

BC BUILDING CODE INTERPRETATION COMMITTEE

A joint committee with members representing
AIBC, EGBC, BOABC

File No: 18-0216

INTERPRETATION

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Interpretation Date:	December 13, 2022
Building Code Edition:	BC Building Code 2018
Subject:	Occupant load of residential suites
Keywords:	Short-term rentals, occupant load, residential suites
Building Code Reference(s):	Division B: 9.9.1.3.(2) ; 9.10.18.2; 3.1.17.1. Division A: 1.4.1.2.(1)

Question:

An existing residential suite in a multi-family building is proposed to be used as a short-term rental. This will change the use and layout of the suite such that there will be 2 beds in each bedroom and sofa beds in the living area resulting in an occupant load of 22 persons.

1. Sentence 9.9.1.3.(2) requires the occupant load in residential occupancies to be based on two (2) persons per sleeping room. Can the occupant load be increased beyond the values stated in Sentence 9.9.1.3.(2) and Table 3.1.17.1.?
2. If the answer to question 1 is yes, does this change the occupancy classification to assembly?

Interpretation:

1. Yes

In accordance with the BCBC, the method to calculate occupant load in a residential suite is two (2) persons per sleeping room. However, in the case of short-term rentals it may be reasonable to calculate the occupant load based on the number sleeping spaces on beds. (The number of sleeping spaces on beds will likely provide a better indication of the number of occupants.) If a lower occupant load factor is used which results in a higher occupant load, then the life safety requirements (such as exit width, fire alarm system etc.) should be reviewed so it is consistent with the increase in occupants. "Design occupant" load is discussed in more detail in Interpretation 18-0059.

The User's Guide to the 1995 NBC supports this approach:

The principal applications of occupant load are to determine the number and width of exit facilities that must be provided, the width of access routes leading to exits from within floor areas, the number of sanitary fixtures required in washrooms, whether a fire alarm system must be installed....Table 3.1.16.1. is not intended to limit the number of occupants in an area, although it is sometimes misinterpreted this way.



Patrick Shek, P.Eng., CP, FEC, Committee Chair

The views expressed are the consensus of the joint committee with members representing AIBC, EGBC and BOABC, which form the BC Building Code Interpretation Committee. The Building and Safety Standards Branch, Province of BC and the City of Vancouver participate in the committee's proceedings with respect to interpretations of the BC Building Code. The purpose of the committee is to encourage uniform province wide interpretation of the BC Building Code. These views should not be considered as the official interpretation of legislated requirements based on the BC Building Code, as final responsibility for an interpretation rests with the local *Authority Having Jurisdiction*. The views of the joint committee should not be construed as legal advice.

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For example, even though the table lists 9.3 m² per person for offices, it is quite permissible to have offices that provide less space per person. In this case, the occupant load of the offices would be higher than that normally anticipated...(NBC User's Guide, 23)

2. No

The BCBC defines residential occupancy as “occupancy or use of a building or part thereof by persons for whom sleeping accommodation is provided but who are not harboured for the purpose of receiving care or treatment and are not involuntarily detained.”

Although a short-term rental may occasionally have a slightly higher occupant load than a typical residential suite, the use is still consistent with the definition of residential occupancy. In this case, the occupancy classification can remain residential.



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