

# Part 10

## Change of Use

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# Part 10

## Change of Use

### Section 10.1. General

#### 10.1.1. Scope

##### 10.1.1.1. Scope

(1) The scope of this Part shall be as described in Section 2.1.

##### 10.1.1.2. Change in Major Occupancy

(1) The following changes of use shall also be deemed to be a change in *major occupancy* for the purposes of this Part:

- (a) a *suite* of a Group C *major occupancy* is converted into more than one *suite* of Group C *major occupancy*,
- ♣ (a.1) a *suite* or part of a *suite* of a Group A, Division 2 or Group A, Division 4 *major occupancy* is converted to a *gaming premise*,
- (b) a *farm building* or part of a *farm building* is changed to a *major occupancy*, and
- (c) the use of a *building* or part of a *building* is changed and the previous *major occupancy* of the *building* or part of the *building* cannot be determined.

##### 10.1.1.3. Definitions

(1) In this Part, the following words and terms have the meaning that they are given in Article 11.1.1.2.:

*Building system*

### Section 10.2. Classification of Existing Buildings

#### 10.2.1. Classification

##### 10.2.1.1. Classification of Major Occupancy

(1) Every existing *building* or part thereof shall be classified according to its *major occupancy* in accordance with the requirements of Subsection 3.1.2.

##### 10.2.1.2. Classification According to Construction and Occupancy

(1) For the purposes of this Part, existing *buildings* shall be classified as to their *construction* and *occupancy* as provided for in Sentence 11.2.1.1.(1).

##### 10.2.1.3. Building Size and Construction

(1) The requirements of Articles 3.2.2.20. to 3.2.2.83. do not apply to this Part.

### Section 10.3. Requirements

#### 10.3.1. General

##### 10.3.1.1. General

(1) Except as provided in Section 10.4., a *building* or part of a *building* subject to a change of *major occupancy* shall conform to the requirements of Subsection 3.2.6., Sections 3.7., 3.11., 3.11A., 9.5. and 9.7., Subsection 9.10.16., Sections 9.31. and 9.32., and Subsections 9.34.1., 9.34.2. and 9.34.3. as they apply to the new *major occupancy* that the *building* or part of a *building* is to support. ★

#### 10.3.2. Performance Level

##### 10.3.2.1. General

(1) The *performance level* of a *building* after the change of *major occupancy* shall not be less than the *performance level* prior to the change of *major occupancy*.

(2) For the purposes of Sentence (1), reduction of *performance level* shall be determined in accordance with Article 10.3.2.2.

**10.3.2.2. Reduction in Performance Level**

(1) Except as provided in Sentence (2), the *performance level* of a *building* or part of a *building* is reduced where the existing structural floor and roof framing systems and their supporting members are not adequate to support the proposed *dead loads* and *live loads* of the new *major occupancy* that the *building* is to support.

(2) The inadequacy of the existing structural floor or roof framing system and its supporting members to support the proposed *dead loads* and *live loads* does not reduce the *performance level* of the *building* if the portion of the floor affected by the proposed loads is restricted to the loading it will support and signs stating the restrictions are posted.

(3) Except as provided in Section 10.4., the *performance level* of a *building* or part of a *building* is reduced where the early warning and evacuation systems requirements of the *building* do not meet the early warning and evacuation systems requirements set out in Table 10.3.2.2.A. for the new *major occupancy* that the *building* is to support.

(4) Except as provided in Sentence (5), the *performance level* of an existing *building* is reduced where a change in use will result in a change of the *major occupancy* of all or part of an existing *building* to another *major occupancy* of a greater *hazard index*.

(5) Except as provided in Sentence (6), if the *hazard index* of the new *major occupancy* is greater than the *hazard index* of the existing *major occupancy*, the *performance level* is not reduced where the *hazard index* of the new *major occupancy* is not greater than the *construction index* of the existing *building*.

(6) Small or medium sized existing *buildings* as determined in Tables 11.2.1.1.B to N. facing multiple streets may be assigned a *hazard index* credit of 1, which may be subtracted from the *hazard index* of the new *major occupancy* provided

- (a) the *building* does not contain a Group B, Division 1, a Group C, or a Group F, Division 1 *occupancy*, and
- (b) fire fighting access complying with Articles 3.2.5.1., 3.2.5.2., 3.2.5.3., 3.2.5.4. and 3.2.5.5. or Subsection 9.10.9., or an approved *alternative measure* is provided from all *streets*.



**Table 10.3.2.2.A.  
For Evaluation of Early Warning/Evacuation  
Forming Part of Sentence 10.3.2.2.(3)**

EW/EVAC Evaluation	Compliance Alternative <sup>(1)</sup>
<p>Early Warning and Evacuation to be checked against</p> <ul style="list-style-type: none"> <li>(a) <i>access to exit</i> widths based on <i>occupant load</i> in Subsection 3.3.1. or 9.9.3.;</li> <li>(b) <i>exit</i> widths based on <i>occupant load</i> in Subsection 3.4.3. or 9.9.3.;</li> <li>(c) <i>exit</i> signs in Subsection 3.4.5. or 9.9.10.;</li> <li>(d) lighting of <i>exits</i>, lighting of <i>access to exits</i> and emergency lighting in Subsection 3.2.7. or 9.9.11.;</li> <li>(e) fire alarm system in Subsection 3.2.4. or 9.10.17.;</li> <li>(f) <i>smoke alarms</i> in 9.10.18.;</li> <li>(g) travel distance and number of <i>exits</i> in other Parts of the Code.;</li> <li>(h) smoke control measures, and at least one elevator to permit transport of fire fighters to all floors in <i>hotels</i> whose floor level is more than 18 m high, measured between <i>grade</i> and floor level of the top <i>storey</i> as per Subsection 3.2.6.; and</li> <li>(i) door release hardware requirements in Articles 3.3.1.12. and 3.4.6.15.,</li> </ul> <p>and deficiencies shall be upgraded.</p>	<p>EARLY WARNING</p> <ul style="list-style-type: none"> <li>(a) <i>Compliance alternatives</i> as listed may be used.</li> </ul> <p>EVACUATION</p> <ul style="list-style-type: none"> <li>(b) <i>Compliance alternatives</i> as listed to <i>access to exit</i> and <i>exit</i> widths, number of <i>exits</i>, door release hardware, and travel distance may be used.</li> </ul>
Column 1	2

**Notes to Table 10.3.2.2.A.:**

(1) See Tables 11.5.1.1.A., 11.5.1.1.B., 11.5.1.1.C., 11.5.1.1.D/E and 11.5.1.1.F. for *compliance alternatives* that may be used.

(7) Except as provided in Sentence (8), the *performance level* of a *building* or part of a *building* is reduced in an existing *building* constructed of *combustible construction* where

- (a) the *occupancy* is changed to a *residential occupancy* in all or part of the *building*, and
- (b) if the *building* was new, it would have been required to be constructed of *noncombustible construction*.

(8) A change in the *occupancy* of a *building* or part of a *building* to a *residential occupancy* does not reduce the *performance level* of the *building* or part of the *building* where

- (a) the *building* is *sprinklered*, and
- (b) the *building* does not exceed 6 *storeys* in *building height*.

(9) The *performance level* of a *building* or part of a *building* is reduced where the new *major occupancy* in an existing *building* of multiple *occupancy* is not separated from adjoining *major occupancies* by *fire separations* having *fire-resistance ratings* conforming to Article 3.1.3.1., Subsection 9.10.9. or Table 10.3.2.2.B.

(10) The *performance level* of a *building* is reduced where the *building* after the change of *major occupancy* will not comply with Articles 3.1.3.1. or 9.10.9.12.

(11) The *performance level* of a *building* or part of a *building* is reduced where, after a change of *major occupancy*,

- (a) the total daily design *sanitary sewage flow* of the new *major occupancy*, calculated in accordance with Article 8.2.1.3., exceeds the capacity of any component of a *sewage system* serving the *building*, or
- (b) the type or amount of *sanitary sewage* which will, under the new *major occupancy*, be discharged to a *sewage system* serving the *building* is prohibited by Article 8.1.3.1.

**Table 10.3.2.2.B.<sup>(1)</sup>**  
**Additional Upgrading for Multiple Major Occupancies**  
 Forming Part of Sentence 10.3.2.2.(9)

New Major Occupancy	Code Requirements	Compliance Alternative	
All <sup>(2)</sup>	Table 3.1.3.1. and Subsection 9.10.9.  Where: 1 h rating required 2 h rating required 3 h rating required	For Existing Buildings Reduce to	If Sprinklered Reduce to
		45 min 1.5 h 2 h	30 min 1 h 1.5 h
Column 1	2	3	

**Notes to Table 10.3.2.2.B.:**

- (1) For *buildings* with multiple *major occupancies* only, where there is a change in *major occupancy*.
- (2) See Sentence 10.3.2.2.(9).

## Section 10.4. Compliance Alternatives And Alternative Measures

(2) Where the *building* has been in existence for less than five years, *alternative measures* may only be used in respect of requirements of the Code which are referenced in Sentences 10.3.2.2.(3), (5) and Table 10.3.2.2.B.

### 10.4.1. Compliance Alternatives

#### 10.4.1.1. Substitution

(1) Except as provided in Sentence (3), a *compliance alternative* to a requirement contained in Part 3, 4, 5, 6 or 7 which is shown in Tables 11.5.1.1.A., 11.5.1.1.B., 11.5.1.1.C., 11.5.1.1.D/E. or 11.5.1.1.F. may be substituted for the requirement where the *chief building official* is satisfied that compliance with the requirement is impracticable because

- (a) of structural or *construction* difficulties, or
- (b) it is detrimental to the preservation of a *heritage building*.

(2) Except as provided in Sentence (3), a *compliance alternative* to a requirement contained in Part 9 shown in Tables 11.5.1.1.C., 11.5.1.1.D/E. or 11.5.1.1.F. may be substituted for the requirement without satisfying the *chief building official* that the requirement is impracticable.

(3) Where the *building* has been in existence for less than five years, *compliance alternatives* may only be used in respect of requirements of the Code which are referenced in Sentences 10.3.2.2.(3), (5) and Table 10.3.2.2.B.

### 10.4.2. Alternative Measures

#### 10.4.2.1. Substitution

(1) Except as permitted in Sentence (2), an *alternative measure* to

- (a) a requirement of Part 3, 4, 5, 6, 7 or 9 of the Code, or
- (b) a *compliance alternative*,

may be substituted for the requirement or the *compliance alternative*, as the case may be, where the *chief building official* is satisfied that compliance with the requirement or the *compliance alternative*, as the case may be, is impracticable because

- (c) of structural or *construction* difficulties, or
- (d) it is detrimental to the preservation of a *heritage building*.