Subject: Zero Lot Line Variance

Background: A variance is written permission to build, install, process, or otherwise act in a manner not consistent with the provisions of an applicable code but which provides, in the opinion of the Authority Having Jurisdiction (AHJ) or Safety Codes Officer, an equivalent or greater level of safety to persons or property.

Reason for the Variance: Home builders within the City of St Albert want to construct houses with 1.5 meters between the exposing building face of the adjacent house. One house is to be constructed at a limiting distance of 1.5m. The adjacent house is to be constructed at a limiting distance of 0m from the property line. The roof soffit and overhang on this house will project beyond the property line. Sentence 9.10.15.5.(8). Of Division B of the National Building Code – Alberta Edition, requires that a roof soffit project to not less than 0.45m from the property line, therefore, a variance is hereby required.

Applicable regulatory requirements: National Building Code – Alberta Edition, Division B, Sentence 9.10.15.5.(8). Construction of Exposing Building Faces of Houses.

This Variance is written based on the implementation of a "**Deemed Limiting Distance**" being imposed between the two adjacent buildings. This "Deemed Limiting Distance" is taken at the midpoint of the Maintenance Easement as outlined in the applicable sections of the Land Use Bylaw. This distance is consistent in its application and is specified as 1.5M creating the "Deemed Limiting Distance" of 0.75M.

Accepted method of Variance: The following constructions are to apply to the exposing building faces on both side walls of both houses adjacent to each other, this may be achieved by:

a) The outermost face of all storeys (1 – 3) of the exterior wall finish of the wall at 0m limiting distance is to be in line with the property line or within the property of the building to which the finish is attached. **All other configurations will require a separate variance request.**

b) Exterior Cladding shall be:

I) Non-combustible fiber cement board installed over an accepted oriented strand board (OSB) or a minimum 15.9mm (5/8") Type X gypsum sheathing or the equivalent. The area above the soffit to the underside of the roof sheathing is to be protected by a minimum 15.9 mm (5/8") Type X gypsum sheathing or equivalent with all edges to be fully supported. OR

II) Cementitious stucco conforming to Subsection 9.28 of Division B of the National Building Code – Alberta Edition. over an accepted oriented strand board (OSB) or equivalent. The area above the soffit to the underside of the roof sheathing is to be protected by a minimum 15.9 mm (5/8") Type X gypsum sheathing or equivalent with all edges to be fully supported*. OR

III) Vinyl siding conforming to CAN/CGSB-41.24, installed over a minimum 15.9 mm (5/8") Type X gypsum sheathing or the equivalent. Sheathing panels are to extend to the underside of the roof sheathing with all joints to be on the studs, top and bottom plates or otherwise fully supported. Joints are not required to be taped.

c) Interior gypsum board is to be a minimum 12.7 mm (1/2") Type X gypsum board on the side walls of both houses with all joints fully supported* taped and finished.

d) Gypsum board on the ceiling of the uppermost floor of both houses shall be a minimum 12.7 mm (1/2”) type X.

e) No glazed openings or unprotected mechanical openings are permitted on the exposing building face at 0.75m limiting distance

DOORS, as provided below,

20-minute fire-protection rated labeled glazed door assemblies (closures) installed and maintained in accordance with NFPA 80 and manufacturer instructions,

WINDOWS that are

I) 20-minute fire-protection rated labeled window assemblies *(closures)* installed and maintained in accordance with NFPA 80 and manufacturer instructions,

II)protected with 20-minute fire-protection rated labeled shutter assemblies installed and maintained in accordance with NFPA 80 and manufacturer instructions,

III) or sprinkler-protected per Standata 19-BCV-013. (Link included in Appendix C)

f) Protection of electrical penetrations within the exterior wall at 0.75 m limiting distance is required by use of an approved, listed firestop system. Outlet boxes are to be tested and listed for such installation or are to be protected with a listed fire stop system.

g) No combustible services are allowed within the wall at 0.75 m limiting distance. Refer to Standata 20-GC-02.(Link included in Appendix C)

h) Decorative combustible architectural returns, if any, on both side walls of both houses shall not exceed a total combined area of 2 per cent of the entire exposing building face, or they shall not extend more than 0.6 m onto any of the side walls from a corner. Architectural returns of combustible cladding shall be installed over a minimum 15.9 mm (5/8”) type X gypsum sheathing or equivalent. Combustible architectural returns shall be treated with a fire-retardant coating acceptable to the AHJ.

k) A side yard door and any required exterior landing and access path shall be

I) located only where wholly contained within the legal property boundary of the House,

II) arranged to not impede surface drainage or access to the side yard for each House as set down in the maintenance easement agreement,

III) with a landing, where required, conforming to the requirements of NBC2019-AE:B:9.8.6., and

IV) with an access path that leads to a public thoroughfare of minimum 1.1m width measured perpendicular from finished exterior frame wall of the House, where the door is intended to serve as the primary entrance to a secondary suite.

Authority and Conditions:

Under the authority of Section 38 of the Safety Codes Act, Chapter S-1 of the Statues of Alberta 2000, this Variance is granted based on:

1- The owner/contractor acknowledging the authority under which the variance is issued by virtue of referencing this Variance in the Building Permit documentation.

2-The owner, and contractor ensuring that the project is carried out as outlined in this Variance.

3-A maintenance easement right of way agreement in the form satisfactory to the AHJ (City of St Albert) must be registered on the title of this parcel and the adjacent parcel over a 1.5m width parallel to the property line. The agreement can allow for 0.3 m eave projection and a 0.6m footing projection across the property line. At no time may any portion of the buildings including the eaves on either parcel be closer together than 0.9 m.

Any construction that does not comply with the terms and conditions set forth in this City-wide Variance will require a separate Request for Variance submitted to the AHJ for review in accordance with the requirements of the NBC 2019-AE.