

MEMORANDUM

To: Transportation Standing Committee – Chair & Members

From: Jennifer Weagle, Legislative Assistant

Date: January 14, 2014

Subject: Accessibility Advisory Committee motion re: Provincial Building Code Changes

At the December 16, 2013 meeting of the Accessibility Advisory Committee (AAC), Mr. Jim Donovan, Manager, Municipal Compliance made a presentation to the Committee with regard to the construction of residential and commercial buildings, including new construction and renovations in HRM. This presentation was made at the request of the Committee.

The following recommendation was approved:

MOVED by Councillor Watts, seconded by Ms. Krista Daley, that the AAC request the Transportation Standing Committee request a staff report to inform the process for requesting changes for the provincial building code specific to accessibility in homes. The report should include other municipal jurisdictions that have made changes to regulations for homes such as those that require lever type handles on doors and facets, height of light switches and mechanisms for improving access to barrier-free units in larger residential buildings. MOTION PUT AND PASSED.

An extract of the draft Accessibility Advisory Committee minutes of December 16, 2013 is also attached.

6. CORRESPONDENCE, PETITIONS AND PRESENTATION

6.1 Presentation – Permitting of New Buildings (commercial & residential) – *Jim Donovan, Manager, Municipal Compliance*

Mr. Donovan described Municipal Compliance as the regulatory division of HRM. They regulate By-Laws, License Standards and Building Standards which include Permits & Inspections. They regulate the construction of buildings including new buildings and renovations out of the Building Code Act. He stated that they would not have a Building Code Act if it was not for lobbying from accessibility committees in the 1980s.

There are specific Nova Scotia regulations for section 3.8, the Barrier-Free provision, that are used in the province instead of the national standards. Barrier-Free regulations only apply to certain buildings such as institutional buildings and commercial buildings and they exclude residential buildings along with farming and industrial facilities. There is no provision for homes with regards to accessibility.

There is a code change process that allows citizens to submit suggestions for changes by filling out a Code Change Form. Examples of changes that are being made in other jurisdictions are door handles being changed to lever-type openers, thermostats being lowered while receptacles are being raised.

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The Committee discussed sharing the staff report with the province as it would inform the province that the Committee is seeking revisions to the provincial legislation. Mr. Donovan pointed out that you cannot make a building rule that is less stringent than the provinces legislation. The province prefers to have the building standards provincially applicable but the Committee discussed that the recommendations could be implemented.