



# 17<sup>th</sup> ANNUAL INDUSTRY WORKSHOP

**WEDNESDAY, NOVEMBER 3, 2021**

HOSTED BY THE CITY OF KITCHENER BUILDING DIVISION

# Q&A

*Information provided is general in nature. If and when any building permit is applied for a project, all pertinent code requirements will be reviewed at that time.*

*Under the Building Code Act, the local municipality is the authority having jurisdiction for enforcing the Act and its Regulations, and the permit applicants should contact the appropriate authority with respect to any specific proposal.*

**Q1. What is the definition of an interior passageway?**

**Answer**

As interior passageway is not a defined term in the Ontario Building Code the definition can be taken from Merriam-Webster's dictionary. Internal is defined as: the internal or inner part of a thing. While passageway is defined as: a way that allows passage.

**Q2. The new spiral stair provisions have an occupant load restriction of 3 persons, how do we justify 3 persons?**

**Answer**

Spiral stairs conforming to 9.8.4.5A.(1) are permitted to be used as the only means of egress where they serve not more than 3 persons. As per Division B 9.9.1.3.(1)(a) the occupant load shall be based on two persons per sleeping room or sleeping area in a dwelling unit or suite.

**Q3. Is the occupant load criteria for spiral stairs the occupant load for the entire dwelling, or just the area the stair is accessing?**

**Answer**

Where spiral stairs conforming to 9.8.4.5A.(1) are used as the only means of egress the occupant load for the area served by the stairs cannot be more than 3 persons.

**Q4. Relating to the the diagram for the interior blanket insulation is it a vapour barrier behind the insulation in basements?**

**Answer**

It is recommended a low vapor permeance material is installed behind the blanket insulation. This will reduce the summer time condensation within the wall system. Refer to the MMAH “Full Height Basement Insulation” guide for best practices. <http://www.mah.gov.on.ca/AssetFactory.aspx?did=8405>

**Q5. Should building permit resubmissions for Part 9 permits be sent via the permit.expeditor@kitchener.ca or does that process apply to Part 3 only?**

**Answer**

Resubmissions should be submitted as follows;

- **Part 9 residential** – re-submit via the Public Portal
- **Part 9 non-residential** – re-submit to either the permit expeditor or direct to the applicable plans examiner. Some files may be too large to email, feel free to contact us if we need to send you a ShareFile link to upload the files to.
- **Part 3 All permits** – re-submit to either the permit expeditor or direct to the applicable plans examiner. Some files may be too large to email, feel free to contact us if we need to send you a ShareFile link to upload the files to.

**Q6. What is the best way to address an individual item that is specific to a difference in interpretation - either before or during the process?**

**Answer**

For interpretation questions prior to applying for a permit the industry is encouraged to contact Buildign Staff to discuss the item. The City of Kitchener Building Division also provides a service of a pre-permit submission meeting, which is encouraged for large or complex projects.

For questions relating to active permits, the industry is encouraged to contact the applicable plans examiner or building inspector directly (via phone or email) to discuss the item.

**Q7. Will the 6 month period for a permit to be issued and the 6 month period to commence construction after it is issued come into effect on applications submitted after Jan 1, 2022?**

**Answer**

If a building permit is not issued within 6 months of the application the permit may be cancelled in accordance with the City of Kitchener Building By-Law.

If construction has not commenced within 6 months of permit issuance the permit may be revoked as per the Building Code Act.

Division C, Section 4.1. sets out the Transition Rules for upcoming code changes.

In addition the where construction has been suspended or discontinued for more than a year it may also be revoked under the Building Code Act.

All these provisions apply to permits applied for both before and after Jan. 1, 2022.

**Q8. The new provisions for handrails in aisles with steps in Assembly Occupancies, are the provisions based on the “required” stair width or the provided stair width?**

**Answer**

The provisions are based on the provided stair width. The intent being a person should be able to easily reach a handrail without moving too far.

**Q9. In regards to Stairs, Ramps, Handrails etc in a new Part 3 detached residential house, does Part 9 cover this or is Part 3 more stringent?**

**Answer**

Stairs, ramps and handrails within or serving a single dwelling unit (house) where the house falls under the scope of Part 3, Division B, Article 3.3.4.7. specifies that the these elements shall conform to the applicable requirements of Section 9.8.