover *construction* that has been ordered to be inspected by the *authority having jurisdiction* before covering,
- (c) at intervals deemed necessary by the *authority having jurisdiction* based on the complexity of the *building*, and
- (d) when *construction* has been completed so that a final inspection can be made.

(See Appendix A-2.1.1.11.(3), NSBCR)

#### **2.1.1.12. Occupancy Prior to Completion**

(1) Should the *owner* require occupancy to occur prior to the completion of all *work* the *owner* shall apply for the occupancy permit and shall ensure that no *unsafe condition* exists or will exist because of the *work* being undertaken or not completed.

#### **2.1.1.13. Test or Inspections to Prove Compliance**

(1) Every *owner* shall make, or have made at their own expense, the tests or inspections necessary to prove compliance with these regulations and shall promptly file a copy of all such

test or inspection reports with the *authority having jurisdiction*.

#### **2.1.1.14. Repairs to Public Property**

(1) Every *owner* is responsible for the cost of repair of any damage to public property or works located therein that may occur as a result of undertaking *work* for which a permit was or was not required.

#### **2.1.1.15. Discontinuation of Work**

(1) Every *owner* who is unable to continue *work* owing to bankruptcy or other cause is responsible, before leaving the site of the *work*, for ensuring that no *unsafe condition* remains at the site.

### **2.2. Obligations of Professional**

#### **2.2.1. General**

##### **2.2.1.1. Design**

(1) The *architect, professional engineer or interior designer* who undertakes to design a *building* or part thereof shall do so in accordance with their respective statutes and bylaws to ensure that the design meets the intent of the *Code*.

##### **2.2.1.2. Field Review of Construction**

(1) The *architect(s), professional engineer(s) or interior designer(s)* who undertakes the *Field Review of Construction* shall do so in accordance with their respective statutes and bylaws, and shall

- (a) review the *building* at intervals appropriate to the stage of *construction* to determine general compliance with design referred to in Article 2.2.1.1.,
- (b) coordinate with the *authority having jurisdiction* the review of changes to the design documents for consistency with the intent of the plans and specifications,
- (c) file with the *authority having jurisdiction* the Certification of Field Review of Construction.

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### **2.3. Obligations of Constructor**

#### **2.3.1. General**

##### **2.3.1.1. Construction Safety Regulations**

(1) Every constructor shall ensure that all construction safety requirements of the Department of Labour and Advanced Education, Occupational Health and Safety Division, are complied with.

##### **2.3.1.2. Work on Public Property**

(1) Every constructor is responsible for ensuring that no excavation or other *work* is undertaken on public property and that no *building* is erected or materials stored in whole or in part therein without approval having first been obtained in writing from the appropriate government authority.

##### **2.3.1.3. Responsibilities for the Work Undertaken**

(1) Every constructor is responsible jointly and severally with the *owner* for all and any

*work* actually undertaken.

(2) Every constructor who is unable to continue *work* owing to bankruptcy or other cause is responsible, before leaving the site of the *work*, for ensuring that no *unsafe condition* remains at the site.

#### **2.3.1.4. Owner Deemed to be constructor**

(1) Where the *work* for which a permit is issued is not under the control of a constructor, the *owner* shall be deemed to be the constructor and shall accept the responsibilities and obligations of a constructor.

#### **2.3.1.5. Materials, Systems, to Comply with Code**

(1) Every constructor shall ensure that all materials, systems, equipment, used in the *construction, alteration, reconstruction* or renovation of a *building* meet the provisions of the *Code* for the *work* undertaken.

### **2.4. Obligation of Authority having Jurisdiction**

#### **2.4.1. Qualifications of Building Officials**

##### **2.4.1.1. Appointment**

(1) A person appointed or eligible to be appointed by a municipality as a *building official* shall

- (a) hold a valid diploma from the Nova Scotia Building Code Training and Certification Board, and
- (b) be a member in good standing of the Nova Scotia Building Officials Association.

##### **2.4.1.2. Administration and Enforcement of the Building Code Act and Regulations**

(1) *Building Officials* are required to administer and enforce the provisions of the *Building Code Act* and regulations.

(2) *Building Officials* may only administer and enforce the provisions of the *Building Code Act* and regulations within the scope for which they hold a valid diploma from the Nova Scotia Building Code Training and Certification Board.

#### **2.4.2. General**

##### **2.4.2.1. Administration and Enforcement**

(1) The *authority having jurisdiction* shall administer and enforce these Regulations.

##### **2.4.2.2. Copies of Applications, Inspections, and Tests**

(1) The *authority having jurisdiction* shall keep copies of all applications received, permits and orders issued, inspections and tests made and of all papers and documents connected with the administration of these regulations for such time as is required by law.

##### **2.4.2.3. Notices and Orders**

(1) The *authority having jurisdiction* shall issue, in writing, such notices or orders as may be necessary to inform the *owner* where a contravention of these regulations has been observed. Such notices or orders may specify any remedial or other measures that are required to meet

the regulations in accordance with the provisions of Section 12 of the Act. Where the *authority having jurisdiction* issues such written notice or order, a copy shall be retained by the *authority having jurisdiction* and a copy shall be sent to

- (a) the *owner*, by regular mail, at the address given on the permit application,
- (b) the designer, *architect* or *professional engineer* by regular mail, at the address given on the permit application,
- (c) the constructor, by regular mail, or if the constructor is present during the inspection, may be given to the constructor.

#### **2.4.2.4. Responding to Code Inquiries**

(1) The *authority having jurisdiction* shall answer such relevant questions as may be reasonable with respect to the provisions of these regulations when requested to do so, but shall refrain from assisting in the laying out of any *work* and from acting in the capacity of a designer.

#### **2.4.2.5. Authority having Jurisdiction to Issue Permits**

(1) The *authority having jurisdiction* shall issue a *building* permit or an occupancy permit to the *owner* when, to the best of *authority having jurisdiction's* knowledge, the applicable conditions, as set forth in these regulations, have been met.

#### **2.4.2.6. Safety Regulations**

(1) The *authority having jurisdiction* shall, when inspecting building sites and structures, comply with the safety regulations made pursuant to the Occupational Health and Safety Act, Department of Labour and Advanced Education, Province of Nova Scotia.

#### **2.4.2.7. Duty to inform owner of plans review requirement**

(1) The *authority having jurisdiction* shall inform the *owner* that prior to the start of *construction*, an *owner* of a *building* or facility containing one of the following classes of *occupancies* must provide building plans for the *construction* or *alteration* of the *building* or facility to the Office of the Fire Marshal for review for a *building* or facility:

- (a) an *assembly occupancy* (Group A) that is one or more of the following:
  - (i) is more than 3 *storeys* high including the *storeys* below *grade*,
  - (ii) has an area greater than 600 m<sup>2</sup>,
  - (iii) is in a non-residential building that is used for a school, college or university and that has an *occupant load* of more than 40 persons,
- (b) a *care or detention occupancy* (Group B),
- (c) a *residential occupancy* (Group C) that is licensed or regulated under the *Homes for Special Care Act*, or
- (d) a *high-hazard industrial occupancy* (Group F, Division 1) that is more than 2 *storeys* high or has an area greater than 600 m<sup>2</sup>.

## **2.5. Powers of Authority having Jurisdiction**

### **2.5.1. General**

#### **2.5.1.1. Right to Enter Property**

(1) The *authority having jurisdiction* may enter and inspect any *building* or premises at any reasonable time for the purpose of administering or enforcing these regulations in accordance

with the provisions of Subsections 10(1), 10(2), and 10(3) of the *Building Code Act*.

#### **2.5.1.2. Orders**

- (1) The *authority having jurisdiction* is empowered to order
- (a) a person who contravenes these regulations to comply with them within the time period that may be specified,
  - (b) *work* to stop on the *building* or any part thereof if such *work* is proceeding in contravention of these regulations, or if there is deemed to be an *unsafe condition*,
  - (c) the removal of any unauthorized encroachment on public property,
  - (d) the removal of any *building* or part thereof constructed in contravention of these regulations,
  - (e) the cessation of any *occupancy* in contravention of these regulations,
  - (f) the cessation of any *occupancy* if any *unsafe condition* exists because of *work* being undertaken or not completed,
  - (g) correction of any *unsafe condition*, and
  - (h) the *owner* to uncover and replace at their own expense
    - (i) *work* that has been ordered to be done pursuant to an order issued by the *authority having jurisdiction* and that has been covered without being inspected, and
    - (ii) *work* for which notification to inspect is required to be given pursuant to Article 2.1.1.11., and where uncovering the *work* is necessary to determine compliance with the *Code*.

#### **2.5.1.3. Tests Required to Prove Compliance**

- (1) The *authority having jurisdiction* may direct that tests of materials, equipment, devices, construction methods, structural assemblies or foundation conditions be made, or sufficient evidence or proof be submitted at the expense of the *owner*, where such evidence or proof is necessary to determine whether the material, equipment, device, construction or foundation condition meets these regulations.

#### **2.5.1.4. Reports Regarding Failure or Potential Failure**

- (1) The *authority having jurisdiction* may require the *owner* or the *owner's* representative, where any failure occurs that causes or has the potential to cause injury or loss of life, to submit a report stating the nature and details of the failure and the name and addresses of the constructor.

#### **2.5.1.5. Conditional Building or Occupancy Permit**

- (1) The *authority having jurisdiction* may issue a *building* or occupancy permit conditional upon
- (a) the submission of additional information not available at the time where such information is of such a nature that withholding of the permit until the information becomes available would be unreasonable,
  - (b) completion of such *work* that is incomplete at the time of inspection, where the application is of such a nature that no *unsafe condition* exists and that withholding of the permit would be unreasonable.

#### **2.5.1.6. Refuse to Issue Permit**

- (1) The *authority having jurisdiction* may refuse to issue any permit

- (a) whenever information submitted is inadequate to determine compliance with the provisions of these regulations,
- (b) whenever incorrect information is found to have been submitted,
- (c) that would authorize any *building work* or *occupancy* that would not be permitted by these regulations, or
- (d) that would be prohibited by any other Act, regulation or bylaw.

#### **2.5.1.7. Revoke a Permit**

**(1)** The *authority having jurisdiction* may revoke a permit by written notice to the permit holder if

- (a) there is contravention of any condition under which the permit was issued,
- (b) the permit was issued in error, or
- (c) the permit was issued on the basis of incorrect information.

#### **2.5.1.8. Occupancy Prior to Completion**

**(1)** The *authority having jurisdiction* may issue an occupancy permit, subject to compliance with provisions to safeguard persons in or about the premises, to allow the occupancy of a *building* or part thereof for the accepted use, prior to commencement or completion of the *construction or demolition work*.

#### **2.5.1.9. Provide Reasons for Refusal**

**(1)** The *authority having jurisdiction* shall provide the reasons for refusal to grant a permit, when requested to do so.

### **Part 3: Amendments to National Codes**

#### **3.1. Amendments Made to Division A, B and C of the National Building Code of Canada, the National Energy Code of Canada for Buildings, and the National Plumbing Code of Canada**

##### **3.1.1. Amendments**

**3.1.1.1. Sentence 1.1.1.1.(2) (Part 1, Division A) repealed and replaced.** Sentence 1.1.1.1.(2) (Part 1, Division A) of the *National Building Code of Canada* is repealed and replaced with the following:

##### **1.1.1.1.Application of this Code**

**(2)** Except as provided by Clauses 1.2.1.2.(1)(i) and (j) of this regulation, the *Code* applies to both site-assembled, and factory-constructed buildings. (See Appendix A-1.2.1.2.(1)(i) and (j) NSBCR)

##### **3.1.1.2. REPEALED**

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**3.1.1.3. Sentence 1.4.1.2.(1) (Part 1, Division A) Defined Term of Owner in the National Building Code repealed and replaced** The defined term “owner” in Sentence 1.4.1.2.(1) (Part 1, Division A), of the *National Building Code of Canada* is repealed and replaced herein with the definition of “owner” in Sentence 1.3.1.3.(1) of these regulations.



**3.1.1.3A. Sentence 2.1.1.2.(5) (Part 2, Division A) amended.** Sentence 2.1.1.2.(5) (Part 2, Division A) of the *National Building Code of Canada* is amended by repealing Clause (a) and replacing it with the following Clause:

- (a) the following buildings, except that they are still required to be in compliance with the adaptable housing requirements set out in Subsection 3.8.4. of Schedule “C” to the Regulation and the objectives in Table 3.10.1.1. as amended in Article 3.1.1.11. of the Regulation;
- (i) detached houses,
  - (ii) semi-detached houses,
  - (iii) houses with a secondary suite,
  - (iv) duplexes,
  - (v) triplexes,
  - (vi) townhouses,
  - (vii) row houses,
  - (viii) boarding houses
- (See Note A-1.4.1.2.(1), NBC, Secondary Suite)

**3.1.1.3B. Sentence 3.1.1.2.(3) (Part 3, Division A) amended.** Sentence 3.1.1.2.(3) (Part 3, Division A) of the *National Building Code of Canada* is amended by repealing Clause (a) and replacing it with the following Clause:

- (a) the following buildings, except that they are still required to be in compliance with the adaptable housing requirements set out in Subsection 3.8.4. of Schedule “C” to the Regulation and the objectives in Table 3.10.1.1. as amended in Article 3.1.1.11. of the Regulation;
- (i) detached houses,
  - (ii) semi-detached houses,
  - (iii) houses with a secondary suite,
  - (iv) duplexes,
  - (v) triplexes,
  - (vi) townhouses,
  - (vii) row houses,
  - (viii) boarding houses
- (See Note A-1.4.1.2.(1), NBC, Secondary Suite)

**3.1.1.4. Article 1.3.1.2. (Part 1, Division B) repealed and replaced.** Article 1.3.1.2. (Part 1, Division B) of the *National Building Code of Canada*, except Table 1.3.1.2., is repealed and replaced with the following:

**1.3.1.2. Applicable Editions**

- (1) Except as provided under Sentence (2), where documents are referenced in this *Code*, they shall be the editions designated in Table 1.3.1.2. (Part 1, Division B) except those documents designated under the following Acts and regulations of the Province of Nova Scotia in which case the edition so referenced shall be deemed to be in force:
- (a) *Technical Safety Act* and Sections 4 (boiler and pressure equipment standards) and 6 (fuel safety standards) of the *Technical Safety Standards Regulations*,
  - (b) *Elevators and Lifts Act* and *Elevators and Lifts General Regulations*, or as that Act and regulation are replaced by the *Technical Safety Act* and *Technical Safety*

Standards Regulations,

- (c) *Electrical Installation and Inspection Act* and Electrical Code Regulations, or as that Act and regulation are replaced by the *Technical Safety Act* and Technical Safety Standards Regulations.

(See Appendix A-3.1.1.4., NSBCR)

- (2) Where amendments to documents adopted by this *Code* apply, these amendments shall apply to the particular provisions of those documents adopted by the above Acts and regulations unless amended by this regulation.

**3.1.1.5. Table 1.3.1.2. (Part 1, Division B) amended.** Table 1.3.1.2. (Part 1, Division B) of the *National Building Code of Canada*, is amended by adding to Table 1.3.1.2. under ULC as the issuing agency, the following:

Issuing Agency	Document Number	Title of Document	Code Reference
ULC	CAN/ULC-S545-02	Standard for Residential Fire Warning System Control Units	9.10.19.4.(2)
ULC	CAN/ULC-S319-05	Electronic Access Control Systems	3.4.6.16.(4)(i)

**3.1.1.6. Subsection 3.1.5. (Part 3, Division B) amended.** Subsection 3.1.5. (Part 3, Division B) of the *National Building Code of Canada* is amended by adding immediately after Article 3.1.5.24., the following Article:

**3.1.5.25. Combustible Solar Collector Systems**

- (1) A *combustible* solar collector system is permitted to be installed above the roof of a *building* required to be of *noncombustible construction*.

**3.1.1.7. Subsection 3.2.2. (Part 3, Division B) amended.** Subsection 3.2.2. (Part 3, Division B) of the *National Building Code of Canada* is amended by adding immediately after Article 3.2.2.90. the following Article:

**Article 3.2.2.91. Alternate Compliance Methods for Existing Buildings**

- (1) The Alternate Compliance Methods for Existing Buildings contained in Schedule “D” of these regulations are hereby adopted and may be used in accordance with Sentences 1.2.1.1.(8), (9), and (10) of these regulations.

**3.1.1.8. Sentence 3.3.1.13.(3) (Part 3, Division B) repealed and replaced.**

Sentence 3.3.1.13.(3) (Part 3, Division B) *National Building Code of Canada* is repealed and replaced with the following:

- 3.3.1.13.(3)** Except as permitted by Sentence (4) or Clause 3.4.6.16.(4)(f), door release hardware shall be operable by one hand and the door shall be openable with not more than one releasing operation. (See also Sentence 3.8.3.6.(4), NSBCR)

**3.1.1.9. Sentence 3.4.6.16.(4) (Part 3, Division B) repealed and replaced.**

Sentence 3.4.6.16.(4) (Part 3, Division B) of the *National Building Code of Canada* is repealed and replaced with the following:

**3.4.6.16. Door Release Hardware**

**(4)** Electromagnetic locks that do not incorporate latches, pins or other similar devices to keep the door in the closed position are permitted to be installed on *exit* doors, other than doors leading directly from a *high-hazard industrial occupancy*, provided all of the following are met:

- (a) the *building* is equipped with a fire alarm system,
- (b) the locking device, release upon actuation of the *alarm signal* from the *building's* fire alarm system,
- (c) the locking device releases immediately upon loss of power controlling the electromagnetic locking mechanism and its associated auxiliary controls,
- (d) except for electromagnetic locking devices installed in conformance with Sentence (5), the locking device releases immediately upon actuation of a manually operated switch readily accessible only to authorized personnel,
- (e) except as allowed by Clauses (f) and (m), a force of not more than 90 N applied to the door opening hardware initiates an irreversible process that will release the locking device within 15 s and not re-lock until the door has been opened,
- (f) in a Group B, Division 2 or Group B, Division 3 *occupancy* located in a *building*, or part thereof, licensed by the Province of Nova Scotia, the locking device on *exit* doors or doors in a *means of egress*, is permitted to be released by
  - (i) a force of not more than 90 N applied to the door opening hardware that initiates an irreversible process that will release the locking device within 15 s, and not relock until the door has been opened, or
  - (ii) activating a blue manual pull station, installed in close proximity to the door, and not relock until the door has been opened.
 (See Appendix A-3.4.6.16.(4)(f), NSBCR)
- (g) upon release, the locking device must be reset manually by the actuation of the switch referred to in Clause (d),
- (h) a legible sign is permanently mounted
  - (i) for a locking device release in Clause (e) or Sub-clause (f)(i), on the *exit* door to indicate that the locking device will release within 15 s of applying pressure to the door-opening hardware,
  - (ii) for a locking device release in Sub-clause (f)(ii), on the *exit* door or door in a means of egress to indicate that the locking device will release by actuating the blue manual pull station,
- (i) devices installed under Sub-clause (f)(ii) shall conform with CAN/ULC-S319 "Electronic Access Control Systems",
- (j) the total time delay for all electromagnetic locks in any path of egress to release is not more than 15 s,
- (k) where a bypass switch is installed to allow testing of the fire alarm system, actuation of the switch
  - (i) can prevent the release of the locking device by the fire alarm system, as stated in Clause (b), during the test, and

- (ii) causes an audible and visual signal to be indicated at the fire alarm annunciator panel required by Article 3.2.4.9. and at the monitoring station specified in Sentence 3.2.4.8.(4),
- (l) emergency lighting is provided at each door, and
- (m) where they are installed on doors providing emergency crossover access to *floor areas* from *exit* stairs in accordance with Article 3.4.6.18.,
  - (i) the locking device releases immediately upon the operation of a manual station for the fire alarm system located on the wall on the *exit* stair side not more than 600 mm from the door, and
  - (ii) a legible sign with the words “re-entry door unlocked by fire alarm” in letters at least 25 mm high with a stroke of at least 5 mm is permanently mounted on the door on the *exit* stair side.

(See Note A-3.4.6.16.(4), NBC)

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**3.1.1.10. Section 3.8. (Part 3, Division B) repealed and replaced.** Section 3.8. (Part 3, Division B) of the *National Building Code of Canada* is repealed and replaced with the Section 3.8. “Accessibility” in Schedule “C” attached to and part of these regulations.

**3.1.1.11. Table 3.10.1.1. (Part 3, Division B) is amended.** Table 3.10.1.1.(Part 3, Division B) of the *National Building Code of Canada* is amended by adding immediately after the functional statements and objectives for Article 3.8.3.21., the following functional statements and objectives:

Functional Statements and Objectives	
<b>3.8.3.22 Sleeping Units in Roofed Accommodations</b>	
(1)	[F 74-OA2]
(2)	[F 74-OA2]
(3)	[F 74-OA2]
<b>3.8.3.23 Suites of Residential Occupancies Required to be Barrier-Free</b>	
(1)	[F 73-OA1] [F 74-OA2]
(2)	[F 73-OA1] [F 74-OA2]
(3)	[F 73-OA1] [F 74-OA2]
(4)	[F 73-OA1] [F 74-OA2]
<b>3.8.4.2. Entrance Doors to Dwelling Units</b>	
(1)	[F73-OA1]
(2)	[F73-OA1]
(3)	[F73-OA1]

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<b>3.8.4.3. Interior Doors and Corridors in Dwelling Units</b>	
(1)	[F73-OA1]
(2)	[F73-OA1]
(3)	[F73-OA2]
<b>3.8.4.4. Kitchens in Dwelling Units</b>	
(1)	[F74-OA2]
(2)	[F74-OA2]
(3)	[F74-OA2]
<b>3.8.4.5. Bathrooms in Dwelling Units</b>	
(1)	[F74-OA2]
(2)	[F74-OA2]
<b>3.8.4.6. Duplex Receptacles, Switches and Controls</b>	
(1)	[F74-OA2]
(2)	[F74-OA2]

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**3.1.1.12. Article 9.1.1.1.(Part 9, Division B) amended.** Article 9.1.1.1. (Part 9, Division B) of the *National Building Code of Canada* is amended by adding immediately after Sentence 9.1.1.1.(1):

**9.1.1.1. Application**

(2) The Alternate Compliance Methods for Existing Buildings contained in Schedule “D” attached to and part of these regulations are adopted and may be used in accordance with Sentences 1.2.1.1.(8), (9), and (10) of these regulations.

**3.1.1.13. Sentence 9.5.2.1.(1) (Part 9, Division B) repealed and replaced.** Sentence 9.5.2.1.(1) (Part 9, Division B) of the *National Building Code of Canada* is repealed and replaced by the following Sentence:

**9.5.2.1. General**

(1) Subject to Article 3.8.2.1. of this regulation, every *building* shall be designed in conformance with Section 3.8. of the regulations.

**3.1.1.14. Article 9.5.2.3. (Part 9, Division B) repealed.** Article 9.5.2.3. (Part 9, Division B) of the *National Building Code of Canada* is repealed.

**3.1.1.14A. Subsection 9.5.2. (Part 9, Division B)** Subsection 9.5.2. (Part 9, Division B) of the *National Building Code of Canada* is amended by adding immediately after Article 9.5.2.3. the following Article:

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**9.5.2.4. Exemption for Houses**

**(1)** Despite Clauses 3.8.2.1.(1)(a) and (b) in the Regulation, *buildings* within the scope of Sentence 3.8.4.1. of the Regulation, shall comply with Subsection 3.8.4. of the Regulation.

**3.1.1.15. Sentence 9.10.1.3.(1) (Part 9, Division B) amended.** Sentence 9.10.1.3.(1) (Part 9, Division B) of the *National Building Code of Canada* is amended by adding “self-service storage buildings”, immediately after “walkways”.

**3.1.1.16. Article 9.10.19.4. (Part 9, Division B) Power Supply repealed and replaced.** Article 9.10.19.4. (Part 9, Division B) of the *National Building Code of Canada* is repealed and replaced with the following:

**9.10.19.4. Power Supply**

**(1)** Except as provided in Sentences (2), (3) and (4), *smoke alarms* described in Article 9.10.19.1. shall:

- (a) be installed with permanent connections to an electrical circuit (see Note A-3.2.4.20.(7)(a), NBC),
- (b) have no disconnect switch between the overcurrent device and the *smoke alarm*, and
- (c) in case the regular power supply to the *smoke alarm* is interrupted, be provided with a battery as an alternative power source that can continue to provide power to the *smoke alarm* for a period of no less than 7 days in the normal condition, followed by 4 minutes of alarm.

**(2)** In a single *dwelling unit*, *smoke alarms* may be installed

- (a) as a component of a household fire warning system which includes a certified control unit that meets the applicable requirements of ULC-S545 “Standard for Residential Fire Warning System Control Units”, and
- (b) in case the regular power supply to the control unit is interrupted, be provided with a battery as an alternative power source that can continue to provide power to the control unit for a period of no less than 7 days in the normal condition, followed by 4 minutes of alarm.

**(3)** Where the building is not supplied with electric power, *smoke alarms* are permitted to be battery-operated.

**(4)** *Suites of residential occupancy* are permitted to be equipped with *smoke detectors* in lieu of *smoke alarms*, provided the *smoke detectors*

- (a) are capable of independently sounding audible signals within the individual *suites*,
- (b) except as permitted in Sentence (5), are installed in conformance with CAN/ULC-S524, “Installation of Fire Alarm Systems,” and
- (c) form part of the fire alarm system.

(See Note A-3.2.4.20.(8), NBC)

**(5)** *Smoke detectors* permitted to be installed in lieu of *smoke alarms* as stated in Sentence (4) are permitted to sound localized alarms within individual *suites*, and need

not sound an alarm throughout the rest of the *building*.

**3.1.1.17. Article 9.25.3.2. (Part 9, Division B) repealed and replaced.** Article 9.25.3.2. (Part 9 Division B) of the *National Building Code of Canada* is repealed and replaced with the following:

**9.25.3.2. Air Barrier System Properties**

(1) Sheet and panel type materials intended to provide the principal resistance to air leakage shall have an air leakage characteristic not greater than 0.02 L/(s.m<sup>2</sup>) measured at a differential of 75 Pa.

(2) Where polyethylene sheet is used to provide airtightness in the air barrier system, it shall conform to CAN/CGSB-51.34-M, "Vapour Barrier, Polyethylene Sheet for Use in Building Construction." (See Note A-9.25.5.1.(1), NBC)

**3.1.1.18. Sentence 9.27.2.2.(5) (Part 9, Division B) amended.** Sentence 9.27.2.2.(5) (Part 9, Division B) of the *National Building Code* is amended by striking out the words, symbols and references after the word "break" and replacing them with a ".".

**3.1.1.18.A. Article 9.31.4.1. (Part 9, Division B) repealed and replaced.** Article 9.31.4.1.(Part 9, Division B) of the *National Building Code of Canada* is repealed and replaced with the following:

**9.31.4.1. Required Fixtures**

(1) A kitchen sink, lavatory, either a bathtub or shower, and either a water closet or a drainless composting toilet shall be provided for every *dwelling unit* where a piped water supply is available.

R<sub>1</sub>

**3.1.1.19. Clause 9.32.3.3.(1)(b) (Part 9, Division B) amended.** Clause 9.32.3.3.1.(b) of the *National Building Code of Canada* is amended by striking out "except as permitted by Article 9.32.3.6.".

R

**3.1.1.20. Article 9.32.3.6.(Part 9, Division B, Volume 1) and Note A-9.32.3.6. (Notes to Part 9, Division B) deleted.** Article 9.32.3.6. (Part 9, Division B, Volume 1) is deleted and Note A-9.32.3.6. (Notes to Part 9) of the *National Building Code of Canada* are deleted.

**3.1.1.21. Sentence 9.36.1.3.(1) repealed and replaced.** Sentence 9.36.1.3.(1) (Part 9, Division B) of the *National Building Code of Canada* is repealed and replaced with the following:

**9.36.1.3. Compliance and Application**

- (1) Except as provided in Sentences (2) to (6), *buildings* shall comply with
- (a) the prescriptive or trade-off requirements for climatic Zone 6 stated in Subsections 9.36.2. to 9.36.4. ,
  - (b) the performance requirements in Subsection 9.36.5. based on the climatic data for where the *building* is located, or
  - (c) the NECB. (See Appendix A-9.36.1.3.(1), NSBCR)

**3.1.1.22. Article 9.36.1.3. amended.** Article 9.36.1.3. (Part 9, Division B) of the *National*

*Building Code of Canada* is amended by adding immediately after Sentence 9.36.1.3.(5) the following:

- (6) Section 9.36. does not apply to
  - (a) farm *buildings*,
  - (b) *buildings* intended primarily for manufacturing or commercial or industrial processing,
  - (c) non-heating season, or intermittently occupied *buildings*, or
 (See Note A-9.1.1.1.(1), NBC)
  - (d) *heritage buildings*.

**3.1.1.23. Sentence 9.36.2.5.(6) (Part 9, Division B) repealed and replaced.** Sentence 9.36.2.5.(6) (Part 9, Division B) of the *National Building Code of Canada* is repealed and replaced with the following:

**9.36.2.5. Continuity of Insulation**

- (6) Except as provided in Sentence (10), where mechanical, plumbing or electrical system components such as pipes, ducts, cabinets, chases, panels or recessed heaters are placed within and parallel to the wall assembly required to be insulated, the effective thermal resistance of that wall at the projected area of the system component shall be not less than required by Tables 9.36.2.6.-A, 9.36.2.6.-B, 9.36.2.8.-A or 9.36.2.8.-B (See Note A-9.36.3.6.(6), NBC)

R

**3.1.1.24. Article 9.36.2.5. (Part 9, Division B) amended.** Article 9.36.2.5. (Part 9, Division B) of the *National Building Code of Canada* is amended by adding immediately after Sentence (9), the following Sentence:

- (10) Effective thermal resistance at the projected area of vent pipes need not comply with Tables 9.36.2.6.-A or 9.36.2.6.-B provided
  - (a) the vent pipe serves a kitchen sink and has a maximum size of 1 ½ inches, and
  - (b) the insulation is continuous around the pipe.

R

**3.1.1.25. Sentence 9.36.2.7.(1) (Part 9, Division B) repealed and replaced.** Sentence 9.36.2.7.(1)(Part 9, Division B) of the *National Building Code of Canada* is repealed and replaced by:

**9.36.2.7. Thermal Characteristics of Fenestration, Doors and Skylights**

- (1) Except as provided in Sentences (2) to (9) and Article 9.36.2.11., fenestration and doors shall have an overall thermal transmittance (U-value) not greater than, or an Energy Rating not less than the values listed in Table 9.36.2.7.-A. for the applicable heating degree day category. (See Note A-9.36.2.7.(1) and (2), NBC)

**3.1.1.26. Article 9.36.2.7.(Part 9, Division B) amended.** Article 9.36.2.7. (Part 9, Division B) of the *National Building Code of Canada* is further amended by adding immediately after Sentence 9.36.2.7.(8) the following Sentence:



**9.36.2.7. Thermal Characteristics of Fenestration, Doors and Skylights**

(9) Thermal characteristic of fenestrations and doors protected by storm windows or storm doors need not comply with efficiencies specified in Table 9.36.2.7.-A. or Table 9.36.2.7.-C.

**3.1.1.26A. Section 9.38. (Part 9, Division B) added.** Part 9 Division B of the *National Building Code of Canada* is amended by adding immediately after Table 9.37.1.1. the following Section:

**Section 9.38. Recreational Cabins****9.38.1. Scope****9.38.1.1. Application**

(1) For the purposes of this Section, a *recreational* cabin means a *building* with a *residential occupancy* which meets all of the following:

- (a) it is used or intended to be used as a single dwelling unit;
- (b) it is principally used for a seasonal recreational activity;
- (c) it is two storeys in building height or less; and
- (d) it is not used as a permanent residence.

(2) A building described in Sentence (1) shall comply with the requirements in Part 9, Division B of the National Building Code of Canada and in Part 3 of this Regulation except where it is specifically exempted in this Section.

**9.38.2. General****9.38.2.1. Exclusions**

- (1) Except as provided in Subsections 9.9.10. and 9.10.15. and Article 9.38.2.4. and 9.38.3.1., a recreational cabin need not comply with Sections 9.5. to 9.7. (Part 9, Division B, NBC)
- (2) Except as provided in Subsections 9.9.10. and 9.10.15. and Article 9.38.2.4. and 9.38.3.1., a recreational cabin need not comply with Sections 9.9. to 9.11. (Part 9, Division B, NBC).
- (3) Flooring in a recreational cabin need not comply with Section 9.30. (Part 9, Division B, NBC), but tight-fitting floors shall be provided to support the live and dead loads.
- (4) Except as provided in Sentence (5), thermal insulation, vapour barrier, air barrier construction, interior finishes, plumbing, heating, mechanical ventilation, air-conditioning and electrical facilities need not be provided in a recreational cabin, but where any of these are provided, they shall comply with the requirements of

this Part (Part 9, Division B, NBC). (See Appendix A-9.38.2.1.(4), NSBCR)

- (5) Where heating and air-conditioning are provided in recreational cabins, Article 9.33.3.1. (Part 9, Division B, NBC) need not be complied with.

#### **9.38.2.2. Foundations**

- (1) Except as provided in Sentences (2) and (3), a foundation shall be provided in a recreational cabin in accordance with this Part.
- (2) Where unit masonry columns are used, the height of such columns shall not exceed the lesser of 1.2 m or,
- (a) in the case of hollow masonry units, 4 times the least dimension of the units,
  - (b) in the case of solid masonry units, or hollow units with voids filled with concrete, 10 times the least dimension of the column, or
  - (c) where the column is reinforced with at least four 13 mm diam bars and filled with concrete, 18 times the least dimension of the column. (See Appendix A-9.38.2.2.(2), NSBCR).
- (3) Columns in excess of the height limitations of Clauses (2)(a) to (c) shall be designed in accordance with Part 4.

R<sub>1</sub>

#### **9.38.2.3. Waterproofing and Dampproofing**

- (1) Where foundations below ground level and concrete floors on ground are used in a recreational cabin, they shall comply with Section 9.13. (Part 9, Division B, NBC).

#### **9.38.2.4. Smoke Alarms**

- (1) *Smoke alarms* shall be installed in accordance with Subsection 9.10.19. (Part 9, Division B, NBC).

### **9.38.3. Roofed Accommodation**

#### **9.38.3.1. Buildings used for Roofed Accommodation**

- (1) If a *recreational cabin* is used or intended to be used as a *roofed accommodation* or *camping accommodation*, it shall comply with Sections 9.5. to 9.8. (Part 9, Division B, NBC) in addition to the requirements of this Section.

**3.1.1.27. Table 9.37.1.1. (Part 9, Division B) amended.** Table 9.37.1.1. (Part 9, Division B) of the *National Building Code of Canada* is amended by repealing and replacing the functional statements and objectives for Article 9.20.19.4. with the following functional statements and objectives:

R

Functional Statements and Objectives	
9.10.19.4. Power Supply	
(1)	[F11, F81-OS1.5]
(2)	[F11, F81-OS1.5]

R

**3.1.1.28. Table 9.37.1.1. (Part 9, Division B) amended.** Table 9.37.1.1. (Part 9, Division B) of the *National Building Code of Canada* is amended by deleting the functional statements and objectives for Article 9.32.3.6.

**3.1.1.28A. Table 9.37.1.1. (Part 9, Division B) amended.** Table 9.37.1.1. (Part 9, Division B) of the *National Building Code of Canada* is amended by adding immediately after the functional statements and objectives for Article 9.36.5.16., the following functional statements and objectives.

R<sub>1</sub>

9.38. Recreational Cabins	
9.38.2.1. Exclusions	
(2)	[F40-OH2.5] [F20-OP2.1] [F20-OS2.1] [F30-OS3.1]
9.28.2.2. Foundations	
(2)	[F20-OP2.1] [F20-OS2.1]

**3.1.1.29. Article 2.4.9.1.(Part 2, Division B) National Plumbing Code repealed and replaced.** Article 2.4.9.1.(Part 2, Division B) of the *National Plumbing Code of Canada* is repealed and replaced with the following:

**2.4.9.1. No Reduction in Size**

(1) Except as permitted in Sentence (3), no drainage pipe that is of minimum *size* required by this Part for the purpose for which it is installed shall be so connected as to drain to other drainage pipe of lesser *size*.

(2) Where a *building drain* connects to a stack through a wall or floor, the drain shall retain its full size through the wall or floor.

(3) A sanitary drainage pipe may be connected to a pre-engineered waste water heat recovery system that incorporates piping of a lesser *size* than required by Sentence (1) if the drainage pipe does not convey *sewage*

- (a) from a sanitary unit, or
- (b) that contains solids.

**3.1.1.30. Sentence 2.6.1.6.(4) (Part 2, Division B) National Plumbing Code repealed and replaced.** Sentence 2.6.1.6.(4) (Part 2, Division B) of the *National Plumbing Code of Canada* is repealed and replaced with the following:

**2.6.1.6. Flushing Devices**

**(4)** Sentence (3) does not apply to a *fixture* located in a *heritage building, care or detention occupancy* or a passenger station.

**3.1.1.31. Article 2.6.1.8. (Part 2, Division B) National Plumbing Code repealed and replaced.** Article 2.6.1.8. (Part 2, Division B) of the *National Plumbing Code of Canada* is repealed and replaced with the following:

**2.6.1.8. Solar Domestic Hot Water Systems**

**(1)** Except as provided in Sentence (2), a system for solar heating of *potable* water shall be installed in accordance with good engineering practice.

**(2)** Systems for solar heating of *potable* water in residential occupancies shall be installed in conformance with CAN/CSA-F383, "Installation Code for Solar Domestic Hot Water Systems".

**3.1.1.32. Sentence 1.1.2.1.(1) (Part 1, Division B) National Energy Code repealed and replaced.** Sentence 1.1.2.1.(1) (Part 1, Division B) *National Energy Code of Canada for Buildings* is repealed and replaced with the following:

**1.1.2.1. Prescriptive, Trade-off or Performance Compliance**

**(1)** *Buildings* shall comply with one of the following:

- (a) the prescriptive or trade requirements for climatic Zone 6 stated in Parts 3 to Part 7, or
- (b) the performance requirements stated in Part 8.

**3.1.1.33. Notes.**

The Notes to adopted editions of the *National Building Code of Canada*, the *National Plumbing Code of Canada*, and the *National Energy Code of Canada for Buildings* apply as notes to the *Code* and the amendments made by these regulations unless specifically replaced or amended herein.

**Schedule "A"**  
**Letter of Undertaking**  
**Confirmation of Commitment by Owner**  
**to the Municipal Authority Having Jurisdiction**  
**Field Review of Construction**

**Preamble**

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the *construction or demolition of a building*;

And Whereas the Minister of Municipal Affairs has by regulation adopted the *National Building Code of Canada* and the *National Energy Code of Canada for Buildings*, with amendments as the *Nova Scotia Building Code*, requiring compliance with the *Nova Scotia Building Code* in the *construction or demolition of buildings*;

And Whereas *architects, interior designers, and professional engineers* are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design *buildings* in conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these *buildings* be reviewed at intervals appropriate to the stage of *construction* to determine general compliance with the design drawings accepted by the *authority having jurisdiction* and all revisions thereto;

**To:**

\_\_\_\_\_  
Authority Having Jurisdiction Date

\_\_\_\_\_  
Address

\_\_\_\_\_

\_\_\_\_\_

**Dear**

\_\_\_\_\_  
Authority Having Jurisdiction

**Re:**

\_\_\_\_\_  
Address of Project

\_\_\_\_\_  
Name of Project

\_\_\_\_\_  
Legal Description of Project

I (the owner) submit this Letter of Undertaking to the authority having jurisdiction along with a completed application for a *building* permit.

The undersigned has appointed an *architect(s), professional engineer(s), interior designer(s), or designer(s), or prime consultant(s)* to undertake, as required in Articles 2.1.1.5. and 2.1.1.6. of the regulations, the *Field Review of Construction* and I have attached to this Letter of Undertaking

(check appropriate boxes)

- Field Review of Construction Commitment Certificates completed by me or the prime consultant appointed by me to coordinate the *Field Review of Construction*.
- Field Review of Construction Commitment Certificates (identified below) completed by individual designers appointed by me to perform the *Field Review of Construction* for the applicable discipline(s).
- shall forward Field Review of Construction Commitment Certificates for those not yet appointed.

(Initial the disciplines that apply to this project. All disciplines will not necessarily be employed on every project)

- Building Design       Interior Design       Structural       Plumbing
- Mechanical       Electrical       Geotechnical       Fire Suppression System
- Resource Conservation – Energy

I shall notify the *authority having jurisdiction* if the *architect, interior designer, or professional engineer*, named in the attached “Review of Construction Commitment Certificate(s)” ceases, for whatever reason, to provide the *Field Review of Construction* for this *building* and shall appoint another *architect, interior designer, or professional engineer* immediately so that the *Field Review of Construction* will continue uninterrupted.

This notice and the necessary Field Review of Construction Commitment Certificates shall be forwarded to the *authority having jurisdiction* as soon as practical, but not later than 72 hours after the change in an individual responsible occurs, if the contract for *Field Review of Construction* is terminated at any time during *construction*.

Signature of Owner	Date	
Print name		
Address	Postal Code	
Phone	Fax	E-mail

**Schedule "A-1"**  
**Field Review of Construction**  
**Commitment Certificate**  
**Prime Consultant**

**Preamble**

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the *construction or demolition of a building*;

And Whereas the Minister of Municipal Affairs has by regulation adopted the *National Building Code of Canada* and the *National Energy Code of Canada for Buildings*, with amendments as the *Nova Scotia Building Code*, requiring compliance with the *Nova Scotia Building Code* in the *construction or demolition of buildings*;

And Whereas *architects, interior designers, and professional engineers* are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design *buildings* in conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these *buildings* be reviewed at intervals appropriate to the stage of *construction* to determine general compliance with the design drawings accepted by the *authority having jurisdiction* and all revisions thereto;

**To:**

\_\_\_\_\_  
Authority Having Jurisdiction

\_\_\_\_\_  
Date

\_\_\_\_\_  
Address

\_\_\_\_\_

\_\_\_\_\_

**Dear**

\_\_\_\_\_  
Authority Having Jurisdiction

**Re:**

\_\_\_\_\_  
Address of Project

\_\_\_\_\_  
Name of Project

\_\_\_\_\_  
Legal Description of Project

This is to advise that I am the *architect, interior designer, professional engineer* or designer appointed by the *owner* as prime consultant to coordinate the *Field Review of Construction* for the above-referenced project.

I hereby certify as prime consultant for this project that I will coordinate the *Field Review of Construction* for the following disciplines which I have checked and initialed.

(Initial the disciplines that apply to this project. All disciplines will not necessarily be employed on every project)

- Building Design     Interior Design     Structural     Plumbing
- Mechanical     Electrical     Geotechnical     Fire Suppression System
- Resource Conservation – Energy

I attach for your review the Field Review of Construction Commitment Certificates for each above marked and initialed discipline completed by an appropriate professional for each discipline, or shall forward the Field Review of Construction Commitment Certificate for those not yet appointed.

I, and professionals who have completed the various Field Review of Construction Inspection Commitment Certificates, will perform the *Field Review of Construction*.

I also certify that

- 1) I will coordinate the review of shop drawings;
- 2) I will coordinate the review of changes to the design documents; and
- 3) I will complete or have completed by the appropriate professional the Certification of Field Review of Construction and return it to the *authority having jurisdiction* prior to the issuance of the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the coordination of the *Field Review of Construction* to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act*, the *Interior Designers Act*, or the *Architects Act*.

The undersigned shall notify the *authority having jurisdiction*, in writing as soon as practical, but not later than 72 hours after the event, if the contract for *Field Review of Construction* is terminated at any time during *construction*.

Print Name		
Signature	Initials Sample	
Print Name of Firm or Company		
Print Address		
Print Municipality	Postal Code	
Telephone	Fax	E-mail

**If a design professional**  
affix below the seal of the licensed *Architect*, *Interior Designer*, or *Professional Engineer* or in accordance with provincial legislation

**If not a design professional** this document must be signed by the person appointed as the Prime Consultant.



**Schedule "A-2"**  
**Field Review of Construction**  
**Commitment Certificate**  
**Building Design Requirements**

**Preamble**

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the construction or demolition of a building;

And Whereas the Minister of Municipal Affairs has by regulation adopted the *National Building Code of Canada* and the *National Energy Code of Canada for Buildings*, with amendments as the *Nova Scotia Building Code*, requiring compliance with the *Nova Scotia Building Code* in the *construction or demolition of buildings*;

And Whereas *architects*, and *professional engineers* are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design in conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these *buildings* be reviewed at intervals appropriate to the stage of *construction* to determine general compliance with the design drawings accepted by the *authority having jurisdiction* and all revisions thereto;

**To:**

\_\_\_\_\_  
Authority Having Jurisdiction

\_\_\_\_\_  
Date

\_\_\_\_\_  
Address

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Dear**

\_\_\_\_\_  
Authority Having Jurisdiction

**Re:**

\_\_\_\_\_  
Address of Project

\_\_\_\_\_  
Name of Project

\_\_\_\_\_  
Legal Description of Project

This is to advise that I am the *architect*, or *professional engineer* appointed by the *owner* or prime consultant to perform the *Field Review of Construction* for the *Building DESIGN* aspects of the project, which are within Parts 3 and 5 of the *Building Code* and Part 3 of the *National Energy Code of Canada for Buildings*, and as shown in design documents submitted to the *authority having jurisdiction* but do not include areas of *work* referred to in certificates A-3 to A-10 inclusive.

I hereby certify for the Building Design Requirements that

- 1) I will review the shop drawings relevant to this certificate to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the design documents relevant to this certificate to ensure that the changes conform to the Code; and
- 3) I will complete the Certification of Field Review of Construction and return it to the authority having jurisdiction prior to requesting the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the coordination of the *Field Review of Construction* to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Architects Act* or *Engineering Profession Act*.

The undersigned shall notify the *authority having jurisdiction*, in writing as soon as practical, but not later than 72 hours after the event, if the contract for *Field Review of Construction* is terminated at any time during *construction*.

_____		
Print Name		
_____		_____
Signature		Initials
_____		
Print Name of Firm or Company		
_____		
Print Address		
_____		_____
Print Municipality		Postal Code
_____		
Telephone	Fax	E-mail

Affix below the seal of the *Architect* or licensed *Professional Engineer* in accordance with provincial legislation.

**Schedule "A-3"**  
**Field Review of Construction**  
**Commitment Certificate**  
**Structural Design Requirements**

**Preamble**

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the *construction or demolition of a building*;

And Whereas the Minister of Municipal Affairs has by regulation adopted the *National Building Code of Canada* and the *National Energy Code of Canada for Buildings*, with amendments as the *Nova Scotia Building Code*, requiring compliance with the *Nova Scotia Building Code* in the *construction or demolition of buildings*;

And Whereas *architects*, and *professional engineers* are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design *buildings* in conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these *buildings* be reviewed at intervals appropriate to the stage of *construction* to determine general compliance with the design drawings accepted by the *authority having jurisdiction* and all revisions thereto;

**To:**

\_\_\_\_\_  
Authority Having Jurisdiction Date

\_\_\_\_\_  
Address

\_\_\_\_\_

\_\_\_\_\_

**Dear**

\_\_\_\_\_  
Authority Having Jurisdiction

**Re:**

\_\_\_\_\_  
Address of Project

\_\_\_\_\_  
Name of Project

\_\_\_\_\_  
Legal Description of Project

This is to advise that I am the *professional engineer* appointed by the *owner* or prime consultant to perform the *Field Review of Construction* for the STRUCTURAL DESIGN requirements.

I hereby certify for the Structural Design Requirements that

- 1) I will review the structural shop drawings to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the structural design drawings to determine that the changes conform to the *Code*; and
- 3) I will complete the Certification of Field Review of Construction and return it to the *authority having jurisdiction* prior to the issuance of the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the Field Review of Construction to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act*.

The undersigned shall notify the authority having jurisdiction, in writing as soon as practical, but not later than 72 hours after the event, if the contract for Field Review of Construction is terminated at any time during construction.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Initials

\_\_\_\_\_  
Print Name of Firm or Company

\_\_\_\_\_  
Print Address

\_\_\_\_\_  
Print Municipality

\_\_\_\_\_  
Postal Code

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Fax

\_\_\_\_\_  
E-mail

Affix below the seal of the licensed *Professional Engineer* in accordance with provincial legislation.

**Schedule "A-4"**  
**Field Review of Construction**  
**Inspection Commitment Certificate**  
**Mechanical Design Requirements**

**Preamble**

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the *construction or demolition of a building*;

And Whereas the Minister of Municipal Affairs has by regulation adopted the *National Building Code of Canada* and the *National Energy Code of Canada for Buildings*, with amendments as the *Nova Scotia Building Code*, requiring compliance with the *Nova Scotia Building Code* in the *construction or demolition of buildings*;

And Whereas *architects* and *professional engineers* are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design *buildings* in conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these *buildings* be reviewed at intervals appropriate to the stage of *construction* to determine general compliance with the design drawings accepted by the *authority having jurisdiction* and all revisions thereto;

**To:**

\_\_\_\_\_  
Authority Having Jurisdiction Date

\_\_\_\_\_  
Address

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Dear**

\_\_\_\_\_  
Authority Having Jurisdiction

**Re:**

\_\_\_\_\_  
Address of Project

\_\_\_\_\_  
Name of Project

\_\_\_\_\_  
Legal Description of Project

This is to advise that I am the *professional engineer* appointed by the *owner* or prime consultant to perform the *Field Review of Construction* for the MECHANICAL DESIGN aspects of this project, which are within Part 6 of the *Building Code* and Parts 5 and 6 of the *National Energy Code of Canada for Buildings*.

I hereby certify for the Mechanical Design Requirements that

- 1) I will review the mechanical shop drawings to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the mechanical design documents to ensure that the applicable *professional engineer(s)* determines whether the changes conform to the *Code*; and
- 3) I will complete the Certification of Field Review of Construction and return it to the *authority having jurisdiction* prior to requesting the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the *Field Review of Construction* to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act*.

The undersigned shall notify the authority having jurisdiction, in writing as soon as practical, but not later than 72 hours after the event, if the contract for *Field Review of Construction* is terminated at any time during *construction*.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Initials Sample

\_\_\_\_\_  
Print Name of Firm or Company

\_\_\_\_\_  
Print Address

\_\_\_\_\_  
Print Municipality

\_\_\_\_\_  
Postal Code

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Telephone

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Fax

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E-mail

Affix below the seal of the licensed  
*Professional Engineer* in accordance with  
provincial legislation.

**Schedule "A-5"**  
**Field Review of Construction**  
**Inspection Commitment Certificate**  
**Electrical Design Requirements**

**Preamble**

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the *construction or demolition of a building*;

And Whereas the Minister of Municipal Affairs has by regulation adopted the *National Building Code of Canada* and the *National Energy Code of Canada for Buildings*, with amendments as the *Nova Scotia Building Code*, requiring compliance with the *Nova Scotia Building Code* in the *construction or demolition of buildings*;

And Whereas *architects* and *professional engineers* are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design *buildings* in conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these *buildings* be reviewed at intervals appropriate to the stage of *construction* to determine general compliance with the design drawings accepted by the *authority having jurisdiction* and all revisions thereto;

**To:**

\_\_\_\_\_  
Authority Having Jurisdiction Date

\_\_\_\_\_  
Address

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Dear**

\_\_\_\_\_  
Authority Having Jurisdiction

**Re:**

\_\_\_\_\_  
Address of Project

\_\_\_\_\_  
Name of Project

\_\_\_\_\_  
Legal Description of Project

This is to advise that I am the *professional engineer* appointed by the *owner* or prime consultant to perform *the Field Review of Construction* for the ELECTRICAL DESIGN aspects of this project, which are within Part 1 of the Canadian Electrical Code and Parts 4 and 7 of the *National Energy Code of Canada for Buildings*.

I hereby certify for the Electrical Design Requirements that

- 1) I will review the electrical shop drawings to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the electrical design documents to ensure that the applicable *professional engineer(s)* determines whether the changes conform to the *Code*; and
- 3) I will complete the Certification of Field Review of Construction and return it to the *authority having jurisdiction* prior to the issuance the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the *Field Review of Construction* to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act*.

The undersigned shall notify the *authority having jurisdiction*, in writing as soon as practical, but not later than 72 hours after the event, if the contract for *Field Review of Construction* is terminated at any time during *construction*.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Initials Sample

\_\_\_\_\_  
Print Name of Firm or Company

\_\_\_\_\_  
Print Address

\_\_\_\_\_  
Print Municipality

\_\_\_\_\_  
Postal Code

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Telephone

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Fax

\_\_\_\_\_  
E-mail

Affix below the seal of the licensed *Professional Engineer* in accordance with provincial legislation.



Schedule "A-6"

Field Review of Construction

Inspection Commitment Certificate

Fire Suppression Systems Design Requirements

Preamble

Whereas the Building Code Act, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the construction or demolition of a building;

And Whereas the Minister of Municipal Affairs has by regulation adopted the National Building Code of Canada and the National Energy Code of Canada for Buildings, with amendments as the Nova Scotia Building Code, requiring compliance with the Nova Scotia Building Code in the construction or demolition of buildings;

And Whereas architects and professional engineers are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of buildings;

And Whereas Part 2 of the Nova Scotia Building Code requires professionals to design buildings in conformance with the minimum standards of the Nova Scotia Building Code with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these buildings be reviewed at intervals appropriate to the stage of construction to determine general compliance with the design drawings accepted by the authority having jurisdiction and all revisions thereto;

To:

Authority Having Jurisdiction Date

Address

Dear

Authority Having Jurisdiction

Re:

Address of Project

Name of Project

Legal Description of Project

This is to advise that I am the professional engineer appointed by the owner or prime consultant to perform the Field Review of Construction for the FIRE SUPPRESSION SYSTEMS DESIGN requirements.

I hereby certify for the Fire Suppression Systems Design Requirements that

- 1) I will review the fire suppression systems shop drawings to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the fire suppression systems design documents to ensure that the applicable *professional engineer(s)* determines whether the changes conform to the *Code*;
- 3) I will complete the Certification of Field Review of Construction and return it to the *authority having jurisdiction* prior to requesting the occupancy permit;
- 4) I will file a copy of this form, a copy of the shop drawings, and specifications for the fire suppression system, and a copy of the appropriate contractor's material and test certificate for the system, as required by Sentence 3.2.5.12.(1) of the *Code*, with the *authority having jurisdiction* prior to the issuance of the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with *the Field Review of Construction* to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act*.

The undersigned shall notify the *authority having jurisdiction*, in writing as soon as practical, but not later than 72 hours after the event, if the contract for *Field Review of Construction* is terminated at any time during *construction*.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Initials Sample

\_\_\_\_\_  
Print Name of Firm or Company

\_\_\_\_\_  
Print Address

\_\_\_\_\_  
Print Municipality

\_\_\_\_\_  
Postal Code

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Telephone

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Fax

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e-mail

Affix below the seal of the licensed *Professional Engineer* in accordance with provincial legislation.

Schedule "A-7"

Field Review of Construction
Inspection Commitment Certificate
Geotechnical Design Requirements

Preamble

Whereas the Building Code Act, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the construction or demolition of a building;

And Whereas the Minister of Municipal Affairs has by regulation adopted the National Building Code of Canada and the National Energy Code of Canada for Buildings, with amendments as the Nova Scotia Building Code, requiring compliance with the Nova Scotia Building Code in the construction or demolition of buildings;

And Whereas architects and professional engineers are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of buildings;

And Whereas Part 2 of the Nova Scotia Building Code requires professionals to design buildings in conformance with the minimum standards of the Nova Scotia Building Code with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these buildings be reviewed at intervals appropriate to the stage of construction to determine general compliance with the design drawings accepted by the authority having jurisdiction and all revisions thereto;

To:

Authority Having Jurisdiction Date

Address

Dear

Authority Having Jurisdiction

Re:

Address of Project

Name of Project

Legal Description of Project

This is to advise that I am the professional engineer appointed by the owner or prime consultant to perform the Field Review of Construction for the GEOTECHNICAL (PERMANENT) DESIGN requirements.

I hereby certify for the Geotechnical (Permanent) Systems Design Requirements that

- 1) I will review the Geotechnical shop drawings to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the Geotechnical design documents to ensure that the applicable professional engineer(s) determines whether the changes conform to the Code; and
- 3) I will complete the Certification of Field Review of Construction and return it to the *authority having jurisdiction* prior to the issuance of the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the Field Review of Construction to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act*.

The undersigned shall notify the *authority having jurisdiction*, in writing as soon as practical, but not later than 72 hours after the event, if the contract for *Field Review of Construction* is terminated at any time during *construction*.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature                      Initials Sample

\_\_\_\_\_  
Print Name of Firm or Company

\_\_\_\_\_  
Print Address

\_\_\_\_\_  
Print Municipality              Postal Code

\_\_\_\_\_  
Telephone              Fax                      E-mail

Affix below the seal of the licensed  
*Professional Engineer* in accordance with  
provincial legislation.

**Schedule "A-8"**  
**Field Review of Construction**  
**Inspection Commitment Certificate**  
**Plumbing Design Requirements**

**Preamble**

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the construction or demolition of a *building*;

And Whereas the Minister of Municipal Affairs has by regulation adopted the *National Building Code of Canada* and the *National Energy Code of Canada for Buildings*, with amendments as the *Nova Scotia Building Code*, requiring compliance with the *Nova Scotia Building Code* in the *construction or demolition of buildings*;

And Whereas *architects* and *professional engineers* are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design *buildings* in conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these *buildings* be reviewed at intervals appropriate to the stage of *construction* to determine general compliance with the design drawings accepted by the I and all revisions thereto;

**To:**

\_\_\_\_\_  
Authority Having Jurisdiction Date

\_\_\_\_\_  
Address

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Dear**

\_\_\_\_\_  
Authority Having Jurisdiction

**Re:**

\_\_\_\_\_  
Address of Project

\_\_\_\_\_  
Name of Project

\_\_\_\_\_  
Legal Description of Project

This is to advise that I am the *professional engineer* appointed by the *owner* or prime consultant to perform the *Field Review of Construction* for the PLUMBING DESIGN requirements.

I hereby certify for the Plumbing Design Requirements that

- 1) I will review the plumbing shop drawings to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the plumbing design documents to ensure that the applicable *professional engineer(s)* determines whether the changes conform to the *Code*; and
- 3) I will complete the Certification of Field Review of Construction and return it to the *authority having jurisdiction* prior to requesting the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the *Field Review of Construction* to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act*.

The undersigned shall notify the *authority having jurisdiction*, in writing as soon as practical, but not later than 72 hours after the event, if the contract for *Field Review of Construction* is terminated at any time during *construction*.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Initials Sample

\_\_\_\_\_  
Print Name of Firm or Company

\_\_\_\_\_  
Print Address

\_\_\_\_\_  
Print Municipality

\_\_\_\_\_  
Postal Code

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Telephone

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Fax

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E-mail

Affix below the seal of the licensed  
*Professional Engineer* in accordance with  
provincial legislation.

**Schedule "A-9"**  
**Field Review of Construction**  
**Inspection Commitment Certificate**  
**Interior Design Requirements**

**Preamble**

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the construction or demolition of a *building*;

And Whereas the Minister of Municipal Affairs has by regulation adopted the *National Building Code of Canada* and the *National Energy Code of Canada for Buildings*, with amendments as the *Nova Scotia Building Code*, requiring compliance with the *Nova Scotia Building Code* in the *construction or demolition of buildings*;

And Whereas *architects, interior designers, and professional engineers* are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design *buildings* in conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these *buildings* be reviewed at intervals appropriate to the stage of *construction* to determine general compliance with the design drawings accepted by the *authority having jurisdiction* and all revisions thereto;

**To:**

\_\_\_\_\_  
Authority Having Jurisdiction

\_\_\_\_\_  
Date

\_\_\_\_\_  
Address

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\_\_\_\_\_  
\_\_\_\_\_

**Dear**

\_\_\_\_\_  
Authority Having Jurisdiction

**Re:**

\_\_\_\_\_  
Address of Project

\_\_\_\_\_  
Name of Project

\_\_\_\_\_  
Legal Description of Project

This is to advise that I am the *interior designer* appointed by the *owner* or prime consultant to perform the *Field Review of Construction* for the INTERIOR DESIGN requirements.

I hereby certify for the interior design requirements that

- 1) I will review the shop drawings relevant to this certificate to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the design documents relevant to this certificate to ensure that the changes conform to the *Code*; and
- 3) I will complete the Certification of Field Review of Construction and return it to the authority having jurisdiction prior to requesting the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the Field Review of Construction to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Interior Designers Act*.

The undersigned shall notify the *authority having jurisdiction*, in writing as soon as practical, but not later than 72 hours after the event, if the contract for *Field Review of Construction* is terminated at any time during *construction*.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature                      Initials Sample

\_\_\_\_\_  
Print Name of Firm or Company

\_\_\_\_\_  
Print Address

\_\_\_\_\_  
Print Municipality                      Postal Code

\_\_\_\_\_  
Telephone                      Fax                      E-mail

Affix below the seal of the Registered *Interior Designer* in accordance with provincial legislation, where applicable.



**Schedule "A-10"**  
**Field Review of Construction**  
**Inspection Commitment Certificate**  
**Resource Conservation Measures–Energy**

**Preamble**

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the construction or demolition of a building;

And Whereas the Minister of Municipal Affairs has by regulation adopted the *National Building Code of Canada* and the *National Energy Code of Canada for Buildings*, with amendments, as the *Nova Scotia Building Code*, requiring compliance with it as adopted for the *construction or demolition of buildings*;

And Whereas *architects, interior designers, and professional engineers* are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design *buildings* in conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these *buildings* be inspected at intervals appropriate to the stage of *construction* to determine general compliance with the design drawings accepted by the *authority having jurisdiction* and all revisions thereto;

**To:**

\_\_\_\_\_  
Authority Having Jurisdiction Date

\_\_\_\_\_  
Address

\_\_\_\_\_

\_\_\_\_\_

**Dear**

\_\_\_\_\_  
Authority Having Jurisdiction

**Re:**

\_\_\_\_\_  
Address of Project

\_\_\_\_\_  
Name of Project

\_\_\_\_\_  
Legal Description of Project

This is to advise that I am the *architect* or the *professional engineer* appointed by the *owner* or prime consultant to perform the *Field Review of Construction* for the Resource Conservation Measures–Energy requirements for the following disciplines, which I have checked and initialled.

(Initial the disciplines that apply to this project.)

Building Design       Plumbing       Mechanical       Electrical

I hereby certify for the Resource Conservation Measures Requirements–Energy that

- 1) I will comply with the requirements of Division C of the *National Building Code of Canada* and the *National Energy Code of Canada for Buildings*;
- 2) I will review the energy shop drawings to determine general compliance with the design documents; however, the party producing the shop drawings remains responsible for the design expressed therein;
- 3) I will coordinate the review of changes to the energy design documents to ensure that the changes conform to the Code;
- 4) Where the size and complexity of the design has been identified, I will coordinate additional areas of review as deemed appropriate in consultation with the *authority having jurisdiction* and;
- 5) I will complete the Certification of Field Review of Construction and return it to the authority having jurisdiction prior to requesting the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the *Field Review of Construction* to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act* or the *Nova Scotia Architects Act*.

The undersigned shall notify the *authority having jurisdiction*, in writing as soon as practical, but not later than 72 hours after the event, if the contract for *Field Review of Construction* is terminated at any time during *construction*.

Sign and affix below the seal of the *Architect* or licensed *Professional Engineer* in accordance with provincial legislation.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Initials Sample

\_\_\_\_\_  
Print Name of Firm or Company

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Print Address

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Print Municipality

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Postal Code

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E-mail

Affix below the seal of the licensed *Professional Engineer* or *Architect* in accordance with provincial legislation, where applicable.

**Schedule "A-11"**  
**Certification of Field Review of Construction**

NOTE: This letter must be signed by a licensed *Architect, Interior Designer, or Professional Engineer* as appropriate in accordance with provincial legislation and must be submitted after completion of the project but before the occupancy permit is issued. A separate letter must be submitted by each *architect, interior designer, or professional engineer* hired by the *owner* or prime consultant.

**To:**

\_\_\_\_\_  
 Authority Having Jurisdiction Date

\_\_\_\_\_  
 Address

\_\_\_\_\_

\_\_\_\_\_

**Dear**

\_\_\_\_\_  
 Authority Having Jurisdiction

**Re:**

\_\_\_\_\_  
 Address of Project

\_\_\_\_\_  
 Name of Project

\_\_\_\_\_  
 Legal Description of Project

I hereby certify that I have fulfilled my obligations for *Field Review of Construction* as defined in the Letter of Undertaking and the Inspection Commitment Certificate, and advise that I have reviewed the *work* at intervals appropriate, to determine general compliance with the design and all revisions thereto as accepted by the *authority having jurisdiction* for the following disciplines, which I have checked and initialed.

(Initial the disciplines that apply to this project. All disciplines will not necessarily be employed on every project)

- Building Design       Interior Design       Structural       Plumbing
- Mechanical       Electrical       Geotechnical       Fire Suppression System
- Resource Conservation – Energy

\_\_\_\_\_  
 Print Name

\_\_\_\_\_  
 Signature                      Initials Sample

\_\_\_\_\_  
 Print Name of Firm or Company

\_\_\_\_\_  
 Print Address

\_\_\_\_\_  
 Print Municipality                      Postal Code

\_\_\_\_\_  
 Telephone              Fax              E-mail

Affix below the seal of the licensed Architect, Interior Designer, or Professional Engineer in accordance with provincial legislation, where applicable.

**Schedule “B”****Design Data for Selected Locations in Nova Scotia**

It is not practical to list design values for all municipalities in Nova Scotia, in Appendix C of the *National Building Code of Canada*, Table C-2 Design Data for Selected Locations in Canada.

Design values for locations not listed can be obtained by writing to the Atmospheric Environment Service, Environment Canada, 4905 Dufferin Street, Downsview, Ontario M3H 5T4 or by contacting (416) 739-4365.

Seismic values for those not listed may be obtained through the Natural Resources Canada Website at [www.earthquakescanada.ca](http://www.earthquakescanada.ca), or by writing to the Geological Survey of Canada, 7 Observatory Crescent Ottawa, ON, K1A 0Y3.

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**Schedule “C”**  
**Accessibility**

As amended by Article 3.1.1.10. of these regulations, Section 3.8. Accessibility of the National Building Code is replaced with the following:

### **3.8 Accessibility**

#### **3.8.1. Scope** (See Appendix A-3.8.1., NSBCR)

##### **3.8.1.1. Scope**

- (1)** This Section is concerned with the *barrier-free* design of *buildings*.
- (2)** *Buildings* required to be *barrier-free* in accordance with Subsection 3.8.2. shall be designed in accordance with Subsection 3.8.3.

#### **3.8.2. Application**

##### **3.8.2.1. Application and Exceptions**

- (1)** The requirements of this Section apply to all *buildings*, except
- (a)** houses on their own lot, other than those houses used as *roofed accommodation* for not more than 10 persons including the *owner* and the *owner’s* family and that meet the requirements of Sentence (5),
  - (b)** semi-detached, houses with *secondary suites*, duplexes, triplexes, townhouses, row houses, boarding houses, and rooming houses,
  - (c)** *buildings* of Group F, Division 1 *major occupancy*,
  - (d)** *buildings* that are not intended to be occupied on a daily or full time basis, including automatic telephone exchanges, pumphouses, and substations,
  - (e)** *industrial occupancies* with an operation that is not adaptable to *barrier-free* design, and
  - (f)** fire, rescue, and emergency response facilities intended to house vehicles and their crews. (See Appendix A-3.8.2.1.(1)(f), NSBCR)
- (2)** In *camping accommodation* where sleeping accommodations are provided, and in *roofed accommodation* one sleeping unit conforming to Article 3.8.3.22. shall be provided for every 20 sleeping units or part thereof.
- (3)** In *roofed accommodation*, when a fire alarm system is required by Subsection 3.2.4. (Part 3, Division B) or Subsection 9.10.18. (Part 9, Division B) NBC, at least one sleeping unit for every 20 sleeping units or part thereof, other than those required in Sentence 3.8.2.1.(2) , shall be provided with a warning system that shall conform to Article 3.2.4.19. Visual Signals (Part 3, Division B).
- (4)** Every *floor area* to which a *barrier-free* path of travel is required to provide access, shall conform to Article 3.3.1.7. (Part 3, Division B), Protection on Floor Areas with a Barrier-Free

## Path of Travel.

**(5)** Where an alteration on the entrance level is made to a *dwelling unit used as roofed accommodation* to add sleeping accommodation, all of the following shall be provided:

- (a) one sleeping unit conforming to Article 3.8.3.22.,
- (b) a *barrier-free* entrance designed in accordance with Subsection 3.8.3.,
- (c) a *barrier-free* path of travel conforming to Article 3.8.3.2., and
- (d) one parking stall for each required sleeping unit under this Sentence conforming with Sentence 3.8.3.4.(2).

**(6)** Except as exempt by Clause 3.8.2.1.(1)(a), in a building with multiple *suites for care or residential occupancies*,

- (a) one unit conforming to Article 3.8.3.23. shall be provided for every 20 units or part thereof, or
- (b) every unit shall conform to Subsection 3.8.4. (See Appendix A-3.8.2.1.(6), NSBCR)

R<sub>2</sub>

**3.8.2.2. Entrances** (See Note A-3.8.2.2., NBC)

**(1)** In addition to the *barrier-free* entrances required by Sentence (2), not less than 50% of the pedestrian entrances of a *building* referred to in Sentence 3.8.2.1.(1) shall be *barrier-free* and shall lead from

- (a) the outdoors at sidewalk level, or
- (b) a ramp that conforms with Subsection 3.8.3. and leads from a sidewalk.

**(2)** A *suite of assembly occupancy, business and personal services occupancy or mercantile occupancy* that is located in the first *storey* of a *building*, or in a *storey* to which a *barrier-free* path of travel is provided, and that is completely separated from the remainder of the *building* so that there is no access to the remainder of the *building*, shall have at least one *barrier-free* entrance.

**(3)** A *barrier-free* entrance required by Sentence (1) or (2) shall be designed in accordance with Subsection 3.8.3.

**(4)** At a *barrier-free* entrance that includes more than one doorway, only one of the doorways is required to be designed in accordance with the requirements of Subsection 3.8.3.

**(5)** If a walkway or pedestrian bridge connects two *barrier-free storeys* in different *buildings*, the path of travel from one *storey* to the other *storey* by means of a walkway or bridge shall be *barrier-free*.

**(6)** Where a principal entrance to a *building of residential occupancy* is equipped with a security door system,

- (a) both visual and audible signals shall be used to indicate when the door lock is released, and
- (b) where there are more than 20 *suites* a closed-circuit visual monitoring system shall be provided capable of connection to individual *suites*.

**(7)** Where a house is required to conform to the requirements of Sentence 3.8.2.1.(5) such house shall provide one *barrier-free* entrance in conformance with Sentence (1).

**3.8.2.3. Areas Requiring a Barrier-Free Path of Travel** (See Appendix A-3.8.2.3., NSBCR)

**(1)** Except as permitted by Sentence (2), a *barrier-free* path of travel from the entrances required by Sentences 3.8.2.2.(1) and (2) to be *barrier-free* shall be provided throughout and within all normally occupied *floor areas* of each of the following:

- (a) the entrance *storey*,
- (b) each *storey* exceeding 600 m<sup>2</sup> in area, and
- (c) each *storey* served by a passenger elevator, escalator, inclined moving walk, or a passenger-elevating device.

(See Article 3.3.1.7. Protection on Floor Areas with a Barrier-Free Path of Travel (Part 3, Division B) for additional requirements for *floor areas* above or below the first *storey* to which a *barrier-free* path of travel is required.)

**(2)** A *barrier-free* path of travel for persons in wheelchairs is not required

- (a) to *service rooms*,
- (b) to elevator machine rooms,
- (c) to janitor's rooms,
- (d) to *service spaces*,
- (e) to crawl spaces,
- (f) to *attic or roof spaces*,
- (g) to floor levels not served by a passenger elevator, a passenger-elevating device, an escalator, or an inclined moving walk,
- (h) to *high-hazard industrial occupancies*,
- (i) 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,
- (j) within floor levels of a *suite of care or residential occupancy* that are not at the same level as the entry level to the *suite*,
- (k) within a *suite of care or residential occupancy* unless required by Sentence 3.8.2.1.(6), or
- (l) within those parts of a *floor area* that are not at the same level as the entry level, provided amenities and uses provided on any raised or sunken level are accessible on the entry level by means of a *barrier-free* path of travel.

**(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 3.8.3.21. for additional requirements.)

**Table 3.8.2.3.****Designated Wheelchair Spaces**

Forming Part of Sentence 3.8.2.3.(3)

<b>Number of Fixed Seats in Seating Area</b>	<b>Number of Spaces Required for Wheelchairs</b>
2–100	2
101–200	3
201–300	4
301–400	5
401–500	6
501–900	7
901–1300	8
1301–1700	9
each increment of up to 400 seats in excess of 1700	one additional space

**3.8.2.4. Access to Storeys Served by Escalators and Moving Walks**

**(1)** In a *building* in which an escalator or inclined moving walk provides access to any floor level above or below the entrance floor level, an interior *barrier-free* path of travel shall be provided to that floor level.

(See Note, A-3.8.2.4.(1), NBC)

**(2)** The route from the escalator or inclined moving walk to the *barrier-free* path of travel from floor to floor required by Sentence (1) shall be clearly indicated by appropriate signs.

**3.8.2.5. Access to Parking Areas and Exterior Passenger-Loading Zones**

(See Note A-3.8.2.5., NBC)

**(1)** A *barrier-free* path of travel shall be provided between an exterior parking area and a *barrier-free* entrance referred to in Article 3.8.2.2. (See Note A-3.8.2.5.(1), NBC)

**(2)** Where a passenger elevator serves one or more indoor parking levels, a *barrier-free* path of travel shall be provided between at least one parking level and all other parts of the *building* required to be provided with *barrier-free* access in accordance with Subsection 3.8.3.

**(3)** Exterior passenger-loading zones shall comply with Subsection 3.8.3.

**(4)** Where on-site parking is provided, parking stalls for use by persons with a disability shall be provided as follows:

- (a) as designated by Table 3.8.2.5.,
- (b) one parking stall shall be provided for each viewing position required in *assembly occupancies* in Sentence 3.8.2.3.(3) or
- (c) one parking stall shall be provided for each *barrier-free* residential suite.



**Table 3.8.2.5.****Designated Parking Stalls**

Forming part of Sentence 3.8.2.5.(4)

<b>Number of Parking Stalls</b>	<b>Number of Designated Stalls Required for Wheelchairs</b>
2–15	1
16–45	2
46–100	3
101–200	4
201–300	5
301–400	6
401–500	7
501–900	8
901–1300	9
1301–1700	10
each increment of up to 400 stalls in excess of 1700	one additional space

(5) Where on-site parking is provided, parking stalls for use by persons with a disability shall comply with Subsection 3.8.3.

**3.8.2.6. Controls**

(1) Except as required by Sentence 3.5.2.1.(3) (Part 3, Division B) for elevators, controls for the operation of *building* services or safety devices, including electrical switches, thermostats and intercom switches, intended to be operated by the occupant and located in or adjacent to a *barrier-free* path of travel shall comply with Subsection 3.8.3.

(See Note A-3.8.2.6.(1), NBC)

**3.8.2.7. Power Door Operators**

(1) Except as permitted by Sentences (2) and (3), every door that provides a *barrier-free* path of travel through an entrance referred to in Article 3.8.2.2., including the interior doors of a vestibule where provided, shall be equipped with a power door operator if the entrance serves any of the following:

- (a) a hotel,
- (b) a *building* of Group B, Division 2 *major occupancy*,
- (c) a *building* of Group B, Division 3 *major occupancy* with more than ten residents, or
- (d) a *building* that is more than 500 m<sup>2</sup> in *building area* and contains one of the following *occupancies*:
  - (i) an *assembly occupancy*,
  - (ii) a *business and personal services occupancy*, or
  - (iii) a *mercantile occupancy*.

(2) The requirements of Sentence (1) do not apply to an individual *suite* having an area less than 500 m<sup>2</sup> in a *building* having only *suites of assembly occupancy, business and personal services occupancy or mercantile occupancy* if the *suite* is completely separated from the remainder of the *building* so that there is no access to the remainder of the *building*.

(3) Only the active leaf in a multiple leaf door in a *barrier-free* path of travel need conform to the requirements of this Article.

**3.8.2.8. Plumbing Facilities** (See Note A-3.8.2.8.(1) to (4), NBC)

(1) Except as permitted by Sentence (2), a washroom in a *storey* to which a *barrier-free* path of travel is required in accordance with Article 3.8.2.3., shall be *barrier-free* in accordance with Subsection 3.8.3.

(2) A washroom need not conform to the requirements of Sentence (1) provided

- (a) it is located within a *suite of care or residential occupancies*, except where required by Sentence 3.8.2.1.(6), or
- (b) other *barrier-free* washrooms are provided on the same *floor area* within 45 m.

(3) In a *building* in which water closets are required in accordance with Subsection 3.7.2. (Part 3, Division B), one or more *barrier-free* water closets shall be provided in the entrance *storey*, unless

- (a) a *barrier-free* path of travel is provided to *barrier-free* water closets elsewhere in the *building*, or
- (b) the water closets required by Subsection 3.7.2. (Part 3, Division B) are for *dwelling units* only.

(4) In any washroom containing not more than three water closets, one of the water closet stalls may be replaced by a universal washroom conforming to Subsection 3.8.3. (See Appendix A-3.8.2.8., NSBCR).

(5) In any washroom containing 4 or more water closets at least one of the water closet stalls shall conform to Subsection 3.8.3.

(6) A universal washroom conforming to Subsection 3.8.3. is permitted to be substituted for one water closet stall required by Sentence (5), in lieu of facilities for persons with disabilities in washrooms used by the general public. (See Appendix A-3.8.2.8., NSBCR).

(7) Where alterations are made to existing *buildings*, a universal washroom conforming to Subsection 3.8.3. is permitted to be provided in lieu of facilities for persons with disabilities in washrooms used by the general public.

(8) Where urinals are provided in a *barrier-free* washroom, at least one urinal shall comply with Subsection 3.8.3.

(9) A *barrier-free* washroom shall be provided with a lavatory that complies with Subsection 3.8.3.

(10) Where mirrors are provided in a *barrier-free* washroom, at least one mirror shall comply with Subsection 3.8.3.

(11) Where drinking fountains are provided, at least one shall comply with Subsection 3.8.3.

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(12) Except within a *suite of care occupancy* or a *suite of residential occupancy*, where showers are provided in a *building*, at least one shower stall in each group of showers shall comply with Subsection 3.8.3.

(13) Where a bathtub or shower is installed in a *suite of residential occupancy* required to be *barrier-free*, it shall comply with Subsection 3.8.3.

### 3.8.2.9. Assistive Listening Devices

(1) In a *building of assembly occupancy*, all classrooms, auditoria, meeting rooms or *theatres* with an area of more than 100 m<sup>2</sup> and all court rooms shall be equipped with an assistive listening system complying with Subsection 3.8.3.

### 3.8.2.10. Signs and Indicators

(1) Signs complying with Subsection 3.8.3. shall be installed to indicate the location of

- (a) *barrier-free* entrances,
- (b) *barrier-free* washrooms,
- (c) *barrier-free* showers,
- (d) *barrier-free* elevators,
- (e) *barrier-free* parking spaces, and
- (f) facilities for persons with hearing disabilities.

(2) Where a washroom is not designed to accommodate persons with physical disabilities in a *storey* to which a *barrier-free* path of travel is required, signs shall be provided to indicate the location of *barrier-free* facilities.

### 3.8.2.11. Counters

- (1) Every counter more than 2 m long, at which the public is served, shall comply with Subsection 3.8.3. (See Note A-3.8.2.11.(1), NBC)
- (2) Built-in shelves and counters provided for public telephones shall comply with Subsection 3.8.3.

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## 3.8.3. Design

### 3.8.3.1. Design Standards

(1) *Buildings* or parts thereof and facilities that are required to be *barrier-free* shall be designed in accordance with

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- (a) this Subsection, or
- (b) the provisions of CSA B651, "Accessible Design for the Built Environment" listed in Table 3.8.3.1. in their entirety. (See Note A-3.8.3.1.(1), NBC and Appendix A-3.8.3.1.(1), NSBCR)

**Table 3.8.3.1.**  
**Barrier-free Design Provisions**  
 Forming Part of Sentence 3.8.3.1.(1)

<b>Barrier-free Application (Code References)</b>	<b>Applicable CSA B651 Provisions</b>
Interior accessible routes (3.8.3.2.)	4.3 and 5.1
Exterior accessible routes (3.8.3.3.)	8.2.1 to 8.2.5 and 8.2.7
Parking stalls and Passenger pickup areas (3.8.3.4.)	8.3.3, 9.3 and 9.5.1 to 9.5.2 <sup>1</sup>
Ramps (3.8.3.5.)	5.3 and 5.5
Doors and doorways (3.8.3.6.)	5.2
Passenger-elevating devices (3.8.3.7.)	5.6.2
Operating controls (3.8.3.8.)	4.2
Signage (3.8.3.9.)	4.5 and 9.4
Drinking fountains (3.8.3.10.)	6.1
Washroom facilities (3.8.3.11. to 3.8.3.15.)	6.2 and 6.3
Bathing facilities (3.8.3.16. and 3.8.3.17.)	6.5
Communication (3.8.3.18. and 3.8.3.20.)	6.6
Counters (3.8.3.19.)	6.7.1
Spaces in seating areas (3.8.3.21.)	6.7.2
Sleeping Units in Roofed Accommodation (3.8.3.22.)	6.2.5, 6.2.6.4, 7.4.3 <sup>2</sup> , 7.4.5, 7.4.6.3, 7.4.6.4
Suites of Care and Residential Occupancies to Be Barrier-free (3.8.3.23.)	7.4.1.5.2, 7.4.2.1, 7.4.3, 7.4.4, 7.4.5, 7.4.6.3, 7.4.6.4

Note 1. Clause 3.8.3.4.(3)(e) NSBCR must be complied with as well

Note 2. Grab bar requirements for water closets, showers and bathtubs are required to be met (Clauses 6.2.5. and 6.2.6.4.)

### 3.8.3.2. Barrier-Free Path of Travel

**(1)** Except as required elsewhere in this Part or as permitted by Article 3.8.3.6. pertaining to doorways, the unobstructed width of a *barrier-free* path of travel shall be not less than 920 mm.

**(2)** Interior and exterior walking surfaces that are within a *barrier-free* path of travel shall

- (a) have no opening that will permit the passage of a sphere more than 13 mm diameter,
- (b) have any elongated openings oriented approximately perpendicular to the direction of travel,
- (c) be stable, firm and slip-resistant,
- (d) have a cross slope no steeper than 1 in 50,
- (e) be bevelled at a maximum slope of 1 in 2 at changes in level between 6 mm and 13 mm, and
- (f) be provided with sloped floors or ramps at changes in level more than 13 mm.

(See Note A-3.8.3.2.(2), NBC)

**(3)** A *barrier-free* path of travel is permitted to include ramps, passenger elevators, inclined moving walks, or passenger-elevating devices to overcome a difference in level.

(4) The width of a *barrier-free* path of travel that is more than 30 m long shall be increased to not less than 1500 mm for a length of 1500 mm at intervals not exceeding 30 m.

### 3.8.3.3. Exterior Walks

- (1) Exterior walks that form part of a *barrier-free* path of travel shall
- (a) be not less than 1100 mm wide, and
  - (b) have a level area conforming to Clause 3.8.3.5.(1)(c) adjacent to each entrance doorway.

### 3.8.3.4. Parking Stalls and Exterior Passenger-Loading Zones

- (1) If an exterior passenger-loading zone is provided, it shall have
- (a) an access aisle not less than 1 500 mm wide and 6 000 mm long adjacent and parallel to the vehicle pull-up space,
  - (b) a curb ramp, where there are curbs between the access aisle and the vehicle pull-up space, and
  - (c) a clear height of not less than 2 750 mm at the pull-up space and along the vehicle access and egress routes.
- (2) A curb ramp shall have
- (a) a minimum width of 1200 mm,
  - (b) a maximum slope of 1 in 12,
  - (c) flared sides with a maximum slope of 1 in 10. (See Appendix A-3.8.3.4. NSBCR)
- (3) Parking stalls for use by persons with physical disabilities shall
- (a) be not less than 2400 mm wide and provided on one side with an access aisle not less than 1500 mm wide (if more than one parking space is provided for persons with physical disabilities, a single access aisle can serve two adjacent parking stalls), and if parallel parking stalls shall be not less than 7000 mm long,
  - (b) have a firm, slip-resistant and level surface of asphalt, concrete or compacted gravel,
  - (c) be located close to an entrance required to conform to Article 3.8.2.2., but not exceeding 50 m from the entrance,
  - (d) be clearly marked as being for the use of persons with physical disabilities, and
  - (e) be identified by a sign located not less than 1500 mm above ground level in conformance with the *Motor Vehicle Act* of Nova Scotia traffic sign regulations.

### 3.8.3.5. Ramps

- (1) A ramp located in a *barrier-free* path of travel shall
- (a) have a clear width of not less than 870 mm, (See Note A-3.4.3.4., NBC)
  - (b) have a slope not more than 1 in 12 (See Note A-3.8.3.5.(1)(b), NBC),
  - (c) have a level area not less than 1500 by 1500 mm at the top and bottom and at intermediate levels of a ramp leading to a door, so that on the latch side the level area extends not less than
    - (i) 600 mm beyond the edge of the door opening where the door opens towards the ramp, or
    - (ii) 300 mm beyond the edge of the door opening where the door opens away

- from the ramp (See Note A-3.8.3.5.(1)(c), NBC),
- (d) have a level area not less than 1200 mm long and at least the same width as the ramp
    - (i) at intervals not more than 9 m along its length, and
    - (ii) where there is an abrupt change in the direction of the ramp,
  - (e) except as permitted by Sentence (2), be equipped with handrails conforming to Articles 3.4.6.5. , except that they shall be not less than 865 mm and not more than 965 mm high, and
  - (f) be equipped with *guards* conforming to Article 3.4.6.6.

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**(2)** Handrails installed in addition to required handrails need not comply with the height requirements stated in Clause (1)(e).

**(3)** The requirement for handrails in Clause (1)(e) does not apply to a ramp serving as an aisle for fixed seating.

**(4)** The surfaces of ramps and landings shall

- (a) be hard or resilient where the ramp is steeper than 1 in 15, (See Note A-3.8.3.5.(4)(a), NBC)
- (b) have a cross slope no steeper than 1 in 50, and
- (c) where exposed to water, be designed to drain.

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**(5)** Ramps and landings not at *grade* or adjacent to a wall shall have edge protection consisting of

- (a) a curb not less than 75 mm high, or
- (b) a raised barrier or rail located not more than 100 mm from the ramp or landing surface.

**(6)** Floors or walks in a *barrier-free* path of travel having a slope steeper than 1 in 20 shall be designed as ramps.

### 3.8.3.6. Doorways and Doors

**(1)** Except where stated otherwise, this Article applies to swinging and sliding doors.

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**(2)** Every doorway that is located in a *barrier-free* path of travel shall have a clear width not less than 800 mm when the door is in the open position. (See Note A-3.8.3.6.(2), NBC)

**(3)** Doorways in a path of travel to and into at least one bathroom within a *suite of care* or *residential occupancy* shall have a clear width of not less than 800 mm when the door is in the open position. (See Note A-3.8.3.6.(3), NBC)

**(4)** Door-operating devices shall

- (a) comply with Clause 3.8.3.8.(1)(b), and
- (b) be operable at a height between 900 mm and 1 100 mm above the floor (See Note A-3.8.3.6.(4), NBC)

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**(5)** A threshold for a doorway referred to in Sentences (2) or (3) shall not be more than 13 mm higher than the finished floor surface and shall be bevelled to facilitate the passage of wheelchairs.

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- (6) Power door operators required by Sentence 3.8.2.7.(1) shall
- (a) activate automatically or through the use of controls that
    - i) are located in a *barrier-free* path of travel,
    - ii) are marked with the International Symbol of Access,
    - iii) are located clear of the door swing and no more than 1 500 mm from the door swing,
    - iv) comply with Subclause 3.8.3.8.(1)(a)(ii),
    - v) are operable from a height between 150 mm and 300 mm as well as between 900 mm and 1100 mm above the floor, and
    - vi) are operable by touching or approaching any part of their surface with a fist, arm or foot, and
  - (b) unless equipped with safety sensors,
    - i) fully open the door in not less than 3 s, and
    - ii) require a force not more than 65 N to stop movement of the door. (See Note A-3.8.3.6.(6) and (7), NBC)
- (7) A cane-detectable *guard* shall be installed on the hinged side of power-assisted doors that swing open into the path of travel. (See Note A-3.8.3.6.(6) and (7), NBC.)
- (8) Except as provided for in Sentence (9) and except for a door with a power door operator complying with Sentence (6), when unlatched, a door in a *barrier-free* path of travel shall open when the force applied to the handle, push plate or latch-releasing device is not more than
- (a) 38 N in the case of an exterior door,
  - (b) 22 N in the case of an interior swinging door, or
  - (c) 22 N in the case of a sliding door.
- (9) Sentence (8) does not apply to a door at the entrance to a *dwelling unit*, or where greater forces are required in order to close and latch the door against the prevailing difference in air pressure on opposite sides of the door. (See Note A-3.8.3.6.(9), NBC)
- (10) Except for a door at the entrance to a *dwelling unit*, a closer for an interior door in a *barrier-free* path of travel shall have a closing period of not less than 3 s measured from when the door is in an open position of 70° to the doorway, to when the door reaches a point 75 mm from the closed position, measured from the leading edge of the latch side of the door. (See Note A-3.8.3.6.(10), NBC)
- (11) Unless equipped with a power door operator complying with Sentence (6), a swinging door in a *barrier-free* path of travel shall have a clear space on the latch side extending the height of the doorway and not less than
- (a) 600 mm beyond the edge of the door opening if the door swings toward the approach side, and
  - (b) 300 mm beyond the edge of the door opening if the door swings away from the approach side. (See Note A-3.8.3.6.(11), NBC)
- (12) A vestibule located in a *barrier-free* path of travel shall be arranged to allow the movement of wheelchairs between doors and shall provide a distance between 2 doors in

series of not less than 1200 mm plus the width of any door that swings into the space in the path of travel from one door to another.

**(13)** Only the active leaf in a multiple-leaf door in a *barrier-free* path of travel need conform to the requirements of this Article.

**(14)** Except as provided in Clause 3.8.3.5.(1)(c), the floor surface on each side of a door in a *barrier-free* path of travel shall be level within a rectangular area

- (a) as wide as the door plus the clearance on the latch side required by Sentence (11), and
- (b) whose dimension perpendicular to the closed door is not less than the width of the *barrier-free* path of travel but need not exceed 1 500 mm

**(15)** The power door operator required by Sentence (6) shall function for passage in both directions through the door.

**(16)** Where a power door operator is required at least one leaf in each set of doors in the *barrier-free* path of travel through a vestibule shall meet the requirements. (See Appendix A-3.8.3.6.(16), NSBCR)

### **3.8.3.7. Passenger-elevating Device**

A passenger-elevating device referred to in Article 3.8.2.3. shall conform to CSA B355, "Lifts for Persons with Physical Disabilities".

### **3.8.3.8. Controls**

**(1)** Controls described in this Section shall

- (a) where located in or adjacent to a *barrier-free* path of travel, and unless otherwise stated,
  - i) be mounted 400 mm to 1 200 mm above the floor,
  - ii) be adjacent to and centred on either the length or the width of a clear space of 1 350 mm by 800 mm, and
- (b) be operable
  - i) with one hand in a closed fist position, without requiring tight grasping, pinching with fingers, or twisting of the wrist, and
  - ii) unless otherwise stated, with a force not more than 22N.

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### **3.8.3.9. Accessibility Signs**

**(1)** Signs required by Article 3.8.2.10. shall incorporate the International Symbol of Access or the International Symbol of Access for Hearing Loss and appropriate graphical or textual information that clearly indicates the type of facilities available (See Note A-3.8.3.9.(1), NBC)

### **3.8.3.10. Drinking Fountains**

**(1)** Drinking fountains required by Sentence 3.8.2.8.(9) shall

- (a) be located along a *barrier-free* path of travel,
- (b) have a minimum clear floor space of 800 mm by 1 350 mm in front of it
- (c) where it has frontal access, provide a knee clearance in accordance with Clause

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## 3.8.3.15.(1)(d),

- (d) have a spout that
  - i) is located near the front of the unit, at a height between 750 mm and 915 mm above the floor, and
  - ii) directs water flow in a trajectory that is nearly parallel to the front of the unit, at a height not less than 100 mm, and
- (e) be equipped with controls that
  - i) activate automatically, or
  - ii) are located either on the front or on both sides of it and comply with Clause 3.8.3.8.(1)(b).

**3.8.3.11. Water Closet Stalls**

- (1) Water closet stalls and enclosures required by Sentence 3.8.2.8.(5) shall
  - (a) be not less than 1 500 mm wide by 1 500 mm deep,
  - (b) have a clear floor space of 1 500 mm by 1 500 mm in front of the accessible stall,
  - (c) be equipped with a door that
    - i) can be latched from the inside with a mechanism conforming to Clause 3.8.3.8.(1)(b),
    - ii) is aligned with either the transfer space adjacent to the water closet or with a clear floor space not less than 1500 mm by 1500 mm within the stall,
    - iii) provides a clear opening not less than 850 mm wide when it is open,
    - iv) is self-closing so that, when at rest, the door is ajar by not more than 50 mm beyond the jamb,
    - v) swings outward, unless there is sufficient floor space within the stall for the door to swing inward in addition to a clear floor space of at least 800 mm by 1350 mm (See Note A-3.8.3.11.(1)(c)(v), NBC)
    - vi) where the door swings outward, is provided with a horizontal, D-shaped, visually contrasting door pull not less than 140 mm long located on the inside such that its midpoint is 200 mm to 300 mm from the hinged side of the door and 800 to 1000 mm above the floor (See Note A-3.8.3.11.(1)(c)(vi), NBC), and
    - vii) is provided with a horizontal, D-shaped, visually contrasting door pull not less than 140 mm long located on the outside such that its midpoint is 120 mm to 220 mm from the latch side and 800 mm to 1000 mm above the floor,
  - (d) have a water closet located so that the distance between the centre line of the fixture and the wall on one side is 460 mm to 480 mm,
  - (e) be equipped with an L-shaped grab bar that
    - i) is mounted on the side wall closest to the water closet,
    - ii) has horizontal and vertical components not less than 760 mm long mounted with the horizontal component 750 mm to 850 mm above the floor and the vertical component 150 mm in front of the water closet (See Note A-3.8.3.11.(1)(e)(ii), NBC), and
    - iii) complies with Article 3.7.2.8. (Part 3, Division B, NBC),
  - (f) be equipped with either one grab bar at least 600 mm long centred over the water closet, or two grab bars at least 300 mm long and located either side of the flush valve that,
    - i) conform to Article 3.7.2.8. (Part 3, Division B, NBC),
    - ii) are mounted on the rear wall, or
    - iii) are mounted at the same height as the grab bar on the side wall or 100 mm

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above the top of the attached water tank, if applicable,

- (g) be equipped with a coat hook mounted not more than 1 200 mm above the floor on a side wall and projecting not more than 50 mm from the wall, and
- (h) be equipped with a toilet paper dispenser mounted on the side wall closest to the water closet such that,
  - i) the bottom of the dispenser is 600 mm to 800 mm above the floor, and
  - ii) the closest edge of the dispenser is 300 mm from the front of the water closet.

### 3.8.3.12. Universal Washrooms

(See Note A-3.8.3.12., NBC)

- (1)** A universal washroom shall
  - (a) be served by a *barrier-free* path of travel,
  - (b) have a door complying with Article 3.8.3.6. that
    - (i) has a latch-operating mechanism located 900 mm to 1 000 mm above the floor that is capable of being locked from the inside and released from the outside in case of emergency, and,
    - (ii) if it is an outward swinging door that is not self-closing, has a door pull not less than 140 mm long located on the inside so that its midpoint is not less than 200 mm and not more than 300 mm from the hinged side of the door and not less than 900 mm and not more than 1000 mm above the floor, and  
(See Note A-3.8.3.11.(1)(c)(iv), NBC)
    - (iii) on an outward-swinging door, a door closer, spring hinges or gravity hinges, so that the door closes automatically,
  - (c) have one lavatory conforming to Article 3.8.3.15.,
  - (d) have one water closet conforming to Article 3.8.3.13. and Clause 3.8.3.11.(1)(d), with a clear floor space at least 900 mm wide that is parallel and adjacent to the open side of the water closet,
  - (e) have grab bars conforming to Clauses 3.8.3.11.(1)(e) and (f),
  - (f) have a coat hook conforming to Clause 3.8.3.11.(1)(g)
  - (g) have a toilet paper dispenser conforming to Clause 3.8.3.11.(1)(h),
  - (h) unless a counter is provided, have a shelf located not more than 1 200 mm above the floor, and
  - (i) be designed to permit a wheelchair to turn in an open space that has a diameter not less than 1 500 mm.

### 3.8.3.13. Water Closets

(See Appendix A-3.8.3.13., NSBCR)

- (1)** A water closet for a person with physical disabilities shall
  - (a) be equipped with a seat located at not less than 430 mm and not more than 460 mm above the floor,
  - (b) flush automatically or be equipped with a flushing control that
    - i) is located 500 mm to 900 mm above the floor,
    - ii) is located no more than 350 mm from the transfer side, and
    - iii) complies with Clause 3.8.3.8.(1)(b),
  - (c) be equipped with a seat lid or other back support, and
  - (d) where it has a tank, have a securely attached tank top.

(See Note A-3.8.3.13.(1), NBC)

**3.8.3.14. Urinals**

- R<sub>1</sub>**
- (1)** Urinals described in Sentence 3.8.2.8.(8) shall
- (a)** be wall-mounted, with the opening of the basin located not more than 430 mm above the floor,
- (b)** be adjacent to an accessible route,
- (c)** have a clear width of approach of 800 mm centred on the urinal and unobstructed by privacy screens,
- (d)** have no step in front of it,
- (e)** have a flush control that
- i)** is automatic, or
- ii)** complies with Clause 3.8.3.8.(1)(b) and is located 900 mm to 1100 mm above the floor, and
- (f)** have a vertically mounted grab bar installed on each side that
- i)** complies with Article 3.7.2.8.,
- ii)** is not less than 600 mm long, with its centre line 1 000 mm above the floor, and
- iii)** is located not more than 380 mm from the centre line of the urinal.
- (See Appendix A-3.8.3.14., NSBCR)
- R**

**3.8.3.15. Lavatories and Mirrors**

- (1)** Lavatories required by Sentence 3.8.2.8.(7) shall
- (a)** be equipped with faucets complying with Sentence 3.7.2.3.(4) (Part3, Division B, NBC),
- (b)** be located so that the distance between the centre line of the lavatory and any side wall is not less than 460 mm,
- (c)** have a rim height not more than 865 mm above the floor,
- (d)** have a clearance beneath the lavatory not less than
- (i)** 760 mm wide,
- (ii)** 735 mm high at the front edge,
- (iii)** 685 mm high at a point 200 mm back from the front edge, and
- (iv)** 230 mm high over the distance from a point 280 mm to a point 430 mm back from the front edge, (See Note A-3.8.3.15.(1)(d), NBC)
- (e)** have insulated water supply and drain pipes where these pipes are exposed, (See Note A-3.8.3.15.(1)(e), NBC)
- (f)** have a soap dispenser that
- i)** is automatic, or
- ii)** complies with Clause 3.8.3.8.(1)(b) and is located not more than 1 100 mm above the floor within 500 mm from the front of the lavatory, and (See Note A-3.8.3.15.(1)(f), NBC)
- (g)** have a towel dispenser or other hand-drying equipment located close to the lavatory, not more than 1 200 mm above the floor in an area that is accessible to persons in wheelchairs.
- (2)** Mirrors required by Sentence 3.8.2.8.(10) shall be
- (a)** mounted with its bottom edge not more than 1 000 mm above the floor, or
- (b)** fixed in an inclined position so as to be usable by a person in a wheelchair.
- R**

**3.8.3.16. Showers**

- (1)** showers required by Sentence 3.8.2.8.(13) shall
- (a) be not less than 1 500 mm wide and 900 mm
  - (b) have a clear floor space at the entrance to the shower not less than 900 mm deep and the same width as the shower, except that fixtures are permitted to project into that space provided they do not restrict access to the shower (See Note A-3.8.3.16.(1)(b), NBC),
  - (c) have no doors or curtains that obstruct the controls or clear floor space at the entrance to the shower,
  - (d) have a slip-resistant floor surface,
  - (e) have a threshold not more than 13 mm higher than the finished floor, and where it is higher than 6 mm, beveled to a slope no steeper than 1 in 2 (50%),
  - (f) have 2 grab bars that
    - (i) conform to Sentence 3.7.2.8.(1),
    - (ii) one of which is not less than 1 000 mm long and located vertically on the side wall 50 mm to 80 mm from the adjacent clear floor space, with its lower end 600 mm to 650 mm above the floor, and
    - (iii) one of which is L-shaped and located on the wall opposite the entrance to the shower, with a horizontal member not less than 1 000 mm long mounted 750 mm to 870 mm above the floor and a vertical member not less than 750 mm long mounted 400 mm to 500 mm from the side wall on which the other vertical grab bar is mounted, (See Note A-3.8.3.16.(1)(f), NBC)
  - (g) have a hinged seat that is not spring loaded, or a fixed seat with a smooth slip-resistant surface and no rough edges, the seat being
    - (i) not less than 450 mm wide and 400 mm deep,
    - (ii) mounted on the same side wall as the vertical grab bar, at 460 mm to 480 mm above the floor, and
    - (iii) designed to carry a minimum load of 1.3 kN,
  - (h) have a pressure-equalizing or thermostatic-mixing valve that
    - i) comply with Clause 3.8.3.8.(1)(b),
    - ii) are mounted on the wall opposite the entrance to the shower at not more than 1 200 mm above the floor and within reach of the seat,
  - (i) have a hand-held shower head with not less than 1 800 mm of flexible hose located so that it
    - i) can be reached from the seated position,
    - ii) can be used in a fixed position at a height of 1 200 mm and 2 030 mm, and
    - iii) does not obstruct the grab bars, and
  - (j) have recessed soap holders that can be reached from the seated position.
- (2)** If individual shower stalls are provided for use by residents and patients in *buildings* of Group B, Division 2 *institutional occupancy*, they shall conform to the requirements of Clauses (1)(a) to (j) except where
- (a) common showers are provided in conformance with Clauses (1)(a) to (j), or
  - (b) common bathtubs equipped with hoist mechanisms to accommodate residents and patients are available.

**3.8.3.17. Bathtubs**

- (1)** Bathtubs required by Sentence 3.8.2.8.(13) shall
- (a) be located in a room with a clear floor space not less than 1 500 mm in diameter,
  - (b) be not less than 1 500 mm long,
  - (c) have a clear floor space not less than 750 mm wide adjacent to its entire length,
  - (d) be capable of being accessed along its full length with no tracks mounted on its rim,
  - (e) have faucets and other controls that
    - (i) conform to Clause 3.8.3.8.(1)(b), and
    - (ii) are located on the centre line or between the centre line of the bathtub and the exterior edge of the bathtub rim, at a maximum height of 450 mm above the rim,
  - (f) have three grab bars
    - (i) that conform to Sentence 3.7.2.8.(1), (Part 3, Division B, NBC)
    - (ii) that are not less than 1 200 mm long,
    - (iii) two of which are located vertically at each end of the bathtub, set 80 mm to 120 mm in from the outside edge of the bathtub, with their lower end 180 mm to 280 mm above the bathtub rim, and
    - (iv) one of which is located horizontally along the length of the bathtub at 180 mm to 280 mm above the bathtub rim,
  - (g) have a slip-resistant bottom surface, and
  - (h) be equipped with a hand-held shower head with not less than 1 800 mm of flexible hose that can be used in a fixed position at a height of 1 200 mm and 2 030 mm.

**3.8.3.18. Assistive Listening Devices** (See Note A-3.8.3.18., NBC)

**(1)** Except as permitted in Sentence (2), an assistive listening system required by Article 3.8.2.9. shall encompass the entire seating area.

**(2)** Where the assistive listening system referred to in Article 3.8.2.9. is an induction loop system, only half the seating area in the room need be encompassed.

**3.8.3.19. Counters**

- (1)** Counters required by Sentence 3.8.2.11.(1) shall have
- (a) at least one *barrier-free* section not less than 760 mm long centred over a knee space conforming to Clause (c),
  - (b) a surface not more than 865 mm above the floor, and
  - (c) except as provided in Sentence (2) and where the counter is intended to be used as a work surface, a knee space underneath it that is
    - (i) not less than 760 mm wide
    - (ii) not less than 685 mm high, and
    - (iii) not less than 485 mm deep.
- (2)** A counter that is used in a cafeteria or one that performs a similar function whereat movement takes place parallel to the counter need not have knee space underneath the counter.

**3.8.3.20. Shelves or Counters for Telephones and TTY/TDD Telephone Services** (See Note A-3.8.3.20., NBC)

**(1)** Shelves or counters required by Sentence 3.8.2.11.(2) shall

- (a) be level,
- (b) be not less than 305 mm deep, and
- (c) have, for each telephone provided, a clear space not less than 250 mm wide having no obstruction within 250 mm above the surface, and
- (d) have a section with a surface not more than 865 mm above the floor serving at least one telephone.

(2) Where a wall-hung telephone is provided above the shelf or counter section described in Clause (1)(d), it shall be located so that the receiver and coin slot are not more than 1200 mm above the floor.

(3) Where public telephones are provided, at least one telephone shall be provided with a variable volume control on the receiver.

(4) At least one built-in teletypewriter telephone (TTY/TDD) shall be provided and located in a publicly accessible location where

- (a) four or more public access telephones are provided, including interior and exterior locations,
- (b) the *building area* exceeds 600 m<sup>2</sup> in a Group A, Group B, Group D or Group E *occupancy* when telephones are provided
- (c) a hotel or motel that
  - i) exceeds 600 m<sup>2</sup> in *building area*, or
  - ii) is required by Sentence 3.8.2.1.(2) to provide a *barrier-free suite*, or
- (d) a tourist cabin is required by Sentence 3.8.2.1.(2) to provide *barrier-free suites*, unless a portable unit is available for use. (See Appendix A-3.8.3.20.(4)(d), NSBCR)

(6) Where public telephones are provided, at least one electrical receptacle shall be provided within 500 mm of one of the public telephones.

#### 3.8.3.21. Spaces in Seating Area

- (1) Spaces designated for wheelchair use referred to in Sentence 3.8.2.3.(3) shall be
- (a) clear and level, or level with removable seats,
  - (b) not less than 900 mm wide and 1 525 mm long to permit a wheelchair to enter from a side approach and 1 220 mm long where the wheelchair enters from the front or rear of the space,
  - (c) arranged so that at least 2 designated spaces are side by side,
  - (d) located adjoining a *barrier-free* path of travel without infringing on egress from any row of seating or any aisle requirements, and
  - (e) situated, as part of the designated seating plan, to provide a choice of viewing location and a clear view of the event taking place.

#### 3.8.3.22. Sleeping Units in Roofed Accommodation

- (1) Where sleeping units conforming to this Article are required by Sentence 3.8.2.1.(2), they shall have
- (a) sufficient space to provide a turning area of not less than 1500 mm diameter on one side of a bed,
  - (b) sufficient space to provide clearance of not less than 900 mm to allow for functional use of units by persons in wheelchairs,

- (c) an accessible balcony where balconies are provided,
  - (d) at least one closet that provides
    - (i) a minimum clear opening of 900 mm,
    - (ii) clothes hanger rods located at a height of 1 200 mm, and
    - (iii) at least one shelf located at a height of 1 370 mm,
  - (e) light switches, thermostats and other controls that are specifically provided for use by the occupant mounted not more than 1 200 mm above the floor,
  - (f) electrical receptacles located between 455 mm and 550 mm above the finished floor,
  - (g) a GFI outlet located not more than 1 200 mm above the floor,
  - (h) an accessible bathroom that shall be designed to provide manoeuvring space up to each type of fixture required to be usable by persons in a wheelchair conforming to the following:
    - (i) a floor space of not less than 3.7 m<sup>2</sup> with no dimension less than 1 700 mm when the door swings out and 4.0 m<sup>2</sup> with no dimension less than 1 800 mm when the door swings in,
    - (ii) fixtures located to provide maximum manoeuvrability for persons in wheelchairs,
    - (iii) grab bars conforming to Clauses 3.8.3.11.(1)(e) and (f),
    - (iv) a coat hook conforming to Clause 3.8.3.11.(1)(g),
    - (v) a water closet conforming to Article 3.8.3.13.,
    - (vi) at least one lavatory conforming to Article 3.8.3.15.,
  - (i) washroom accessories conforming to Clause 3.8.3.15.(1)(g), and
  - (j) a lock on the entrance door that is operable with one hand.
- (2) If a bathtub is installed in a sleeping unit required to be *barrier-free*, the bathtub shall comply with the requirements of Article 3.8.3.17.
- (3) If a shower is installed within a sleeping unit, required to be *barrier-free* at least one shower stall shall be *barrier-free* and shall comply with the requirements of Article 3.8.3.16.

### 3.8.3.23. Suites of Care and Residential Occupancies to Be Barrier-free

#### General

- (1) Where a *suite of care or residential occupancy* is required by Sentence 3.8.2.1.(6) to provide *barrier-free* access it shall be served by
- (a) entrances in accordance with Article 3.8.2.2.,
  - (b) a *barrier-free* path of travel to, into, and throughout each required *suite* in accordance with Article 3.8.2.3.,
  - (c) an accessible balcony if required in accordance with Clause 3.3.1.7. (1)(c) (Part 3, Division B, NBC), and
  - (d) *barrier-free* controls for the operation of *building* services or safety devices, including electrical switches, thermostats and intercom switches, that are accessible to a person in a wheelchair, operable with one hand, and mounted not more than 1 200 mm above the floor and electrical receptacles that are located between 400 mm and 550 mm above the finished floor, except as required by Clause 3.8.3.23.(3)(f) (bathroom) and Subclause 3.8.3.23.(4)(c)(v) (kitchen).

**Sleeping Area**

- (2)** Where a *suite of residential occupancy* is required by Sentence 3.8.2.1.(6) to provide *barrier-free* access it shall contain at least one sleeping area with
- (a) a minimum floor area of 12.25 m<sup>2</sup>,
  - (b) a least one horizontal room dimension not less than 3.35 m, and
  - (c) at least one closet that provides
    - (i) a minimum clear opening of 900 mm,
    - (ii) clothes hanger rods located at a height of 1 200 mm, and
    - (iii) at least one shelf located at a height of 1 370 mm.

**Bathroom**

- (3)** Where a *suite of care or residential occupancy* is required by Sentence 3.8.2.1.(6) to provide *barrier-free* access, a minimum of one accessible bathroom shall be provided with
- (a) a floor space of not less than 3.7 m<sup>2</sup> with no dimension less than 1 700 mm when the door swings out and 4.0 m<sup>2</sup> with no dimension less than 1 800 mm when the door swings in,
  - (b) a water closet conforming to Article 3.8.3.13.,
  - (c) a lavatory conforming to Article 3.8.3.15.,
  - (d) where a shower is provided, a shower conforming to Article 3.8.3.16.,
  - (e) where a bathtub is provided, a bathtub conforming to Article 3.8.3.17.,
  - (f) a GFI razor outlet located not more than 1 200 mm above the floor, and
  - (g) grab bars conforming to Clauses 3.8.3.11.(1)(e) and (f).

| R<sub>1</sub>**Kitchen**

- (4)** Where a *suite of care or residential occupancy* is required by Sentence 3.8.2.1.(6) to provide *barrier-free* access the kitchen shall have
- (a) a minimum 1 200 mm clearance between counters and all opposing base cabinets, counter tops, appliances, or walls except in a U-shaped kitchen the minimum distance shall be 1 500 mm,
  - (b) a minimum clear floor space 750 mm x 1200 mm at each
    - (i) range,
    - (ii) cooktop,
    - (iii) oven,
    - (iv) refrigerator/freezer,
    - (v) dishwasher, and
    - (vi) other major appliance,
  - (c) a minimum of one work surface that
    - (i) is 750 mm wide x 600 mm deep,
    - (ii) is 810 mm to 860 mm above the floor,
    - (iii) has a clear floor area 750 mm by 1200 mm, which may extend 480 mm under the work surface,
    - (iv) has a knee space a minimum of 750 mm wide, 480 mm deep, and 680 high, and
    - (v) has a minimum of one electrical receptacle located at the front or side of the work surface,
  - (d) base cabinets with a minimum toe space 150 mm deep and 230 mm high,
  - (e) sinks
    - (i) mounted with the rim between 810 mm and 860 mm above the floor,



- (ii) with a knee space a minimum of 750 mm wide, 250 mm deep, and a toe space 750 mm wide 230 mm deep and 230 mm high,
  - (iii) with a clear floor area 750 mm by 1 200 mm, which may extend 480 mm under the work surface,
  - (iv) with faucets equipped with lever handles, and
  - (v) with insulated hot water and drain pipes where they may abut required clear space,
- (f) where upper cabinets are provided, an upper cabinet with a minimum of one shelf not more than 1200 mm above the floor,
- (g) storage cabinet doors and drawers
- (i) with handles that are easily graspable, and
  - (ii) mounted at the top of base cabinets and bottom of upper cabinets,
- (h) all controls in compliance with Clause 3.8.3.23.(1)(d) except as required by Subclause 3.8.3.23.(4)(c)(v).

### **3.8.4. Adaptable Housing Requirements**

#### **3.8.4.1. Application**

- (1) This Subsection applies to the design and *construction* of all of the following:
- (a) a *dwelling unit* in a *building* that is exempt under Sentence 3.8.2.1.(1) from the *barrier-free* requirements in Section 3.8. of these regulations, or
  - (b) a *dwelling unit* in a *building* with multiple *suites* for *care* or *residential occupancies* if the *barrier-free* requirements for the unit in Clause 3.8.2.1.(6)(a) are not met and the *dwelling unit* is not a unit exempt by Clause 3.8.2.1.(1)(a).

#### **3.8.4.2. Entrance Doors to Dwelling Units**

- (1) All *dwelling units* shall have at least one entrance door no less than 900 mm wide equipped with door opening hardware conforming to Sentence 3.8.4.6.(2).
- (2) Except as provided in Sentence (3), the entrance door in Sentence (1) shall have a threshold that complies with Sentence 3.8.3.6.(5).
- (3) The entrance door to a *building* described in Clauses 3.8.2.1.(1)(a) or (b) shall be easily access and be capable of being made *barrier-free* from a sidewalk or parking area.

#### **3.8.4.3. Interior Doors and Corridors in Dwelling Units**

- (1) Doors or passageways within dwelling units to habitable rooms and service rooms shall be no less than 900 mm wide and equipped with door opening hardware conforming to Sentence 3.8.4.6.(1). (See Appendix A-3.8.4.3., NSBCR)
- (2) Where a door is installed between an attached garage and a dwelling unit, the door shall conform to Article 3.8.4.2.
- (3) Corridors within *dwelling units* shall have a clear width of not less than 900 mm.

R<sub>2</sub>

**3.8.4.4. Kitchens in Dwelling Units**

- (1) Kitchen sinks in *dwelling units* shall be equipped with lever-type faucets or hardware conforming to Sentence 3.8.4.6.(2).
- (2) All trap arms running from P-traps under the kitchen sink shall be installed no higher than 305 mm to the centre line of the pipe measured from the finished floor.
- (3) An electrical roughin shall be located below the counter top to allow for the installation of an electrical receptacle conforming to Subclause 3.8.3.23.(4)(c)(v).
- (4) Duplex electrical receptacles located over a kitchen counter are not required to comply with this Subsection.

**3.8.4.5. Bathrooms in Dwelling Units**

- (1) All lavatories in *dwelling units* shall be equipped with lever-type faucets or hardware conforming to Sentence 3.8.4.6.(2).
- (2) Wall assemblies that enclose a bathroom in a *dwelling unit* shall include reinforcement to accommodate the future installation of
- (a) grab bars described in Clauses 3.8.3.11.(1)(e) and (f), for a water closet,
  - (b) grab bars described in Clause 3.8.3.17.(1)(f), for a bathtub,
  - (c) grab bars described in Clause 3.8.3.16.(1)(f) for a shower.
- (See Appendix A-3.8.4.5., NSBCR)

**3.8.4.6. Duplex Receptacles, Switches and Controls**

(See Appendix A-3.8.4.6., NSBCR)

- (1) Operating controls in a dwelling unit include, but are not limited to,
- (a) door handles and locks,
  - (b) faucets and adjustable shower heads,
  - (c) non-proprietary duplex electrical receptacles, telephone, cable and data outlets and wall switches,
  - (d) controls for the operation of building services, safety devices and intercoms,
  - (e) activation devices.
- (2) Except as permitted by Sentence (3), all controls in a *dwelling unit* shall be operable
- (a) with one hand, using
    - (i) a closed first position, or
    - (ii) another method of operation that does not require tight grasping, pinching or twisting of the wrist, and
  - (b) with a force of not more than 22N.
- (3) A control identified in Clause (1)(a) or (b) need not meet the actual requirements in Clause (2)(a) provided that it remains possible for door hardware or a faucet, which conforms to those requirements, to be installed.
- (4) Except as provided in Sentence (5), the centre line height of the operating controls

R<sub>2</sub>

shall be located in a range between 400 and 1200 mm from the finished floor.

**R<sub>2</sub>**

**(5)** Where an additional or required non-proprietary duplex electrical receptacle is permitted by the electrical authority having jurisdiction to be mounted in a location other than a wall, the requirements of Sentence (4) are waived. (See Appendix A-3.8.4.6.(5), NSBCR).

**Schedule “D”**  
**Alternate Compliance Methods for Existing *Buildings***

No.	Code Requirement	Alternate Compliance Method
1	Fire Separations Article 3.1.3.1. (Part 3, Division B) and Table 3.1.3.1. (Part 3, Division B); Subsection 9.10.9. (Part 9, Division B) 2 h <i>fire separation</i> required between some <i>major occupancies</i> .	Except for F1 <i>occupancies</i> , 1 h <i>fire separation</i> is acceptable, if the <i>building</i> is fully sprinklered.
2	Fire Separations Article 3.1.3.1 (Part 3, Division B) and Table 3.1.3.1. (Part 3, Division B); Subsection 9.10.9. (Part 9, Division B) 1 h <i>fire separation</i> required between some <i>major occupancies</i> .	30 min. <i>fire separation</i> is acceptable if the <i>building</i> is fully sprinklered.
3	Noncombustible Construction Subsection 3.1.5. (Part 3, Division B) and Article 9.10.6.1. (Part 9, Division B) All materials used in <i>noncombustible construction</i> must be <i>noncombustible</i> unless otherwise permitted.	<ol style="list-style-type: none"> <li>1. Roofs may be of <i>combustible construction</i> provided the <i>building</i> is fully sprinklered.</li> <li>2. Up to 10% gross <i>floor area</i> to a maximum of 10% of any one <i>floor area</i> may be of <i>combustible construction</i> provided the <i>building</i> is fully sprinklered.</li> </ol>
4	Fire-resistance Rating Sentence 3.1.7.1.(1) (Part 3, Division B); Article 9.10.3.1. (Part 9, Division B) Where a material, assembly of materials or structural member is required to have a <i>fire resistance rating</i> it shall be tested in accordance with CAN/ULC-S101.	A <i>fire-resistance</i> rating may also be used based on <ol style="list-style-type: none"> <li>(a) HUD No. 8 Guideline on Fire Ratings of Archaic Materials and Assemblies</li> <li>(b) Fire Endurance of Protected Steel Columns and Beams, DBR Technical Paper No. 194</li> <li>(c) Fire Endurance of Unit Masonry Walls, DBR Technical Paper No. 207</li> <li>(d) Fire Endurance of Light-Framed and Miscellaneous Assemblies, DBR Technical Paper No. 222</li> </ol>

5	<p>Rating of Supporting Construction Article 3.1.7.5. (Part 3, Division B); Article 9.10.8.3. (Part 9, Division B)</p> <p>Supporting assemblies to <i>have fire resistance rating</i> at least equivalent to that of the supported floor.</p>	<p><i>Heavy timber construction</i> is permitted to have a <i>fire resistance rating</i> less than would be required by the <i>Code</i> provided the <i>building</i></p> <p>(a) is fully sprinklered, and (b) does not exceed 5 <i>storeys</i> in <i>building height</i>.</p>
6	<p>Continuity of Fire Separations Sentences 3.1.8.3.(1) and (2)(Part 3, Division B); Article 9.10.9.2. (Part 9, Division B)</p> <p><i>Fire separations</i> are required to be continuous above the ceiling space.</p>	<p><i>Fire separations</i> are not required to be continuous above the ceiling space where</p> <p>(a) the ceiling space is <i>noncombustible construction</i>, (b) both <i>fire compartments</i> are sprinklered, or (c) the ceiling has a minimum rating of 30 min.</p>
7	<p>Wired Glass Sentence 3.1.8.5.(1) (Part 3, Division B) and Sentences 3.1.8.14.(2) (Part 3, Division B); Article 9.10.13.1. (Part 9, Division B) and Article 9.10.13.5. (Part 9, Division B)</p> <p>6 mm wired glass in steel frame required in <i>fire separations</i>.</p>	<p>For fixed transoms or sidelights, 6 mm wired glass fixed to a wood frame of at least 50 mm thickness with steel stops is permitted in a required <i>fire separation</i>.</p>
8	<p>Mezzanines Sentences 3.2.1.1.(3) to (6) (Part 3, Division B); Article 9.10.4.1. (Part 9, Division B)</p> <p><i>Mezzanines</i> enclosing more than 10% above the horizontal plane are considered as <i>storey</i> in <i>building height</i>.</p>	<p><i>Mezzanines</i> may enclose up to 20% above the horizontal plane and not be considered a <i>storey</i> in <i>building height</i> if the <i>building</i> is fully sprinklered.</p>

9	<p>Spatial Separation Subsection 3.2.3. (Part 3, Division B); Subsection 9.10.14. (Part 9, Division B) The maximum area of <i>unprotected openings</i>.</p>	<p>The area of <i>unprotected opening</i> is not limited provided (a) the exterior walls have a interior thermal barrier of 12.7 mm thick gypsum board, or lath and plaster in good condition, (b) the <i>limiting distance</i> is a minimum 1 m, (c) the entire <i>building</i> has a supervised sprinkler system in conformance with Sentence 3.2.4.8.(2), (Part 3, Division B) and (d) the sprinkler system is connected to the fire department in conformance with Sentence 3.2.4.7.(4). (Part 3, Division B)</p>
10	<p>Construction of Exposing Building Face Articles 3.2.3.7. (Part 3, Division B); 9.10.14.5. and 9.10.15.5. (Part 9, Division B) The <i>exposing building face</i> is required to have a <i>fire-resistance rating</i> and/or be of <i>noncombustible construction</i>.</p>	<p><i>Exposing building face</i> is not required to have a <i>fire-resistance rating</i> if the <i>building</i> is fully sprinklered. Also, the <i>exposing building face</i> is not required to be of <i>noncombustible construction</i> if it is protected by an exterior sprinkler system conforming to NFPA 13 and has a thermal barrier as specified in No. 9(a) of these compliance tables.</p>
11	<p>Roof Covering Rating Article 3.1.15.2. (Part 3, Division B) Class A, B or C roof covering in conformance with CAN/ULC-S107 required.</p>	<p>For existing roofs not covered by a Class A, B or C roofing a manually operated deluge system in accordance with NFPA 13 is permitted.</p>
12	<p>Interconnected Floor Space Subsection 3.2.8. (Part 3, Division B); Sentence 9.10.13(6) (Part 9, Division B) Openings that are not protected by shafts or <i>closures</i> shall be protected in conformance with Subsection 3.2.8. (Part 3, Division B) or Sentence 9.10.1.3.(6) (Part 9, Division B)</p>	<p>An open stair in <i>buildings</i> of maximum 3 <i>storeys</i> in <i>building height</i> need not comply with Subsection 3.2.8. (Part 3, Division B) provided (a) it is not a required <i>exit</i> stair, (b) the <i>building</i> contains a Group C or D <i>occupancy</i>, (c) the <i>building</i> is fully sprinklered with fast-response sprinklers, (d) corridors opening into the <i>interconnected floor space</i> are separated from the <i>interconnected floor space</i> by a <i>fire separation</i> with the rating required for the corridor, and (e) <i>smoke detectors</i> are installed in the rooms opening into the <i>interconnected floor space</i>.</p>

13	<p>Separation of Suites Articles 3.3.1.1. (Part 3, Division B); 9.10.9.13. and 9.10.9.14. (Part 9, Division B) <i>Suites</i> are required to be separated from adjoining <i>suites</i> by 45 min. or 1 h rated <i>fire separations</i>.</p>	<p>Existing 30 min. <i>fire separations</i> are acceptable in fully sprinklered <i>buildings</i> not exceeding 5 <i>storeys</i> in <i>building height</i>.</p>
14	<p>Public Corridor Fire Separation Articles 3.3.1.4. (Part 3, Division B); 9.10.9.15. (Part 9, Division B) <i>Public corridors</i> are required to be separated from the remainder of the <i>building</i> by a <i>fire separation</i> having a <i>fire-resistance rating</i> of at least 45 min.</p>	<p>Existing corridors with 30 min. <i>fire-resistance ratings</i>, are acceptable in residential occupancies provided the <i>building</i></p> <ul style="list-style-type: none"> <li>(a) does not exceed 5 <i>storeys</i> in <i>building height</i>, and</li> <li>(b) is fully sprinklered with fast-response sprinklers.</li> </ul>
15	<p>Width of Corridors Articles 3.3.1.9. and 3.4.3.1. (Part 3, Division B); 9.9.3.3. (Part 9, Division B) <i>Public corridors</i>, corridor used by the public and <i>exit corridors</i> are permitted to have a minimum width of 1 100 mm.</p>	<p>Public corridors, corridors used by the public and <i>exit corridors</i> are permitted with a minimum width of 800 mm provided</p> <ul style="list-style-type: none"> <li>(a) the <i>occupant load</i> of the <i>building</i> is maximum 20 people, and</li> <li>(b) the <i>building</i> does not exceed 3 <i>storeys</i> in <i>building height</i>.</li> </ul>
16	<p>Door Swing Articles 3.3.1.11. and 3.4.6.12. (Part 3, Division B); Article 9.9.6.5. (Part 9, Division B) Doors required to swing in the direction of <i>exit travel</i>.</p>	<p>2nd egress door from a room is not required to swing in the direction of <i>exit travel</i> provided</p> <ul style="list-style-type: none"> <li>(a) the <i>building</i> is fully sprinklered and the system is supervised in conformance with Sentence 3.2.4.8.(2), (Part 3, Division B) and</li> <li>(b) the occupant load of the <i>building</i> is maximum 100 people.</li> </ul>
17	<p>Stairs, Ramps, Handrails and Guards Articles 3.3.1.14., 3.3.1.16., 3.3.1.18., 3.4.6.4 to 3.4.6.9. (Part 3, Division B); Section 9.8. (Part 9, Division B)</p>	<p>Existing conditions that do not comply fully with the requirements are permitted if they do not create a hazardous condition and are acceptable to the <i>authority having jurisdiction</i>.</p>

18	<p>Transparent Doors and Panels Articles 3.3.1.19. (Part 3, Division B); 9.6.1.4. (Part 9, Division B) Glass in doors and sidelights are required to be protected by <i>guards</i> and to be safety glass.</p>	<p>Existing glass or transparent panels that do not comply fully with the requirements are permitted if sufficiently discernible or <i>guards</i> are provided in hazardous situations.</p>
19	<p>Dead-end Corridors Sentence 3.3.1.9.(7) (Part 3, Division B); Article 9.9.7.3. (Part 9, Division B) Dead-end corridors are permitted to a maximum length of 6 m.</p>	<p>1. Dead-end corridors are permitted to a maximum length of 10 m in Group C <i>occupancies</i> provided (a) the <i>building</i> is fully sprinklered with fast-response sprinklers, and (b) <i>smoke detectors</i> are installed in the corridor system. 2. Dead-end corridors are permitted to a maximum of 15 m in length in Group D, E, F2 and F3 <i>occupancies</i> provided (a) the <i>building</i> is fully sprinklered with fast-response sprinklers, and (b) <i>smoke detectors</i> are installed in the corridor system.</p>
20	<p>Exits Articles 3.4.2.1. (Part 3, Division B); 9.9.8.2. (Part 9, Division B) <i>Floor areas</i> shall be served by not fewer than 2 <i>exits</i> except as permitted by Sentence 3.4.2.1.(2) (Part 3, Division B).</p>	<p><i>Floor areas</i> may be served by a single <i>exit</i> within the limits of Sentence 3.4.2.1.(2) (Part 3, Division B) provided (a) the <i>building</i> does not exceed 3 <i>storeys</i> in <i>building height</i>, (b) the <i>building</i> is fully sprinklered with fast-response sprinklers, and (c) the <i>building</i> contains an approved fire alarm system with <i>smoke detectors</i> located in accordance with Article 3.2.4.11. (Part 3, Division B)</p>
21	<p>Reduction of Exit Width Sentence 3.4.3.3.(2) (Part 3, Division B); Article 9.9.6.1. (Part 9, Division B) Swinging doors in their swing shall not reduce the effective width of <i>exit</i> stairs and landings to less than 750 mm.</p>	<p>Existing swinging doors in their swing are permitted to reduce the effective width of <i>exit</i> stairs and landings to a minimum of 550 mm provided (a) they serve Group C or D <i>occupancies</i>, (b) the <i>building</i> does not exceed 5 <i>storeys</i> in <i>building height</i>, and (c) the <i>building</i> is fully sprinklered.</p>



22	<p>Fire Separation of Exits Article 3.4.4.1. (Part 3, Division B); Subsection 9.9.4. (Part 9, Division B)</p> <p><i>Exits</i> are required to be separated from the remainder of the <i>floor area</i> by a <i>fire separation</i> having a <i>fire-resistance rating</i> of not less than 45 min.</p>	<p>1. Existing <i>fire separations</i> of 30 min. are acceptable provided the <i>building</i> is fully sprinklered with fast-response sprinklers and does not exceed 3 <i>storeys</i> in <i>building height</i>.</p> <p>2. <i>Buildings</i> not exceeding 5 <i>storeys</i> in <i>building height</i> may have <i>exits</i> that are separated by a 45 min. <i>fire separation</i> provided the <i>building</i> is fully sprinklered.</p>
23	<p>Exits Through Lobbies Articles 3.4.4.2. (Part 3, Division B); 9.9.8.5. (Part 9, Division B)</p> <p>Rooms adjacent to the lobby are required to be separated by a <i>fire separation</i>.</p>	<p>Rooms adjacent to the lobby are not required to be separated by a <i>fire separation</i> provided</p> <p>(a) the <i>floor area</i> is sprinklered with fast-response sprinklers, and</p> <p>(b) <i>smoke detectors</i> are installed in the adjacent rooms.</p>
24	<p>Rooms Opening into an Exit Sentences 3.4.4.4.(7) and (8) (Part 3, Division B); 9.9.5.9.(1) (Part 9, Division B)</p> <p><i>Service rooms</i> and ancillary rooms are not permitted to open directly into an <i>exit</i>.</p>	<p><i>Service rooms</i> and ancillary rooms may open directly into an <i>exit</i> provided</p> <p>(a) the <i>building</i> is fully sprinklered,</p> <p>(b) the room is sprinklered with fast-response sprinklers,</p> <p>(c) the door assembly has a <i>fire-protection rating</i> of at least 20 min.,</p> <p>(d) the <i>building</i> does not exceed 3 <i>storeys</i> in <i>building height</i>, and</p> <p>(e) weather-stripping is installed on the door to prevent the passage of smoke.</p>
25	<p>Illumination of Exit Signs Sentences 3.4.5.1.(3) (Part 3, Division B); 9.9.11.3(3) and (4) (Part 9, Division B)</p> <p>Exit signs are required to be illuminated continuously while the <i>building</i> is occupied.</p>	<p>In provincial or municipal designated <i>heritage buildings</i> where <i>exit</i> signage may compromise historic appearances or authenticity of displays, <i>exit</i> signs may be installed to light only in an emergency condition, such as by the fire alarm system or because of power failure.</p>
26	<p>Clearance from Exit Doors Sentence 3.4.6.11.(1) (Part 3, Division B); Article 9.9.6.6. (Part 9, Division B)</p> <p>Stair risers shall not be closer than 300 mm from an <i>exit</i> door.</p>	<p>Except as permitted in Sentences 3.4.6.11.(3) or 9.9.6.6.(2), existing <i>exit</i> doors shall not extend beyond the first riser.</p>

27	<p>Fire Escapes Subsection 3.4.7. (Part 3, Division B); Article 9.9.2.1. (Part 9, Division B)</p> <p>Fire escapes are required to conform to Article 3.4.7. (Part 3, Division B).</p>	<p>Existing fire escapes that do not completely conform to Subsection 3.4.7. are acceptable provided</p> <p>(a) they are acceptable to the <i>authority having jurisdiction</i> and</p> <p>(b) the <i>building</i> is fully sprinklered.</p>
28	<p>Fire Escape Construction Articles 3.4.7.2. (Part 3, Division B); 9.9.2.1. (Part 9, Division B).</p>	<p>Existing <i>combustible</i> fire escapes are permitted if the <i>building</i> is permitted to be of <i>combustible construction</i> by Part 3 (Part 3, Division B), Part 9 (Part 9, Division B) or by these Compliance Tables.</p>
29	<p>Protection of Fire Escapes Articles 3.4.7.4. (Part 3, Division B); 9.9.2.1. (Part 9, Division B)</p> <p>Openings in the exterior wall adjacent to the fire escape are required to be protected by <i>closures</i>.</p>	<p>Existing openings in the exterior wall adjacent to the fire escape are not required to be protected by <i>closures</i> provided</p> <p>(a) the <i>building</i> is fully sprinklered, and</p> <p>(b) a sprinkler head is located within 1.5 m of the opening required to be protected by Article 3.4.7.4. (Part 3, Division B)</p>
30	<p>Vertical Service Space Article 3.6.3.1. (Part 3, Division B)</p> <p><i>Vertical service spaces</i> are required to be separated from the adjacent floor area by a rated <i>fire separation</i>.</p>	<p>Existing <i>vertical service spaces</i> that do not completely conform to the rated <i>fire separation</i> requirements are acceptable provided the <i>building</i> is fully sprinklered.</p>
31	<p>Height and Area of Rooms Subsection 3.7.1. (Part 3, Division B); Section 9.5. (Part 9, Division B)</p> <p>The height and area of rooms are required to comply with minimum dimension requirements.</p>	<p>Existing rooms are not required to comply with the minimum dimension requirements of Subsection 3.7.1. (Part 3, Division B) or Section 9.5. (Part 9, Division B).</p>
32	<p>Window Areas Article 9.9.10.1. (Part 9, Division B)</p> <p>Windows in dwelling units are required to comply with minimum dimensions.</p>	<p>Existing windows are not required to comply with the minimum dimensions of Article 9.9.10.1. (Part 9, Division B).</p>

33	<p>Washrooms Required to be Barrier-Free 3.8.2.3.(1) NSBCR Except as permitted by Sentence (2), a washroom in a storey to which a barrier-free path of travel is required in accordance with Article 3.8.2.1., shall be barrier-free in accordance with the appropriate requirements in Articles 3.8.3.8. to 3.8.3.13. NSBCR</p>	<p>Except in Assembly occupancies and Group D Business and personal services occupancies intended to offer medical or therapeutic services, a barrier-free washroom need not be provided in an existing <i>building</i> with a <i>building area</i> less than 120 m<sup>2</sup>.</p>
34	<p>Entrances Sentence 3.8.2.2.(1) NSBCR In addition to the barrier-free entrances required by Sentence (2), not less than 50% of the pedestrian entrances of a <i>building</i> referred to in Sentence 3.8.2.2.(1) shall be <i>barrier-free</i> and shall lead from (a) the outdoors at sidewalk level, or (b) a ramp that conforms to Subsection 3.8.3. and leads from a sidewalk.</p>	<p>Where an existing <i>building</i> has (a) a <i>building area</i> less than 120 m<sup>2</sup>, (1292 sq. ft.), and (b) a slope from the entrance level floor at the entrance door to a street or public way greater than 1 in 10, and (c) no entrance more than 1 m to the property line, and (d) no possible alternate access to an entrance from a street or public way, (See Appendix Note No. 34) the owner may use a stair with (a) a maximum rise of 150 mm (6"), (b) a minimum run of 280 mm (11"), (c) tactile landings, (d) contrasting colour nosings, and (e) an unobstructed width of 1 m.</p>
35	<p>Mechanical Systems Part 6 and Part 7.</p>	<p>Existing mechanical systems in <i>buildings</i> are not required to fully comply to the requirements of Parts 6 or 7 provided (a) it is not an <i>unsafe condition</i> and (b) it is acceptable to <i>the authority having jurisdiction</i>.</p>

## **Appendix A**

### **Explanatory Material for the Nova Scotia Building Code Regulations**

This Appendix is included for explanatory purposes only and does not form part of the requirements. The bold-face reference numbers that introduce each item refer to the requirement in the Code.

Appendix notes which are contained in these regulations are noted as (See Appendix A-3.8.3.9., NSBCR).

Throughout the regulation, Notes which are contained in the NBC are noted as (See Note A-3.8.3.8., NBC).

Notes contained in the NBC edition apply to the Nova Scotia Building Code Regulation unless specifically deleted or replaced by this regulation.

**A-1.2.1.2.(1)(l) and (j) Modular and Manufactured Homes**

Compliance with Nova Scotia Regulations the CSA A277 label or the Z240 label and the Specification Name Plate, are evidence that a product is manufactured to the requirements of the Nova Scotia Building Code.

The A277 and Z240 labels provide the date of manufacture. Where the date of manufacture is after December 31, 2009, the manufactured unit complies with all of the Nova Scotia requirements including energy efficiency measures. The Specification Name Plate for Z240 products must indicate Nova Scotia as the Province of Destination or, for units manufactured after December 31, 2009 specify that the unit complies with the energy requirements of the Nova Scotia Building Code.

The requirement for energy efficiency is not retroactive. All existing product bearing a CSA label produced prior to January 1, 2010 remain acceptable in Nova Scotia provided they have not been structurally altered. Foundations must comply with the Code in force on the date when an Application for a building permit is made.

**Exceptions**

Exemptions from requirements of the Building Code Regulation do not extend to on-site preparations (foundations, basements, anchorage), interconnection of modules, connection to services or installation of appliances which shall meet the requirements of CSA Z240 MH Series or the National Building Code.

**A-1.2.1.3. Home Based Business Exemptions**

The intention is to ensure that the dwelling unit is used as a residential unit rather than other occupancies with subsidiary sleeping areas. The appropriate uses for home based businesses, signage, parking and other non-Building Code requirements should be set out in the Land-Use Bylaw.

Where a home based business in a dwelling unit exceeds the limits set out in Sentence 1.2.1.3.(1) of the regulation, it may be permitted, however there is no exemption from it being a separate major occupancy.

Sentence 1.2.1.3.(2) is applicable to dwelling units regulated under Part 3, while Sentence 1.2.1.3.(5) is applicable to dwelling units regulated under Part 9. Sentence 1.2.1.3.(4) of the regulation clarifies that any dwelling unit with a home based business is still considered to be a house and exempt from the barrier-free design requirements in Section 3.8. (Part 3, Division B, NBC) of the Code.

**A 1.4.1.1.(3) General**

Where an approval is not required for the installation of a new on-site sewage system, a copy of the notification form and the receipt issued by the Department of Environment would be the acceptable documentation required. Under the new regulations installation of a Pit Privy is exempt from the notification or approvals by the Department of Environment. Under the On-site Sewage Disposal Systems Standard, a pit privy is only acceptable as a stand-alone sewage system if the building has no running water supply.

**A 1.4.1.5. Dimensional or Measurable Tolerances**

The intent of the Code is to allow a minor degree of tolerance in meeting the prescriptive requirement. This may equally apply to a dimension, quantity, or other quality of a product or system by determining the size, amount, or degree of (something) by comparison with a standard unit.

**A-1.4.1.12. Temporary Building or Occupancy**

This Article allows the erection of a temporary building, or a temporary change of occupancy classification for a short-term use of an existing building which may not fully comply with all requirements of the Building Code. However, any matter of life safety must be adequately addressed.

**A-2.1.1.11.(1) and (2) Notification for Field Review and Certification of Field Review of Construction**

The owner of a building being constructed under the scope of Part 9 of the Code is required to inform the authority having jurisdiction to review for compliance with the Code at each of the seven stages listed. This includes all site constructed, modular, and manufactured buildings. However, the municipality may conduct more or fewer inspections as a particular project may require.

For example, inspections made under Clauses 2.1.1.11.(1)(a) footings in place, (b) subfloor plumbing and (c) subfloor and foundation insulation, could be combined into one inspection for a single dwelling where there is no insulation required under a floor slab, and the home is on a large lot, not near a property line.

In other instances, such as a multi suite building, several inspections may be required as various stages of work are completed. In this scenario, some suites might be finished and occupied while others are still under construction.

**A-2.1.1.11.(3) Notification for Field Review and Certification of Field Review of Construction**

The owner of a building being constructed outside the scope of Part 9 of the Code is required to request the authority having jurisdiction to review for compliance with the Code at times agreed to by the authority having jurisdiction. The timing of these inspections should be established to assure review of construction for compliance to the Code.

**A-3.1.1.4. Referenced Standards Designated under the following Acts and Regulations of the Province of Nova Scotia**

Standards are sometimes adopted under more than one Act or Regulation. To provide consistency in the adoption of standards, the Nova Scotia Building Code recognizes the editions as adopted by those Acts and Regulations.

Code users are advised that they should confirm which edition of a standard is in use under the following provincial acts and/or regulations:

- (a) *Technical Safety Act* and Section 4 (boiler and pressure equipment standards) and Section 6 (fuel safety standards) of the *Technical Safety Standards Regulations*,

- (b) *Elevators and Lifts Act and Elevators and Lifts General Regulations, or as that Act and regulation are replaced by the Technical Safety Act and Technical Safety Standards Regulations,*
- (c) *Electrical Installation and Inspection Act and Electrical Code Regulations, or as that Act and regulation are replaced by the Technical Safety Act and Technical Safety Standards Regulations.*

The regulations made under these Acts shall be enforced in Nova Scotia and may vary from those adopted under the National Model Codes for Building, Fire, and Energy.

**A-3.4.6.16.(4)(f) Door Release Hardware, in Provincially Licensed Group B, Division 2 or 3 Occupancies, for Exit Doors and Doors in a Means of Egress.**

Provincially licensed facilities with an occupancy classified Group B, Division 2 or Division 3 may conform to either Clause 3.4.6.16.(f)(i) [a mechanism that delays the door from opening for a period of up to 15 seconds] or Clause 3.4.6.16.(f).(ii) [a blue pull station that opens the door on activation] when, at the time an application is made for a building permit, the applicant provides written confirmation from the Province of Nova Scotia that the specific facility is to be licensed, prior to occupancy.

Installation of a manual blue pull station under Clause 3.4.6.16.(4)(f)(ii). must comply with requirements of CAN/ULC-S319-05 “Electronic Access Control Systems.” Once either system, the 15 sec delay or pull station, is activated the door shall remain unlocked until such time as the release device has been manually reset. This standard assures that such devices will not interfere with the release by activation of a manual operated switch required by Clause 3.4.6.16.(4)(d) or of the fire alarm system.

**Proximity device swipe readers and other locking device controls**

The Code is silent on the use of additional control mechanisms. In provincially licensed facilities with an occupancy classified Group B, Division 2 or Division 3, where such devices may be added, the preferred device is a proximity device swipe reader installed near each door so equipped. Each door must still conform to the requirements of Clause 3.4.6.16.(4)(f) and be equipped with either a 15 second release mechanism or a manual blue pull station.

A proximity device [card or key fob] would normally be issued to staff and clients to allow passage through all doors leading to exits and through exits themselves. Clients with cognitive incapacities would not be issued the device. The device need only be swiped in the general area of the reader device. Other devices such as a card reader may require a card to be swiped through a reader which may be difficult for clients with limited motor skills, or hand eye coordination, etc. These and other types of electronic release activation systems (pressure pads, numeric or alphabetic systems) are not to be permitted in new installations, but where already in use, may be accepted as part of an alternative compliance solution acceptable to the provincial licensing authority.

All locks and mechanisms will release when a fire alarm is activated, if there is a power failure, or by actuation of a manually operated switch readily accessible only to authorized personnel.

### **Local signals**

Building owners may also wish to equip these doors so that a localized signal is activated within the building or a portion of the building, to notify them that a door has been unlocked. Such signals should sufficiently differ from the sound and temporal pattern of a fire alarm so as to not confuse occupants.

#### **A-3.8.1. Barrier-Free Design General**

Barrier-free requirements, with few exceptions, apply to all buildings. The revised version, for example, continues to exempt a few occupancies such as houses and small residential buildings, not more than 3 units as it has in the past.

#### **A-3.8.2.1.(1)(f) Emergency Facilities Exempt**

The exemption is intended to include sleeping quarters and associated kitchen and washroom facilities, but does not extend to assembly occupancies, administration or call-centre type operations within fire, rescue, or emergency response facilities.

#### **A-3.8.2.1.(6) Residential Suites required to be barrier-free.**

Where there are more than 3 residential suites in a building, 1 suite for every 20 suites, or part thereof, must conform to the requirements of Article 3.8.3.23. Suites of Residential Occupancies required to be Barrier-Free. As an alternative to this requirement, it is permitted to build all units in conformance with Subsection 3.8.4., Adaptable Housing Requirements.

Where there are 3 residential suites or less in a building, there is no requirement to have one unit conform to Subsection 3.8.3.23., Suites of Residential Occupancy, however all units are required to conform to Subsection 3.8.4., Adaptable Housing Requirements, regardless of their location in the building.

**A-3.8.2.3. Barrier-free Path of Travel** In the previous versions Article 3.8.2.2. Barrier-Free Path of Travel included an extensive list where the path was required, however it was not all inclusive, and lead to inconsistent application of the requirement. The intent of the Code is now emphasized to require the barrier-free path of travel everywhere, with some few exceptions which are listed. For general guidance readers may refer to the NBC but are cautioned that Nova Scotia applies these concepts for employees as well as the general public. For example, the NBC comments that small raised office areas are not required to be barrier-free in retail and industrial premises. In Nova Scotia, the view is this would only be allowed if there was a fully accessible office as well as a raised office to serve the same function.

#### **A-3.8.2.3.(1)(c) Passenger-elevating Device**

A passenger-elevating device must conform to those devices as defined in the CSA Standard B355, "Lifts for Persons with Physical Disabilities"

#### **A-3.8.2.8. Washrooms Required to be Barrier-Free**

A universal toilet room may be substituted for a barrier-free water a closet stall in new construction as well as where alterations are being made to an existing building. There

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should be no fewer water closets in total in a building, as a result of the substitution, except as permitted by Article 3.7.2.2. Water Closet in the NBC.

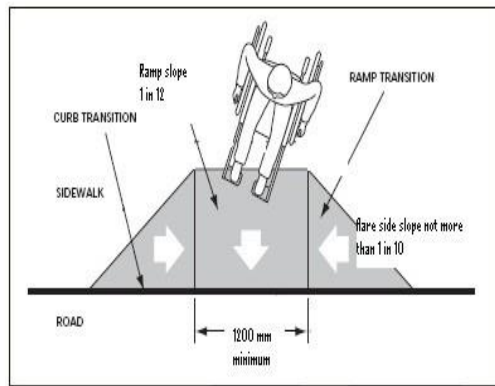
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**A-3.8.3.1.(1) Design Standards**

Where the CSA B651 standard is utilized and additional items are installed that are not specifically required by the Building Code, those items are required to be installed in accordance with the appropriate provisions of the CSA B651, “Accessible Design for the Built Environment”. For example, medicine cabinets are not required to be provided, but if they are installed, they shall conform to the requirements of the standard.

**A-3.8.3.4. Curb Ramp**

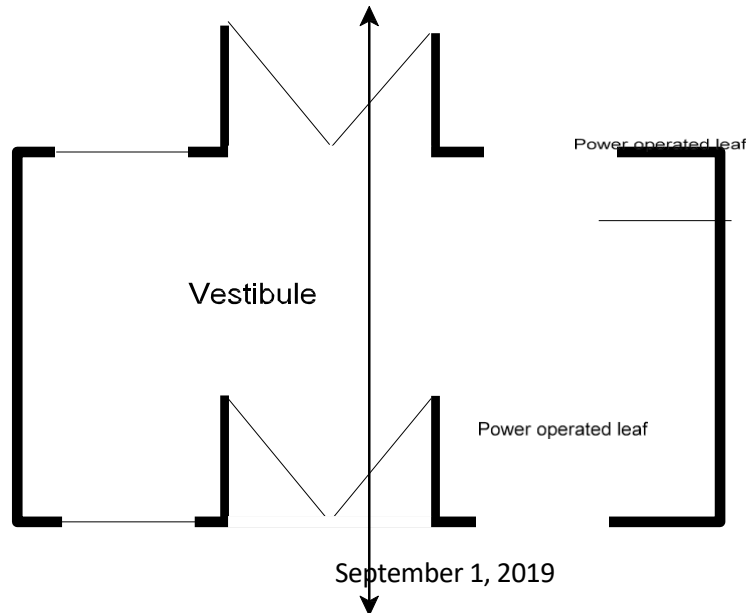
Curb ramps commonly referred to as curb cut. Curb ramps are required where there are curbs in the path of travel, typically from a passenger loading zone or designated parking area to a building.



Curb ramps shall have a minimum width of not less 1 200 mm in areas measured across the ramp. The sides of the curb ramp shall be flared. The gradients of the curb ramp shall be 1 in 12 and the flared sides shall be not more than 1 in 10. Curb ramps should have a surface that is slip-resistant, and colour and texture contrasted with the adjacent surfaces.

**A-3.8.3.6.(16) Power Door Operators in Vestibules**

Where a power door operator is required at least one leaf in each set of doors in the barrier-free path of travel through a vestibule shall meet the requirements.



**A-3.8.3.13. Water Closets and A-3.8.3.14. Urinals**

Articles 3.8.3.13 and 3.8.3.14. establish the height of a water closet and rim of a urinal based on average adult user's heights. This allows for various circumstances depending on the age or infirmity of the intended occupants.

However, there are circumstances where facilities are designed specifically for the use of small children or persons with particular infirmities. These include day cares, elementary schools, group homes, homes for special care, residential care facilities, etc. Designers and code authorities should exhibit good judgement and be reasonable in allowing some variance depending on the needs of the intended users.

The height of a water closet, primarily intended to serve young children might be reduced to a minimum of 380 mm, and conversely for an adult person with disabilities a height of not more than 460 mm.

For a urinal intended to primarily serve small children a minimum rim height of not more than 330 mm may be reasonable.

**A-3.8.3.20.(4)(d) Provision of TTY Phones**

Cell phone with text messaging capabilities satisfies this requirement.

**A-3.8.4.3. Interior Doors and Corridors in Dwelling Units**

This provision is intended to ensure that a person in a wheelchair could get into all habitable rooms and service rooms within the dwelling unit. Doors for spaces such as storage rooms, crawl spaces, attics and reach-in closets that would not normally be entered would not be required to meet this requirement.

**A-3.8.4.5. Bathrooms in Dwelling Units**

This provision is intended to ensure there is adequate backing for the installation of grab bars in the future by the occupants of the dwelling unit. Plywood, waferboard, particleboard, or solid lumber behind the wall finish and encompassing the location of the future grab bars would provide suitable backing for the grab bar anchors.

**A-3.8.4.6. Duplex Receptacles, Switches and Controls**

Controls with different shapes can help identify different functions, for example an up arrow might increase the temperature setting, and a down arrow might decrease the temperature setting on a thermostat. Electronic controls may help facilitate the use by a wider range of persons. Proprietary electrical receptacles are receptacles for dedicated use such as a garage door opener, washer, dryer, refrigerator, kitchen range, sump pump, task lighting, wall clock or similar dedicated uses.

R<sub>2</sub>

**A-3.8.4.6.(1) Operating Controls**R<sub>2</sub>

Adjustable shower heads are those shower heads regulated by Article 3.8.3.16. of this Code.

Activation devices include push buttons to operate devices such as a card reader to unlock a door, a garage door opener or a push button on an intercom or doorbell.

**A-3.8.4.6.(5) Electrical Receptacles**R<sub>2</sub>

Where the general use electrical receptacles are required by the Canadian Electrical Code to be in a wall and the electrical authority having jurisdiction permits them in a location such as a floor, this provision is waived. Where additional electrical receptacles beyond those that are required by the Canadian Electrical Code are installed, the provision in Sentence (5) is not applicable.

**A - No. 34 Schedule "D" ALTERNATE COMPLIANCE METHODS FOR EXISTING Buildings**

The Code requires 50 per cent of all public entrances to have barrier-free access. Typically, small buildings may only have 1 or 2 entrances. Public way means a sidewalk, street, highway, square, or other open space to which the public has access, as of right or by invitation, expressed or implied. Street means any highway, road, boulevard, square or other improved thoroughfare 9 m or more in width, which has been dedicated or deeded for public use, and is accessible to fire department vehicles and equipment. The intent is to allow the use of a stair conforming to the alternate requirement for an existing building where no ramped or lift access is possible either at the front door or another door into the building. This would occur most frequently where a building sits on the lot line at the sidewalk, and there is no other door accessible from the public way.

The acceptance of an alternative barrier-free path of travel to the entrance does not relieve any other barrier-free requirement provisions of the Code. It is anticipated that even if the only access is by a stair, in compliance with the alternate compliance measure, the balance of the premises shall comply.

**A-9.36.1.3.(1) Energy Efficient Design Compliance and Application**

There are three potential paths to follow to achieve compliance with the energy conservation requirements of Section 9.36. NBC. These are a

- prescriptive or trade-off solution, which is achieved by meeting the requirements found in Subsections 9.36.2. to 9.36.4. inclusive;
- computer modelled performance solutions as described in Subsection 9.36.5. or
- compliance with the NECB which also offers, prescriptive simple or detailed trade off and performance paths for compliance.

Performance paths, described in Clause 9.36.1.3.(1)(b) are achieved by conforming to existing protocols and supported by such documentation as required by the authority having jurisdiction, such as

- (i) the "EnerGuide<sup>1</sup> Rating System: Administrative Procedures (New Homes), January 2010" and its accompanying technical document the "EnerGuide Rating System: Energy Advisor Manual, January 2010", and achieve a design rating of not

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<sup>1</sup> EnerGuide is an official mark of Natural Resources Canada  
September 1, 2019

less than 80,  
 (ii) NRCan “R-2000™ Standard” (2005), or  
 (iii) other performance paths which conform to “Specifications for Calculation Procedures for Demonstrating Compliance to the Model Energy Code for Houses Using Trade-offs,” published by the Canadian Commission on Building and Fire Codes that will achieve at least the minimum level of performance required by Section 9.36.

Subsection 9.36.5. allows builders to choose a one of three design performance protocols. These are the EnerGuide Rating System, a licensed program of Natural Resources Canada and R2000TM, or a performance path that meets the requirements the "Specifications for Calculation Procedures for Demonstrating Compliance to the Model Energy Code for Houses Using Trade-offs", a publication of the CCBFC.

The first two options are programs that are currently delivered in Nova Scotia by private independent third parties under license to Natural Resources Canada.

There are additional performance programs available such as LEED for Houses. An owner or builder may choose to submit their designs for analysis. The service provider can then provide a design rating or label on the dwelling unit related to its energy use.

Once the home is built verification is made by the third-party agency and the home receives a rating or label.

Using the alternative compliance path of the Code,

- (1) a project that achieves a rating of not less than 80 under the EnerGuide Rating System,
- (2) a project that achieves a designation as an R2000 home, or
- (3) a project under a performance program such as “LEED for New Homes” that is acceptable to the authority having jurisdiction may be deemed to have meet the requirements for energy conservation of the Nova Scotia Building Code.

#### **Additional Conversion Factors for use with Section 9.36. NBC or the NECB**

<b>To Convert</b>	<b>To</b>	<b>Multiply by</b>	<b>Notes</b>
°C	°F	1.8 and add 32	
m <sup>2</sup> ·°C/W (R SI)	h·ft <sup>2</sup> ·°F/Btu (R)	5.678	
W	Btu/h	3.413	
W/m <sup>2</sup>	Btu/h·ft <sup>2</sup>	0.317	
W/m <sup>2</sup> ·°C	Btu/h·ft <sup>2</sup> ·°F	0.17612	U value
W/m·°C (per metre thickness)	Btu·ft/h·ft <sup>2</sup> ·°F or	0.5777	Conductivity (per foot)
	Btu·in/h·ft <sup>2</sup> ·°F	6.9444	Conductivity (per inch)
W/L	Btu/h·U S gal	12.916	
R	R S I	0.1761	
<b>Conversions for Window Ratings</b>			
<b>To Convert</b>	<b>To</b>	<b>Formula</b>	<b>Notes</b>
ER	RSI	20 / ( 57 - R )	
U value	RSI	1/U	Thermal transmittance to

			Thermal resistance
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#### **A-9.38.2.1.(4) Insulation requirements for recreational cabins**

Recreational cabins would be considered a non-heating season or intermittently occupied building as per Sentence 9.36.1.3.(6) of the NSBCR. Therefore, Section 9.36. would not be applicable to a recreational cabin when insulation is installed. When insulated, the requirements of Section 9.25. would be applicable.

R<sub>1</sub>

#### **A-9.38.2.2.(2) Foundations**

Where a 190 mm x 190 mm x 390 mm (nominal 8"x8"x16") hollow concrete block is used to construct a foundation for a recreational cabin, the maximum height would be calculated as follows:

Least dimension of the block is 190 mm.

Hollow block alone:  $4 \times 190 \text{ mm} = 760 \text{ mm}$

Hollow block with voids filled with concrete  $10 \times 190 \text{ mm} = 1900 \text{ mm}$  (must be reduced to 1.2 m or 1200 mm maximum)

R<sub>1</sub>

#### **Appendix Notes on energy efficiency in all Schedules "A"**

As a result of adoption of the NECB and Section 9.36. amendments to the NBC the preamble of each Schedule "A" has been amended to add that in addition to having responsibility for compliance with the National Building Code of Canada, professional designers are also responsible for compliance with the National Energy Code of Canada for Buildings and Section 9.36. Energy Efficiency for Houses and Small Buildings of the National Building Code, where applicable.

In some instances, there may be overlapping responsibilities which must be coordinated by the Prime Consultant. The Prime Consultant should assign one of the consultants to be responsible, or the Prime Consultant is to assume that responsibility, in which case they must be a design professional.

A new Letter is listed as a Schedule A-10 to the regulation. As with all the Letters of Undertaking the letters may not be altered in their form or content. Any modification makes a letter null and void in law, and therefore cannot be accepted by the authority having jurisdiction.

#### **Schedule "A-1" Field Review of Construction Commitment Certificate - Prime Consultant**

Coordination of the design documents is the responsibility of the Prime Consultant. In most cases this would be the building designer, who may be an Architect, Professional Engineer or Interior Designer acting within their scope of their practice. However, the Prime Consultant may not necessarily be a design professional and in this case, there are obligations of the Prime Consultant to assure there are appropriate design professionals engaged to address the subsequent Letters of Undertaking and responsibilities.

Where the size and complexity of the design has been identified, additional areas of review shall be conducted as deemed appropriate in consultation with the authority

having jurisdiction.

There are four means to demonstrate compliance to the National Energy Code of Canada for Buildings. (See Division A, Section 1.2. Compliance and Division B Subsection 1.1.2. Compliance)

**Prescriptive** The prescriptive path may be addressed in the building and systems design and specification.

**Simple Trade-off** The simple trade-off [within a design element] may be addressed in the building and systems design and specification.

**Detailed Trade-off** The detailed trade-offs path requires extensive detailed performance calculations and would normally entail a CANQUEST software run to demonstrate compliance.

**Performance** The performance path will require the filing of the design compliance record generated by the CANQUEST software and a summary check list both of which are available from Natural Resources Canada.

[See website <https://www.nrcan.gc.ca/energy/efficiency/energy-efficiency-buildings/energy-management-resources-buildings/energy-management-software-new-buildings/20701>]

R<sub>2</sub>

Depending on which of the four compliance paths selected, the Prime Consultant and/or individual consultants may assume responsibility for their area of expertise.

It is anticipated that for most large buildings the performance path would be used as this allow substantive flexibility in the building design to meet the requirements of the NECB. Where that is the case the consultants engaged to conduct the CANQUEST software analysis or the consultant who employs a technician to run such software will be expected to file Schedule "A-10" Field Review of Construction Commitment Certificate Resource Conservation Measures - Energy

**Schedule "A-2" Field Review of Construction Commitment Certificate Building Design Requirements** includes demonstrating compliance to the prescriptive, or trade-off paths of the NECB or as required by Section 9.36. of the Nova Scotia Building Code. The designer may be responsible for energy efficiency of roofing and wall cladding systems; thermal insulation systems, including condensation control and cavity ventilation; the exterior glazing; integration of building envelope components; the environmental separation requirements (Part 5) Building Envelope; and the thermal design of opaque assemblies; thermal design of fenestration, doors and skylights; and air-tightness.

**Schedule "A-4" Field Review of Construction Commitment Certificate Mechanical Design Requirements** includes demonstrating compliance to the prescriptive, or trade-off paths of the NECB or as required by Section 9.36. of the Nova Scotia Building Code for Mechanical Systems, and the Efficiency of heating equipment; the Efficiency of ventilation equipment; the Efficiency of air conditioning equipment; and Efficiency of service water heating.

**Schedule "A-5" Field Review of Construction Commitment Certificate Electrical Design Requirements** includes demonstrating compliance to the prescriptive, or trade-off paths, of the NECB or as required by Section 9.36. of the Nova Scotia Building Code for Electrical

Systems; the efficiency of interior and exterior lighting; and the efficiency of electric power systems and motors.

### **Schedule "A-10" Field Review of Construction Commitment Certificate Resource Conservation Measures - Energy**

The A-10 itself is not a compliance document but may be used to assure competency of the designer to have used software acceptable to demonstrate the design's compliance using performance software such as CAN-QUEST.

Design compliance and Field Review of Construction may be demonstrated using prescriptive, simple or detailed trade-off paths, or the performance path of the NECB or as required by Section 9.36. of the Nova Scotia Building Code.

A technician performing a CANQUEST performance review may not necessarily be a professional; however, the A-10 must be signed by an architect, or professional engineer taking responsibility for the overall building design. This normally would be the Prime Consultant.

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There are now checkboxes to allow for individual consultants to sign off on their area of work on the project. This will allow for the architect to sign off on the building envelope and an electrical engineer to sign off on the electrical design etc.

The Schedule "A-10" Field Review of Construction Commitment Certificate Resource Conservation Measures – Energy may not be used as proof of compliance for any of the prescriptive paths detailed in the NECB or Section 9.36. if it is the option chosen.

### **The performance path in the NECB**

Performance compliance paths may be deemed to have met by submission of CANQUEST report generated by the software and the check list. The professional designer is deemed to be responsible for the thermal design of opaque assemblies; the thermal design of fenestration, doors and skylights; the efficiency for airtightness; the efficiency of interior and exterior lighting; efficiency of heating equipment; efficiency of ventilation equipment; efficiency of air conditioning equipment; the efficiency of service water heating; and the efficiency of electric power systems and motors.

### **Schedule "A-11" Certification of Field Review of Construction**

An agreed upon schedule of review made prior to the building permit being issued is highly recommended on all projects. Where the project is deemed to be complex an agreed upon schedule of review made in consultation with the authority having jurisdiction is mandatory.

### **Refuse to accept "A-11" Certification of Field Review of Construction**

An authority having jurisdiction may refuse to accept the "Schedule A-11" unless the designers can demonstrate to the authority having jurisdiction that they have regularly reviewed the construction in progress based on the complexity of the design and specification submitted for the building permit and determined by the level of complexity of the work in accordance with the respective obligations of their design professional associations. [Schedule "A-1" Field Review of Construction Commitment Certificate Prime Consultant]

**Certification of Field Review**

The Certification of Field Review is signed by each design professional who has been involved during the design and construction of a building.

**Change in Design Professional**

Should a design professional change during the design and construction process, the owner and design professional who has ceased to be engaged by the owner, and the new design professional are jointly and severally responsible to notify the authority having jurisdiction of such a change within 72 hours of any change.

Failure to notify the authority having jurisdiction of such a change may result in a complaint being filed with the designer's professional association and may delay processing of an occupancy permit.