Building Advisory B23-016
November 19, 2026

Subject: Spatial Separation for Walls Facing Undeveloped Property

Background:

The National Building Code - Alberta Edition (NBC [AE]) includes provisions for spatial separation between buildings. Spatial separation is the requirement that controls the construction of an exterior wall, its fire-resistance rating, the materials used, along with the location and area of windows or other openings in that wall. The purpose of spatial separation is to limit the probability of fire spreading from one building to another.

The NBC (AE) regulates spatial separation by using the distance from a building face to a property line as the primary controlling dimension. The NBC (AE) has more stringent construction requirements for buildings with a lesser distance to a property line. This approach treats buildings independently, without directly considering the characteristics of buildings located on a neighbouring property since this would result in situations where the design and construction of a building on one property affects the design and construction of a building on an adjacent property.

It is a misconception to assume that spatial separation for a new building or addition adjacent to vacant land, a park, green space, or property with right of way can be determined beyond the property line which separates the two parcels of land. This misconception is based on no building being present on the adjacent property and is typically done to increase the area of windows in the exterior wall facing the adjacent undeveloped property. As noted above, this is not how spatial separation is regulated. Vacant land can be developed. Parks and green spaces do not always have permanent development protection and can be repurposed for other uses and construction. Rights-of-way can legally be removed or amended to allow future construction.

Advisory:

As stated in Sentence 1.2.1.1.(1). of Division A of the NBC (AE), compliance with this Code shall be achieved by either of the following methods:

a) Complying with the applicable acceptable solutions in Division B or

b) Using alternative solutions that will achieve at least the minimum level of performance required by Division B in the areas defined by the objectives and functional statements attributed to the applicable acceptable solutions. In the case of the articles mentioned below, the attributing objective statement is: *OP3.1 - fire or explosion impacting areas beyond the building or facility of origin*.

Based on the size and occupancy classification of a building, the maximum area of windows or other openings is regulated under Articles 3.2.3.1., 9.10.14.4. and 9.10.15.4. in Division B of the NBC (AE) and will be determined based on the limiting distance from an exposing building face to a property line, the centre line of a street, lane or public thoroughfare measured at right angles to the exposing building face. Limiting the area of the window to those prescribed in the code would be considered an acceptable solution.

Depending on the article applicable to the building, other compliance methods that may be considered acceptable solutions include, but are not limited to:

1. A fire shutter activated by a fusible link located within the interior of the building is installed to the opening as a closure, provided that the window or door being protected is not designated as an egress window or door.

2. Engineered glass, glass block or other similar materials that comply with a specific standard.

3. An automatic sprinkler system installed throughout the building which is designed, constructed, and tested in conformance to the relevant NFPA standard for the building and Article 3.2.5.12. of the NBC (AE).

4. Sprinkler-protected glazing installed in accordance with STANDATA Variance 23-BCV-004 "Sprinkler-protected glazing in fire-resistant wall assemblies" and NFPA 13, "Standard for the Installation of Sprinkler Systems".

In addition to the above noted acceptable solutions, an alternative solution which is commonly proposed by applicants includes:

5. An automatic specialized sprinkler system in the form of a water curtain or deluge system which includes closely spaced sprinklers, installed in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems.

For Point 5, or any other alternative solution proposed, an application for Alternative Solution must be submitted as part of the building permit application which provides evidence as to how the proposed variance will achieve an equivalent or greater safety performance than the acceptable solution of Division B. In all instances, the applicant will have to satisfy the documentation requirements as stated in Article 2.3.1.1. of Division C of the NBC (AE) and provide a rationale as to how all points listed under the Reason for Variance within Guide to Applying for an Alternative Solution are being addressed and how the alternative proposals will achieve the objectives of the code. Professional involvement must be included as part of the Alternative Solution submission.

Furthermore, Appendix Note A-3.2.3. of the NBC (AE) provides the following:

> ***A-3.2.3. Fire Protection Related to Limiting Distance versus Separation Between Buildings.*** *The authority having jurisdiction may also address limiting distances through legal agreements with the parties involved that stipulate that the limiting distance be measured to a line that is not the property line. Such agreements would normally be registered with the titles of both properties.*

To proceed pursuant to the above, an applicant must obtain permission in the form of a Restrictive Covenant from the adjacent landowner. Any legal agreement in this context must be registerable against the subject lands.

If the adjacent land is City owned, the applicant is required to contact the City's Real Estate and Development Services (RE&DS) to obtain the necessary permissions. If the adjacent land is privately owned, the applicant is required to communicate directly with the adjacent landowner to obtain the necessary permissions.

In either case, the applicant will provide the executed Restrictive Covenant to the Safety Codes Officer through a building permit submission for review and approval. Following acceptance of the Restrictive Covenant, the applicant will then submit the Restrictive Covenant to Land Titles for registration. The relevant building permit will not be released until proof of registration of the said Restrictive Covenant against the impacted lands is provided to the City, unless otherwise agreed to by the Safety Codes Officer. **A Safety Codes Officer does not negotiate or otherwise assist with the execution of a Restrictive Covenant in this context.**

This interpretation was accepted by the Codes and Standards Technical Interpretation Committee (CSTIC – November 19, 2026).

Codes and Standards Technical Interpretation Committee
Development, Business and Building Services
The City of Calgary

This Advisory is issued by The City of Calgary. Advisories have no legal status and cannot be used as an official interpretation of the various bylaws, codes, and regulations currently in effect. The City of Calgary accepts no responsibility to persons relying solely on this information.