



## Advisory

March 5, 2020

### Subject:

Application of the Building Code Regulation for Multi-Building Projects in Transition from 2014 ABC to NBC 2019(AE)

### Background:

Calgary Building Services is working towards the implementation of the National Building Code – 2019 Alberta Edition (2019 ABC) and National Energy Code for Buildings 2017 (2017 NECB) in accordance with Alberta Regulation 31/2015 Building Code Regulation, the Notice from Alberta Municipal Affairs (AMA) dated May 2019 and subsequent communications with the Director, Standards Development & Fire Commissioner, Technical & Corporate Services, Alberta Municipal Affairs. The AMA Notice provided for a transition period from the introduction of the regulation on April 1, 2019 to the full implementation of the 2019 ABC and 2017 NECB on December 1, 2019. As of December 1, 2019 any projects for which a building permit is applied for are to comply with the 2019 ABC and 2017 NECB.

Calgary Building Services recognizes that some multi-building projects may have been caught in the transition while in the design stage prior to a building permit being obtained, or may have been specifically designed to the previous building code or energy code edition to provide consistency within an existing project which is being added to or still under construction under the 2014 ABC and 2011 NECB. The AMA Notice provides some exceptions to application of code edition and makes specific reference to a municipality being able to administer the permit system as per the municipality's policies and in a manner that permits flexibility. As per the Notice:

- "Municipal Affairs recognizes that municipalities require flexibility to appropriately manage the transition period for the administration of new code requirements."
- "Under the Safety Codes Act, municipalities have the authority to carry out their powers and duties as an accredited municipality including the administration of their permit system."

### Advisory:

Calgary Building Services has, as policy in the past, used the date of Development Permit (DP) application as an indication of when the drawing process for the multi-building project had progressed to the point of being a viable entity for permission to develop the project. This assures the Safety Codes Officer that the preparation of the plans and specifications did begin prior to the new code coming into effect. A time period of 6 months prior to the end of the transition period has been utilized in past code transitions. To maintain this policy and provide predictability for owners and designers and apply it to the current building code adoption the following will apply for multi-building projects:

- if the DP application date for the multi-building project was on or prior to June 1, 2019 a building permit application under either the 2014 ABC/2011 NECB or 2019 ABC/2017 NECB will be accepted. At least one building permit application on a multi-building project had to have been made prior to December 1, 2019 in order to accept any further applications under the 2014 ABC/2011 NECB.
- if the DP application date for the multi-building project was after June 1, 2019 a building permit application under only the 2019 ABC and 2017 NECB will be accepted.



All building permits for buildings in a multi-building project must be applied for prior to the coming into force date of the next edition of the ABC in order for the 2014 ABC/2011 NECB to apply. This interpretation is not intended to permit acceptance of a building permit application under an edition of the ABC prior to the 2014 ABC.

Note: This interpretation is made by the Codes and Standards Technical Interpretation Committee (CSTIC), March 3, 2020.

Chief Building Official  
Calgary Building Services  
Planning & Development