

# NATIONAL BUILDING CODE (ALBERTA EDITION) 2019

## 9.36

# CONSTRUCTION DEVIATION GUIDELINES

Though it is not permitted to deviate from approved building permit/drawings, the City of Edmonton recognizes this may occur due to materials substitutions. These are infractions.

An infraction is a case of the building not being constructed according to the approved plan. Where component or assembly energy efficiency characteristics exceed those of the approved plan, there is no infraction. Installing lower performing product is a 9.36-related infraction, and may be rectified by the typical method of removing and replacing to match the approved plans. Alternatively, as many ways to achieve compliance exist, for 9.36-related infractions only a permit holder may choose from the following:

### PRESCRIPTIVE PATH PARAMETERS

If any prescriptive path parameters change during the course of construction, a pre-occupancy re-submission confirming 9.36 compliance of the actual construction must be submitted for review and approval, demonstrating an acceptable TRADE-OFF – OR – PERFORMANCE PATH solution. No Final inspection for occupancy will occur until this requirement is satisfied.

### PERFORMANCE PATH PARAMETERS

If any performance path parameters change during the course of construction, a pre-occupancy re-submission confirming 9.36 compliance of the actual construction must be submitted for review and approval, demonstrating an acceptable revised PERFORMANCE PATH solution. No Final

inspection for occupancy will occur until this requirement is satisfied.

### TRADE-OFF PATH PARAMETERS

If any trade-off path parameters change during the course of construction, a pre-occupancy re-submission confirming 9.36 compliance of the actual construction must be submitted for review and approval, demonstrating an acceptable TRADE-OFF – OR – PERFORMANCE PATH solution. No Final inspection for occupancy will occur until this requirement is satisfied.

### BLOWER DOOR TEST

When the proposed PERFORMANCE PATH air-change rate will be demonstrated by testing, a blower door test report must be submitted confirming that the proposed air-change rate was achieved in the actual construction. This report must be submitted for review and approval before final inspection. No Final inspection for occupancy will occur until this requirement is satisfied.

Submissions and supporting documentation can be emailed to [bprevisions@edmonton.ca](mailto:bprevisions@edmonton.ca) and include the following:

#### FOR 9.36 DEVIATIONS:

- » Outline of what 9.36 deviations are being addressed;
- » How 9.36 deviations are being addressed;
- » Sufficient photos and/or sketches to demonstrate the resolution of the infraction;
- » A statement from the permit holder affirming required changes have been completed –or– affirming that any

required changes will be completed prior to final inspection for occupancy

- » Trade-off calculations printout or new or revised Performance Report with summary

#### FOR BLOWER TEST RESULTS:

- » Report in accordance with CAN/CGSB-149.10-M @50Pa per 9.36.5.10.(9)-(13)

Plan examiners reviews and approve the submission, and then resolve the identified 9.36 infraction. If concerns cannot be resolved, further field check may be required.

An owner or constructor shall, upon request, provide written assurance from the person supervising construction that the construction was in compliance with the requirements of NBC(AE) and any permits issued (per Article 2.2.13.6. of Division C of NBC(AE)2019).

Neither permits nor inspections relieve the owner of a building from full responsibility for carrying out the construction in accordance with the Safety Codes Act, its regulations, NBC(AE), and the conditions of the permit (per Article 2.2.10.9. of Division C of NBC(AE)2019).