

National Building Code engagement

Key changes and Northern Construction Considerations

Industry Education and Engagement Session

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Module 01 – What we've heard so far

Engagement pathways & Establishing action items

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This presentation is conceptual and for informal educational purposes only.

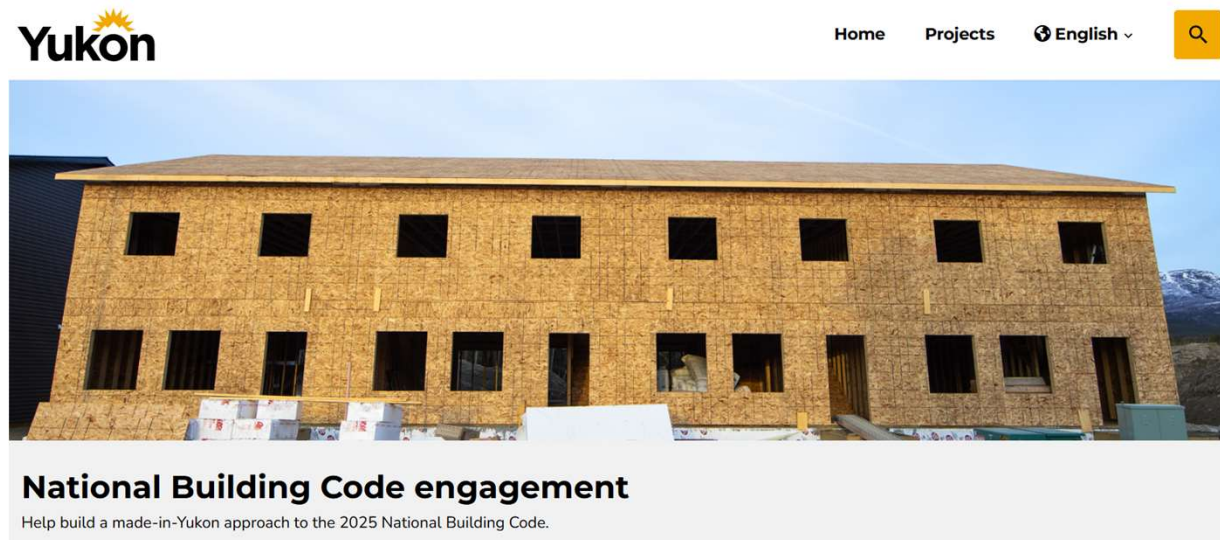
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What we've heard to date

The National Building Code engagement officially launched on September 15. In preparation, staff began engaging with stakeholders several months earlier and received comments and questions leading up to the in-person session. This session will review that feedback and consider how it can inform future education and engagement sessions.



What we've heard to date

From a concerned builder/developer:

We are deeply committed to this place and to being a part of Yukon's future. However, there is the cold reality that it is simply not economical to invest in new commercial construction in Yukon and one of the **primary drivers of those costs are what we believe to be unnecessary provisions from the NBC.**

This issue is not an esoteric policy discussion. It is a very real conversation about jobs and investment and future development of our community.

***Esoteric** means intended for or understood by only a small group of people who have special knowledge, training, or hidden interests.*

What we've heard to date

Code Requirements

Code Change

Concerns related to implementation of 9.10.1.2. Testing of Integrated Fire Protection and Life Safety Systems

Review the Code provisions with the greatest local consequences – Structural and Energy Performance

Change the elevating device regulations so that only the version of CSA B44 referenced in the currently adopted NBCC rather than immediately.

I would like to ensure that there are discussions about **electric heat storage**, home batteries, and EV charging. (9.36)

Local knowledge / local impact - the NBC is built as a "best practice" approach to standardized building.

What we've heard to date

Administrative – Adoption and Permit processing

Replace automatic adoption with a deliberate Yukon decision

Cost Assessment - how to evaluate the cost impact of any changes in the code.

Local knowledge / local impact - the NBC is built as a "best practice" approach to standardized building.

Review of existing provisions - there should be a full review of all recently adopted provisions and sections to ensure they are appropriate for a Yukon context

Main concern is around adherence by developers in the Yukon. The building inspectors do their best, but most developers lack integrity

Coordination - there needs to be consistency and coordination between the various AHJs. As a developer, the inconsistencies in applications can create delays, costs and confusion.

Establish the actual cost before selecting Code requirements

Introduce a legally supported Yukon STANDATA system

Implementation of a STANDATA system - Consideration should be given to implementing a similar system here (or tying into another jurisdiction's existing system).

Posting building code appeal decisions in a central online location improves transparency, consistency, and public trust.

Adopt firefighting water design requirements as a regulation rather than an advisory so that it provides certainty to designers/owners.

Size of buildings that codes apply to?

Concerns related to implementation of 9.10.1.2. Testing of Integrated Fire Protection and Life Safety Systems

Protect projects already underway. The transition needs clear rules for projects already permitted, submitted, tendered, or substantially designed

Allowing small assembly occupancies (such as yoga studios, gyms, etc.) to be considered as Group D or E. This is allowed in BC & Ontario.

Provide defined clarification on the requirements for IST (ULC-S1001) testing on existing buildings.

Review the Code provisions with the greatest local consequences – Structural and Energy Performance

Requirements for engineering stamps and building permits for event-style tents

Building Permits for off-grid structures

Provide clarification on daycare occupancies being an assembly occupancy rather than a care occupancy (regulation vs. advisory).

Allow for the acceptance of rated service wall exterior wall assemblies for both Part 3 and 9 buildings.

Questions we've received so far:

Requirements for engineering stamps and building permits for event-style tents. (This is a mixture of code application and local regs)

Code Requirement

Code - 3.1.18. Tents and Air-Supported Structures

Non-Part 9 structure – falls under Part 4 Structural Design

Area = not applicable

Local Regulation

Whitehorse Bylaw

- (6) A temporary tent or group of temporary tents is exempt from a building permit if all the following are met:
- (a) The tent or combination of tents (those constructed less than 3 metres apart) is not more than 60 square metres in aggregate ground area;
 - (b) The tent is not attached to a building;
 - (c) The tent or combination of tents shall be constructed more than three metres from all other structures, including buildings and any other tents on the same property not forming part of the combination; and
 - (d) The installation is temporary and does not exceed 14 days, unless otherwise authorized by the Authority Having Jurisdiction.

Regardless of the exemption for a building permit, the structure and its components, connections and fabric must be designed to resist snow and wind loads for Whitehorse. As per the National Building Code, an allowance for the removal of the snow should not form part of the design. All fabric, textile or film is required to be certified to CAN/ULC-S109 "Flame Tests of Flame-Resistant Fabrics and Films" (Bylaw 2026-21 May 21, 2026)

Area = 60 square meters

Yukon

Modification (Dawson?)

Tents

11(1) Tents not exceeding 45 square metres in ground area may be erected not less than 3 metres from an interior lot side property line and shall not be closer than 4.5 metres to other structures or buildings with combustible exterior cladding.

(2) Tents and tarpaulin covered structures shall not be permitted an electrical connection unless the entire electrical system, apparatus and appliances are designed and CSA approved for installation under conditions of moisture or high humidity.

(3) Tents shall be designed as open floor space without interior walls, partitions, railings or support columns.

YUKON REGULATIONS

Sept. 30/16

Area = 45 square meters



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Questions we've received so far:

Building Permits for off-grid structures.

Important to clarify the question.

- Assumption – no services – water, sewer, elec., gas?
- Seasonal only (summer cabin) or Permanent (house)?
- Temporary Buildings?
- Maximum Size?
- House with Net-Zero design?

Requires further clarification of parameters before answer can be provided. However, this is not a specific Code change item.

See following question on - The size of buildings that codes apply to.

City of Whitehorse Bylaw No 99-50

86. Energy Efficiency (Bylaw 2014-24, June 9, 2014) (Bylaw 2025-24, May 26, 2025)

- (1) This section applies to site and factory built buildings and additions to buildings intended to be occupied during the heating season, excluding residential accessory structures and unheated buildings.

Local regulations that apply

- Yukon or Whitehorse – exemptions – 12sqm
- Building Codes modification regulations (Energy performance 44.6sqm (480sqft)

Code

- See Note A-9.1.1.1.(1) regarding **application to seasonally and intermittently occupied buildings.**
- Construction requirements still applies – on or off grid, 9.36 Energy Efficiency

Questions we've received so far:

The size of buildings that codes apply to? (two slides)

- **Code** and Local regulations

Section 1.1. General

1.1.1. Application of this Code

1.1.1.1. Application of this Code

- 1) Except as provided in Sentence (3), this Code applies to the design, construction and occupancy of all new buildings, and the alteration, reconstruction, demolition, removal, relocation and occupancy of all existing buildings. (See Note A-1.1.1.1.(1).)
- 2) Except as provided in Sentence (3), this Code applies to both site-built and factory-constructed buildings. (See Note A-1.1.1.1.(2).)
- 3) Farm buildings not more than 3 storeys in building height and not more than 600 m² in building area used for major occupancies classified as Group G, Division 1, 2, or 3 agricultural occupancies shall conform to the requirements of the National Farm Building Code of Canada 1995.

1.3.3.2. Application of Parts 3, 4, 5 and 6

- 1) Parts 3, 4, 5, and 6 of Division B apply to all buildings described in Article 1.1.1.1. and
 - a) classified as post-disaster buildings,
 - b) used for major occupancies classified as
 - i) Group A, assembly occupancies,
 - ii) Group B, care, treatment or detention occupancies, or
 - iii) Group F, Division 1, high-hazard industrial occupancies, or
 - c) exceeding 600 m² in building area or exceeding 3 storeys in building height used for major occupancies classified as
 - i) Group C, residential occupancies,
 - ii) Group D, business and personal services occupancies,
 - iii) Group E, mercantile occupancies, or
 - iv) Group F, Divisions 2 and 3, medium- and low-hazard industrial occupancies.

1.3.3.3. Application of Part 9

- 1) Part 9 of Division B applies to all buildings described in Article 1.1.1.1. of 3 storeys or less in building height, having a building area not exceeding 600 m², and used for major occupancies classified as
 - a) Group B, Division 4, home-type care occupancies,
 - b) Group C, residential occupancies (see Note A-9.1.1.1.(1) of Division B),
 - c) Group D, business and personal services occupancies,
 - d) Group E, mercantile occupancies, or
 - e) Group F, Divisions 2 and 3, medium- and low-hazard industrial occupancies.

Code = Use + Building Area (600 sqm) + Storeys (03)

There is no mention of what is specifically exempted such as in the BC Code

- accessory buildings less than 10 m² & factory-built housing (Z240MH)*

*Note - A-1.1.1.1.(2) Factory-Constructed Buildings. - CSA A277 & CSA Z240MH

Questions we've received so far:

The size of buildings that codes apply to?

- Code and **Local regulations**
 - Yukon
 - Building Standards Act
 - Building Codes modification regulations (Energy performance 44.6sqm (480sqft))
 - Whitehorse
 - Building & Plumbing Bylaw 99-50
- Accessory (non-habitable)
 - Less than 12 sqm (130 sqft)
- Harmonization of regulations

Building Standards Act Regulation

1. Definitions

"exempt building" means a building that

- (a) is accessory to a building that is the dwelling of one or two families, and
- (b) does not exceed 12 square metres in floor area; « *bâtiment exclu* »

City of Whitehorse 99-50

Exemptions

- (5) accessory buildings not greater than 12m² in building area provided they are not intended for occupancy and do not create a hazard. (*Bylaw 2025-04 January 27, 2025*); and

What may create a hazard
- electrical or plumbing?

Questions we’ve received so far:

Concerns related to implementation of 9.10.1.2. Testing of Integrated Fire Protection and Life Safety Systems.

This is an existing requirement in the NBC 2020 Division B - 3.2.9.1. and 9.10.1.2. with no Yukon or Whitehorse modifications.

Recommend ongoing discussions and education regarding code compliance implementation.

See Bulletin [260617-CAN-ULC-S1001-Building-Bulletin-2026-006.pdf](#)



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Suggested Engagement Structure

For each major NBC 2025 code change, consider organizing discussions around four questions

- What problem is the change trying to solve?
- What are the short-term Yukon implementation impacts?
- What are the long-term benefits for Yukon residents and communities?

Does the Yukon need:

- Modifications,
- Exemptions,
- Transition periods or pathway, or
- Additional
 - guidance
 - consultation
 - education?

How do we separate:

- Genuine technical concerns
- Implementation concerns
- Issues that require Yukon legislation or permit administration/enforcement vs. the NBC code change itself

Suggested Engagement Structure

When thinking about a change, we should try to frame it:

Question	Example
What is the Yukon doing now?	Current NBC 2020 vs Yukon practice.
What does the NBC 2025 introduce?	Specific new requirement or clarification?
Is Yukon already partially aligned?	Yes/No
What is the actual gap?	Training, design, supply, inspection, cost, administration
What transition support is needed?	Guidance, phased implementation, exemption



Understanding current design and building practices will help us understand the effects new code requirements may have on Yukon industry partners.



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Possible Engagement Outcomes

Through continued engagement and education sessions we may determine: (as an example)

Energy Performance :

The Yukon building industry may already be positioned for higher Tier - energy performance requirements than many stakeholders assume.

As a result, the largest challenge may not be:

“Can Yukon builders build to these performance levels?”

But rather

“How can the Yukon efficiently document, verify, inspect and enforce these requirements while minimizing impacts on housing supply and affordability?”



Action items moving forward

Code related items

- Ken K (FBS) – continue code education and engagement on changes significantly impacting Yukon building industry.

Focus - code changes should improve safety and building performance while remaining practical, affordable, and appropriate for northern construction.

Yukon and Whitehorse related items

- Recommend ongoing engagement with Yukon and city officials related to building regulations and Code adoption timing.
- Continued work to increase consistency in processes and Code interpretation.

Question or Comments



Contact Us

If you have questions about process, or want to share your feedback directly, contact us.

Contact Information

Email nbc.engagement@yukon.ca