

## Background

The *National Building Code* (NBC) is 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” (Article 1.2.1.1, Div. A). The term “alternative solution” was new to the NBC 2005 and was meant to replace the “equivalencies” referenced in the NBC 1995, however, alternative solutions are very similar to equivalencies. 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. An alternative solution must provide at least the minimum performance level required by the applicable provisions in Division B. 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 area of performance is defined by the functional statement-objective pair. 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, and these requests must accompany the building permit application. 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 he or she has knowledge of, and is 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 Codes Act (CCA); and
- The granting of an alternative solution is case specific and is of no binding effect in respect of subsequent applications.

**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.**



REGINA

Commercial Building Permits

REQUEST FOR EVALUATION OF AN ALTERNATIVE SOLUTION

(Rev: June 15, 2022)

SECTION A – PROJECT INFORMATION

PROJECT INFORMATION table with fields for Building Address, Legal Address, Lot, Block, Plan, Subdivision, and Work Description Covered by Alternative Solution.

OWNER table with fields for Contact Name, Company Name, Address, City, Province, Postal Code, Phone Number, and Email Address.

DESIGN PROFESSIONAL table with fields for Contact Name, Company Name, Address, City, Province, Postal Code, Phone Number, and Email Address.

SECTION B – SUBMISSION REQUIREMENTS

Table with 2 columns: Description of requirements and Submitted status (checkbox). Rows include: A Request for Evaluation of an Alternative Solution will only be considered if all of the items listed below are submitted in addition to this application form; DESCRIPTION of the proposed Alternative Solution; QUALIFICATIONS of the design professionals responsible for the design; DETAILED BUILDING CODE ANALYSIS which includes: A. Identification of applicable Division B provisions; B. Identification of applicable objectives and functional statements; C. Evaluation of the performance level of applicable Division B provisions; D. Evaluation of the performance level of the proposed Alternative Solution; E. Identification of any assumptions, analytical methods or rationales, limiting or restricting factors; F. Identification of testing procedures, engineering studies, building performance parameters, etc. to support the assessment for compliance; DOCUMENTATION of operational or maintenance requirements necessary after the building is constructed; OTHER supporting documentation (see Section D for examples); COMMITMENT LETTER for field review (see Section D – required on request).



Commercial Building Permits

# REQUEST FOR EVALUATION OF AN ALTERNATIVE SOLUTION

(Rev: June 15, 2022)

## SECTION C – DECLARATION AND SIGNATURES

**BY SIGNING THIS FORM, THE OWNER OR THE OWNER’S AGENT EXPRESSLY ACKNOWLEDGES:**

- That the owner has knowledge of, and is in agreement with, this request for evaluation of an 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 *National Building Code*, and/or the 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.

**TAKE NOTICE THAT, IF THE ALTERNATIVE SOLUTION IS PERMITTED:**

- Failure to comply with the specifications of the alternative solution is an offence under the Construction Codes Act (CCA); and
- The granting of an alternative solution is case specific and is of no binding effect in respect of subsequent applications.

**I certify that I have read and agree to abide by the conditions above, and that all information contained within this application is correct.**

\_\_\_\_\_  
Name of Owner/Owner’s Agent (Print)

\_\_\_\_\_  
Signature of Owner/Owner’s Agent

\_\_\_\_\_  
Date Received

**SECTION D – General Information**

This section is intended to provide assistance in the completion of this application form. Please read this information thoroughly.

**SECTION A – PROJECT INFORMATION**

This section is intended to provide general information on the specific project being applied for. The information in this section is required in order for a request for evaluation of an alternative solution to be reviewed by the Building Standards & Inspections Branch.

- **WORK DESCRIPTION** – Provide a brief description of the scope of work, including the type of building to be constructed or altered.
- **DESIGN PROFESSIONAL** – Alternative solutions are only accepted from architects or engineers licensed to practice in the province of Saskatchewan. All submitted Alternative solutions shall be signed and sealed by either an architect or engineer licensed to practice in the province of Saskatchewan. An owner or contractor may apply for an alternative solution; however, the required documentation must be prepared by an architect or engineer. Where the design of a building includes proposed alternative solutions that involve more than one person taking responsibility for different aspects of the design, the applicant for the permit shall identify a single person to co-ordinate the preparation of the design, Code analysis and documentation referred to herein as per Sentence 2.3.1.1(6), Division C of the *National Building Code* (NBC).

**SECTION B – SUBMISSION REQUIREMENTS**

This section is intended to provide the applicant and design team with information regarding the minimum amount of supporting information required with the Request for Evaluation of an Alternative Solution. The Building Standards & Inspections Branch reserves the right to request further information during review in support of any proposed alternative solution.

- **DESCRIPTION OF THE PROPOSED ALTERNATIVE SOLUTION:** Documentation must be provided to demonstrate that the proposed alternative solution complies with the NBC as stated in Division C, Article 2.3.1.1.
- **QUALIFICATIONS OF THE ARCHITECT OR ENGINEER RESPONSIBLE FOR THE DESIGN:** It is required that an architect or engineer licensed to practice in the province of Saskatchewan be responsible for an alternative solution design. Please describe qualifications as they relate to the specific scope of this Alternative Solution.
- **DETAILED BUILDING CODE ANALYSIS:** This code analysis is very detailed. It must outline the analytical methods and rationales used to determine that a proposed alternative solution will achieve at least the level of performance required by Clause 1.2.1.1(1)(b) of Division A. All information in the Code Analysis shall be in sufficient detail to convey the design intent and to support the validity, accuracy, relevance and precision of the Code Analysis as per Sentence 2.3.1.1(5) of Division C. The detailed Code Analysis must include the following:
  - A. **IDENTIFICATION OF APPLICABLE DIVISION B PROVISIONS:** Reference the requirements in Division B of the NBC that would typically apply, and that the proposed alternative solution is attempting to satisfy by an alternate method.
  - B. **IDENTIFICATION OF APPLICABLE OBJECTIVES AND FUNCTIONAL STATEMENTS:** Identify the objectives and functional statements associated with these Building Code requirements.
  - C. **AN EVALUATION OF THE PERFORMANCE LEVEL OF APPLICABLE DIVISION B PROVISIONS:** Address the performance level that the NBC is attempting to achieve with the referenced requirements in Division B.
  - D. **AN EVALUATION OF THE PERFORMANCE LEVEL OF THE PROPOSED ALTERNATIVE SOLUTION:** Evaluate how the proposed alternative solution will meet the performance level expected for the referenced requirements.
  - E. **IDENTIFICATION OF ANY ASSUMPTIONS, LIMITING OR RESTRICTING FACTORS:** Identify the assumptions, limiting or restricting factors involved in the evaluation of the proposed alternative solution.
  - F. **IDENTIFICATION OF TESTING PROCEDURES, ENGINEERING STUDIES, BUILDING PERFORMANCE PARAMETERS, ETC. TO SUPPORT THE ASSESSMENT FOR COMPLIANCE**
- **DOCUMENTATION OF OPERATIONAL OR MAINTENANCE REQUIREMENTS NECESSARY AFTER THE BUILDING IS CONSTRUCTED:** Information concerning any special maintenance or operational requirements, including any building component commissioning requirements, that are necessary for the alternative solution to achieve compliance with the Code after the building is constructed must be provided (Division C, Clause 2.3.1.1(2)(b)). The building must be maintained in compliance with the codes under which it was built, which includes any alternative solutions used.
- **OTHER SUPPORTING DOCUMENTATION:** This includes other information or items that may be helpful in the review of the proposed alternative solution, including:
  - A list of submitted documents.
  - A reason for the proposed alternative solution.
  - A list of applicable sections of referenced standards
- **COMMITMENT LETTER FOR FIELD REVIEW:** A commitment letter for field review may be requested at the discretion of the City of Regina Building Standards & Inspections Branch for the alternative solution to ensure that the construction complies with the design professional's design.