

*The
Uniform Building
and Accessibility
Standards
Regulations*

being

Chapter U-1.2 Reg 5 (effective April 10, 1992) as amended by
Saskatchewan Regulations 102/92, 81/93, 35/94
and 23/98.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER U-1.2 REG 5

The Uniform Building and Accessibility Standards Act

PART I

Title and Interpretation

Title

1 These regulations may be cited as *The Uniform Building and Accessibility Standards Regulations*.

Interpretation

2(1) In these regulations:

- (a) **“Act”** means *The Uniform Building and Accessibility Standards Act*;
- (b) **“Code”** means the edition and provisions of the National Building Code of Canada, including revisions, variations and modifications to it, that is:
 - (i) declared to be in force pursuant to subsection 3(1); or
 - (ii) deemed to be in force pursuant to subsection 3(1.1);
- (c) **“existing building”** means a building:
 - (i) on which construction was commenced or completed prior to June 6, 1988; or
 - (ii) for which a valid building permit was issued pursuant to a bylaw of the appropriate local authority prior to June 6, 1988.
- (2) Subject to the Act and these regulations, words, symbols and abbreviations defined in the Code apply to these regulations.
- (3) For the purpose of interpreting the Code for the purposes of these regulations:
 - (a) **“authority having jurisdiction”**, when used in the Code, means the appropriate local authority or a building official appointed by the appropriate local authority;
 - (b) **“building”**, when used in the Code, means a building as defined in the Act;
 - (c) **“farm building”**, when used in the Code, means a farm building as defined in the Act;
 - (d) **“occupancy”**, when used in the Code, means an occupancy as defined in the Act;
 - (e) **“owner”**, when used in the Code, means an owner as defined in the Act.
- (4) Words or phrases used in the Code that are not defined in the Act, these regulations or the Code have the meanings that are commonly assigned to them in the context in which they are used in the Code, taking into account the specialized use of terms within the various trades and professions to which the words and phrases apply.

(5) For the purposes of these regulations:

- (a) a building;
- (b) a building area; or
- (c) a facility in a building;

is barrier-free if a person with a physical disability that may or may not require the use of a wheelchair is able, without assistance, to approach, enter, pass to and from and make use of the building, building area or facility, as the case may be.

(6) Notwithstanding any other provision of these regulations:

- (a) a building;
- (b) a building area; or
- (c) a facility in a building;

that, in the opinion of the appropriate local authority, complies with subsection (5) is deemed to comply with the accessibility standards.

10 Apr 92 cU-1.2 Reg 5 s2; 16 Oct 92
SR 102/92 s3; 13 Mar 98 SR 23/98 s3.

PART II General Standards

Code

3(1) The National Building Code of Canada 1995 is declared to be in force, including:

- (a) the revisions, modifications and variations set forth in the Appendix to these regulations; and
- (b) errata and revisions issued by the Canadian Commission on Building and Fire Codes from time to time.

(1.1) Notwithstanding subsection (1), with respect to any construction, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building:

- (a) for which a permit is issued prior to the day on which an edition of the National Building Code of Canada is declared to be in force or any amendment to subsection (1) comes into force; and
- (b) that is not completed on the day on which that edition is declared to be in force;

the edition of the National Building Code of Canada that was in force on the day that the permit was issued is deemed to be in force.

(2) No person who is required to comply with the Act and these regulations shall fail to comply with the Code.

10 Apr 92 cU-1.2 Reg 5 s3; 16 Oct 92 SR 102/92
s4; 22 Oct 93 SR 81/93 s3; 27 May 94 SR 35/94
s2; 13 Mar 98 SR 23/98 s4.

No relief of obligation to comply with Code

4 An owner of a building or an owner's contractor or employee is not relieved from the obligation to carry out any work that is within the scope of sections 7 and 10 of the Act in accordance with the Code by reason only of:

- (a) the granting of a permit;
- (b) the review of drawings and specifications;
- (c) the making of inspections; or
- (d) the absence or omission of any of the things mentioned in clauses (a) to (c).

10 Apr 92 cU-1.2 Reg 5 s4.

Certain facilities exempt

5 Notwithstanding any other provision of these regulations, a facility in a building is not required to comply with these regulations if the facility:

- (a) existed prior to the coming into force of these regulations;
- (b) complied with *The Accessibility Standards Regulations* and *The Building Standards Regulations*, as those regulations existed on the day before these regulations come into force; and
- (c) does not constitute an unsafe condition.

10 Apr 92 cU-1.2 Reg 5 s5.

Ground elevations

6 No owner of a building or an owner's contractor or employee shall cause or permit the ground elevations of a building to be changed so as to place:

- (a) the building or part of the building; or
- (b) an adjacent building;

in contravention of the Code.

10 Apr 92 cU-1.2 Reg 5 s6.

Property boundaries

7 If the property boundaries of a building lot are changed so as to place a building or part of a building in contravention of the Code, the owner shall immediately alter the building or part of the building to bring it into compliance with the Code.

10 Apr 92 cU-1.2 Reg 5 s7.

Construction requirements

8(1) An owner who undertakes to construct or have constructed a building within the scope of Part 3 of the Code shall have an architect or engineer complete the design or design review of:

- (a) the building; and
- (b) all building systems.

(2) An owner who undertakes to construct or have constructed a building with a structure within the scope of Part 4 of the Code shall have an architect or engineer complete:

- (a) the design or design review of the structure;
- (b) an inspection of construction of the structure to ensure compliance with the design; and
- (c) the reviews required by the Code.

(3) An owner who undertakes to construct or have constructed a building within the scope of Part 9 of the Code shall ensure that a competent person acceptable to the appropriate local authority has designed or reviewed the design of the building.

(4) An owner shall ensure that copies of any inspection or review reports made pursuant to this section are made available to a building official or the appropriate local authority on the request of the building official or appropriate local authority, as the case may be.

10 Apr 92 cU-1.2 Reg 5 s8; 13 Mar 98 SR 23/98 s5.

Local authority and inspector

9(1) No local authority or building official shall:

- (a) assist in the laying out of any work;
- (b) assist in any construction work; or
- (c) act in the capacity of an engineering or architectural consultant;

in relation to a building that is, or will be, under the jurisdiction of the local authority or building official, as the case may be.

(2) Notwithstanding subsection (1), a local authority or building official may answer questions that are relevant to the Code to the extent that is reasonably necessary for the administration of these regulations.

10 Apr 92 cU-1.2 Reg 5 s9; 13 Mar 98 SR 23/98 s6.

Availability of plans

10 The owner or the owner's contractor shall ensure that the plans, specifications and related construction documents and drawings for a building under construction are available at the work site during working hours for inspection by:

- (a) a building official;
- (b) the person who or firm that is to review the work pursuant to the Code.

10 Apr 92 cU-1.2 Reg 5 s10; 13 Mar 98 SR 23/98 s7.

Unsafe condition

11(1) No:

- (a) owner of a building;
- (b) agent, contractor, employee, successor or assignee of an owner of a building; or
- (c) registered owner of land on which a building is situated;

shall cause, permit or maintain any unsafe condition in the construction, reconstruction, demolition, alteration, removal, relocation, occupancy or change of occupancy of a building or part of a building.

(2) If a building or part of a building:

- (a) is in an unsafe condition; or
- (b) for any reason or at any time develops or acquires an unsafe condition;

the owner shall immediately take all necessary steps to put the building or part of the building in a safe condition.

(3) If occupancy of a building or part of a building occurs prior to the completion of any work being carried out in, on or about the building or part of the building, the owner shall ensure that no occupant is exposed to an unsafe condition resulting from the work being carried out.

10 Apr 92 cU-1.2 Reg 5 s11.

False information

12 No person shall knowingly submit false or misleading information to:

- (a) a building official;
- (b) a local authority;
- (c) the minister; or
- (d) any person employed by the minister or a local authority to administer or enforce the Act or these regulations.

10 Apr 92 cU-1.2 Reg 5 s12; 13 Mar 98
SR 23/98 s8.

Service

13(1) Where service of a document or notice in writing is to be given pursuant to the Act or the regulations, service may be effected or notice given by:

- (a) personal service;
- (b) registered mail addressed to the person to be served or given notice at his or her last known address;
- (c) posting the document or notice in a conspicuous location at the site of a building or excavation that is described or identified in the document or notice and that forms part of the subject matter of the document or notice;
- (d) leaving the document or notice with any person:
 - (i) at the site of a building or excavation that is described or identified in the document or notice and that forms a part of the subject matter of the document or notice; or
 - (ii) at any place of business owned or operated by the person to be served or to whom the notice is addressed;

who appears to be in control or management of the site or place;

- (e) leaving the document or notice with any person over 16 years of age at the place of residence of the person to be served; or
 - (f) any of the methods of service provided in the Queen's Bench Rules of Court.
- (2) A document or notice served by registered mail is deemed to have been received on the fifth day following the day of its mailing, unless the person to whom it was mailed establishes that, through no fault of that person:
- (a) he or she did not receive the document or notice; or
 - (b) he or she received the document or notice at a later date.

10 Apr 92 cU-1.2 Reg 5 s13.

PART III Accessibility Standards

Major occupancy change

- 14** If there is a change in the major occupancy of an existing building that:
- (a) has a building area in excess of 600 m²; and
 - (b) is not barrier-free;

the owner of the existing building shall ensure that the existing building is made barrier-free in conformance with the Code.

10 Apr 92 cU-1.2 Reg 5 s14.

Alterations and renovations

- 15** If an existing building or part of an existing building that is barrier-free is altered or renovated, the owner of the existing building shall ensure that:
- (a) the existing building or part of the existing building remains barrier-free; and
 - (b) the alterations or renovations are made barrier-free in compliance with the Code.

10 Apr 92 cU-1.2 Reg 5 s15.

Additions

- 16(1)** Subject to subsection (2), the owner of an existing building to which an addition is made shall ensure that:
- (a) the addition; and
 - (b) the existing building, if the addition has internal pedestrian connections with the existing building;

is barrier-free in conformance with the Code.

- (2) Subsection (1) does not apply to an existing building:
- (a) that is not barrier-free; and
 - (b) to which an addition is being made, if the addition is:
 - (i) a vertical addition to a building that has not more than 600 m² in a building area and the addition is:
 - (A) one storey; and
 - (B) not more than 600 m² in floor area;
 - (ii) a horizontal or vertical addition that is to be used as:
 - (A) an apartment building, boarding house, dormitory, convent, lodging house or monastery;
 - (B) a shop, store or supermarket with a total retail floor space of less than 50 m²;
 - (C) a high hazard industrial occupancy; or
 - (D) a subsidiary occupancy to an existing building that has a major occupancy described in paragraph (A), (B) or (C); or
 - (iii) a horizontal addition where the resulting total building area would be less than 600 m².
- (3) Unless a barrier-free path of travel is provided to an addition required by these regulations to be barrier-free from a barrier-free entrance to the existing building, the owner shall ensure that a barrier-free entrance which conforms to the Code is provided to the addition.
- (4) Where an existing building has a residential occupancy and an addition to the existing building is made to provide more residential suites:
- (a) the number of suites that are required to be barrier-free pursuant to the Code is to be based on the sum of suites in the existing building and the addition; and
 - (b) the suites that are required to be barrier-free may be located in the existing building, the addition or both.
- (5) The owner of an existing building shall ensure that facilities which:
- (a) are located in an existing building to which an addition governed by this section is made; and
 - (b) are necessary to use the addition;
- are barrier-free.

PART IV
Repeal and Coming into Force**R.R.S. c.U-1.2 Reg 1 and U-1.2 Reg 2 repealed**

- 17(1) *The Accessibility Standards Regulations* are repealed.
- (2) *The Building Standards Regulations* are repealed.

10 Apr 92 cU-1.2 Reg 5 s17.

Appendix**Revisions, Variations and Modifications
to the National Building Code of Canada 1995**

[Clause 3(1)(a)]

1 The revisions, variations and modifications to the National Building Code of Canada 1995 are those set forth in this Appendix.

2 The following entries are added to Table 2.7.3.2.:

CSA	CSA-O118.3-93	Northern Pine Tapersawn Shakes	9.26.2.1.(1)
ULC	ULC-S132-93	Standard for Emergency Exit and Emergency Fire Exit Hardware	3.4.6.15.(2)

3 Article 3.1.2.5. is repealed and the following substituted:

“3.1.2.5 Convalescent, Custodial and Care Homes

(1) Convalescent homes and custodial homes for ambulatory occupants are permitted to be classified as *residential occupancies* if occupants live in a *dwelling unit* used as a single housekeeping unit with sleeping accommodation for not more than 10 persons.

(2) A care home is permitted to be classified as a *residential occupancy* if

- (a) the occupants live in a *dwelling unit* used as a single housekeeping unit with sleeping accommodation for not more than 10 persons,
- (b) interconnected *smoke alarms* are installed in each sleeping room in addition to the requirements of Article 3.2.4.21.,
- (c) emergency lighting is provided in conformance with Subsection 3.2.7., and
- (d) either:
- (i) the occupants are ambulatory, or
- (ii) the *building* is *sprinklered* throughout”.

4 Clause 3.2.1.1.(3)(b) is repealed and the following substituted:

- “(b) it is used as an open *floor area* except
- (i) as permitted by Sentence 3.3.2.11.(3), or
- (ii) in *buildings* of Group A, Division 3 *major occupancy* if not more than 15 per cent of the *mezzanine floor area* is enclosed for washrooms, storage rooms and service rooms, and”.

5 Clause 3.2.1.1.(3)(c) is amended by striking out the words “and the space above the floor beneath it”.

6 Clause 3.2.7.9.(1)(b) is amended by adding the words “and the *building* is within the scope of Subsection 3.2.6” after “supplied to the *building*”.

7 Sentence 3.3.2.6.(1) is amended by adding the words “locking or” before the word “latching” and by adding the words “lock or” before the word “latch”.

8 Sentence 3.4.6.15.(2) is amended by deleting the words “If a door is equipped with a latching mechanism, a device that will release the latch and allow the door to swing wide open” and replacing them with the words “If a door is equipped with a locking or latching mechanism, a device that complies with ULC-S132 “Standard for Emergency Exit and Emergency Fire Exit Hardware” and that will release the lock or latch and allow the door to swing wide open”.

9 Sentence 3.4.6.15.(3) is amended by adding the words “lock or” before each occurrence of the word “latch”.

10 The following Article is added after Article 3.8.1.5.:

“3.8.1.6. Residential Occupancies. Notwithstanding Clause 3.8.2.3.(2)(a), in a *building of residential occupancy*, except where *dwelling units* are intended to be individually controlled by separate *owners*, at least the greater of

- (a) one, or
- (b) 5%

of the *dwelling units* shall be *barrier-free* in conformance with Article 3.8.3.17. (See Article 9.5.2.3.)”.

11 Clause 3.8.2.3.(2)(a) is amended by adding the words “except as required in Article 3.8.1.6.” after “*residential occupancy*”.

12 The following Article is added after Article 3.8.3.16.:

“3.8.3.17. Residential Occupancies

(1) Except as provided in this Article, *suites* within a *residential occupancy* which are required to be *barrier-free* shall conform to the applicable requirements of this Section.

(2) In washrooms there shall be

- (a) a floor space of at least 1 500 mm by 1 500 mm with no encroachment other than the water closet,
- (b) a door that
 - (i) swings outward, unless sufficient room is provided within the washroom to permit the door to be closed without interfering with a wheelchair,
 - (ii) slides, or
 - (iii) is a solid folding door,

- (c) a water closet that conforms to Clauses 3.8.3.8.(1)(c) and (d) and Article 3.8.3.9.,
 - (d) a lavatory that conforms to Article 3.8.3.11.,
 - (e) where a bathtub is provided, a bathtub equipped with
 - (i) faucet handles of the lever type without spring loading,
 - (ii) a pressure equalizing valve or an automatic thermostatic mixing valve controlled by a lever or other device operable with a closed fist from the seated position,
 - (iii) a recessed soap holder that is within reach of a person in a seated position,
 - (iv) an integral slip-resistant bottom,
 - (v) grab bars that have
 - (A) a horizontal section not less than 900 mm in length mounted on the back wall not less than 150 mm nor more than 300 mm above the rim of the bathtub, and
 - (B) a vertical section continued from the horizontal section to rise not less than 600 mm from the horizontal section and located not less than 275 mm nor more than 325 mm from the end of the bathtub at which the controls are located, and
 - (vi) where a shower is provided, a shower equipped
 - (A) without shower doors,
 - (B) with a hand-held shower head with not less than 1 500 mm of flexible hose, located adjacent to the faucets and controls so that it can be reached from the seated position and equipped with a support so that it can operate as a fixed shower head.
- (3) In kitchens there shall be
- (a) a clearance of not less than 1 500 mm between counters and all opposing base cabinets, countertops, appliances or walls, and
 - (b) a clear turning circle of not less than 1 500 mm in diameter below countertop height.
- (4) In sleeping rooms there shall be a clear turning circle of not less than 1 500 mm in diameter on one side of the bed.
- (5) Balconies shall be *barrier-free* and shall conform to the size requirements of Sentence 3.3.1.7.(5).
- (6) Kitchen sinks, laundry sinks and other types of sinks shall have
- (a) faucet handles of the lever type without spring loading,
 - (b) no sharp edges or rough corners, and
 - (c) all exposed pipes 1 200 mm or less above the floor insulated or otherwise protected where they may constitute a burn hazard”.

13 The following Article is added after Article 8.1.1.3.:

“8.1.1.4. In the case of conflict between the provisions of this part and *The Occupational Health and Safety Regulations*, the provisions of *The Occupational Health and Safety Regulations* shall govern”.

14 Sentence 9.9.6.10.(1) is amended by adding the words “lock or” before each occurrence of the word “latch”.

15 Article 9.10.2.2. is repealed and the following substituted:

“9.10.2.2. Convalescent and Custodial Homes

(1) Convalescent homes and custodial homes for ambulatory occupants are permitted to be classified as *residential occupancies* if the occupants live in a *dwelling unit* used as a single housekeeping unit with sleeping accommodation for not more than 10 persons. (See Article 3.1.2.5. for Care Homes)”.

16 Sentence 9.10.4.1.(2) is amended by striking out the words “and the floor below them”.

17 The following Clause is added after Clause 9.26.2.1.(1)(t):

“(u) CSA O118.3, ‘Northern Pine Tapersawn Shakes’

10 Apr 92 cU-1.2 Reg 5; 22 Oct 93 SR 81/93 s5;
13 Mar 98 SR 23/98 s9.

