

Schedule "A"

Amendment to the *Nova Scotia Building Code Regulations* 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*

- 1 (1) Clause 1.1.4.1 (2)(b) of the *Nova Scotia Building Code Regulations*, N.S. Reg. 26/2017, made by the Minister of Municipal Affairs by Order dated February 28, 2017, is repealed and the following clause substituted:
 - 1.1.4.1(2)(b) a representative appointed from among persons nominated by the Nova Scotia Accessibility Advisory Board.
- (2) Article 1.1.4.1. of the Regulation is amended by adding immediately after Sentence 1.1.4.1.(2) the following sentence:
 - 1.1.4.1.(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.
- 2 Sentence 1.3.1.3.(1) of the Regulation is amended by adding the following definitions:

“*Alternating tread device*” means a device that has a series of steps between 50 and 70 degrees from the horizontal, usually attached to a centre support rail in an alternating manner so the user does not have both feet on the same level at the same time.

“*Egress roof access window*” means a skylight or roof window.

“*Landing platform*” means a landing provided as the top step of a stairway accessing a loft.

“*Loft*” means a floor level located above the main floor and open to it on at least one side.

“*Recreational cabin*” means a *building* which meets the criteria in Sentence 9.39.1.1.(2).

“*Tiny house*” means a *dwelling unit* which is 37 m² or less in *building area*.
- 3 Sentence 1.4.1.1.(4) of the Regulation is amended by:

- (a) striking out “or” at the end of clause (b);
- (b) striking out “.” at the end of clause (c) and substituting “, or ”;
- (c) adding immediately after clause (c), the following clause:
- (d) until a fire safety plan, which the authority having jurisdiction over fire safety matters has approved, is in place for that *occupancy*.

4 Part 3 of the Regulation is amended by repealing Article 3.1.1.2..

5 Part 3 of the Regulation is amended by repealing Article 3.1.1.15. and replacing it with the following article:

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”.

6 Part 3 of the Regulation is amended by adding immediately after Article 3.1.1.18., the following article:

3.1.1.18A. 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 is 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.

7 Part 3 of the Regulation is amended by adding immediately after Article 3.1.1.26. the following article:

3.1.3.26A. Sections 9.38. and 9.39. (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 sections:

Section 9.38. Tiny Houses

9.38.1. Scope

9.38.1.1. Application

(1) This Section applies to a *tiny house* used as a single *dwelling unit*.

9.38.1.2. Construction Requirements

(2) A *tiny house* shall comply to the requirements in Part 9, Division B of the *National Building Code of Canada* and in Part 3 of the Regulation except as provided in this Section.

9.38.2. General Requirements

9.38.2.1. Ceiling Heights of Rooms or Spaces

(1) The ceiling height of rooms or spaces in a *tiny house* shall conform to Table 9.38.2.1.

Table 9.38.2.1.
Forming part of Sentence 9.38.2.1.(1)

Room or Space	Minimum Ceiling Heights
Bathrooms, toilet rooms and kitchens	1 930 mm
All other living space except <i>lofts</i>	2 030 mm
Lofts	As per Article 9.38.2.2.

9.38.2.2. Lofts

(1) A *loft* with a ceiling height of less than 2030 mm and used as a sleeping or living space shall meet the minimum area and dimension requirements of this Article.

(2) A *loft* shall have a floor area of not less than 3.25 m².

(3) A *loft* shall be not less than 1 525 mm in any horizontal dimension.

- (4) Except as provided in Sentence (5), portions of a *loft* with a sloping ceiling measuring less than 915 mm from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the *loft*.
- (5) Under finished sloped ceilings with a minimum slope of 6:12, portions of a *loft* with a sloping ceiling measuring less than 405 mm from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the *loft*.
- (6) The access to and primary egress from a *loft* shall be of any type described in Articles 9.38.2.3., 9.38.2.4., 9.38.2.5., or 9.38.2.6.
- (7) A *loft* meeting the requirements of this Article is not considered a *storey*.
- (8) Where a *loft* is used as a sleeping room, *smoke alarms* required by Subsection 9.10.19. are not required in the *loft* provided a *smoke alarm* is located within 1.5 m from the edge of the open side of the *loft*.

9.38.2.3. Stairways

- (1) A stairway accessing a *loft* shall comply with
 - (a) Section 9.8, or
 - (b) with this Article.
- (2) A stairway accessing a *loft* shall not be less than 430 mm in clear width at all points at or above the permitted handrail height.
- (3) The minimum width below the handrail shall not be less than 505 mm.
- (4) Except as provided in Sentence (5), the headroom in a stairway accessing a *loft* shall not be less than 1 880 mm when measured in accordance with Sentence 9.8.2.2.(1). (Part 9, Division B, NBC).
- (5) The headroom for a *landing platform* shall not be less than 1 370 mm.
- (6) A riser for a stair in a stairway accessing a *loft* shall be uniform and a minimum of 180 mm and a maximum of 305 mm calculated using the following formulas:

$$\text{Run} = 510 \text{ mm minus } \frac{4}{3} \text{ riser height}$$

OR

$$\text{Riser height} = 380 \text{ mm minus } \frac{3}{4} \text{ run}$$

- (7) A *landing platform* on a stairway accessing a *loft* shall measure two treads deep and two risers tall.
- (8) A handrail shall comply with Subsection 9.8.7. (Part 9, Division B, NBC).
- (9) A *guard* at open sides of stairs shall comply with Subsection 9.8.8. (Part 9, Division B, NBC).

9.38.2.4. Ladders for Lofts

- (1) A ladder accessing a *loft* shall have 305 mm minimum rung width and 255 mm to 355 mm spacing between rungs.
- (2) The rung spacing shall be uniform within 9.5 mm.
- (3) A ladder accessing a *loft* shall be capable of supporting a 890 N load on any rung.
- (4) A ladder accessing a *loft* shall be installed at 70 to 80 degrees from horizontal.

9.38.2.5. Alternating Tread Devices (See Appendix A-9.38.2.5. NSBCR)

- (1) An *alternating tread device* accessing a *loft* shall comply with this Article.
- (2) The clear width at and below the handrails shall not be less than 510 mm.
- (3) An *Alternating tread device* shall have
 - (a) a tread depth of not less than 125 mm,
 - (b) a projected tread depth of not less than 215 mm,
 - (c) a tread width of not less than 180 mm, and
 - (d) a uniform riser height of not more than 240 mm.
- (4) The tread depth shall be measured horizontally between the vertical planes of the foremost projections of adjacent treads.
- (5) The riser height and tread depth provided shall result in an angle of ascent from the horizontal of between 50 and 70 degrees.
- (6) The initial tread of the *alternating tread device* shall begin at the same elevation as the platform, landing or floor surface.

- (7) A handrail shall be provided on both sides of an *alternating tread device* and shall comply with Articles 9.8.7.2. (Continuity of Handrails), and 9.8.7.5. (Ergonomic Design) (Part 9, Division B, NBC).
- (8) The height of a handrail shall be not less than 760 mm and not more than 865 mm high measured in accordance with Sentence 9.8.7.4.(1) (Part 9, Division B, NBC).

9.38.2.6. Ships ladders

- (1) A *ships ladder* accessing a *loft* shall comply with this Article.
- (2) A handrail shall be provided on both sides of a *ships ladder* and shall comply with Articles 9.8.7.2. (Continuity of Handrails), and 9.8.7.5. (Ergonomic Design) (Part 9, Division B, NBC).
- (3) The height of the handrail shall be not less than 765 mm and not more than 865 mm high measured in accordance with Sentence 9.8.7.4.(1). (Part 9, Division B, NBC)
- (4) The clear width at and below the handrail of a *ships ladder* shall not be less than 510 mm.
- (5) The tread as a *ships ladder* shall have a depth of not less than 125 mm.
- (6) The tread shall be projected such that the total of the tread depth plus the nosing projection is not less than 215 mm.
- (7) The riser height shall be uniform and not more than 240 mm

9.38.2.7. Loft guards

- (1) A *loft guard* shall be located along the open side of *loft* which is located more than 760 mm above the floor.
- (2) A *loft guard* shall be the lesser of
 - (a) 915 mm in height, or
 - (b) one-half the clear height to the ceiling.
- (3) A *loft guard* is permitted a maximum opening of 610 mm to allow for access to the *loft*.

9.38.3.1. Egress Openings

- (1) An *egress roof access window* in a *tiny house* shall meet the requirements for an egress opening from a bedroom contained in Article 9.9.10.1. (Part 9, Division B, NBC).
- (2) An *egress roof access window* in a *loft* which is used as a sleeping room shall be installed with the bottom of the window opening not more than 1 120 mm above the loft floor.

Section 9.39. Recreational Cabins

9.39.1. Scope

9.39.1.1. 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 the Regulation except where it is specifically exempted in this Section.

9.39.2. General

9.39.2.1. Exclusions

- (1) Except as provided in Subsections 9.9.10. and 9.10.15. and Articles 9.39.2.4. and 9.39.3.1., 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 Articles 9.39.2.4. and 9.39.3.1., 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., 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.

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

9.39.2.2. Foundations

- (1) Except as provided in Sentences (2) and (3), a foundation shall be provided in a *recreational cabin* in accordance with the requirements of 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.
- (3) Columns in excess of the height limitations of Clauses (2)(a) to (c) shall be designed in accordance with Part 4.

9.39.2.3. 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.

9.39.2.4 Smoke Alarms

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

9.39.3. Roofed Accommodation

9.39.3.1. 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. in addition to the requirements of this Section.

- 8 Part 3 of the Regulation is amended by adding immediately after Article 3.1.1.28. the following article:

3.1.1.28A. Table 9.37.1.1. (Part 9, Division B) is 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.

Functional Statements and Objectives	
9.38. Tiny Homes	
9.38.2.1. Ceiling heights of Rooms or Spaces	
(1)	[F30-OS3.1] [F10-OS3.7]
9.38.2.2. Lofts	
(2)	[F10-OS3.7]
(3)	[F10-OS3.7]
9.38.2.3. Stairways	
(2)	[F30-OS3.1]
(3)	[F30-OS3.1]
(4)	[F30-OS3.1] [F10-OS3.7]
(5)	[F30-OS3.1] [F10-OS3.7]
(6)	[F30-OS3.1]
(7)	[F30-OS3.1]
9.38.2.4. Ladders for Lofts	
(1)	[F30-OS3.1]
(2)	[F30-OS3.1]
(3)	[F20-OS2.1]

(4)	[F30-OS3.1]
9.38.2.5. Alternating Tread Devices	
(2)	[F30-OS3.1]
(3)	[F30-OS3.1]
(5)	[F30-OS3.1]
(6)	[F30-OS3.1]
(7)	[F30-OS3.1]
(8)	[F30-OS3.1]
9.38.2.6. Ships Ladders	
(1)	[F30-OS3.1]
(2)	[F30-OS3.1]
(3)	[F30-OS3.1]
(4)	[F30-OS3.1]
(5)	[F30-OS3.1]
(6)	[F30-OS3.1]
(7)	[F30-OS3.1]
9.38.2.7. Loft Guards	
(1)	[F30-OS3.1] [F10-OS3.7]
(2)	[F30-OS3.1] [F30-OS3.7]
(3)	[F30-OS3.1] [F10-OS3.7]
9.38.3.1. Egress Openings	
(2)	[F10-OS3.7]
9.39. Recreational Cabins	
9.39.2.1. Exclusions	

(2)	[F40-OH2.5] [F20-OP2.1] [F20-OS2.1] [F30-OS3.1]
9.39.2.2. Foundations	
(2)	[F20-OP2.1] [F20-OS2.1]

- 9 Table 3.8.3.1. in Sentence 3.8.3.1.(1) in Schedule “C” to the Regulation is amended by striking out “Ramps (3.8.3.4.)” under *Barrier-free* Application (Code References) and Substituting “Ramps (3.8.3.5.)”.
- 10 Sentence 3.8.3.14.(1) in Schedule “C” to the Regulation is amended by striking out “3.8.2.8.(6)” where it appears and substituting “3.8.2.8.(8)”.
- 11 Sentence 3.8.3.23.(3) in Schedule “C” to the Regulation is amended by
- (a) striking out “and” at the end of clause (e);
 - (b) striking out “.” at the end of clause (f) and substituting “, and ”;
 - (c) adding immediately after clause (f), the following clause:
 - (g) grab bars conforming to clauses 3.8.3.11.(1)(e) and (f).