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,
   (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, Group C, or Group D, 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)

<table>
<thead>
<tr>
<th>EW/EVAC Evaluation</th>
<th>Compliance Alternative(1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Early Warning and Evacuation to be checked against</td>
<td></td>
</tr>
<tr>
<td>(a) access to exit widths based on occupant load in Subsection 3.3.1. or 9.9.3.;</td>
<td></td>
</tr>
<tr>
<td>(b) exit width based on occupant load in Subsection 3.4.3. or 9.9.3.;</td>
<td></td>
</tr>
<tr>
<td>(c) exit signs in Subsection 3.4.5. or 9.9.10.;</td>
<td></td>
</tr>
<tr>
<td>(d) lighting of exits, lighting of access to exits and emergency lighting in Subsection 3.2.7. or 9.9.11.;</td>
<td></td>
</tr>
<tr>
<td>(e) fire alarm system in Subsection 3.2.4. or 9.9.17.;</td>
<td></td>
</tr>
<tr>
<td>(f) smoke alarms in 9.10.16.;</td>
<td></td>
</tr>
<tr>
<td>(g) travel distance and number of exits in other Parts of the Code.;</td>
<td></td>
</tr>
<tr>
<td>(h) smoke control measures, and at least one elevator to permit transport of fire fighters to all floors in hotels whose floor level is more than 18 m high, measured between grade and floor level of the top storey as per Subsection 3.2.6.; and</td>
<td></td>
</tr>
<tr>
<td>(i) door release hardware requirements in Articles 3.3.1.12. and 3.4.6.15., and deficiencies shall be upgraded.</td>
<td></td>
</tr>
<tr>
<td>Column 1</td>
<td>2</td>
</tr>
</tbody>
</table>

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. (1)

Additional Upgrading for Multiple Major Occupancies
Forming Part of Sentence 10.3.2.2.(9)

<table>
<thead>
<tr>
<th>New Major Occupancy</th>
<th>Code Requirements</th>
<th>Compliance Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td>A(2)</td>
<td>Table 3.1.3.1. and Subsection 9.10.9.</td>
<td>For Existing Buildings If Sprinklered Reduce to Reduce to</td>
</tr>
<tr>
<td></td>
<td></td>
<td>45 min</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1.5 h</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 h</td>
</tr>
</tbody>
</table>

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

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.