



BOABC – Part 9 Commercial Tenant Alterations & Change of Occupancy.

October 26, 2023

Hosted by: Ken Kunka AScT, RBO

Promoting Building Safety and Professionalism



AGENDA

- What's New with BOABC
- Education and Training
- Provincial Initiatives
- Member Questions
- Tenant Alteration – Part 9 Review
 - Change of Use – Mezzanines
- Open Discussion



Overview

Information presented today does not directly represent the opinions of the City of Penticton or the Building Officials Association of BC.

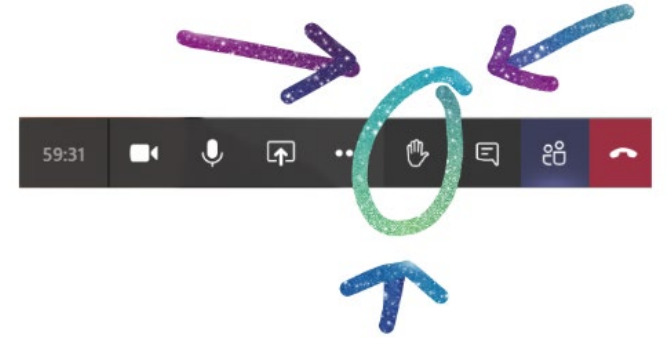
This presentation is conceptual and for informal educational purposes only. The presenters and association takes no responsibility for application of any concepts or interpretations in this presentation to specific projects.

(it may ask more questions than provide answers)

The slides must not be considered complete or exhaustive. Code provisions have been generally represented and may not reflect all exceptions.



Rules of the Room



- Registration will be tracked
- Presentation is not recorded but PowerPoint will be posted
- Please use raise hand icon if you have a question or comment
- PUT IT in the CHAT
- Please mute your microphone
- You may need to turn off your camera
- Please follow up by email if you have specific question or example to share with the membership.
 - kkunka@boabc.org



Member Survey

Regional Representation

- Kootenay = 6%
- Lower Mainland = 45%
- North Central = 8%
- North West = --
- South Central = 20%
- Vancouver Is. N = 13%
- Vancouver Is. S = 9%

Level of Qualifications

- Bldg. 03 = 41%
- Bldg. 02 = 22%
- Bldg. 01 = 25%
- Plmg. 2 = 3%
- Plmg. 1 = 3%
- Reg. Prof. = 6%

Is your department currently using a digital permitting system?

- No = 32%
- Reviewing or Implementing = 37%
- Yes – (In house, Tempest, Amanda, Cloudpermit, others = 31%)



Provincial Changes - SHAS

BC – Single Housing
Application Service for
Provincial Permits

<https://permitconnectbc.gov.bc.ca/>

We are introducing a single gateway to get housing permits

Register for the Single Housing Application Service

The Single Housing Application Service is a new way to apply for all your provincial natural resource permits in one place. This will include permits issued by:

- Ministry of Environment and Climate Change Strategy
- Ministry of Forests
- Ministry of Transportation and Infrastructure
- Ministry of Water, Land and Resource Stewardship

This service will help by:

- Identifying the permits needed for housing projects
- Providing status updates on permit applications
- Showing location-based permit information through a new dashboard

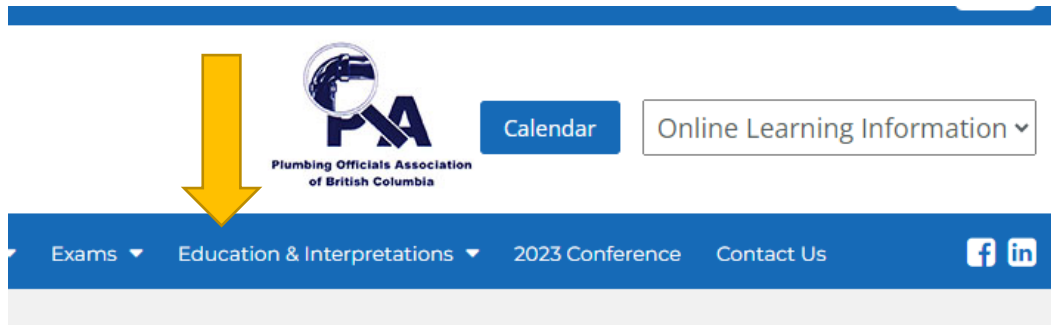
The [Housing Navigator Service](#) can help you understand and use this new service.





What's New at the Association

- Course Advisor Service
 - One-one one support with online courses for a fee
- Code Update Training
 - November 21-23 at the River Rock Casino resort in Richmond – registration now open



Course Registration

Members can register for courses [here](#)

Non members can register for courses [here](#)

We offer a **student membership** for those who sign up for a course with us. Please click [here](#) to complete the membership application form. Once you have been approved for membership, you will receive an email including the link to register as a BOABC member for the course.

Note: Your eLearning username and password that you will be given will be different from your login portal and your member forum usernames and passwords.

New: Course Advising

Course advising is available [to learners registered in an Association course](#). Should you require study help in relation to the course content or have code-related questions, a course advisor will be available to assist you with this.

To book one-on-one appointments with an advisor, learners may purchase one of the package options below, either via their login portal (if already registered in a course) or at the time of course registration. Please note that packages are subject to BOABC's [Refund Policy 4.18](#).

Once a package is purchased, the learner will gain access to a list of available advisors, the subject area in which they can assist, and each advisor's availability via the advisor's booking link. Learners will be able to then book appointments with their preferred advisor via that booking link.

Package	Cost
1 session – 30 minutes	\$30.00
2 sessions – 2 x 30 minutes	\$60.00
3 sessions – 3 x 30 minutes	\$80.00
4 sessions – 4 x 30 minutes	\$110.00



What's New at the Association

What's New

CPD Opportunity –
2023 Radon Virtual
Workshop



[Learn More ▶](#)

Canadian Board for
Harmonized
Construction Codes



[Learn More ▶](#)

Reserved Practice for
Technologists &
Technicians Survey



[Learn More ▶](#)

WoodWorks Summit
2023 Conference



[Learn More ▶](#)



Don't forget about



Calendar

Online Learning Information ▾

Navigation: About ▾ Membership ▾ Qualification ▾ Certification ▾ Exams ▾ Education & Interpretations ▾ 2023 Conference Contact Us

Latest Updates

- **New Career Posted** 26-09-2023
Building Inspector - Regional District of Bulkley-Nechako
- **New Career Posted** 26-09-2023
Senior Building Official - Regional District of Central Kootenay
- **New Career Posted** 19-09-2023
Building Inspector III - Regional District of North Okanagan
- **Forum Posting** 13-09-2023
Glamping Dome
- **Forum Posting** 08-09-2023
Ductless ERV - 936.3.9

Welcome to BOABC

We are the Association of professional building officials serving British Columbians since 1954. The term building official is often used for a professional providing building and plumbing plan review, field monitoring, or inspections for any types of building construction. Building officials ensure that construction meets the minimum acceptable building regulations established by the Provincial Government. The review addresses not only structural strength of the buildings, but a multitude of fire-and life safety systems, healthy and energy efficient environmental systems, and safe plumbing and mechanical systems.

[Read More](#)

[Login Portal](#) [Member Forum](#) [Career Listings/Post a Job](#) [Pay Invoices](#) [Member Registry](#)

Building and Plumbing Code Interpretations

[2018 BC Building Code Interpretations Index](#)

[2012 BC Building Code Interpretations Index](#)

[2006 BC Building Code Interpretations Index](#)

[1998 BC Building Code Interpretations Index](#)

The **BC Building Code Interpretation Committee** is comprised of the following stakeholders:

AIBC / EGBC / BOABC / City of Vancouver

The purpose of the BC Building Code Interpretation Committee is to:

- To facilitate province wide uniformity in the interpretation of the BC Building Code
- To receive, discuss and evaluate interpretation requests from code users
- To arrive at a consensus on the final wording of each interpretation for signature by the Chair
- To disseminate the completed interpretations to code users



Upcoming CPD Opportunities

Remaining Calendar events for November and December.

Lunch and Learn Dec 14th.

Calendar

« Prev					December 2023					Next »				
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
				1										
4	5 * Sprinkler System Plan Review	6 * Professional Conduct	7	8										

Calendar

« Prev							November 2023							Next »						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
		1 * HVAC Building Code Requirement * Plumbing Level 2 Course	2	3	4	5														
6	7 * Sprinkler Selection * LGMA Effective Report Writing	8 * Plumbing Level 2 Course	9	10	11	12														
13	14 * BOABC Executive Meeting	15 * WoodWorks Summit 2023	16 * WoodWorks Summit 2023	17	18	19														
20	21 * Code Update Training	22 * Code Update Training	23 * Code Update Training	24	25	26														
27	28	29 * What's New in Radon	30																	

Category Key
 General



CPD Reminder

Reminder to get your CPD points updated – via login portal.



BOABC MEMBER DASHBOARD

Hello, [Redacted] (Log Out)

MENU

- Edit Personal Info
- Invoices
- CPD**
- Applications
- Registration History
- 2018 Building Code Update
- Course Advising
- Annual Report

Message Center

CPD Reminders

Your total number of points for this reporting cycle and an annual report confirming your completion of CPD requirements must be submitted before December 31.

If you are unable to meet annual CPD and reporting requirements before December 31, you can apply to the Association to receive until January 31, a 31-day grace period, to complete your outstanding obligations. The Grace Period Application can be found on the 'Applications' page. This application is due by December 15.

A qualified official will have qualifications removed if they have not achieved the required number of CPD points by December 31 and they:

- did not submit a grace period application by December 15; OR
- submitted a grace period application that was not approved; OR
- did not complete their outstanding CPD points within the approved grace period by January 31.



Member Question

Exposed box joist ends

- **½lb Spray foam – covered with mineral fiber batt. (basement unfinished)**
- Appears some communities do not protect insulation as outlined in the Code for spray foam **9.10.17.10. (1) Protection of Foamed Plastics**
 - a) By interior finishes described in Subsections 9.29.4. to 9.29.9
 - c) by any thermal barrier that meets the requirements of Sentence **3.1.5.15.(2)**.
(See Note A-3.1.4.2.(1)(c).
- Code – is the EA looking at code performance?
- Other code exemptions to allow?
- Department Policy?
- Code interpretation or BC Code Appeal?
 - Appeal Board Decision #1726 – Crawl spaces



What is the flame spread rating of 1/2lb spray foam insul?

Crawl Spaces 9.18

9.18.7. Fire Protection

Not referenced in 9.10?



Member Question

Interior finishes

- 9.29.4. Plastering
- 9.29.5. Gypsum Board Finish (Taped Joints)
- 9.29.6. Plywood Finish
- 9.29.7. Hardboard Finish
- 9.29.8. Insulating Fiberboard Finish
- 9.29.9. Particleboard, OSB or Waferboard Finish

What about Section 9.25. Heat Transfer, Air Leakage and Condensation Control?

A-3.1.4.2.(1) **Concealed Space.** The term “concealed space” includes any space that is not visibly apparent and that is provided with an opening to allow access for repair and periodic inspections

3.1.5.15.(2) **Foamed Plastic Insulation**

e) any thermal barrier that meets the requirements of classification B when tested in conformance with CAN/ULC-S124, “Test for the Evaluation of Protective Coverings for Foamed Plastic.”

(non-combustible construction)

A-3.1.4.2.(1)(c) Thermal Barrier in Combustible Construction. Any thermal barrier that is accepted under the requirements of Sentence 3.1.5.15.(2) for noncombustible construction is also acceptable for combustible construction.



Member Question

Could the mineral fiber batt be considered equivalent or alternative to materials noted?

The objectives of this Code are achieved by measures, such as those described in the acceptable solutions in Division B, that are intended to allow the building or its elements to perform the following functions (see Appendix A):

- F01 To minimize the risk of accidental ignition.
- F02 To limit the severity and effects of fire or explosions.
- F05 To retard the effects of fire on emergency egress facilities.

OS1 Fire Safety

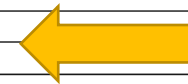
An objective of this Code is to limit the probability that, as a result of the design or construction of the building, a person in or adjacent to the building will be exposed to an unacceptable risk of injury due to fire. The risks of injury due to fire addressed in this Code are those caused by—

OS1.5 - persons being delayed in or impeded from moving to a safe place during a fire emergency.

**What about Functional and Objective Statements for Air/Vapour Barrier
How is insulation secured?**

Table 9.3Z.1.1. (continued)
Objectives and Functional Statements Attributed to the Acceptable Solutions in Part 9
Forming Part of Sentence 9.3Z.1.1.(1)

Functional Statements and Objectives ⁽¹⁾	
9.10.17.5. Walls in Public Corridors	
(1)	[F05-OS1.5]
9.10.17.9. Combustible Skylights	
(1)	[F02,F05-OS1.5]
9.10.17.10. Protection of Foamed Plastics	
(1)	(a),(b),(c) [F01,F02,F05-OS1.5]
(2)	[F01-OS1.1] [F02-OS1.2]
	[F01-OP1.1] [F02-OP1.2]
(3)	[F01,F02-OS1.2]



Sentence 9.10.17.10.(1)

2015 NBC Intent Statements

- 1. [OS1](#)
- 2. [±](#)
- 3. [±](#)

Objective	OS1 Fire Safety
Attribution	[F01,F02,F05-OS1.5]
Intent	
Intent 1:	To limit the probability that foamed plastic insulation will be exposed to fire or subjected to high temperatures, which could lead to its ignition and contribution to the early growth and spread of fire, which could lead to delays in the evacuation or movement of persons to a safe place, which could lead to harm to persons.

[Top of Page](#)

POLL QUESTION

Would mineral fiber provide required protection as outlined in 9.10.17.10 for exposed spray foam – unfinished bsmt.

www.boabc.org

Yes = 42%

No = 40%

Unsure = 17%



Member Question - Forum

Major renovation to an existing older SFD.

Poll Question

Code Compliance to New Standards of 9.36.6 - **Energy Step Code**


Building Bylaw Compliance?

Step Code Application to Renovated Building


Welcome to BOABC › Forums › Code Interpretations › Step Code Application to Renovated Building

Favourite | Subscribe

Tagged: Energy Efficiency

This topic has 0 replies, 1 voice, and was last updated 1 week, 4 days ago by  Ronald Burnett.

Viewing 1 post (of 1 total)

Author	Posts
	October 13, 2023 at 4:09 pm REPLY #19535
 Ronald Burnett Participant	<p>Building is a Single Family Dwelling and is being completely renovated</p> <p>All systems, components, and assemblies are removed except for foundation, framing, trusses and sheathing.</p> <p>New building envelope (doors, windows, insulation, VB, AB, cladding) new plumbing, new electrical, everything will be rebuilt.</p> <p>Question: Is this renovated building required to comply with 9.36.6.?</p>
Author	Posts

Yes – 9.36.6 compliance = 35%

No = 24%

No (all new works beyond structure to meet current Codes) = 33%

Unsure = 9%

POLL QUESTION

Is the renovated building required to comply 9.36.6

www.boabc.org



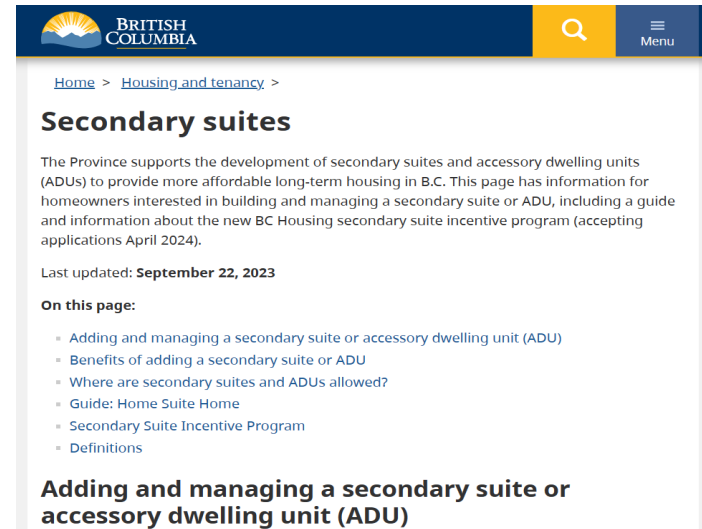
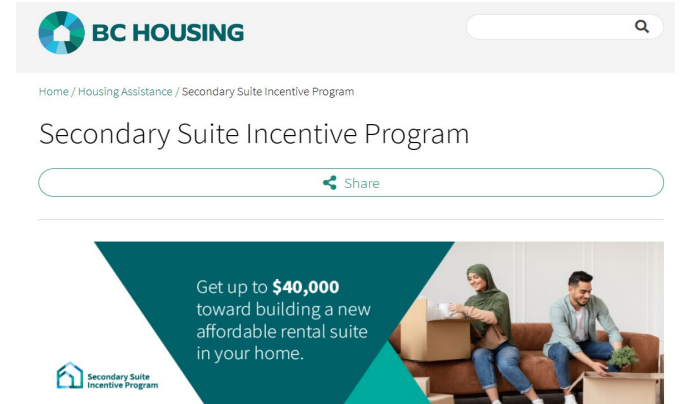
Next L&L Session – December 14

- Secondary Suite Renovations
- ADU or Carriage house conversions
- Legalization Process

Please forward questions, bulletins or plan review checklists to Ken Kunka at kkunka@boabc.org OR Forum Chat

Are you ready? BC Incentive program (ADU's) <https://permitconnectbc.gov.bc.ca/>

How many unqualified designers , builders and trades will enter into this market?





Part 9 – Project Review

- **Code Fundamentals for Existing Buildings – Alterations & Change in Occupancy**
- **Local Government Bylaws and Policies**
- **Recommendations for establishing and Alternation and Change of Occupancy review**
- **Part 9 Building Code Basics for a plan review**



Warning – Information overload!



BC Building Code – Existing Buildings

Division A: Compliance, Objectives and Functional Statements

1.1.1.1. Application of this Code

1) This Code applies to any one or more of the following:

- c) **a change in occupancy of any building,**
- d) an alteration of any building
- g) the reconstruction of any building that has been damaged by fire, earthquake or other cause,
- h) the correction of an unsafe condition in or about any building,**
- i) all parts of any building that are affected by a **change in occupancy,**
- o) the alteration, rehabilitation and **change of occupancy of heritage buildings.**

Occupancy means the use or intended use of a building or part thereof for the shelter or support of persons, animals or property.

Alteration means a change or extension to any matter or thing or to any occupancy regulated by this Code.



BC Building Code – Existing Buildings

At times using the Alternate Compliance Methods for Heritage Buildings is a useful tool to focus on priority items.

Areas that may need to be ranked higher is Accessibility (#35), Plmg/Mech and Energy conservation.



Heritage Conservation Act -

https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96187_01

www.boabc.org

Table 1.1.1.1.(5) Alternate Compliance Methods for Heritage Buildings Forming part of Sentence 1.1.1.1.(5)		
No.	Code Requirement in Division B	Alternate Compliance Method
1	Fire Separations Sentence 3.1.3.1.(1), Table 3.1.3.1., Subsection 9.10.9. 2 h fire separation required between some major occupancies.	Except for F1 occupancies, 1 h fire separation is acceptable, provided the building is sprinklered.
2	Fire Separations Sentence 3.1.3.1.(1), Table 3.1.3.1., Subsection 9.10.9. 1 h fire separation required between some major occupancies.	30 min fire separation is acceptable if the building is sprinklered.
3	Noncombustible Construction Subsection 3.1.5., Article 9.10.6.1. All materials used in noncombustible construction must be noncombustible unless otherwise permitted.	1. Roofs may be of combustible construction provided the building is sprinklered. 2. Up to 10% gross floor area to a maximum of 10% of any one floor area may be of combustible construction provided the building is sprinklered.
4	Fire-resistance Rating Sentence 3.1.7.1.(1), Article 9.10.3.1. Where a material, assembly of materials or structural member is required to have a fire-resistance rating it shall be tested in accordance with CANULC-S101, "Fire Endurance Tests of Building Construction Materials."	A fire-resistance rating may also be used based on: (a) HUD No. 8 Guideline on Fire Ratings of Archaic Materials and Assemblies., (b) Fire Endurance of Protected Steel Columns and Beams, DBR Technical Paper No. 194., (c) Fire Endurance of Unit Masonry Walls, DBR Technical Paper No. 207., (d) Fire Endurance of Light-Framed and Miscellaneous Assemblies, DBR Technical Paper No. 222.
5	Rating of Supporting Construction Article 3.1.7.5., Article 9.10.8.3. Supporting assemblies to have fire-resistance rating at least equivalent to that of the supported floor.	Heavy timber construction is permitted to have a fire-resistance rating less than would be required by the Code provided the building: (a) is sprinklered, and (b) does not exceed 6 storeys in building height.
6	Continuity of Fire Separations Sentence 3.1.8.3.(1), Sentence 3.1.8.3.(2), Article 9.10.9.2. Fire separations are required to be continuous above the ceiling space.	Fire separations are not required to be continuous above a ceiling space where (a) the ceiling space is noncombustible construction, (b) both fire compartments are sprinklered, or (c) the ceiling has a minimum rating of 30 minutes.
7	Wired Glass Sentence 3.1.8.5.(1), Sentence 3.1.8.14.(2), Article 9.10.13.1., Article 9.10.13.5. 6 mm wired glass in steel frame required in fire separations.	For fixed transoms or sidelights, 6 mm wired glass fixed to a wood frame of at least 50 mm thickness with steel stops is permitted in a required fire separation.
8	Mezzanines Sentence 3.2.1.1.(4) and Sentence 3.2.1.1.(7), Article 9.10.4.1. Mezzanines enclosing more than 10% above the horizontal plane are considered as storey in building height.	Enclosed mezzanines may be up to 40% of the storey in which they occur and not be considered a storey in building height if the building is sprinklered.
9	Building Height Article 3.2.2.20. to Article 3.2.2.90. Noncombustible construction required for some buildings.	Buildings may be of combustible construction up to 6 storeys provided: (a) the building is sprinklered, (b) the building contains Group C, D, E, F, Division 2 or F, Division 3 occupancies, and (c) floor assemblies not required to exceed 1 h fire separation requirements may be of heavy timber construction.



BC Building Code – Existing Buildings

1.1.1.2. Application to Existing Buildings

- 1) Where a building is altered, rehabilitated, renovated or repaired, or there is a change in occupancy, the level of life safety and building performance **shall not be decreased below a level that already exists. (See Note A-1.1.1.2.(1).)**

Further information on the application of Code requirements to existing or relocated buildings can be found in the following publications:

- “User’s Guide – NBC 1995, Fire Protection, Occupant Safety and Accessibility (Part 3)”
- “Guidelines for Application of Part 3 of the National Building Code of Canada to Existing Buildings”
- Commentary entitled “Application of NBC Part 4 of Division B for the Structural Evaluation and Upgrading of Existing Buildings” of the “User’s Guide – NBC 2015, Structural Commentaries (Part 4 of Division B)”
- “User’s Guide – NBC 1995, Application of Part 9 to Existing Buildings”
- CBD 230, “Applying Building Codes to Existing Buildings”

These publications can be ordered through NRC’s Web site.

NRC CNRC

NRC Publications Archive
Archives des publications du CNRC

Applying building codes to existing buildings
Hansen, A. T.

For the publisher’s version, please access the DOI link below. / Pour consulter la version de l’éditeur, utilisez le lien DOI ci-dessous.

Publisher’s version / Version de l’éditeur:
<https://doi.org/10.4224/40000745>
Canadian Building Digest, 1984-01-01

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BC Building Code – Existing Buildings

Provincial and Federal reviews have been ongoing for several years on existing buildings, particularly with advancements in Energy conservation and GHG reductions.

Existing buildings renewal strategy

The **Existing Buildings Renewal Strategy** will develop a path for today's buildings to become more energy and water efficient, cleaner, and safer for British Columbians during events like earthquakes, wildfires and wildfire smoke, heat waves, drought, and floods.

Provincial staff conducted the first phase of engagement in 2019. During this phase, key partners provided early input on policy preferences for regulating energy efficiency and carbon emissions in existing buildings.

Between September 2021 and January 2022, a second phase of engagement was conducted to build on the first by seeking more detailed feedback on the regulatory approach and supporting measures to increase energy efficiency in existing buildings. This second phase also explored potential opportunities to increase the climate resilience of existing buildings. The discussions were informed by the approach to an alterations code recommended in the ['Final report - Alterations to existing buildings'](#) prepared by the Canadian Commission on Building and Fire Codes and the CleanBC Roadmap to 2030 released in October 2021.

Concurrently, a series of virtual engagement sessions took place between December 2021 and February 2022. The primary focus of these was to start building relationships and partnerships with Indigenous Peoples and communities to honour B.C.'s commitments under the Declaration on the Rights of Indigenous Peoples Act, and to guide the provincial building code work over the long-term, including efforts to increase the climate resilience of existing buildings.

Feedback received during the engagement sessions will help inform the Existing Buildings Renewal Strategy.

CANADIAN COMMISSION ON BUILDING AND FIRE CODES

Final Report - Alterations to Existing Buildings

Joint CCBFC/PTPACC Task Group on Alterations to Existing Buildings

April 2020

<https://nrc.canada.ca/en/certifications-evaluations-standards/codes-canada/codes-canada-publications/final-report-alterations-existing-buildings>

This document is a working paper dealing with the national model codes. Work on these codes is carried out under the authority of the Canadian Commission on Building and Fire Codes of the National Research Council of Canada

National Research Council Canada / Conseil national de recherches Canada

Canada



BC Building Code – Existing Buildings

Guiding Principles of the Study (2020)

Principle 1: Closing the performance gap between the current code and the existing building stock. <get the building a little bit better each time>

Principle 2: Maintaining or increasing the life safety and overall building performance level. (An alteration cannot make the building worse.)

Principle 3: Avoiding negative unintended consequences or unrealistic expectations.

Principle 4: Ensuring that when a repair, maintenance or alteration is in progress, the building cannot be left in an unsafe state.



BC Building Code – Existing Buildings

Guiding Principles of the Study

Principle 5: All regulatory measures should be reasonable, pragmatic and effective (applying Smart Regulation principles).

Principle 6: Requiring flexibility so as to encourage alterations to existing buildings rather than placing an undue burden on owners, which could inspire them to avoid alterations altogether or turn to the “underground economy”.

Principle 7: Requiring flexibility so as to preserve officially recognized (designated/registered) heritage elements.

Principle 8: Regulatory measures and voluntary programs should complement each other.



Bylaws - Limited Application to Existing Buildings

MIABC – Model Core Bylaw (Penticton)

6.4. Except as provided in the Building Code or to the extent an existing building is under construction or does not have an occupancy permit, **when an existing building has been constructed before the enactment of this bylaw**, the enactment of this bylaw is not to be interpreted as requiring that the building must be reconstructed and altered, unless it is expressly so provided by this or another bylaw, regulation or statute.

6.5. This bylaw applies if the whole or any part of an existing building is moved either within or into the City, including relocation relative to parcel lines created by subdivision or consolidation. Part 15 applies to building moves.



Bylaws - Limited Application to Existing Buildings

MIABC – Model Core Bylaw (Penticton)

6.6. If an alteration is made to an existing building the alteration must comply with this bylaw and the Building Code and the entire building must be made to comply with this bylaw and the Building Code, **but only to the extent necessary to addresses any new infractions in the remainder of the building as a result of the alteration.**

*Note the forum question related to thermal assembly requirements.

6.7. If an alteration creates **an addition to an existing building**, the alteration or addition must comply with this bylaw and the Building Code and the entire building must be made to comply with this bylaw and the Building Code, **but only to the extent necessary to address any new infractions introduced in the remainder of the building as a result of the alteration or addition.**

POLL QUESTION

Does your jurisdiction have specific bylaw wording or policy in relation to Alterations, Additions and Change of Occupancy?

www.boabc.org

Yes – Bylaw = 30%

Yes – Policy = 7%

No = 39%

Not sure = 23%



Change of Use or Change in Occupancy?

Many jurisdictions have developed guidelines on Tenant Alterations, Additions and **Change of Occupancy**.

Change of Occupancy is likely one of the more challenging aspects for owners, builders and business operators to understand – “why do I need a permit if I’m not making structural changes!”

Perhaps an industry review of the code, bylaws and policies would be a good project in 2024 to establish a general guide for municipal and regional districts?



Change of Occupancy

Overview: The City of Nanaimo has developed the following guide to assist those contemplating conversion of a suite or building from one occupancy type, under the BC Building Code (BCBC), to another.

Change of Occupancy - General

The requirements of the BC Building Code regarding life safety, property protection, structural requirements, washrooms and accessibility for the disabled are all dependent upon the use or occupancy of the building. For example, the number of washrooms in a restaurant varies greatly from the number required in a retail store of the same size. A change of occupancy for a suite or building will result in different requirements for upgrading, dependent on the specific scope of the project.

The BC Building Code (BCBC) requirements apply to existing buildings that are being altered, where the occupancy type is changing, and if additions are proposed. Full application of the code is described in 1.1.1.1.(1) of Division A. The application applies to both Part 9 and Part 3 Buildings.

The following is a list of some of the typical uses and BCBC occupancy classifications:

- Group A-2** – Assembly occupancy includes daycares with more than 8 children, restaurants, clubs, galleries, schools. See (D) occupancy for uses with occupant loads of 30 and less.
- Group E** – Retail occupancy includes shops, stores, etc.
- Group D** – Business and personal service occupancy includes salons, services, offices, etc. and Assembly Uses with occupant loads of 30 or less (does not include daycares).
- Group C** – Residential is one or more dwelling units and home daycares with <8 children.
- Group F, Div. 1, 2, or 3** – Industrial occupancy includes warehousing and light manufacturing.

Scope of Project

A change of building occupancy classification occurs when a building's major occupancy type changes. This typically happens when a building's occupancy type (i.e.: A-2, D, E, C, F-2, etc.) changes completely or more than 10% of the floor area of the storey becomes a new major occupancy.

A change of occupancy in a suite within a building is not necessarily considered a change of major occupancy of the building. For example, where a mall classified as E (retail) proposes to change an existing retail suite to an A-2 restaurant use and the change of occupancy does not result in more than 10% of the floor area of the storey being used for A-2 type occupancies.

Where a suite is changing occupancy (use), considerations must always be made for increased washrooms, accessibility, exit travel distance, suite fire separations, etc.

A change of tenant of the same use and classification within a suite (e.g.: D real estate office changing to D lawyers office), must be upgraded to meet the current code in all areas undergoing major renovation. For example, if a non-conforming washroom is undergoing a major renovation it must be upgraded to meet the building code requirements for accessibility for persons with disabilities.

An analysis of the code requirements for a proposed change of occupancy or use and how the existing building or suite will meet or is proposed to be changed to meet the current BC Building Code requirements must be completed by an architect or designer. Whether the change of occupancy is for a suite within a building or an entire building a code analysis is required. Where the code requirements can not be achieved an explanation or alternative solution will be required. A comprehensive code analysis is always required and is necessary to consider any relaxations of the current BC Building Code.

Revised: 2022-SEP-15
©:ICSDByelan@andsub@BuildingCommercialChangeOfOccupancy.docx

Building Inspections Forms and Handouts
1 of 8

Did you know the Ontario Building Code has a specific Part 11 for Existing Buildings – Alterations

Vancouver Building Bylaw 2019 – Part 11

www.boabc.org

The screenshot shows the 'BC Publications' website. At the top, there is a navigation bar with 'Crown Publications', 'BC Codes', 'BC Gazette', 'BC Laws', and 'FAQ'. Below this is a breadcrumb trail: 'BC Home > BC Publications > Public > Vancouver Building By-law 2019 > Division B - Acceptable Solutions > Part 11 - Existing Buildings'. A search bar contains the text 'Search Part 11 - Existing ...'. Below the search bar is a list of links to various sections of Part 11, including 'Division B - Section 11.1. General', 'Division B - Section 11.2. Upgrade Application (Rev7)', 'Division B - Section 11.3. Alternative Compliance Measures for Existing Building to Assist Rehabilitation (Rev2)', 'Division B - Section 11.4 Alternative Compliance Measures for the Conversion of Existing Buildings (Rev6)', 'Division B - Section 11.5. Alternative Compliance Measures for Heritage Buildings (Rev2)', 'Division B - Section 11.6. Temporary Buildings and Occupancies (Rev2)', 'Division B - Section 11.7. Alterations for Building Energy and Emissions Performance (Rev7)', 'Division B - Notes to Part 11 Existing Buildings (Rev8)', and 'Point in Time'.



Alterations to Existing Buildings

Tenant Alterations – Part 9

Recommendations –

- Encourage Pre-Applications to review Land Use and Code triggers
 - Change in Tenancy Occupancy may not be permitted in the Zoning Bylaw
 - May require different parking regulations
- Establish the base building classification – were there any equivalencies or alternate solutions?
 - Civic File Review
 - Outstanding Bylaw enforcement? Expired Permits or Illegal construction?
- What is the scope of work proposed - really?
 - Suggest a site walk-thru asap. Works without Permits Or Hazards (maintenance)
- **Does your department have a thorough Application and Plan Review checklist – if you do, can you forward to kkunka@boabc.org**

Example of Permit checklist



Fast Track Building Permit Program Building Permit Application Checklist

Overview: A building permit is required for any changes to an existing unit (including, but not limited to: partition walls, ceilings, plumbing, sprinklers, etc.). This checklist provides the typical requirements for a building permit application that fits within the Fast Track Building Permit program. The Fast Track Building Permit program is intended for complete Tenant Improvement applications that are within an existing tenant space.

All tenant improvements are eligible for the Fast Track Building Permit program with the following exceptions:

- Tenant Improvements within Group A, Group B, or Group F (Division 1) Occupancies

The following Alterations may be considered for the Fast Track Building Permit program at the discretion of the Building Official reviewing the application:

- Shell building fit outs/new units
- Change in size to the CRU (moving a demising wall)
- Creating a new CRU

A change in occupancy classification will not be considered for the Fast Track Program.

An application meeting is required after a Fast Track Building Permit application has been submitted to ensure the application is complete and meets the criteria for entry into the program. You will be contacted by the City of Nanaimo Building Department within 5 business days of making your application to book the meeting.

Please Note: Incomplete applications and applications that do not fit within the Fast Track Building Permit program parameters will be cancelled. A reapplication to the appropriate permit stream will be required.

**** Please ensure you are using the current version of this form from the City of Nanaimo website****

Required Items:

- Preliminary Planning Review - Fast Track Planning Review Request**
The Zoning Bylaw regulates what type of business is permitted within the City of Nanaimo. The proposed use and available parking must be discussed with Current Planning staff prior to proceeding with a building permit application. Follow the above link for the Planning Review request form to be sent to planning@nanaimo.ca. You will receive a response that includes a CIP number (i.e. CIP02310).
Please provide the CIP number here: _____
 - Building Permit Administrative Requirements**
 - Building Permit Application** – online application, link provided on Fast Track webpage.
 - Appointment of Agent** – is required if the permit is to be applied for, revised, or issued to someone other than the registered owner. To be completed and submitted online as part of the building permit application process.
 - BC Building Code Analysis** – see the [Fast Track BC Building Code Analysis](#).
 - Application Fee** – if construction value exceeds \$20,000, the application fee will be requested after your online building permit application has been accepted.
- Please Note:** All sealed professional drawings and Letters of Assurance are to be submitted online with an electronic seal and signature as part of the online application. Schedule A's are permitted to be signed by the tenant if the owner has appointed them as the agent on the Appointment of Agent form.
- Site Plan or Key Plan**
 - Dimensions of site, including a north arrow and street names.
 - Building area and number of floors.
 - Street address, floor and tenant suite number (current key plan of building with unit numbers).



Property & Development

Building Permits

Online Building Permit Application

Building Permit Revision

Application for a Residential Building Permit

Apply for a Commercial Building Permit

Bylaws for Building

Forms and Guidelines

Book a Building Inspection

Report Illegal Construction

Request Building Plans

Building Permit Statistics

Permit Fee Calculator

Building News and Alerts

[Home](#) / [Property & Development](#) / [Building Permits](#) / Fast Track Building Permits

Fast Track Building Permit Program

Welcome to the Fast Track Building Permit program page. Please watch the video and read the following sections thoroughly as incomplete and/or erroneous submissions will be cancelled.



Application for a Fast Track Building Permit

Alterations to Existing Buildings Tenant Alterations – Part 9

- Does the proposed project require the services of an Architect under the Architects Regulation for Alterations? (See BOABC L&L March 9,2023)
 - Addition exceeding limits (470 sqm in building area)
 - Creation of more than 4 dwelling units
 - Significant alteration to life safety systems, exits?
 - Change of Occupancy outside scope of Part 9
- Are there other municipal triggers like Water supply, Fire Dept Access or Fire Suppression triggers.
- Accessibility and or Energy Efficiency improvements?

POLL QUESTION

Does your jurisdiction have an easily accessible guide or bulletin or checklist to deal with TA – Change of Use?

Yes – Policy = 7%

Yes – Bulletin Checklist = 26%

No = 60%

Not sure = 7%



Part 9 Project Review



Diagram – Conversion of Existing Part 9 – F2 Building – 598 SqM



Part 9 Project Review

Existing Part 9 Building – 598 SqM

F2 – Manufacturing/Warehouse

One Storey

One Street

Combustible/Non-combustible
Construction

No Fire Suppression

No original Architectural involvement

Proposal

To convert single use building into three, perhaps four tenant spaces, which could include different types of occupancy uses.

- What are the major items that should be considered in an initial review of the proposal?
- Base Building Alt vs Tenant Alts?
- Do mezzanines have a big effect?



Base Building – Demising walls

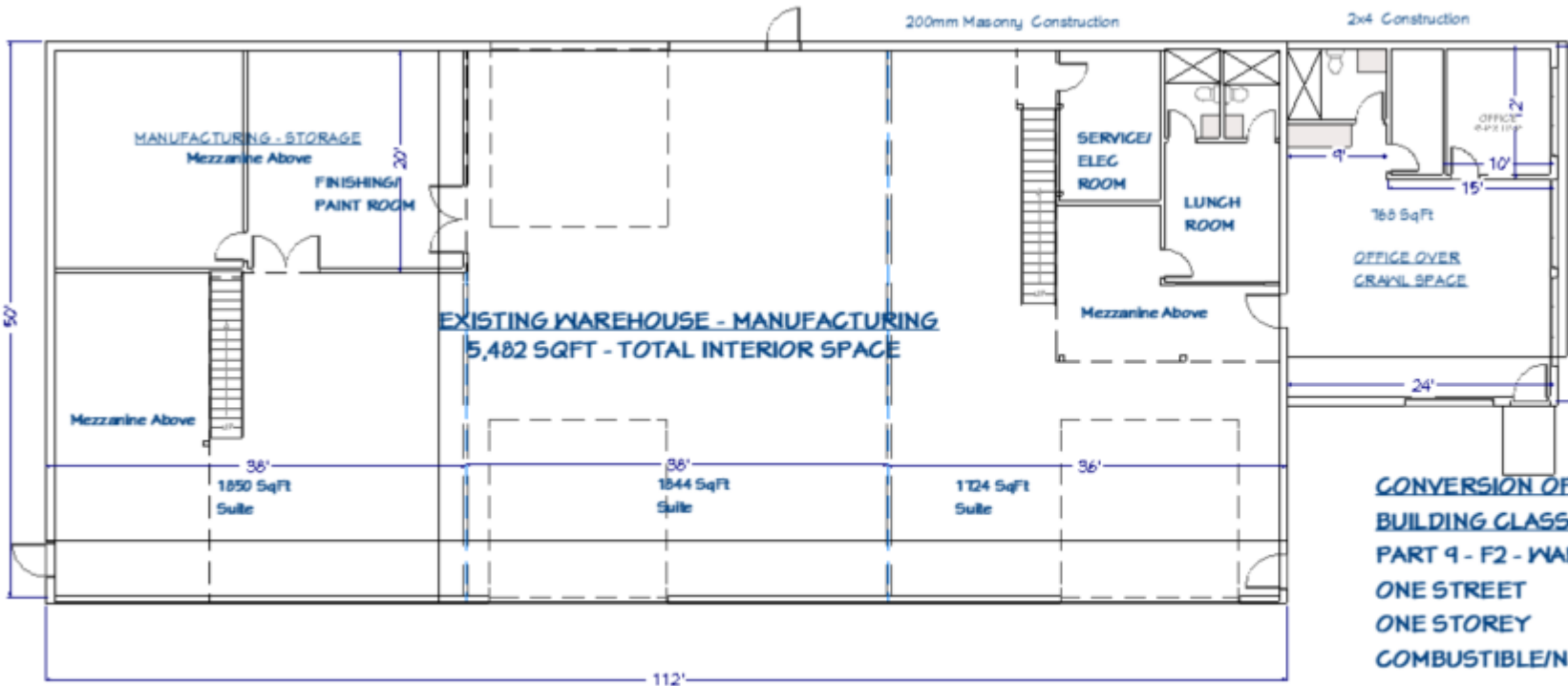
CONSIDERATIONS OF BASE BUILDING ALTERATION – DEMISING WALLS ONLY

WHAT SHOULD BE REVIEWED FIRST?

BASE BUILDING CLASSIFICATION – WORKS WITH PERMITS

PROPOSED DEMISING WALLS

- FIRE DEPARTMENT ACCESS TO NEW UNITS?
- EXISTING MEZZANINES
- EXITS
- THERMAL ASSEMBLIES
- RADON
- ACCESSIBILITY
- OTHER ITEMS?

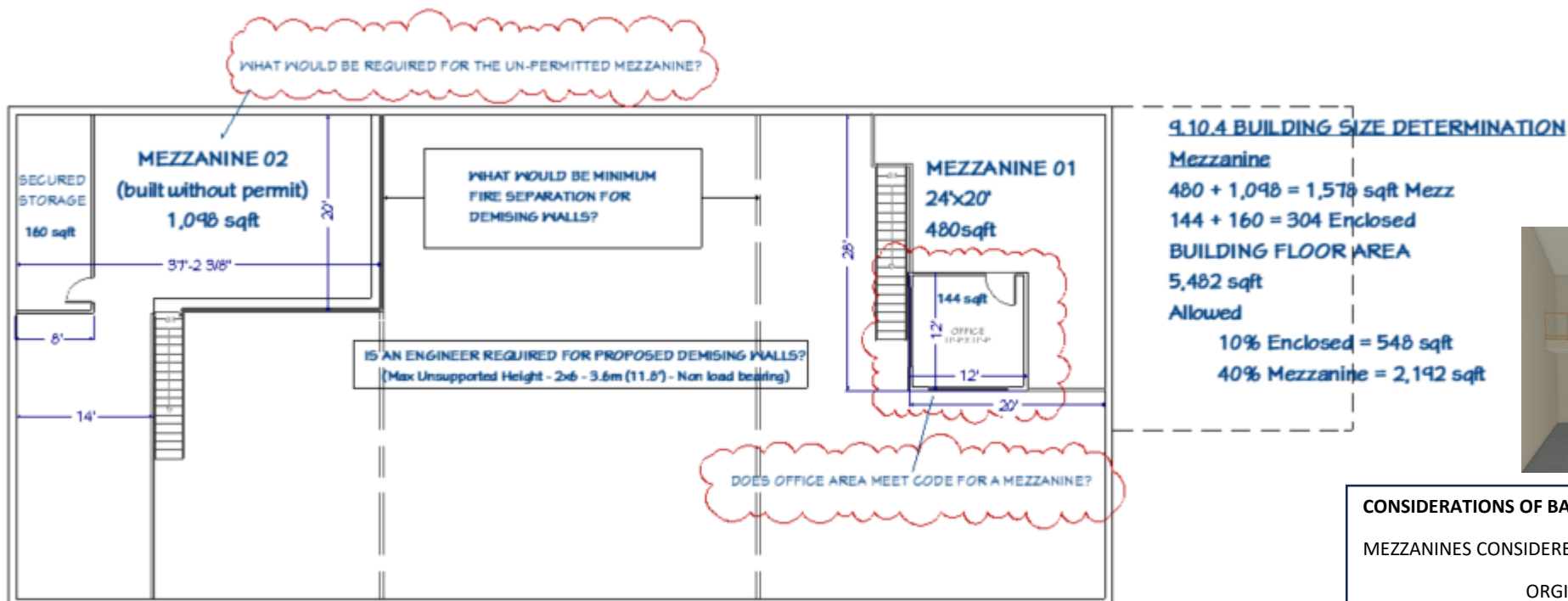


EXISTING MAIN FLOOR

CONVERSION OF WAREHOUSE TO TENANT SPACES
BUILDING CLASSIFICATION (1985 BCBG)
PART 9 - F2 - WAREHOUSE/MANUFACTURING
ONE STREET
ONE STOREY
COMBUSTIBLE/NON COMBUSTIBLE CONSTRUCTION
 Building Area
 6454 SQFT (599.5sqm) - Total



Base Building – Demising walls



EXISTING MEZZANINE

CONSIDERATIONS OF BASE BUILDING ALTERATION – DEMISING WALLS

MEZZANINES CONSIDERED A STOREY?

ORIGINAL SUITE AREA AND PROPOSED SUITES?

WHAT PROCESS FOR ILLEGAL MEZZANINE?

DEMISING WALLS - MINIMUM FIRE SEPARATIONS? WITHOUT KNOWING SPECIFIC PROPOSED TENANTS? ENGINEERED WALLS REQUIRED?

OTHER ITEMS?



Mezzanines

A-3.2.1.1.(3) Mezzanine Area. The following sketches illustrate the intent of this Sentence.

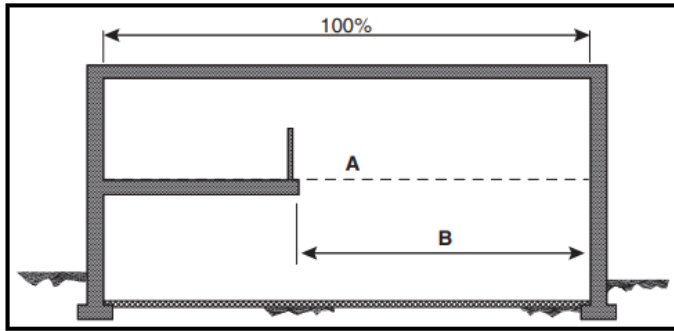


Figure A-3.2.1.1.(3)-A
Concept of Horizontal Plane
Notes to Figure A-3.2.1.1.(3)-A

- (1) The horizontal plane (A, the dashed line) is measured at the mezzanine floor finish line.
- (2) At least 60% of the horizontal plane (B) must be open to the floorspace below.

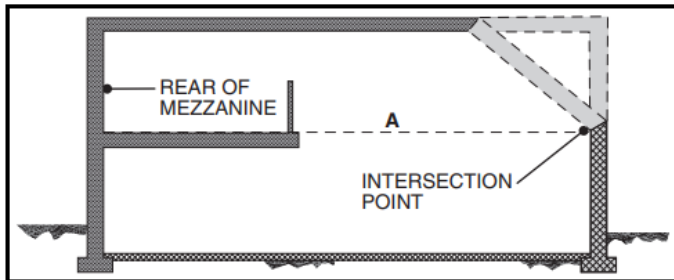


Figure A-3.2.1.1.(3)-B
Intersection Point

Notes to Figure A-3.2.1.1.(3)-B

- (1) This Figure describes Clause 3.2.1.1.(3)(a).
- (2) The length of the horizontal plane (A) is taken from the rear of the mezzanine to the point at which it intersects a wall, ceiling, roof or other major component.

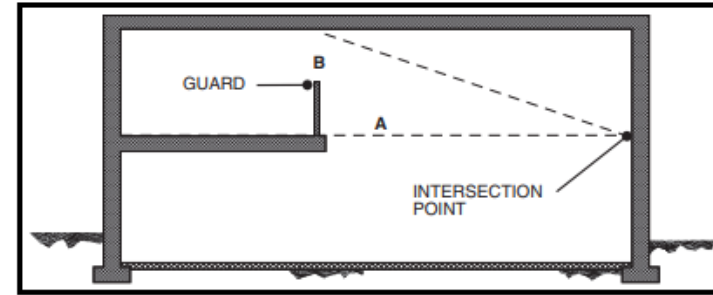


Figure A-3.2.1.1.(3)-C
Projections, Including Guards
Notes to Figure A-3.2.1.1.(3)-C

- (1) This Figure describes Clause 3.2.1.1.(3)(b).
- (2) Projections should not be permitted below the horizontal plane (A, the dashed line). This includes large beams, trusses, the roofline, or any other projection that will impede vision lines.
- (3) Visual obstructions on the mezzanine may include 1 070 mm high guards, and columns, posts and other structural elements of a minor nature.

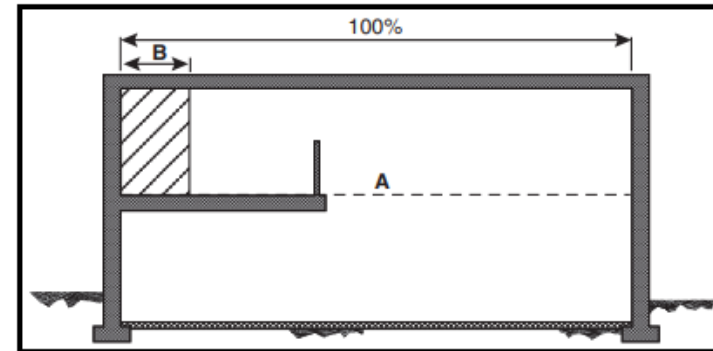


Figure A-3.2.1.1.(3)-D
Enclosed Spaces within a Mezzanine

Notes to Figure A-3.2.1.1.(3)-D

- (1) This Figure describes Sentence 3.2.1.1.(7).
- (2) The horizontal plane is demonstrated by the dashed line, A.
- (3) Up to 10% of the horizontal plane may be enclosed. This must be located so as to avoid contravening the open requirements of Clause 3.2.1.1.(3)(b); in effect no dead areas are permitted.

If a floor has more than one mezzanine, each may be treated individually. For example in a one storey building with five tenancies, each tenant would be permitted to have a mezzanine up to the limits indicated, without the building being considered two storeys in building height. However, should one of the mezzanines exceed any of the limitations, the building would then be considered to be two storeys in building height.

Regarding the floor space under a mezzanine, there are no restrictions on partition construction in this area. The space on the floor beyond the mezzanine, i.e. below the open portion of the horizontal plane, should, with discretion, be visually open to view from the mezzanine.



Mezzanines

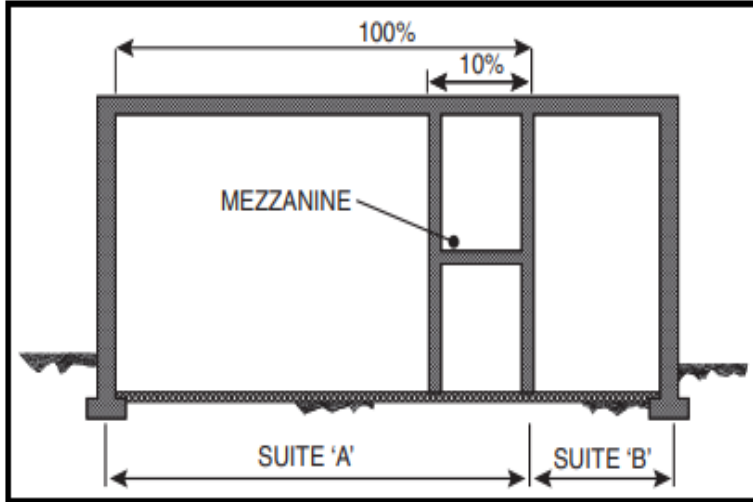


Figure A-3.2.1.1.(4)-C
Mezzanines in Multi-Tenanted Suites

Notes to Figure A-3.2.1.1.(4)-C

- (1) This Figure describes Clauses 3.2.1.1.(4)(a) and (b).
- (2) In this example, the 10% of the suite area is of Suite 'A' as if it is part of that series of rooms, or suite. It has no user-of-tenancy relationship with Suite 'B.' (Suite 'B' may also have 10% of totally enclosed mezzanines.)

2023 BCBC Changes to Part 3 and Part 9 requirements.

A-3.2.1.1.(4) Mezzanines in Suites. The defined term "suite" in this case could be equally applicable to a suite in an apartment or commercial building, or even an entire storey such as may occur in a curling rink. There may be more than one enclosed mezzanine in the suite but in no instance can the combined total mezzanine area exceed 10% of the suite in which they are located.

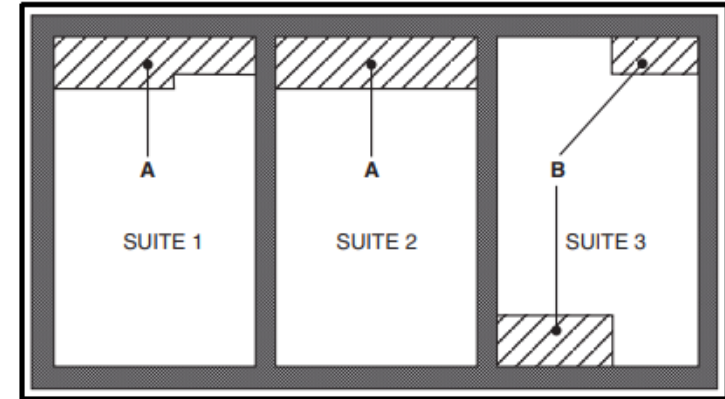


Figure A-3.2.1.1.(4)-A
Mezzanines in Suites

Notes to Figure A-3.2.1.1.(4)-A

- (1) This Figure describes Clause 3.2.1.1.(4)(b).
- (2) Mezzanines up to 10% of area of a suite (A) may be enclosed.
- (3) More than one mezzanine (B) is permitted in a suite provided the total area of mezzanines does not exceed 10% of the suite in which they are located.

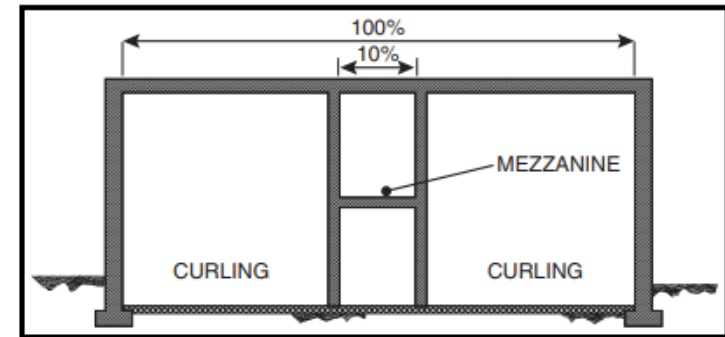


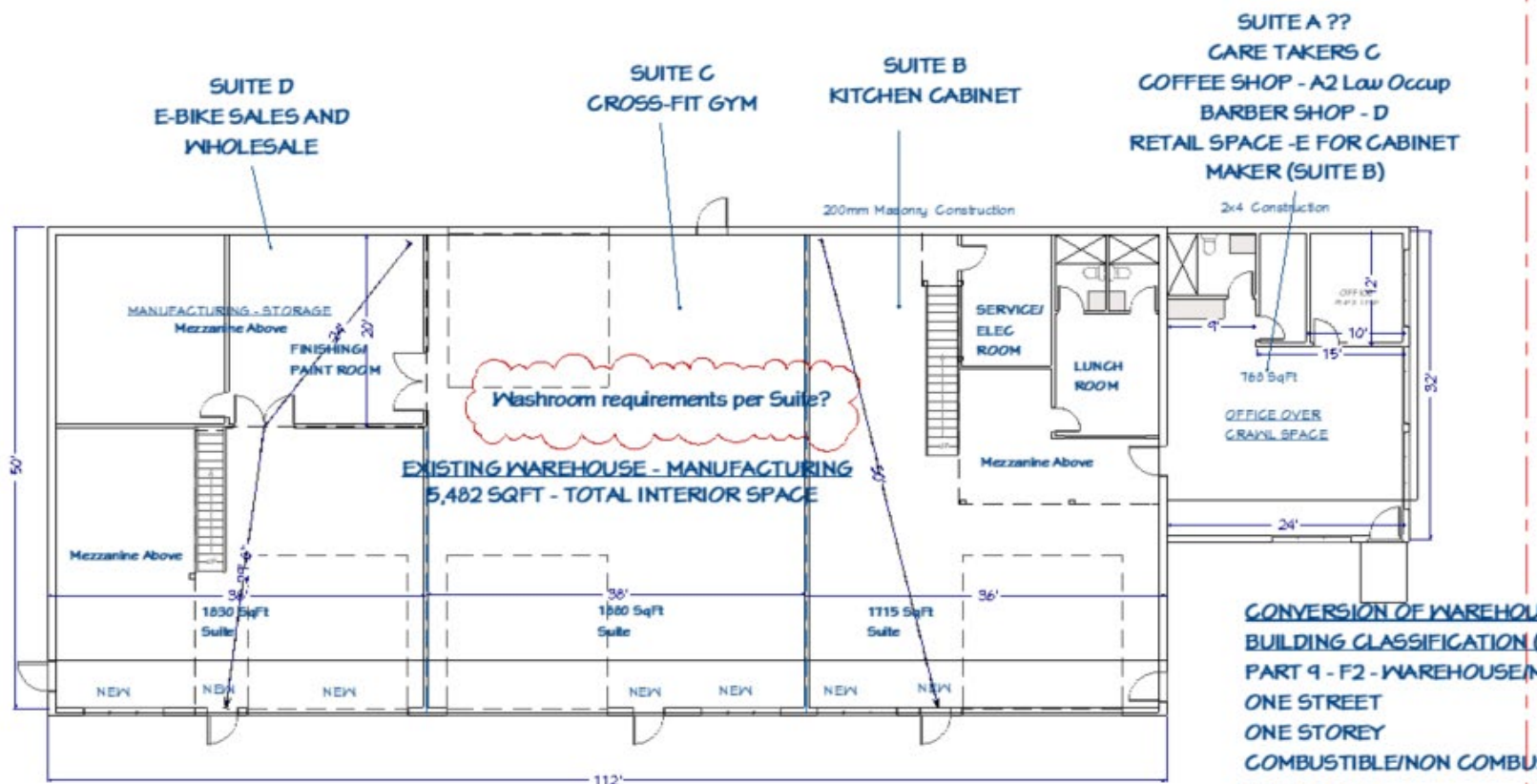
Figure A-3.2.1.1.(4)-B
Mezzanines in Multi-Room Suites

Notes to Figure 3.2.1.1.(4)-B

- (1) This Figure describes Clauses 3.2.1.1.(4)(a) and (b)
- (2) The curling rink has several 'rooms,' but should be regarded as 'one suite.' The enclosed mezzanine may be up to 10% of the area of the entire suite.



Tenant Alterations



PROPOSED NEW SUITES

CONSIDERATIONS FOR TENANT ALTERATIONS

WHAT SHOULD BE REVIEWED FIRST?

BASE BUILDING CLASSIFICATION – WORKS WITH PERMITS

PROPOSED DEMISING WALLS

SUITE OCCUPANCY

RECLASSIFICATION OF BASE BUILDING

ARCHITECT – STRUCTURAL REVIEW?

ONE STOREY OR TWO? MEZZANINES?

FIRE SEPARATIONS?

EXITS?

WASHROOMS?

RADON?

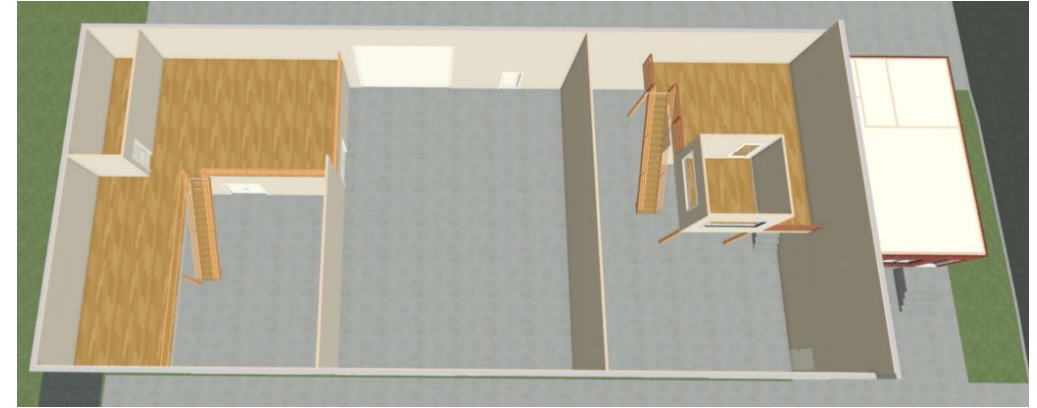
THERMAL ASSEMBLIES?

FIRE DEPARTMENT ACCESS AND WATER SUPPLY FOR FIREFIGHTING

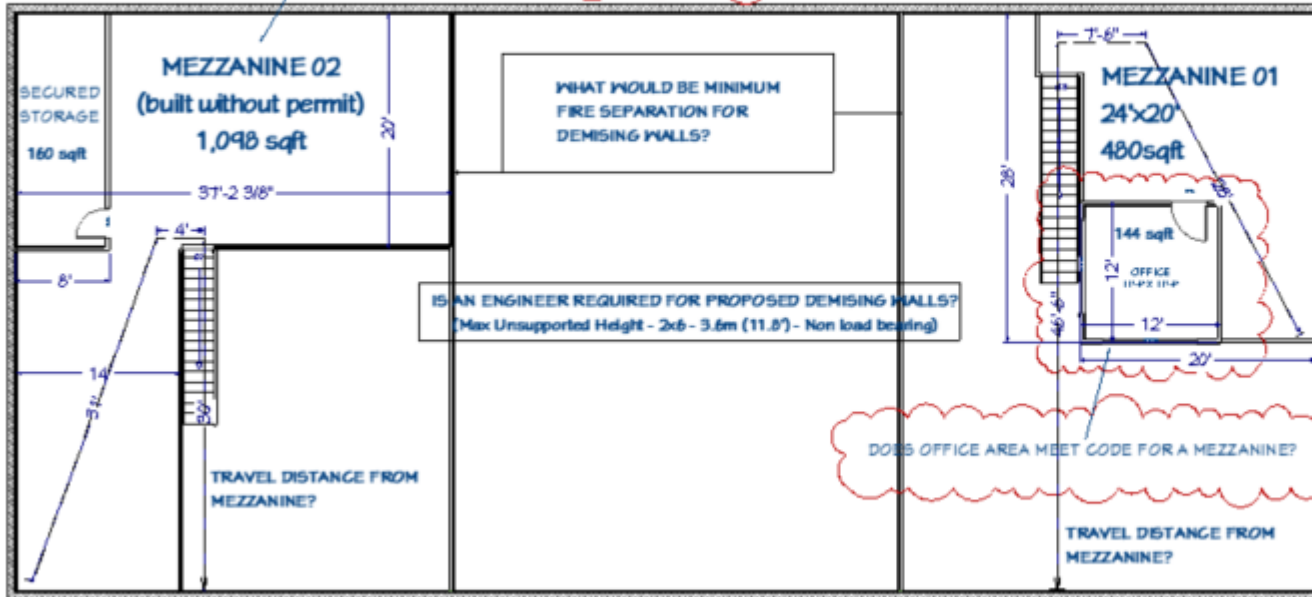
OTHER ITEMS?



Tenant Alterations



WHAT WOULD BE REQUIRED FOR THE UN-PERMITTED MEZZANINE?



9.10.4 BUILDING SIZE DETERMINATION Mezzanine
 SUITE B - SUITE AREA = 1715 SQFT
 MEZZANINE = 480 SQFT
 ENCLOSED = 144 SQFT
 SUITE C - SUITE AREA = 1880 SQFT
 SUITE D - SUITE AREA = 1830 SQFT
 MEZZANINE = 1098 SQFT
 ENCLOSED = 160 SQFT

DOES OFFICE AREA MEET CODE FOR A MEZZANINE?

MEZZANINE LEVEL – 2ND STOREY?

- CONSIDERATIONS FOR TENANT ALTERATIONS**
- ARE MEZZANINE CONSIDERED 2ND STOREY FOR HEIGHT REQUIREMENTS IF 2ND STOREY?
 - EXIT PATHS



Next Sessions

November

No L&L scheduled

Code update training

Nov 21-23 Richmond

December

Secondary Suites and Carriage home requirements

- Suite Renovations
- ADU conversions
- Legalizing Suites
- BC Loan program

January 2024

Radon Requirements Deep Dive

- 9.13
- 9.25
- Plan details and site installation reviews

PLEASE – forward any checklists, guides or policies related to Tenant Alterations, and suites and carriage homes (new, conversions & enforcing) to kkunka@boabc.org (please)



Questions - Contact Us



**Session feedback &
future topics**
kkunka@boabc.org



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Communication
Reminder**

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Zone
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Membership Services (Qualification, Certification, Exams etc.)
604-270-9516 - Jennifer Schwaertzel