

Variance Form for Proposed Alternative Solution

This form in its entirety, including all supporting documentation, must be forwarded to:

Safety Codes Council

Administrator of Accreditation
500, 1405 Jasper Avenue NW
Edmonton, AB T5J 3N4

Email: accreditation@safetycodes.ab.ca

PART 1 – Applicant

All sections of Part 1 must be filled out in full by the **applicant** (owner and/or owner's representative) to request an alternative solution/variance to build, install, process or otherwise act in a manner that is not consistent with the provision of an applicable Code and/or Standard.

Section A: Applicant Information

Owner's Name

Owner's Representative

Mailing Address

Date of Request

Section B: Details of Proposed Alternative Solution

☐ Check this box if the Proposed Alternative Solution has been submitted to the Safety Codes Council for review for jurisdictional use.

Permit Number (if applicable)

Legal description of property that this variance will apply to:

Municipal Address

Alberta Township
Survey (ATS)

Lot

Block

Plan

QTR

SEC

TWP

RGE

MER

Section C: Justification That Proposed Alternative Solution Will Meet or Exceed Prescriptive Code/Standard Article

Applicable Code or Standard

Attributions to Acceptable Solutions

Article(s)

Objective

Function

Intent statements

Section D: Supporting Documentation i

Name of Supporting Documentation	Name of Individual/Professional/Professional Organization Responsible

Signatures and Disclosures

The collection of personal information is authorized under section 4(c) of the Protection of Privacy Act. This personal information will be used to review and assess the variance application, including verifying information provided.

By signing below, I understand that the information provided will be shared with the Safety Codes Council (SCC) in accordance with the municipality's Quality Management System agreement and section 13(1)(b) of the Protection of Privacy Act. Some of the non-personal information provided in this form may be published on the SCC website.

Owner's Signature	Date
OWNER'S NAME (PLEASE PRINT)	
Owner's Representative's Signature	Date
OWNER'S REPRESENTATIVE'S NAME (PLEASE PRINT)	

PART 2(a) – Acceptance of Proposed Alternative Solution

This portion to be completed by **Safety Codes Officer (SCO)** responsible for reviewing the variance form for proposed alternative solution and issuing the specific variance.

Section A: Reviewer Information

Date of Review

Authority Having Jurisdiction

Agency Reviewing the Proposed Variance (if applicable)

Name of Safety Codes Officer Responsible for Reviewing the Variance

Discipline

Certification Number

Designation Number

Section B: Acceptance Of Proposed Alternative Solution

☐ I have reviewed the terms of the proposed variance/alternative solution as provided in Part 1. Based on the submitted information, the proposed alternative solution will provide equal or better performance to the provisions of the Code and/or Standard. A Variance is **issued**.

In issuing a Variance, the following conditions must also be met:

Safety Codes Officer Signature

Date

PART 2(b) – Refusal of Proposed Alternative Solution

This portion to be completed by **Safety Codes Officer (SCO)** responsible for reviewing the variance form for proposed alternative solution and refusing the specific variance.

Section A: Reviewer Information

Date of Review

Authority Having Jurisdiction

Agency Reviewing the Proposed Variance (if applicable)

Name of Safety Codes Officer Responsible for Reviewing the Variance

Discipline

Certification Number

Designation Number

Section B: Refusal Of Proposed Alternative Solution

I have reviewed the terms of the proposed variance/alternative solution as provided in Part 1. This Variance is refused for the following reasons (check all that apply):

☐ Information provided in Part 1 is **incorrect**.

☐ Information provided in Part 1 does **NOT** provide sufficient or complete information for SCO to determine if proposed alternative solutions will provide equal or better performance to the provisions of the Code, Standard, and/or regulation.

☐ Based on information provided in Part 1, the proposed alternative solution(s) will **NOT** provide equal or better performance to the provisions of the Code and/or Standard.

Additional rationale and reasons for refusal:

Safety Codes Officer Signature

Date

This written refusal has been served to the applicant on

in this format

PART 3 – Option to Appeal Written Refusals

The applicant (owner and/or owner's representative), to whom Refusal of Proposed Alternative Solution applies, may appeal it to the Safety Codes Council (SCC) in conformance with SCC Bylaws. All appeals must be made within 30 days of the date the Refusal was served.

Section A: Reviewer Information

A request for an Appeal shall:

- be in writing, in the form of the Council's Notice of Appeal and signed by the appellant,
- contain a copy of Part 1 and 2(b) of Variance Form for Proposed Alternative Solution,
- contain a concise statement concerning the matter being appealed setting out the grounds for appeal,
- contain the name, address, telephone number, and email of the person appealing; and
- be accompanied by the appropriate fee set out in the Council fee schedule.

Note: The appeal process is not available to those applications that have been reviewed and refused by an Administrator of the Safety Codes Act.

Section B: Contact

Request for an Appeal shall be made to:

Safety Codes Council
Coordinator of Appeals
500, 1405 Jasper Avenue NW
Edmonton, AB T5J 3N4

Telephone: 780-413-0099 toll free 1-888-413-0099

Email: appeals@safetycodes.ab.ca

Website: safetycodes.ab.ca/council-information/appeals

Part 4 – Appendix

Category	Code Reference	Article Text
Division A — Definitions	1.4.1.2. Defined Terms	“Alternative solution” means a building design or construction method that differs from the acceptable solutions in Division B but achieves at least the same level of performance.
Division A — Compliance Framework	1.2.1.1.(1)	“Compliance with this Code shall be achieved by (a) complying with the acceptable solutions in Division B, or (b) using alternative solutions that will achieve at least the minimum level of performance required by Division B...”
	1.2.1.1.(3)	“Alternative solutions shall (a) achieve at least the same level of performance as the acceptable solutions, and (b) be assessed against the objectives and functional statements.”
	1.2.1.2.(1)	“Division B contains acceptable solutions that are deemed to satisfy the requirements of this Code when used in compliance with this Code.”
	1.2.1.3.(1)	“Where an alternative solution is used, the level of performance shall be determined in relation to the objectives and functional statements attributed to the acceptable solutions.”
Division C — Administrative Requirements	2.2.1.2.(1) Variances	“A variance may be issued where the authority having jurisdiction is satisfied that the proposed alternative provides approximately equivalent or greater safety performance.”
	2.2.2.1.(1) Information Required	“Information required to establish compliance with this Code shall be submitted in a form acceptable to the authority having jurisdiction.”
	2.2.3.1.(1) Documents and Drawings	“Drawings and specifications shall be submitted where required to show that the proposed work will conform to this Code.”
	2.2.2.5.(1) Review and Acceptance	“Where required, the authority having jurisdiction shall review and accept documents submitted to demonstrate compliance with this Code.”
	Section 2.3.1.1. Alternative Solutions	1) Documentation conforming to this Subsection shall be provided by the person requesting the use of an alternative solution to demonstrate that the proposed alternative solution complies with this Code. 2) The documentation referred to in Sentence (1) shall include a) a Code analysis outlining the analytical methods and rationales used to determine that a proposed alternative solution will achieve at least the level of performance required by Clause 1.2.1.1.(1)(b) of Division A, and b) information concerning any special maintenance or operational requirements, including any building component commissioning requirements, that are necessary for the alternative solution to achieve compliance with the Code after the building is constructed. 3) The Code analysis referred to in Clause (2)(a) shall identify the applicable objectives, functional statements and acceptable solutions, and any assumptions, limiting or restricting factors, testing procedures, engineering studies or building performance parameters that will support a Code compliance assessment. 4) The Code analysis referred to in Clause (2)(a) shall include information about the qualifications, experience and background of the person or persons taking responsibility for the design.

		5) The information provided under Sentence (3) shall be in sufficient detail to convey the design intent and to support the validity, accuracy, relevance and precision of the Code analysis. 6) Where the design of a building includes proposed alternative solutions that involve more than one person taking responsibility for different aspects of the design, the applicant for the permit shall identify a single person to co-ordinate the preparation of the design, Code analysis and documentation referred to in this Subsection.
	2.4.2.1.(1) Professional Design	"Where required, the design and field review shall be carried out by a registered professional skilled in the appropriate discipline."
Safety Codes Act (Alberta)	Variance Authority	The authority having jurisdiction may issue a variance where a proposed alternative provides for equivalent or greater safety performance. (Legislative basis for alternative solutions in Alberta)
	Compliance Requirement	No person shall commence work unless it complies with the Act, the regulations, and the adopted codes.
Permit Regulation (Alberta)	Permit Application Requirements	An application for a permit shall include sufficient information to enable the authority having jurisdiction to determine whether the proposed work complies with the Act and the codes.
	Conditions of Permit	A permit may include conditions necessary to ensure compliance with the Act and the codes.