

Change of Occupancy

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The City of Kamloops has developed the following guide to assist those contemplating converting a suite or building from one occupancy type under the BC Building Code 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 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 BC Building Code occupancy classifications:

Group A-2 - Assembly occupancy includes daycares with more than eight children, restaurants, clubs, galleries, schools.

Low-Occupancy A-2 - Assembly use, see group "D" occupancy where occupant loads are 30 or 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 no more than eight 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, B, C, D, E) 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.

Structural, Seismic, and Falling Hazards

Structural and Seismic Assessment

A structural assessment by a structural engineer maybe required where change of major occupancy of a building is proposed. A seismic review (the building's ability to withstand the forces of an earthquake) may form part of the assessment as well as a review of falling hazards (operational and functional components). The Engineers & Geoscientist of British Columbia have a professional practice guideline, [Structural Condition Assessment of Existing Buildings](#), for guidance in their assessment.

This review is required because a change of major occupancy may reduce the performance level of an existing building as it relates to risk to occupants. This can occur where the occupant load is increased, the existing structure is not able to accommodate a required higher floor loading, vibration, seismic and other required structural loads, as well as falling hazards. If the review by a structural engineer identifies the relative performance level of an existing building is reduced by the change of occupancy, structural upgrading will be required.

The National Building Code 2015 Structural Commentaries User's Guide Part 4, Commentary L provides guidance for seismic review of existing buildings and is referenced in the BC Engineers & Geoscientist of British Columbia professional practice guideline, [Structural Condition Assessment of Existing Buildings](#).

What does this mean for my proposed change of occupancy permit?

A proposed change of major occupancy of a Part 3 Building may need be evaluated by a structural engineer to determine if the building requires structural upgrading including the seismic restraint systems.

Where a structural and seismic assessment determines upgrades are necessary, the assessment should be reflected in the structural plans submitted. If no structural work is required a report as described in the guideline [Structural Condition Assessment of Existing Buildings](#) (under Section 3.6) must be submitted.

A proposed change of major occupancy in a Part 9 Building that changes the building classification to Part 3 must be evaluated by a team of registered professionals to determine what upgrades the building requires, including structural upgrading and seismic restraint systems.

A proposed change of major occupancy of a Part 9 Building must meet the intent of the current Part 9 structural and seismic building code requirements. **A structural assessment is not typically required where:**

- a change of occupancy does not change the building major occupancy classification
- It can be shown that the change of occupancy does not require additional loading capacity, with current use floor loading higher or equal to the required loading, as per the current building code, for the proposed new use.

BC Building Code Requirements and Building Permits

BC Building Code & Building Permit Requirements

Under Division A, 1.1.1.1.(1).c. of the BC Building Code, the code applies to changes of occupancy. A building permit is required when a change of occupancy (use) in a suite or a change of major occupancy of a building is proposed. A building permit is required even if no work or construction is proposed. A building code review will be required to help determine if the existing building meets the code requirements of the new occupancy.

Documentation Required for Buildings With a Change of Major Occupancy:

The following documentation is required in addition to any other items identified in checklists for building permit application.

Part 3 BuildingsCoordinating Registered Professional

- Schedule A.
- The coordinating registered professional must determine the appropriate required professionals, have signed Schedule B for structural capacity of : 1.6 architectural components; 2.1 structural components; 3.6 mechanical components; 4.7 plumbing components; 5.9 sprinkler components; and, 6.5 electrical components, including anchorage and seismic restraint. The coordinating registered professional is to ensure appropriate Schedule S-Bs are received.

Architectural

- Sealed plans.
- Comprehensive code analysis addressing the current code requirements and an explanation or alternative solution where compliance can not be achieved.
- Schedule B, including sign on for 1.6.

Structural

- Sealed plans if required.
- Schedule B, including sign on for 2.1.
- If no structural work is required, a report as described in the guideline [Structural Condition Assessment of Existing Buildings](#) (under 3.6) to be submitted.

Other Registered Professionals

- As required by the coordinating registered professional.
- Schedule B, including sign on for 3.6, 4.7, 5.9, 6.5, as required by the coordinating registered professional.

Part 9 BuildingsArchitectural DrawingsArchitect

- If an architect has designed the space and produced the permit drawings, they are required by the Architects Regulation to seal the drawings set. No BCBC Schedule "B" is required though.
- Plans
- Comprehensive code analysis addressing the current code requirements and identification of all relevant code articles applicable as a result of the change of occupancy.

Designer (where there is no architect of record)

- Plans
- Comprehensive code analysis addressing the current code requirements and identification of all relevant code articles applicable as a result of the change of occupancy.

Structural – If the change of use occurs in a building that contains, or will contain structural items under part 4

- Sealed plans
- Schedule B, including sign on for 2.1

Additional Considerations

Development Cost Charges

Development cost charges (DCCs) may be applicable to existing buildings where a change of occupancy of the building results in a new or higher use category. If applicable, the difference between the two categories will be payable at building permit issuance.

DCCs are charges that assist the City with capital cost projects. DCCs are applicable to projects where the value of construction exceeds \$50,000. DCCs are calculated on the gross floor area and vary according to use (i.e. residential, commercial, industrial). For further information, City of Kamloops [Development Cost Charges Bylaw](#).

Zoning and Other City of Kamloops Bylaws

Check with the Planning and Development Division to determine if the proposed change of use of a building will be affected by the following bylaws:

[Zoning Bylaw No. 55](#) restricts the type of uses permitted in various areas of the city and requires a certain number of parking spots dependent on the use and zoning of the property

Have questions? We're here to help. Please contact the Building Inspection Section at 250-828-3554 or building@kamloops.ca for more information.

Please note: Building Bulletins are prepared to provide convenient information for customers and should not be considered a replacement for reviewing the bylaw or associated legal documents. If there is any contradiction between this guide and relevant municipal bylaws and/or applicable codes, please refer to the bylaws and/or codes for legal authority.