

**Provincial Building Code  
adopted by Province of N.S. through  
the Building Code Act and Regulations  
(How can I build this?)**

**VS**

**Land Use By-law  
(Where can I build this?)**

**Purpose:** Provincial regulations put in place to make sure new or existing buildings or construction is inspected and safe.

**Purpose:** Guides what can take place and be built on any piece of land in the region.



## Provincial Building Code...

**Control:** The Canadian Commission on Building and Fire Codes develops the minimum National Building Code, which is then adopted by participating provinces for enforcement.

**Enforcement:** The Nova Scotia Building Code Regulations requires all Building Officials to be Certified by NSBOA in order to administer and enforce the Act, regulations and the NS Building Code. Municipal Council must appoint each official.

- All Municipalities enforce the same Act regulations and code.

## Land Use By-law...

**Control:** Municipalities have been given jurisdiction on planning matters and develop their own unique by-laws.

**Enforcement:** Development Officers are appointed by Municipal Council under the Municipal Government Act for administration and enforcement of Land Use By-law and Subdivision By-law.

- Each Municipal Unit has unique Land Use By-laws



## Provincial Building Code...

### What does the Building Official inspect?

- Building Officials inspect all structures and scope of work requiring a building permit. This includes new builds or a renovation.
- There are mandated inspections outlined by the N.S. Building Code Regulations for both residential and commercial properties.
- Dwellings have 7 required visits by the official in order to obtain an Occupancy Permit.
- For most commercial projects, there are a minimum of four inspections. The final number is determined by the Building Official.
- NBC is a minimum building standard

### A permit is triggered if:

- **Change of use** - such as converting a dwelling to a commercial use or adding another unit (a basement apartment, for example)
- **Structural change** - such as installing a window or door, or adding a deck or stairs, in a new location
- **Plumbing** - such as adding or altering pipes within an existing building, **or** an increase to the system or adding/altering the plumbing system within an existing structure

## Land Use By-law...

### What do land use bylaws include?

- Includes where land uses can happen: commercial, agricultural, residential, industrial, institutional and recreation
- Places each property into a zone
- Regulates permitted uses on each property
- Standard lot sizes for each zone based on services available
- Regulates where uses and structures can occur on a property
- Type of housing controlled by zone
- Zone also regulates the number of units permitted
- Structure height of regulated based on zone and use



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