

# **Report of the Task Group on a Separate House Code and the Future of Part 9 of the National Building Code**

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**This document is a working  
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Canadian Commission on  
Building and Fire Codes.**

Canadian Commission on Building and Fire Codes  
National Research Council Canada

Report of the Task Group on a Separate House Code and the Future  
of Part 9 of the National Building Code

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## Executive Summary

In the Fall of 1998 the Commission approved the terms of reference of this task group and charged it with the following tasks:

- Identify the advantages and disadvantages associated with a separate code for houses in the various forms that such a code might take
- Identify the advantages and disadvantages associated with elimination of Part 9
- Explore alternative solutions for presentation of requirements for the buildings currently covered by Part 9
- Share its analysis with interested parties in the code using and housing fields to determine if all relevant advantages and disadvantages have been identified
- Recommend a course of action for the Canadian Commission on Buildings and Fire Codes to take on this issue. Include recommendations on the form of a separate house code (if that is the final recommendation) and in what format a house code and Part 9 might co-exist in the context of objective-based codes (if that is the final recommendation).

The task group met twice in 1999 at which times a broad range of options and impacts for a separate house code were discussed. From these discussions a range of seven options having the most promise of feasible implementation were identified. The options were:

- Option A.** Status quo. Part 9 retained without change. No Separate House Code.
- Option B1.** Separate house code document. Part 9 retained in the NBC unchanged.
- Option B2.** Separate house code document/Part 9 retained in the NBC but minus requirements for housing in the scope of the separate house code.
- Option B3.** Separate house code document/Part 9 eliminated.
- Option C1.** A separate code for all residential occupancies/Part 9 retained for small non-residential buildings.
- Option C2.** A Separate Code for all residential occupancies/Part 9 eliminated.
- Option D.** Part 9 for small residential buildings/Part 10 for small non-residential buildings.

The task group developed a background paper on the history of the development of Part 9 and a discussion paper on the advantages and disadvantages of these seven options as vehicles to consult with stakeholders.

Over thirty individual responses were received from this consultation. The responses favoured Option A. This was also the favoured option of the Task Group itself.

**Conclusion and Recommendation:**

The task group has not found strong support at this time for the development and publication of a separate house code. The task group recommends continuation of the current situation where Part 9 is retained, supported by the publication of the National House Code and Illustrated Guide.

## Background

The Canadian Commission of Building and Fire Codes established a Task Force to examine the question of whether or not a separate model building code for the regulation of houses is desirable. The task group was asked to identify options for such a document, and the advantages and disadvantages of each. As an important corollary question, the task group was also asked to evaluate the possible impact of each option on the scope and content of Part 9 of the National Building Code.

Although it was assumed that the most likely scope of such a code would be detached, semi-detached and row houses without shared egress, service spaces or horizontal fire separations, the task force did not limit its discussions to this option. At its first meeting in January 1999, the task group identified three possible scopes for a housing code document. These were:

- Detached, semi-detached and row houses without shared egress, service spaces or horizontal fire separations currently in the scope of Part 9.
- All residential occupancy buildings currently in the scope of Part 9
- All residential occupancy buildings.

The task group discussed the impact of these options on the National Building Code. In general it identified three possible impacts. These were:

- No change to NBC – requirements would be duplicated in a new document.
- Remove from NBC all requirements solely in the scope of new document, but leave current structure of the NBC unchanged – such as retaining Part 9 with a reduced scope.
- Remove from NBC all requirements solely in the scope of the new document and restructure the NBC – such as eliminating Part 9.

The task group then proceeded to identify possible advantages and disadvantages of the various combinations of options. It also decided to include in its evaluation as an additional choice, the option of no change – i.e., the status quo – a recommendation that a separate house code not be published at this time. In its discussion of the advantages and disadvantages of the options, the following criteria were developed to reflect the range of concerns raised at the task group meeting as well as elements of the Commission's strategic plan. They were:

1. Will this option meet the needs of all code users?
2. Will this option encourage adoption of the model codes without modification?
3. Will this option encourage uniform interpretation of code requirements?
4. Will this option encourage efficient, effective code development?
5. Will this option encourage industry technology development and innovation?

There were some limitations to the task group's analysis. Although a goal of the task group's work was to give direction to the development of objective-based codes, it was not possible to assess the impact of such a code on the options, and visa versa, as the organization of these documents had not been decided. Current thinking then was that the structure of the new documents will not be dramatically different from the current

documents. If that remains the case, then the decision to create a separate house code document would need to be made in advance of the preparation of the work to publish the new codes.

However, Part 9 of the National Building Code does raise the issue of the objectives of a separate house code document. Part 9 contains requirements whose objectives appear to be focussed on achieving a minimum quality of finish or amenity in a small residential building. Requirements for larger residential and non-residential buildings outside the scope of Part 9 do not include this objective. There is an expectation that this objective will be questioned during the public review of code objectives. There is some chance that this “consumer protection” objective could be dropped. The task group had no position on whether or not the retention of requirements with this objective was good or bad. However, it noted that some options – in particular those that separate housing requirements from the main building code – may facilitate retention of objectives related to consumer protection, at least for houses.

Some options – in particular those that separate housing requirements from the main building code – may also permit and even encourage a long-term qualitative differentiation of objectives for residential occupancies from those for non-residential occupancies (at least those residential occupancies in the scope of the separate house code document). This could result in code requirements for some, or all, residential occupancies becoming more or less comprehensive than those for other buildings. The task group had no position on whether or not this was desirable, but did feel that the possibility should be noted.

Related to the question of objectives was the question of social policy goals for housing. Affordability was one such goal, and is of interest to both housing agencies and the housing industry. Currently, many affordable medium-density housing forms are built to Part 9 without the involvement of professional designers. Some options for a separate house code document, combined with the elimination of Part 9, could have impact on the costs of this type of housing, by making professional involvement necessary or likely. However, the task group noted that the requirement for professional involvement was more an administrative issue than technical, and was not dependent on the organization of code documents.

Housing agencies are concerned with another aspect of affordability – that of removing barriers in Part 9 to certain forms of housing such as basement apartments or accessory suites. The scope of a separate house code could have some impact on facilitating consideration of these barriers. However, technical changes directed at achieving social policy objectives can be pursued in the normal way, through the code development process. The Canadian Commission on Building and Fire Codes has stated that cost-effectiveness is a broad goal of code development.

The task group discussed the issue of “one stop” building permit application processing, a benefit of a separate house code identified by some municipalities during the Commission’s strategic planning exercise. A “one stop” house code would work best if it

included requirements for all areas regulated in the development of housing, such as plumbing, gas and electrical installations. Because these regulations are developed by other standards writing organizations, the task group questioned whether they were likely to become a part of a Commission-published code document. With the low possibility of this happening, this benefit was considered to be weak.

Finally, it was difficult for the task group to assess what advantages and disadvantages the options might have on technology development. The factors that encourage or discourage technology development and technology transfer, and specifically the role of codes, are not well understood. In fact, there is some possibility that barriers to technology attributed to codes can be a greater stimulus to innovation than the converse. An example is the research work undertaken by the housing industry in partnership with NRC during the 1960's and 1970's in the Mark Series of Experimental Houses. As a consequence, impact on technology development was not an area of analysis given great weight by the task group.

## **Evaluation of the Options**

The following table summarizes the options analyzed in detail by the task group. Other options are possible, as can be seen in the "blank" cells of the table and were briefly discussed by the task group. However, these options were considered to have too low an attractiveness to warrant extensive consideration. For example, the option of reorganizing and rewriting of Part 9 to make it clearer and easier to use was rejected by the task group, as this is an ongoing goal of the code development process, and should be an outcome of the current work to develop objective-based codes. It would, in fact, be the status quo option.

The option of a separate code document addressing the full scope of residential occupancies currently covered by Part 9 was also not analyzed in detail. It was felt that this option would be unlikely to simplify or make use of the code easier without the parallel production of extensive advisory information addressing the more complex requirements for medium density housing. Such a task would be beyond the current resources of the code development process. However, the task group did consider in more detail the option of separating out the residential from the non-residential small buildings, as discussed in Option D.

### The Options for a Separate House Code and the Future of Part 9

	Part 9 Unchanged	Remove Requirements from National Building Code/Retain Part 9 for Non-Residential	Remove Requirements from National Building Code and Eliminate Part 9	Part 9 for Small Residential Buildings, Part 10 for Small Non-Residential Buildings
Status Quo/ No Separate House Code	A			
Separate House Code for Singles, Detached and Row Houses	B1	B2	B3	
Separate House Code for all Residential Occupancies in Part 9				D
Separate House Code for all Residential Occupancies		C1	C2	

**Option A. Status quo. Part 9 retained without change. No Separate House Code.**

**Description:** Part 9 continues in its present form and scope as a component of the National Building Code. There is no new “house code” in the form of a document suitable for adoption by the authorities. The National Housing Code and Illustrated Guide 1998, continues to be available to code users. This guide document contains all the code requirements for (just) detached, semi-detached and row houses without shared egress, service spaces or horizontal fire separations, together with extensive advisory information and illustrations to facilitate understanding of how to meet the requirements.

1. Will this option meet the needs of all code users?
  - This option continues to provide a benefit to contractors who just build houses in the scope of the National Housing Code and Illustrated Guide. Although the Guide is not a “code,” it is not an issue for its users.
  - This option does not provide any benefit to contractors who build non-residential buildings in the scope of Part 9 or who build medium density housing in the scope of Part 9.
  - This option does not disrupt code users’ investment in knowledge of how the current codes are organized or their content.
  - The consumer protection requirements in Part 9 may be vulnerable to deletion.
  - Code users do not have to purchase multiple code documents to meet their needs.
2. Will this option encourage adoption of the model codes without modification?
  - This option will have no negative or positive impact on the code adoption by the provinces and territories.
  - This option will have no negative or positive impact on current practices of the provinces or territories in modifying the code.
3. Will this option encourage uniform interpretation of code requirements?
  - The extensive explanatory information in the Guide should encourage uniform interpretation of code requirements for small residential buildings.
4. Will this option encourage efficient, effective code development?
  - This option should incur no additional expense to the national model code development process. Part 9 already exists.
  - The costs of developing the National Housing Code and Illustrated Guide 1998 are already accounted for, and these costs will be recouped in sales of the document.
  - This option provides no additional benefit to the pursuit of social policy objectives for housing.
  - This option provides no additional focus on code development for housing.
  - This option does not directly address known inconsistencies and duplication of requirements between Part 9 and the rest of the code.
5. Will this option encourage industry technology development and innovation?
  - There should be no negative impact on technology development; however, there may be no positive encouragement either.

**Option B1. Separate house code document. Part 9 retained in the NBC unchanged.**

**Description:** The National Housing Code and Illustrated Guide 1998 with some minor revisions is published for adoption by the provinces and territories as a code document. The advisory content in the Guide has the status of Appendix Notes. At the same time Part 9 continues to be in the main building code document without change, that is, repeating the requirements found in the separate code document.

1. Will this option meet the needs of all code users?
  - This option provides no additional benefit to contractors who just build houses in the scope of the separate house code document.
  - This option does not provide any benefit to contractors who build non-residential buildings in the scope of Part 9 or who build medium density housing in the scope of Part 9.
  - This option does not disrupt code users' investment in knowledge of how the current codes are organized or their content.
  - The consumer protection requirements in Part 9 may be vulnerable to deletion, but may be retained in the separate house code document.
  - Code users do not have to purchase multiple code documents to meet their needs.
2. Will this option encourage adoption of the model codes without modification?
  - Authorities may be unlikely to adopt the separate house code if the requirements are duplicated in the main code document.
  - If a separate code is adopted, this option would not increase the likelihood that the provinces or territories would modify the code.
3. Will this option encourage uniform interpretation of code requirements?
  - There will be no major impact. There is a possibility that the existence of a separate code may permit some divergence in interpretation locally; However, the continued publication of the Guide would address that.
4. Will this option encourage efficient, effective code development?
  - Duplication of requirements between code documents has negative cost and maintenance implications – more paper, more publication resources required, greater risk that coordination of changes is not perfect.
  - If the consumer protection requirements are deleted from Part 9 but retained in the separate house code, there will be administrative issues for the authorities.
  - Although there will still be need for advisory information on code requirements, sales of the National Housing Code and Illustrated Guide 1998 may be reduced.
  - There may be some impact on code development costs. For example, would there be a separate standing committee looking after the separate house code, and another for Part 9?
  - There may be some impact on technical coordination issues between the small residential buildings in the scope of the separate house code and the more complex residential buildings in the scope of Part 9.
  - This option may provide the benefit of a stronger focus on code development for small residential buildings. The already low focus on small non-residential buildings will not be strengthened.

- This option does not address social policy objectives such as affordability. It may provide a focus for developing code requirements permitting accessory apartments in houses in the scope of the separate house code document. However, technically this could be addressed in context of the current Part 9 just as easily.
5. Will this option encourage industry technology development and innovation?
- There will be no positive or negative impact.

**Option B2. Separate house code document/Part 9 retained in the NBC but minus requirements for housing in the scope of the separate house code**

**Description:** A separate code document containing requirements for detached, semi-detached and row houses in the scope of the National Housing Code and Illustrated Guide 1998 is published in a form suitable for adoption by the provinces and territories. Part 9 is retained in the National Building Code but all requirements only applicable to detached, semi-detached and houses are removed leaving the scope of Part 9 to more complex small residential buildings and small non-residential buildings. The Guide would continue to be published.

1. Will this option meet the needs of all code users?
  - This option provides no additional benefit (compared to the status quo) to contractors who just build houses in the scope of the separate house code document.
  - This option does not provide any benefit to contractors who build non-residential buildings in the scope of Part 9 or who build medium density housing in the scope of Part 9.
  - This option does disrupt code users' investment in knowledge of how the current codes are organized or their content.
  - The consumer protection requirements in Part 9 may be less vulnerable to deletion.
  - Some code users will have to purchase multiple code documents to meet their needs.
2. Will this option encourage adoption of the model codes without modification?
  - Provinces and territories will have to adopt two documents. There may be resistance from some provinces and territories, who will chose to retain the old format.
  - If a separate code is adopted, this option may increase pressure on the provinces or territories would modify the code.
3. Will this option encourage uniform interpretation of code requirements?
  - There will be no major impact. Continued publication of the advisory content of the Guide will encourage uniform interpretation.
4. Will this option encourage efficient, effective code development?
  - Modification of the existing code will require staff and standing committee resources.
  - Housing in the scope of the separate house code has the benefit of focus on its specific code development needs.
  - The question of how the remaining content of Part 9 will be looked after will need to be addressed. Would it be the same standing committee that looks

after the separate house code, or would it be the Standing Committee on Fire Safety and Occupancy, or would it be a new Standing Committee on Small Buildings?

- This option may have impact on the participation of the housing sector in code development. It may need to be involved in separate committees for houses in the scope of the separate house code, for medium density housing in the scope of Part 9 and for higher density housing in the scope of Parts 3, 4 and 5.
- A separate house code may create a barrier to the transfer of code advances between it and the main code.
- Duplication of requirements between the separate house code, Part 9 and Parts 3, 5 and 6 would be increased.
- Part 9 would not necessarily be greatly reduced after requirements that just apply to houses in the scope of the separate house code are removed.
- This option may provide a focus for developing code requirements permitting accessory apartments in houses in the scope of the separate house code document.

5. Will this option encourage industry technology development and innovation?
  - This option may permit the long-term development of code requirements that encourage innovation specific to one and two family houses.

### **Option B3. Separate house code document/Part 9 eliminated**

**Description:** A separate code document for detached, semi-detached and row houses is published in a form suitable for adoption by the provinces and territories as a code document. All Part 9 requirements not applicable to one and two family houses are amalgamated into the main body of the building code. The National Housing Code and Illustrated Guide might be republished with just its advisory content.

1. Will this option meet the needs of all code users?
  - This option provides no additional benefit (compared to the status quo) to contractors who just build houses in the scope of the separate house code document.
  - This option may be unattractive to contractors who build non-residential buildings in the scope of Part 9 or who build medium density housing in the scope of Part 9 as they will need to learn to use Parts 3, 5 and 6 of the code.
  - This option does disrupt code users' investment in knowledge of how the current codes are organized and their content.
  - The consumer protection requirements in Part 9 may be less vulnerable to deletion.
  - Some code users will have to purchase multiple code documents to meet their needs.
2. Will this option encourage adoption of the model codes without modification?
  - Provinces and territories will have to adopt two documents. There may be resistance from some provinces and territories, who will choose to retain the old format.
  - This option may increase the likelihood that the provinces or territories would modify the code.
3. Will this option encourage uniform interpretation of code requirements?
  - There should be no negative impact. Continued publication of the advisory material in the Guide will promote common interpretation for small residential buildings.
  - This option may encourage more uniform interpretation of code requirements for buildings outside of the scope of the separate house code as there will no longer be the Part 9/rest-of-the-code split currently in place.

4. Will this option encourage efficient, effective code development?
  - This option will require staff and standing committee resources to restructure the main code and may have significant impact on Part 4, if the prescriptive structural solutions in Part 9 have to be incorporated
  - Duplication of code requirements is eliminated.
  - The Guide may have to be republished with just its advisory content.
  - This option should have some benefit to code development for detached, semi-detached and row houses in the scope of the separate house code. It may not have benefit for medium density residential buildings because they will have less prominence in the context of all the other buildings regulated in the main code document. However, a “Topic Group” for medium-density housing could be formed and attached to the Standing Committee on Fire Safety and Occupancy.
  - The input of the housing sector may be diluted because of the necessity to participate in the work of up to four standing committees.
  - This option may facilitate code change to permit basement and accessory apartments in buildings in the scope of the separate house code.
  - This option may permit a focus on the code development needs of housing in the scope of the separate house code.
5. Will this option encourage industry technology development and innovation?
  - The existing Standing Committee on Houses is already strongly focused on the small residential buildings. There may not be much additional benefit.

**Option C1. A separate code for all residential occupancies/Part 9 retained for small non-residential buildings**

**Description:** A separate code document containing requirements for all forms of housing (high-rise to low-rise) is published in a form suitable for adoption by the provinces and territories as the code for residential occupancies. Part 9 is published minus requirements unique to housing. The National Housing Code and Illustrated Guide would likely continue publication.

1. Will this option meet the needs of all code users?
  - This option will not provide a benefit to contractors who just build small residential buildings in the scope of the Guide.
  - This option may provide a benefit to designers and contractors who specialize in all forms of housing.
  - This option may provide a benefit to contractors who build non-residential buildings in the scope of Part 9 as this part of the code may be simpler.
  - This option does disrupt code users’ investment in knowledge of how the current codes are organized and their content.
  - The consumer protection requirements in Part 9 may be less vulnerable to deletion and may be expanded to cover all forms of housing.
  - Some code users will have to purchase multiple code documents to meet their needs.
2. Will this option encourage adoption of the model codes without modification?

- The provinces and territories have not expressed an interest in a code document whose scope is all residential buildings and may not wish to deal with the administrative work of adopting two code documents.
  - This option would probably not increase the likelihood that the provinces and territories would wish to make modifications to the code.
3. Will this option encourage uniform interpretation of code requirements?
- This option may have some benefit in making the application of requirements to residential occupancies generally more coherent and therefore understandable.
4. Will this option encourage efficient, effective code development?
- The code development process (Standing Committees) would require re-organization to reflect scope of new document. There would be duplication of member expertise between standing committee serving the residential code and the non-residential code to address common issues such as fire safety.
  - There would be extensive duplication of requirements between the two code documents.
  - The development of requirements for small non-residential buildings in Part 9 may suffer from lack of focus.
  - The value of the National Housing Code and Illustrated Guide may be retained for builders of houses within its scope.
  - The duplication between small non-residential buildings in Part 9 and the main non-residential building code would continue.
  - May permit the more effective implementation of social policy objectives for housing because all housing would be dealt with at once.
5. Will this option encourage industry technology development and innovation?
- This option may encourage focussed technology development for housing generally.
  - May act as a barrier to the transfer of technical advances between residential and non-residential buildings because they would be addressed separately during the code development process.

### **Option C2. A Separate Code for all residential occupancies/Part 9 eliminated**

**Description:** A separate code document containing requirements for all forms of housing (high-rise to low-rise) is published in a form suitable for adoption by the provinces and territories as the code for residential occupancies. Part 9 requirements for small non-residential buildings are amalgamated into the rest of the building code. The National Housing Code and Illustrated Guide would likely have sufficient sales for continued publication.

1. Will this option meet the needs of all code users?
- This option continues to provide a benefit to contractors who just build small residential buildings in the scope of the Guide.
  - This option may provide a benefit to designers and contractors who specialize in all forms of housing.
  - This option does not provide a benefit to contractors who build non-residential buildings in the scope of Part 9.

- This option does disrupt code users' investment in knowledge of how the current codes are organized and their content.
  - The consumer protection requirements in Part 9 may be less vulnerable to deletion.
  - Code users will have to purchase multiple code documents to meet their needs.
2. Will this option encourage adoption of the model codes without modification?
    - The provinces and territories have not expressed an interest in a code document whose scope is all residential buildings. A separate house code with this broad scope may create administrative issues for them.
    - This option should not increase the interest of the provinces and territories in making modifications to the code documents.
  3. Will this option encourage uniform interpretation of code requirements?
    - Would have some benefit in making the application of requirements to residential occupancies more coherent and therefore understandable.
    - This option may encourage more uniform interpretation of code requirements for non-residential buildings by eliminating the "artificial" distinction between Part 9 buildings and the rest of the code.
  4. Will this option encourage efficient, effective code development?
    - The model code development process (Standing Committees) would require re-organization to reflect scope of new document.
    - There would be duplication of member expertise between Standing Committees to address issues such as fire safety.
    - There would be extensive duplication of requirements between a separate house code document and the main building code.
    - May have impact on Part 4 if it is necessary to incorporate prescriptive structural solutions for small buildings.
    - May permit the more effective implementation of social policy objectives for housing.
  5. Will this option encourage industry technology development and innovation?
    - May encourage focussed technology development for housing.
    - May act as a barrier to the transfer of technology between residential and non-residential buildings.

#### **Option D. Part 9 for small residential buildings/Part 10 for small non-residential buildings**

**Description:** The content of the current Part 9 is divided. A new Part 9 is created contain the requirements for residential occupancies in the scope of the old Part 9. The requirements for non-residential occupancies in the old Part 9 become a new separate Part 10. The National Housing Code and Illustrated Guide continues to be available.

1. Will this option meet the needs of all code users?
  - This option does provide a benefit to contractors who build residential buildings in the scope of Part 9. The Guide meets the needs of contractors who just build houses in the scope of that document. Contractors who build non-residential buildings in the scope of the current Part 9 may also benefit by having requirements focused just on this type of small building.

- This option does disrupt code users' investment in knowledge of how the current codes are organized and their content.
  - The consumer protection requirements in Part 9 may be vulnerable to deletion.
  - Some code users will only have to purchase one code document to meet their needs.
2. Will this option encourage adoption of the model codes without modification?
- The provinces and territories have not expressed an interest in this type of reorganization to the code; however, the impact may be less of an administrative problem than options for a separate house code with a broad scope.
  - The differentiation of small residential and non-residential from each other and from larger buildings may increase opportunities for modifications to the codes to be made in response to local conditions.
3. Will this option encourage uniform interpretation of code requirements?
- The separation of small residential from small non-residential may facilitate understanding and uniform interpretation of the code.
4. Will this option encourage efficient, effective code development?
- Increases duplication between Parts of the code. Increases the difficulty of code maintenance.
  - The value of the document National Housing Code and Illustrated Guide may be retained.
  - May encourage more effective code development as Standing Committees can focus on specific needs. However, it may be difficult to find members for a standing committee on small non-residential buildings as there does not appear to be a network or association representing this interest.
  - This option may facilitate code change to permit basement and accessory apartments in small residential buildings. However, may result in long-term divergence of the two Parts and the main code.
5. Will this option encourage industry technology development and innovation?
- No impact.

## Stakeholder Consultation

The task group developed two documents as part of its stakeholder consultation strategy. The first was a history of the development of code requirements for houses and small buildings (See Appendix A). The second was a document discussing the various options identified by the task group as is set out in the previous section of this report. These documents were sent with requests for comment to:

1. Members of the CCBFC
2. Members of the Standing Committee on Fire Safety and Occupancy
3. Members of the Standing Committee on Houses
4. Members of the Provincial and Territorial Committee on Building Standards
5. Members of the Canadian Council of Fire Commissioners and Fire Marshals
6. Members of the Federal/Provincial/Territorial Subcommittee on Housing and Building Codes
7. Members of the Alliance of Canadian Building Officials Associations

- 8 Canadian Home Builders' Association
9. Provincial Home Builders' Associations
10. Royal Architectural Institute of Canada  
Provincial Architectural Associations
- 11 Consumers' Association of Canada

Over thirty individual responses were received. There was only limited support for a separate house code. The majority of respondents favoured the continuation of the current situation, i.e., Option A, the status quo. From this response the task group prepared its draft recommendation to the Commission that there be no change to the treatment of houses in the National Building Code. As a final check, recognizing that the response rate was limited, the task group informed the above stakeholder groups of its proposed recommendation. This did not produce an adverse response.

### **Recommendation**

The task group has not found strong support at this time for the development and publication of a separate house code. The task group recommends continuation of the current situation where Part 9 is retained, supported by the publication of the National House Code and Illustrated Guide.

## **Appendix A**

### Members of the Task Group

Wayne Purchase (Chair) – Chair of the Standing Committee on Houses, Canadian Commission on Building and Fire Codes.

Ali Arlani – Ontario Ministry of Municipal Affairs and Housing

Rick Bortolussi – City of Richmond

Richard Lind – Everts-Lind Enterprises

Herb Otto – Otto & Erskine Architects

Clyde Thornhill – Newfoundland and Labrador Housing Corporation

John Archer - Canadian Codes Centre

### Guests and Observers

Don Johnston – Canadian Home Builders' Association

Terry Robinson – Canada Mortgage and Housing Corporation

## Appendix B

### Title

A History of the Evolution of Building Code Documents for Houses and Small Buildings in Canada

### Introduction

This paper reviews the history of building code requirements for low-rise residential construction and other small buildings in Canada. A prominent characteristic of this history has been the search for an appropriate balance between two competing objectives. One was the desire to establish and maintain a building code based on building science and utilizing an “engineering” approach to design. The other was the desire of small contractors and building officials in small municipalities for a building code that was simple to understand and use. The resolution of these competing needs was influenced by the strong presence of the federal housing agency (CMHC) that had the additional objective of advancing housing quality through housing standards. The recent formation of a task group to look at the advantages and disadvantages of a separate “house code” and the impact that such a document could have on the needs of code users as well as on the National Building Code continues the search for the correct balance.

### The First National Building Code

The Foreword to the first edition of the National Building Code, published jointly by the National Research Council and the National Housing Administration Section of the Department of Finance in 1941, sets out reasons for its preparation. It says:

“...one of the important deterrents to technical progress and to an increase in the physical volume of construction has been the unsuitable nature of building regulations in many parts of the country. In many localities, codes have been deemed to be unduly restrictive in the materials and methods of construction permitted; in others, requirements in the matter of design have fallen behind the advance of building technology and modern concepts of healthful planning; while many communities in Canada, lacking qualified advice, have been unable to deal with the problem of building regulation at all.” (p3).

The new model code was intended to bring a scientific basis to building regulation in an era when most building code regulations reflected custom, individual opinion and local favoritism. The writers of the National Building Code wanted to place the regulation of buildings on a firm engineering basis, where building design was based on building science. This orientation was seen to have important “technology transfer” benefits as well as encourage industrial efficiency in Canada. The National Research Council was given the task of preparing the new code because of its scientific and technical expertise. As well, the NRC was distant from the “politics” of the local area and therefore well situated to prepare a code having national application.

The new model code was also intended to achieve social goals, particularly related to health. Although the provision of clean water supply and the treatment of sewage had

made great progress in urban areas, many small communities and rural areas continued to rely on out-dated and poorly planned approaches. The new code addressed some of these concerns. It also addressed a second aspect of health, those related to poor housing conditions. During the Great Depression, reformers called for improved housing conditions and the establishment of minimum standards. The new code established minimum requirements in areas related to room size, ventilation and lighting.

Finally, the new model code was intended to encourage construction in smaller communities. At the time of the writing of the first National Building Code, Canada was primarily a rural nation. The Great Depression had devastated rural municipalities. Most did not have the financial resources or the staff to play any but the most rudimentary role in regulating construction. Building design and construction in these communities was limited by access to professional expertise or skilled trades people. The new model code was intended to provide a basis on which sound construction could take place.

### **Housing Included**

The scope of the 1941 National Building Code included all buildings; but it is also clear that the code was an important component of the federal government's efforts to increase the supply of housing. The Foreword says:

“With the entry of the Dominion Government into the housing field some six years ago, the need for national treatment of the matter of building regulation was at once recognized. Discussions with numerous trade and professional associations led to the conclusion that if a comprehensive model code could be prepared, its adoption by municipal authorities and others responsible for the regulation of building construction would be a major step in the solution of the problems faced by the construction industry and administrative authorities alike.” (p3).

The 1941 National Building Code did not have a separate “Part” addressing houses or small buildings. However, it did contain many requirements specifically addressed to houses. A large number were focused on health and sanitation issues, as noted above. “Structural Requirements” encompassed approximately one quarter of the document. However, no distinction was made between the structural design of small or large houses or buildings, except that a short (three and a half page) appendix was provided giving “Allowable Clear Spans for Joists and Rafters” where wood frame construction was employed.

This Appendix was provided specifically in recognition that rural and small communities did not have easy access to professional design. From the very beginning, therefore, there was recognition of the need to provide simple prescriptive rules for some code users. In a similar vein, the structure of the code and its appendices were organized deliberately to provide local municipalities with a form of the code suitable for adoption as bylaws. This concern to provide administrative tools for adoption continued for several decades.

## **The Second World War**

The value and technical excellence of the National Building Code was clearly demonstrated during the Second World War. Canada undertook major construction programs to build the facilities and housing necessary to pursue the war effort. Much of this construction was based on the requirements of the National Building Code, and demonstrated that its approach was sound. After the conclusion of the War, its value was further supported. The challenges of the rebuilding effort faced by Europe was seen by the federal government as evidence of the importance of a technically up-to-date code and an effective construction industry. A national building code was a basic component of the necessary infrastructure of a modern nation. The goals behind the creation of a code that promoted productivity, efficiency and effectiveness were confirmed.

## **Associate Committee**

Responsibility for the National Building Code was formally transferred to the National Research Council from the Department of Finance at the conclusion of the War. In 1949, an independent body called the Associate Committee on the National Building Code reporting directly to the Council of the National Research Council was created to exercise this responsibility. The Associate Committee was created by the Council in its own mold – an independent body of Canadian building industry experts and citizens. It was given the task of providing leadership in the development of the National Building Code and promoting uniformity of building regulation in Canada.

Application of an engineering-based building code during a war effort is significantly different from the peace-time context. During the war, the federal government used its professional expertise to plan and administer required construction. Small and rural municipalities and small contractors did not have to deal with inspection or engineering calculations. In peace-time, they did, and despite the efforts to provide a document that could be adopted as a building bylaw, many found the new national code difficult to use. It assumed a high level of professional knowledge and expertise amongst code users. In most small and rural municipalities, this expertise did not exist.

## **The First Housing Code**

In 1951, the first of many subsequent efforts to address the needs of “non-professional” code users was published by the Associate Committee. It was the first housing code, titled A Code for Dwelling Construction for Buildings Housing One or Two Families: Minimum Standards to Regulate the Erection and Provide for the Safety of Buildings. The publication was primarily an abridged version of the 1941 National Building Code, eliminating provisions not applicable to houses. It also contained new sections of mainly prescriptive requirements specifically directed at this type of buildings, as well as illustrative material to assist in understanding the requirements. It is clear that the production of this document was in response to the needs of small municipalities and house builders for a form of the code that was understandable to non-professionals and easy to use.

The next full edition of the National Building Code was issued by the Associate Committee in 1953. It consolidated and expanded the coverage of the 1941 code, particularly in the area of structural design. Material previously covered in appendices was drawn into the main body of the document. Reflective of the objective of making the code a truly Canadian document, it contains a separate Part on “Climate,” setting out the results of the NRC Division of Building Research’s effort to develop an accurate picture of environmental conditions that affect buildings across Canada. Again, no distinction was made between small buildings, one and two family houses and larger buildings. However, the code contained expanded material covering the correct use of standard wood frame construction, including illustrative material clearly directed at small contractors and building regulators in small communities.

Despite these changes, small contractors and municipalities continued to claim to have difficulty using the document. This led to the publication of the Short Form of the National Building Code in 1956. The Short Form was a replacement for A Code for Dwelling Construction for Buildings Housing One or Two Families and extended its scope to include small apartment buildings and occupancies of all types, except Institutional and Assembly. The application of the Short Form was restricted to buildings up to two storeys in height and to a maximum building area of 4 000 sq. ft.

It was intended that the Short Form be used where the structure of the building was not engineered, and traditional methods of building (i.e., wood-frame construction) were used. It did not include seismic, snow or wind load structural requirements, but did set out span tables for standard applications of wood frame construction. The document was clearly intended to assist building officials and contractors in small and rural municipalities. As did its predecessor, the document was organized and published in a form suitable for adoption as a bylaw in these areas.

### **The Role of CMHC**

The Short Form included houses in its scope, but by the middle 1950’s builders of one and two family houses tended to look to the Central Mortgage and Housing Corporation (now Canada Mortgage and Housing Corporation or CMHC) for housing standards and construction requirements. At the end of the Second World War, CMHC was given the task of stimulating the construction of large volumes of housing for the Canadian population, and was directly involved in housing construction for the returning veterans. Without an established housing industry to work with, CMHC put a great deal of effort into specifying how houses were to be built, evaluating materials that could be used in those houses, and publishing information on good design and sound construction for both consumers and the industry. By the middle 1950’s CMHC was involved in one way or another with the majority of housing being constructed in Canada. Over the next several decades its impact expanded as the federal government used CMHC as the vehicle to stimulate sectors of the economy or to achieve social goals through the housing industry, such as energy conservation.

By 1953, CMHC had published its own standards for most aspects of the site planning, design, construction and equipping of one and two family houses, row houses and small low-rise apartment buildings. These requirements were specifically directed at housing receiving National Housing Act benefits. They were intended to protect CMHC from financial risk as well as the new occupants of these houses. The requirements were published in two documents, one called Canadian Housing Standards, and the other Apartment Standards. Canadian Housing Standards was clearly based on A Code for Dwelling Construction for Buildings Housing One or Two Families, with additions reflecting the concerns and objectives of CMHC.

These two base documents for CMHC regulation were supplemented by “Builders’ Bulletins” issued to address technical problems that arose from time-to-time in construction and site planning practice, or administrative initiatives such as the introduction of a new program. CMHC also formalized its construction materials evaluation activity. The “Acceptable Building Materials Manual” listed materials deemed to provide an acceptable level of performance. These materials received a CMHC “acceptance number” that was required to be displayed on the product for site inspection purposes. Although intended for CMHC inspection, the evaluation numbers came to have general application as a “quality” mark in the housing industry.

Although the documents and evaluation listings had the objective of protecting CMHC’s direct lending and mortgage insurance activities, they were also intended to encourage good design and social objectives related to appropriate minimum housing standards for Canadians. For both reasons, the provisions in the two documents (as well as the Builders’ Bulletins and Acceptable Building Materials Manual) set out requirements that went beyond minimum health and safety concerns of the National Building Code, into areas one might term “housing quality.” Types of floor and wall finishes for kitchens and bathrooms were an example.

### **First Steps to Consolidation**

By the end of the 1950’s, the housing industry and some provinces had begun to express concern at the quasi-regulatory role that CMHC played in establishing building standards and inspecting houses. In response to this criticism, in 1958 responsibility for Canadian Housing Standards was transferred to the National Research Council and specifically to the Division of Building Research. Staff at DBR had for almost a decade been providing technical advice to CMHC, and the maintenance and development of this document was seen as an extension of that role. In 1962 responsibility for the document itself was transferred to the Associate Committee on the National Building Code. In 1963 “Apartment Standards” was also transferred to the National Research Council and shortly thereafter to the Associate Committee.

The 1960’s was a complex period with several documents addressing the regulation of residential and small building in circulation. Reflecting the now increased profile of housing with the Associate Committee, the 1960 edition of the National Building Code was the first to contain a separate “Part” for housing. Twenty-three pages in length, it

applied only to one and two family houses. The requirements were quite general, written in what would now be called qualitative performance terms. They called up the document Canadian Housing Standards for detailed prescriptive requirements and for guidance in many areas where the performance to be met was defined as “good practice.” Although the creation of a separate Part for housing demonstrated its importance as a subject of code application, it is clear that the “non-professional” basis of regulation for this form of construction was considered to be anomalous by the Associate Committee.

To continue attempts to meet the needs of code users in rural areas and small communities for a document focused on small buildings, the second edition of the Short Form of the National Building Code was published in 1964. The new document maintained the limitations established in the first edition for building size and occupancy. However, for buildings other than houses, its application was now limited to masonry or wood frame construction. Code users were not happy with this restriction so that in the third edition of the Short Form, published in 1966, it was removed.

### **Residential Standards**

To address the specific interests of house builders, Canadian Housing Standards and Apartment Standards were combined into one document and published in 1965 with the title Residential Standards. This new document had the status of a supplement to the 1965 edition of the National Building Code. As a supplement, it was intended to provide guidance in meeting the building code’s requirements. It was not a mandatory component of the building code, unless specifically adopted by a province or municipality. However, as with Canadian Housing Standards and Apartment Standards, it was a requirement for National Housing Act benefits and continued to be used by CMHC to regulate construction under its housing programs. A complicating factor was CMHC’s continued use of Builders’ Bulletins to implement interim technical changes before they were included in Residential Standards. The code change process was too slow to accommodate CMHC’s housing program administration needs.

The scope of Residential Standards covered both houses and apartment buildings, but cross-referenced the structural design requirements of Part 4 of the National Building Code for buildings over three storeys in height. No maximum building area was identified as a limitation to the application of Residential Standards. A Part 9 on Housing remained in the 1965 edition of the National Building Code, but it was reduced to six pages in length. However, its scope was expanded to include apartment buildings. These Part 9 requirements were expressed in general performance terms. The code user was referred to Residential Standards for more detailed information on how to meet the requirements and what constituted “good practice.”

By this time, the NRC and CMHC documents had begun to diverge sufficiently to become confusing for builders of both NHA and non-NHA. An additional problem for builders was that there were requirements for apartment buildings in both Part 3 and Part 9 of the 1960 and 1965 editions of the National Building Code. In order to clear up this specific confusion, an amendment to the code was issued in 1968 that separated the

requirements for apartment buildings into two groups. Buildings three storeys in height or less, and up to 6 000 sq. ft. in ground floor area, were to be covered by Part 9. Larger and higher apartment buildings had to meet the requirements of Parts 3, 4, 5, etc..

The 1968 amendment to the National Building Code helped eliminate anomalies between the scopes of Part 9 and Part 3, but it was clear that there were still conflicts between the Short Form of the National Building Code and Part 9 in the coverage of non-residential buildings. In order to remove these conflicts and rationalize the code's differing requirements, the Associate Committee agreed that the technical content of Part 9 and the Short Form should be made identical. This technical change was implemented in the 1970 National Building Code and in the fourth edition of the Short Form, published in 1971.

### **The “Modern Form” of Part 9**

A key technical change was implemented in the 1970 National Building Code. This change had considerable impact in establishing the modern form of Part 9. Based on the successful experience in its application to small two storey buildings, the scopes of Part 9 and the Short Form were extended to buildings up to three storeys in height and 6 000 sq. ft. in building area. Their scopes were also expanded to cover all occupancies, except assembly, institutional and high hazard industrial. To address the fire safety requirements already established for non-residential occupancies in Part 3, the content of Part 9 was greatly expanded. Part 9 now exhibited major differences with Residential Standards, particularly in the areas of Means of Egress and Fire Protection.

With the successful integration of the Short Form into Part 9, its publication was discontinued in 1974. However, Residential Standards continued to evolve, based on CMHC needs. A second edition appeared in 1970 (with the different title of Canadian Code for Residential Construction), a third edition in 1975 (with the title reverting to Residential Standards), a fourth edition in 1977, and the fifth and final edition in 1980. While the 1965 Residential Standards contained a stated intention that it be used as a municipal bylaw, this was not the case with the 1970 and subsequent documents. Another, more significant, change was the restriction of the application of 1970 Residential Standards to residential buildings 6 000 sq. ft. or less. Finally, the document no longer was given the status of being a Supplement to the National Building Code. It was published expressly for use by CMHC.

CMHC's role in enforcing standards for its housing programs began to decline in the late 1970's. The provinces had begun to assume a lead role in housing programs and CMHC felt it was more appropriate for housing to be built to codes for which they had jurisdiction. In 1983 it advised the Associate Committee that it no longer needed Residential Standards. CMHC was the major stakeholder for the maintenance and development of the document. Without its support, the work to publish a 1985 Residential Standards was abandoned. Part 9 of the National Building Code became the sole source of building code requirements.

Part 9 in its current form, therefore, dates from the 1970 National Building Code. The approach taken was to be internally complete as possible, a “code within a code.” An effort was made to make the presentation of the expanded material as simple as possible. It was recognized at the time that this would create considerable duplication of requirements found in other Parts of the code (particularly in the areas of fire protection and egress). However, this was felt to be the only way to meet the small residential contractors’ need not to have to deal with the “professional” areas of the code, while still maintaining the minimum standards established for the building code as a whole.

The issue of advisory or guideline information for builders of houses was only partially addressed during the above evolutionary changes. With the transfer of its standards to NRC in the early 1960s, CMHC continued its role in support of the technical information needs of the housing industry. It began issuing the document Canadian Wood Frame House Construction in 1967, initially as a “supplement” to Residential Standards, itself a supplement to the National Building Code. Essentially a paraphrasing of code requirements, with additional illustrative material, the document continued to be updated and re-issued over the next three decades, with the seventh and latest edition published in 1997. Canadian Wood Frame House Construction continues to be a reference document, particularly in technical schools and amongst “self-builders.”

### **Questions Raised**

The decision to discontinue Residential Standards took place in the context of questions being raised about the role and scope of Part 9. Despite the efforts of the code writers, many small contractors felt that Part 9 was too complicated and difficult to use. Small builders and building officials in small municipalities, accustomed to the strictly low-rise housing coverage of Residential Standards, had difficulties with the non-residential material in Part 9. On the other hand, some code officials (particularly those in larger centres) felt that the duplication of Part 3 requirements in Part 9 was unnecessary and questioned whether small municipalities still needed “rule-of-thumb” requirements for small buildings. Others expressed concern that the fire safety requirements in Part 9 were not completely consistent with Part 3, and even that the code permitted a lower level of safety and protection from fire for Part 9 buildings.

In 1979, the Provincial Advisory Committee on the National Building Code (the predecessor to the Provincial/Territorial Committee on Building Standards or PTCBS) conducted an internal survey that reviewed the question of the scope and format of Part 9 and whether or not it should be changed. Seven of the provinces favoured leaving Part 9 as it was. One province and one territory favoured a Part 9 dealing only with one and two family houses. One territory favoured a Part 9 dealing only with residential buildings up to 3 storeys in height and under 6 000 sq. ft. in area. One province indicated no strong preferences in any direction and one province did not express any views. Without any clear demand for change amongst the authorities who adopt the National Building Code, the issue was set aside.

However, concerns continued to be expressed by a variety of individual code users and in 1984 the Provincial Advisory Committee on the National Building Code again addressed the issue. The specific question posed was the impact of restricting the scope of Part 9 to residential buildings and expanding the rest of the code to deal with small non-residential building. The potential benefit to builders of housing in the scope of Part 9 was noted. However, it was also noted that the change in scope could have an adverse impact. Building officials and code users in small communities would have to deal with the complexities of the main code for non-residential buildings. The PAC also raised the issue that the change in scope may result in the required involvement of professionals in the design of small non-residential buildings, when this was not customary practice. Further discussion of the issue was dropped as the Provincial Advisory Committee awaited the results of discussions initiated by the Associate Committee of the National Building Code.

### **Confirmation of Scope of Part 9**

Prompted by the Provincial Advisory Committee internal survey in 1979, in 1983 the Associate Committee had asked the Standing Committee on Housing and Small Buildings to examine whether Part 9 met the needs of industry and the authorities having jurisdiction. The Standing Committee did so at its 30<sup>th</sup> meeting in May 1985. It observed at that meeting that many institutions depended on Part 9 in its current form and that the Standing Committee had not received any formal reports of problems from industry or from provincial or municipal authorities. The Standing Committee further noted that in its view, concerns such as the issue of conflicting requirements and complexity, had been addressed in its work to simplify Part 9 in the 1985 edition of the National Building Code. Further improvements were expected to be made as it continued its work to prepare the 1990 code. The Standing Committee concluded that Part 9 was effective in its role and should remain in its present format (Minute 30.8).

The simplification process for Part 9 was begun with the preparation of the 1985 National Building Code. Part 9 was significantly re-organized. A goal was to remove requirements from Part 9 that required “professional” knowledge to apply, or that were exceptions for Part 9 buildings duplicated from requirements elsewhere in the code. These were replaced with cross-references. Most requirements for structural design were transferred to Part 4. All requirements for the design and installation of central heating systems were transferred to Part 6. Many of the requirements relating to fire safety and egress that are infrequently applicable to small buildings were eliminated. At the same time the explanatory material in Appendix A was expanded as an aid to understanding the technical requirements in the code.

While the 1970 edition of the National Building Code marked the appearance of Part 9 in its current form, the 1985 edition set its technical content and organization. Since 1985, Part 9 has experienced a period of stability. Some technical change has occurred, particularly to address issues such as ventilation. Some requirements carried over from Residential Standards that could not be supported on the basis of health and safety have been eliminated. But, generally since 1985, Part 9 of the code has been stable.

## The Questions Continue

Despite the Standing Committee's views that their revision and simplification of Part 9 would meet the needs of code users, and general support from the housing industry, the issue of a separate housing code would not go away. A small minority of both industry and municipal code users continued to suggest the value of a separate code document for low-rise residential construction. These proponents pointed to the success other agencies were having in publishing a "code" for single and semi-detached houses. By the end of the 1980's, the new home warranty programs, and particularly the Ontario New Home Warranty Program, began to take over the quasi-regulatory role of CMHC in enforcement of the code and the issuing of technical information to builders to protect their liability. By the middle of the 1990's "illustrated housing codes" focusing on one and two family dwellings and addressing the "how to" of meeting the technical requirements of Part 9 were available in Ontario, Alberta, Saskatchewan and Manitoba.

Another call for a separate housing code came at a 1987 meeting of a Task Force of deputy ministers responsible for building regulations in the provinces and territories. This task force recommended to the Associate Committee on the National Building Code that a separate model code for detached, semi-detached and row houses be published and that the requirements for other small non-residential buildings be integrated into the main body of the code. The end result would be the elimination of Part 9.

This recommendation, and the success of local "illustrated house codes," were factors behind the Associate Committee's agreement to develop and publish the Canadian Housing Code in 1990. The Canadian Housing Code set out the requirements for detached, semi-detached and row houses without shared services or egress facilities. It directly excerpted content from Parts 1, 2 and 9 of the NBC and requirements in Parts 3, 4, and 6 that are cross-referenced in Part 9. The Appendix material for Part 9 was included and the document was organized to use the same numbering system as Part 9. The Associate Committee chose not to remove from Part 9 the requirements covered by this new document. However, it also agreed to that a study of the future of Part 9 should be conducted sometime after the release of the 1990 National Building Code.

The 1990 Canadian Housing Code was not designed for provincial or territorial adoption. Rather it was intended to facilitate the use of the National Building Code by those only wanting to deal with simple houses. However, the document did not appear to demonstrate demand for a separate house code. Sales of the document were low. This may have been because many code users would have already purchased the National Building Code, which was available prior to the release of the Canadian Housing Code. It may also have been because the document provided no new information on how to use the building code and was in competition with other publications claiming to be illustrated housing codes. Finally, the Canadian Housing Code appeared to be long and complex compared to Part 9. However, publication of the document did seem to lessen any urgency to do anything with Part 9.

After the publication of the 1990 National Building Code, the Canadian Commission on Building and Fire Codes (CCBFC – the body formed to replace the Associate Committee on the National Building Code and the Associate Committee on the National Fire Code) undertook a strategic planning exercise to ensure that the national model codes continued to meet the needs of code users for the long term. A survey of code users was undertaken. The desire for a separate house code was identified by building officials in British Columbia. This response was apparently reflective of efforts in British Columbia to implement a “one-stop” approach to house permits and inspections and included the idea that such a separate house code could contain requirement for other regulated installations, such as gas, plumbing and electricity.

In 1995 the CCBFC Strategic Plan was published. One of the possible measures identified to implement the strategic plan was:  
 “Remove requirements for housing from Part 9 (and the Canadian Plumbing Code) and rely on a separate housing code. Encourage eventual inclusion in the housing code of electrical and oil and gas requirements.”  
 Although on the list of possible measures, the action was not given high priority.

Subsequent to a June 1994 meeting of federal/provincial/territorial housing ministers, a Federal/Provincial/Territorial Subcommittee on Housing and Building Codes was formed. The Subcommittee first met in 1996 and requested that CMHC prepare a discussion paper on the key issues for and against a separate house code. The Subcommittee also consulted with over 80 housing sector stakeholders for indication of support for a separate house code, and if so, what the scope of such a code should be. Of those surveyed there was support for a separate house code, but a significant minority were opposed, including the housing industry itself. Opinion on the scope of the separate house code was divided, although a majority appeared to favour a code limited to detached, semi-detached and row house forms. Opinion was split on whether a separate house code should include other standards, such as plumbing, electrical and gas installations. A majority of those surveyed did not favour deletion of Part 9 should a separate house code be prepared. The results of the survey were communicated to the Commission with the recommendation that, should a separate house code be prepared, Part 9 not be deleted with out study of the impact on medium density house types and consultation with stakeholders to address similar concerns.

### **Task Group on a Separate House Code**

The discussions of the Federal/Provincial/Territorial Subcommittee on Housing and Building Codes raised the priority of an examination of the benefits of a separate house code with the Commission. The decision to go ahead with the work was “triggered” however, by a request to the Commission from the Task Group on the Implementation of Objective-Based Codes (a task group of the Commission itself) to resolve the question. The decision to create a separate house, or not, would have impact on plans to prepare the new model, objective-based national building code.

In 1998, the Canadian Commission on Building and Fire Codes (CCBFC) created a Task Group on a Separate House Code and the Future of Part 9. It was asked to examine the question of a separate house code in the context of the move to national objective-based model codes. The terms of reference of the task group call for it to consult with code users, prepare options and make recommendations. Specifically it will:

- Identify the benefits and disbenefits associated with a separate code for houses in the various forms that such a code might take.
- Identify the benefits and disbenefits associated with the elimination of Part 9.
- Explore alternative solutions for presentation of requirements for the buildings currently covered by Part 9.
- Share its analyses with interested parties in the code-using and housing fields to determine if all relevant benefits and disbenefits have been identified.
- Recommend a course of action for the Canadian Commission on Building and Fire Codes to take on this issue, including recommendations on the form of a separate house code (if that is the final recommendation) and in what format a house code and Part 9 might co-exist in the context of objective-based codes (if that is the final recommendation).

## Summary

The original objectives for the National Building Code were: to encourage industrial development; to increase economic efficiency and productivity; and to implement minimum social standards for health, safety and the protection of property from fire. The new code was to pursue these objectives through the application of building science knowledge and engineering practice. Housing was a major component of the scope of that building code, but houses and other small buildings were not given separate treatment.

At the end of the War, it was realized that an engineering based code was not suited to the needs of small builders and municipalities. It was also recognized that small buildings constituted the largest volume of construction in Canada, and lack of a building code suitable for the builders and regulators of these buildings stood in the way of the code's original objectives. The solution was to publish a version of the code focused just on small buildings, increase the prescriptive content of this "short form" and add explanatory material where needed.

It is likely that this solution would be current today but for the active involvement of CMHC in the development of housing standards in Canada during the 1950's. CMHC's mandate to promote housing quality, together with its concern to protect its mortgage insurance liabilities, led to the development of its own building code requirements for small residential buildings. These requirements were prescriptive in expression, reflecting the needs of the small builders who used them. Although the original starting point for the CMHC requirements was the National Building Code, by the end of the 1950's, obvious differences between the CMHC standards and the National Building Code had developed.

The attempt to integrate CMHC housing standards into the National Building Code, began in the 1960's. The competing objectives of an engineering-based code with limited social policy objectives, versus ease-of -use by non-professionals and objectives related to housing quality, resolved itself into a workable balance by the 1985 version of Part 9 of the National Building Code. However, the balance may not be complete. Some code users apparently continue to be dissatisfied with having to extract housing requirements from the broader orientation of Part 9, and call for a separate code document for housing. The options for a separate house code, and their impacts, will be considered by the Task Group on a Separate House Code and the Future of Part 9 in the context of the effort to move the national codes to an objective-basis..

## History Summary

- 1941** 1<sup>st</sup> ed. National Building Code published by the Department of Finance.
- 1946** Responsibility for the National Building Code transferred to the National Research Council (NRC).
- 1947** Division of Building Research (DBR) established at NRC.  
Central Mortgage and Housing Corporation (CMHC) established.
- 1949** Associate Committee on the National Building Code (ACNBC) established at NRC.
- 1951** A Code for Dwelling Construction for Buildings Housing One or Two Families published by the ACNBC.
- 1953** 2<sup>nd</sup> ed. National Building Code published by the ACNBC.  
Canadian Housing Standards published by CMHC.  
Apartment Standards published by CMHC.
- 1956** 1<sup>st</sup> ed. Short Form of the National Building Code published by the ACNBC.
- 1958** Responsibility for Canadian Housing Standards transferred to DBR.
- 1960** 3<sup>rd</sup> ed. National Building Code published by ACNBC with a separate Part 9 for one and two family houses. Part 9 calls up Canadian Housing Standards for detailed requirements.
- 1962** Responsibility for Canadian Housing Standards transferred to the ACNBC.
- 1963** Responsibility for Apartment Standards transferred to the ACNBC.
- 1964** 2<sup>nd</sup> ed. Short Form of the National Building Code published by the ACNBC.
- 1965** 4<sup>th</sup> ed. National Building Code published by ACNBC, contains a considerably shortened Part 9, with dependence on Residential Standards for detailed requirements.  
1<sup>st</sup> ed. Residential Standards published by ACNBC for CMHC ( Canadian Housing Standards and Apartment Standards discontinued).
- 1966** 3<sup>rd</sup> ed. Short Form of the National Building Code published by the ACNBC.
- 1968** National Building Code amended to limit application of Part 9 to apartment buildings 3 storeys in height and 6 000 sq. ft in area.
- 1970** 5<sup>th</sup> ed. National Building Code published by the ACNBC integrates requirements of the Short Form into Part 9. Part 9 becomes much longer and complex – a “code within a code.”  
2<sup>nd</sup> ed. Residential Standards (Canadian Code for Residential Construction) published by ACNBC for CMHC.
- 1974** Short Form of the National Building Code discontinued.
- 1975** 3<sup>rd</sup> ed. Residential Standards published by ACNBC for CMHC.  
6<sup>th</sup> ed. National Building Code published by the ACNBC.
- 1977** 4<sup>th</sup> ed. Residential Standards published by ACNBC for CMHC.  
7<sup>th</sup> ed. National Building Code published by ACNBC.
- 1979** Provincial Advisory Committee on the National Building Code survey shows little support for changing scope of Part 9.
- 1980** 5<sup>th</sup> ed. Residential Standards published by ACNBC for CMHC.  
8<sup>th</sup> ed. National Building Code published by ACNBC.
- 1983** Residential Standards discontinued at request of CMHC .

- 1984** Provincial Advisory Committee on the National Building Code considers restricting Part 9 to residential buildings, and expanding the rest of the code to address small non-residential buildings.
- 1985** 9<sup>th</sup> ed. National Building Code published by ACNBC. Part 9 revised to reduce repetition of requirements elsewhere in code, eliminate conflicts, and simplify.
- 1987** Task group of provincial and territorial deputy ministers responsible for building regulation recommend publication of a separate house code.
- 1990** 10<sup>th</sup> ed. National Building Code published by ACNBC.  
Canadian Housing Code published by ACNBC.
- 1995** 11<sup>th</sup> ed. National Building Code published by ACNBC.  
Canadian Commission on Building and Fire Codes approves objective-based codes project.  
Strategic Plan of the CCBFC identifies a separate house code as an option.
- 1996** Federal/Provincial/Territorial Subcommittee on Housing and Building Codes review of issue of a separate house code and finds support for retaining and revising Part 9.
- 1997** Task Group on the Implementation of Objective-Based Codes agrees that issue of a separate house code should be resolved to facilitate development of new codes.
- 1998** CCBFC forms Task Group on a Separate House Code and the Future of Part 9.  
National Housing Code of Canada and Illustrated Guide published by CCBFC.