



BUILDING STANDARDS ADVISORY

Farm Buildings	Approved by <i>Margaret Kuzylek</i>	Advisory Number A-3 1 of 4
	Effective Date April 2002 (replaces all earlier versions)	NBC 1995 References(s) 2.1.5.

Compliance with *The Uniform Building and Accessibility Standards Act* (the UBAS Act) and regulations is addressed in this advisory. NBC 1995 means the National Building Code of Canada 1995 as adopted by regulations under the UBAS Act. Words in italics, other than Act titles, are defined in the NBC 1995. Due to the difference in the UBAS Act and NBC 1995 definitions of “farm building,” when this term is not in italics the UBAS Act definition applies.

The Requirements

Regulations under the UBAS Act adopt and amend the NBC 1995. In turn, the NBC 1995 adopts the requirements of the National Farm Building Code of Canada (NFBC) 1995 for *farm buildings*. However, the UBAS Act redefines farm buildings and exempts these farm buildings from application of the NBC 1995. But—a farm building must fully meet the UBAS Act definition (not the NBC 1995 definition) to be exempt from the requirements of the legislation, the NBC 1995 and the NFBC 1995. The UBAS Act definition says:

“farm building” means a building associated with a farming operation and includes a residence consisting of not more than two dwelling units, but does not include buildings associated with commercial operations, multiple-occupancy residences or assembly buildings;

A rural municipality may extend application of the building standards to farm buildings. The Council must pass an appropriate resolution and ask the province to prepare corresponding regulations. Once the provincial regulations are in force, the building standards apply to farm buildings described in the resolution (that would otherwise be exempt) in that rural municipality.

Determination of Exemption from Saskatchewan’s Building Standards

When the UBAS Act was written in the late 1970s and early 1980s, the writers intended to exempt *buildings* on what are traditionally known in Saskatchewan as “family farms” unless the appropriate rural municipality chose to regulate them. Family farms were usually owned and operated by the farmer who lived on the property, and typically didn’t employ full-time workers, involve corporate business interests and investments, or have large occupied *buildings* on the property. Family farms were often the place where the farmer’s ancestors had homesteaded, and were usually handed down from parent to child, rather than sold to outsiders. For purposes of determining if a *building* can be considered as a “farm building” under the UBAS Act:

a) A farming operation can be considered an agricultural operation as defined in *The Agricultural Operations Act*, which says that an agricultural operation means an agricultural operation that is carried out on a farm, in the expectation of gain or reward, including:

- cultivating land,
- producing agricultural crops, including hay and forage,
- producing horticultural crops, including vegetables, fruit, mushrooms, sod, trees, shrubs, flowers, greenhouse crops and specialty crops,
- raising all classes of livestock, horses, poultry, fur-bearing animals, game birds and game animals, bees and fish,
- carrying on an intensive livestock operation,
- producing eggs, milk, honey and other animal products,
- operating agricultural machinery and equipment, including irrigation pumps and noise-scare devices,



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- conducting any process necessary to prepare a farm product for distribution from the farm gate,
- storing, handling and applying fertilizer, manure, organic wastes, soil amendments and pesticides, including both ground and aerial application, or
- any other prescribed agricultural activity or process.

A farming operation does not include situations where the word “farm” is not used in its common meaning, such as tank farms, wind farms, and sewage farms.

b) Many *buildings* being built on agricultural property in Saskatchewan these days are “commercial operations” and were not intended to be included in the UBAS Act definition of “farm buildings.” Building officials, local authorities, building owners, designers, and builders must use reason and common sense to apply the Act as was intended. Some characteristics that should be examined to determine whether a *building* meets the UBAS Act definition of farm building include:

- size of the *building* (i.e., roof spans less than 12.2 m),
- value of construction,
- number of full-time employees,
- nonresident and /or corporate owners,
- intensive livestock operations,
- public invited or permitted to enter, and
- non-agricultural operation or use.

When any or all of these characteristics lead to the conclusion that a *building* is not a traditional barn or storage *building* on a “family farm,” it is **not exempt**.

c) *Buildings* associated with hobby farms, vacation farms, riding farms, game farms, market gardens, greenhouses, and similar operations are only **exempt if**

- the *buildings* are used solely for activities related to breeding or growing plants or animals and their products, and
- only the farmer and farm hands enter and use the *buildings*.

Buildings that are open to the public or customers are **not exempt**. *Residential buildings* associated with these operations may be considered **exempt if** they meet the description in (f) below and are not open to the public or customers.

d) A *building* located on a farm and used for seed cleaning, motor vehicle repair, or other activity where a commercial service is offered to other farms or the public is **not exempt**.

e) A *building* used for handling, processing or storing products from plants and animals which have been grown on the farm where the *building* is located, and not associated with a commercial operation, is **exempt**.

f) *Residential buildings* are **exempt if** they:

- contain not more than two *dwelling units*,
- are occupied by the farmer and farm hands and their families, and
- are located on the same land as the farming operation.

Firewalls or *fire separations* can be used to divide row housing into *buildings* of not more than two *dwelling units*. See Subsections 2.1.6., 3.1.10. and 9.10.11. of the NBC 1995 regarding building size determination and *firewalls*.



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- g) Multiple-unit *residential buildings* with more than two *dwelling units* are **not exempt**.
- h) *Buildings* located on land in agricultural or rural areas but not associated with farming operations, such as houses on small acreages, are **not exempt**.
- i) Barns and other traditional farm buildings converted for use for dances, exhibitions or similar *assembly occupancies* are **not exempt**. They are classified as *assembly occupancies* and must be upgraded to comply with the NBC 1995, even when located on land associated with a farming operation. An existing farm building used for no more than two *assembly occupancy* events per year does not need to be upgraded to comply with the NBC 1995 provided:
 - the *building* structure is certified by a structural engineer as adequate for the proposed use,
 - sufficient, appropriate sanitary facilities are provided, and
 - each use is approved by a local fire official as having adequate fire protection and exits as required for fire safety.
- j) When use of a farm building changes so that it no longer meets the definition of farm building, it is **not exempt** and must be upgraded to comply with the NBC 1995.

Use of the NFBC 1995

When a farm-type *building* is not exempt from the standards, the NBC 1995 definition of *farm building* is used to determine whether the requirements in the NFBC 1995 apply (Article 2.1.5.1. of the NBC 1995). The NBC 1995 and NFBC 1995 definition is:

“*Farm building* means a *building* or part thereof which does not contain a *residential occupancy* and which is associated with and located on land devoted to the practice of farming, and used essentially for the housing of equipment or livestock, or the production, storage or processing of agricultural and horticultural produce or feeds. (See Appendix A.)”

“A-1.1.3.2. Farm Building. Farm buildings as defined in Article 1.1.3.2. include but are not limited to produce storage and packing facilities, livestock and poultry housing, milking centres, manure storage facilities, grain bins, silos, feed preparation centres, farm workshops, greenhouses, farm retail centres, and horse riding, exercise and training facilities. Farm buildings may be classed as low or high human occupancy depending on the occupant load.

Examples of farm buildings likely to be classed as low human occupancy as defined in Article 1.2.1.2. of the National Farm Building Code of Canada are livestock and poultry housing, manure and machinery storage facilities and horse exercise and training facilities where no bleachers or viewing area are provided.

Examples of buildings that would be classed as other than low human occupancy include farm retail centres for feeds, horticultural and livestock produce, auction barns and show areas where bleachers or other public facilities are provided. Farm work centres where the number of workers frequently exceeds the limit for low human occupancy will also be in this category.

It is possible to have areas of both high and low human occupancy in the same building provided that the structural safety and fire separation requirements for high human occupancy are met in the part thus designated.”



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The NFBC 1995 has another related definition:

“*Low human occupancy* (as applying to *farm buildings*) means an *occupancy* having an *occupant load* not exceeding one person per 40 m² during normal use.”

The NFBC 1995 requires *farm buildings* to comply with the appropriate requirements of the NBC 1995 except as specifically amended or exempted by the provisions of the NFBC 1995. For purposes of applying the NBC 1995, many typical *farm buildings* can be considered equivalent to *low hazard industrial occupancies* (Group F, Division 3). Care must be taken to select a suitable equivalent occupancy classification based on proposed use of the *building* and anticipated fire loading.

The NFBC 1995 covers structural sufficiency, fire safety and health requirements for the protection of persons in *farm buildings*. Structural provisions that are addressed include live loads associated with farming operations, design of tower silos, manure tanks, storage for dry grains, bulk vegetables and fruits, and system factors for *farm buildings* of *low human occupancy*. Fire safety provisions that are addressed include maximum floor areas, spatial separations, fire stopping, fire separations, electrical installations, lightning protection, and egress. Health safety provisions that are addressed include waste disposal, ventilation, access covers, and electrical installations.

Professional design is required for non-exempt farm-type *buildings* in Saskatchewan in compliance with Section 8 of *The Uniform Building and Accessibility Standards Regulations* as follows:

- If the *building* falls under the scope of Part 3 of the NBC 1995, the owner is required to have an architect or engineer complete the design or design review of the *building* and all *building* systems.
- If the structure of the *building* falls under the scope of Part 4 of the NBC 1995, the owner is required to have an architect or engineer complete the design or design review of the structure, inspection of construction, and reviews required by the NBC 1995.
- If the *building* falls under the scope of Part 9 of the NBC 1995, the owner is required to have a competent person acceptable to a building official or the appropriate local authority complete the design or design review of the *building*.