

Background

The *National Building Code* (NBC) transitioned to an objective-based building code. This means that compliance with the Code can be “achieved by complying with the acceptable solutions in Division B, or 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.” A proposed alternative solution is any proposed product, material, component, design, system, equipment or procedure that does not conform to the applicable Division B provisions and demonstrates at least the minimum performance level required by the applicable provisions in Division B are achieved. Alternative solutions are provided by building designers and owners, not building officials, while the regulatory authority is responsible for evaluating the proposed alternative solution. Acceptable solutions are not a method of escaping or waiving Code requirements, nor are they an inferior method of complying with the Code.

In order to determine the performance level required for a given provision in Division B, the objective and functional statements for that provision must be reviewed. Each Division B technical requirement is linked to at least one objective and one functional statement, which define the areas of performance that an alternative solution must fill. The attribution pair describes what needs to be done (the function) and why (the objective).

Submission Requirements

A Request for Evaluation of an Alternative Solution Form must be completed for each proposed alternative solution for a project. In addition to the project information required on this form, there is a list of submission requirements. A request for the evaluation of an alternative solution will only be considered if all of the items listed on the form are submitted. Relevant and complete documentation is essential to the evaluation of the proposed alternative solution. In addition, the owner or owner’s agent must sign a declaration on the form which acknowledges:

- That they have knowledge of, and are in agreement with, the request for evaluation of the alternative solution, including the supporting documentation submitted with the request;
- That the alternative solution being requested is intended to provide an alternative to the strict provisions of the requirements of the NBC, and/or standards and regulations there under; and
- That it is the responsibility of the owner to provide and maintain safety in accordance with the alternative solution.

The declaration also alerts the owner that if the alternative solution is permitted:

- Failure to comply with the specifications of the alternative solution is an offence under the Construction Code Act (CCA);
- Terms of the alternative solution shall not be subject to review or appeal pursuant to the CCA;
- The granting of an alternative solution is case specific and is of no binding effect in respect of subsequent applications; and
- That a decision to refuse approval of an alternative solution is not subject to review or an appeal pursuant to the CCA.

Alternative Solutions must be prepared by an architect or engineer licensed to practice in the province of Saskatchewan. All submissions shall bear the signature and seal of either an architect or engineer licensed to practice in the province of Saskatchewan.