

Building Permits for Urban Farming

(B. Henderson)

Recommendation

That the April 3, 2018, Urban Form and Corporate Strategic Development report CR_5171, be received for information.

Previous Council/Committee Action

At the September 6, 2017, Urban Planning Committee meeting, Councillor B. Henderson made the following inquiry:

Could Administration provide a report on the building permit process for temporary structures like hoop houses including the following:

1. What are the roles of the City and the Province in adjudicating the need for building permits in this circumstance and what would be the process for getting changes to make it easier to move forward?
2. What mechanisms are Administration aware of that could be explored to simplify the process and reduce the cost?

Executive Summary

Under *fresh* - Edmonton's urban agriculture strategy, Administration undertook significant work to simplify the development permit process to make urban agriculture an approved Land Use.

In Alberta, any building over 10 square metres is regulated by provincial legislation under the *Safety Codes Act* and the Alberta Building Code, and requires a building permit. Provincial legislation requires a building permit for certain temporary structures. Building permit application requirements may include engineering drawings. Structures less than 10 square metres do not require building permits.

Role of the City and Province

The Alberta Building Code is provincial legislation that aligns with the National Building Code. Codes apply to the design, construction and occupancy of all buildings and structures greater than 10 square metres within the Province of Alberta. The objective of the Alberta Building Code is to ensure safety, protect health, provide accessibility for

persons with disabilities, ensure fire and structural protection of buildings, and protect the environment. The requirement for a permit is governed by the Provincial *Safety Codes Act* Permit Regulation.

City of Edmonton Safety Codes Officers are responsible for monitoring compliance with the Alberta Building Code and the issuance of permits. Where a building permit is required, a Safety Codes Officer will review the application and conduct site inspection for conformance with the Alberta Building Code.

Process for change

The National and Provincial Codes are aligned in their approach to structures. Any change to these codes and standards would have to be proposed to and approved by these agencies.

To bring about change in one of the Codes Canada publications, a proponent must provide sufficient information to allow the Canadian Commission on Building and Fire Codes (CCBFC) and its standing committees (Code committees) to determine that the suggested change is needed and that it is technically correct.

An interpretation of the Alberta Building Code can also be brought to the Safety Services section of Alberta Municipal Affairs for clarification. Administration contacted Alberta Municipal Affairs for an interpretation of the Codes for these structures. This report provides a summary of the response from Alberta Municipal Affairs.

Available mechanisms to simplify the process and reduce the cost

Building permits are not required for structures less than 10 square meters. Applicants wishing to build a structure greater than 10 square metres for urban agriculture have options available when it comes to the building permit process. In all cases, the structure must meet the requirements of the Alberta Building Code. Updates to the Alberta Building Code may change future requirements.

There are three options available:

1. The structure is designed and reviewed by an engineer who provides a professional assurance that the Code requirements have been met.
2. Structures can be purchased from a manufacturer who provides pre-engineered designs that comply with the Alberta Building Code.
3. A proponent could erect a temporary structure with a temporary development and building permit with a specified end date for when the structure would be removed from the property. This process would have to be followed each time a temporary structure over 10 square meters is erected.

The Code does have provisions for cases where a safety codes officer (Authority having jurisdiction) may provide selective compliance for temporary structures, so that they may be exempt from certain requirements for permanent structures, such as a wheelchair ramp or washroom facilities. This does not, however, pertain to items such as structural requirements (for snow or wind loads) which address the requirements of protecting life, property or the environment. These provisions are intended only for short term circumstances, as wear and tear to the structure and exposure to the elements may make it a fire or collapse hazard.

Further to these options, Administration will undertake improved communications and public awareness about why a building permit is needed for urban agriculture structures over 10 square meters.

Further information on relevant regulations and exemptions can be found in Attachment 1 - Relevant Codes, Regulations, and Bylaws.

Corporate Outcomes and Performance Management

Corporate Outcome(s): Edmonton is a safe city			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Ensure development of a livable, safe and sustainable community	Annual number of Accessory Building Permits in Edmonton with Urban Farming details	15 (2017)	n/a

Attachment

1. Background, Relevant Codes, Regulations, and Bylaws

Others Reviewing this Report

- C. Campbell, Deputy City Manager, Communications and Engagement
- R. Smyth, Deputy City Manager, Citizen Services