

## Section 1.3. Divisions A, B and C of this By-law

### 1.3.1. General

#### 1.3.1.1. Scope of Division A

- 1) Division A contains the compliance and application provisions, objectives and functional statements of this By-law.

#### 1.3.1.2. Scope of Division B

- 1) Division B contains the acceptable solutions of this By-law.

#### 1.3.1.3. Scope of Division C

- 1) Division C contains the administrative provisions of this By-law.

#### 1.3.1.4. Internal Cross-references

- 1) Where the Division of a referenced provision is not specified in this By-law, it shall mean that the referenced provision is in the same Division as the referencing provision.

### 1.3.2. Application of Division A

#### 1.3.2.1. Application of Parts 1, 2 and 3

- 1) Parts 1, 2 and 3 of Division A apply to all *buildings* covered in this By-law. (See Article 1.1.1.1.)

### 1.3.3. Application of Division B

#### 1.3.3.1. Application of Parts 1, 7, 8 and 10

- 1) Parts 1, 7, 8 and 10 of Division B apply to all *buildings* covered in this By-law. (See Article 1.1.1.1.)

#### 1.3.3.2. Application of Parts 3, 4, 5 and 6

- 1) Parts 3, 4, 5, and 6 of Division B apply to all *buildings* described in Article 1.1.1.1. and
  - a) classified as *post-disaster buildings*,
  - b) used for *major occupancies* classified as
    - i) Group A, *assembly occupancies*,
    - ii) Group B, *care, treatment or detention occupancies*, or
    - iii) Group F, Division 1, high-hazard industrial occupancies, or
  - c) exceeding 600 m<sup>2</sup> in *building area* or exceeding 3 *storeys* in *building height* used for *major occupancies* classified as
    - i) Group C, *residential occupancies*,
    - ii) Group D, *business and personal services occupancies*,
    - iii) Group E, *mercantile occupancies*, or
    - iv) Group F, Divisions 2 and 3, *medium- and low-hazard industrial occupancies*.
- 2) Part 4 applies to all *buildings* except *buildings* containing not more than two principal *dwelling units* and their *ancillary residential units* and accessory *buildings*.
- 3) Part 5 applies to all Group C *multi-family buildings* and *Artist Live/Work Studios* that are
  - a) more than 2 *storeys* in *building height*, or
  - b) more than 600 m<sup>2</sup> in *building area* excluding *firewalls*.
- 4) Notwithstanding Sentence (1), Section 3.8 applies to all Part 9 *buildings*.

**1.3.3.3. Application of Part 9, 11 and 12**

- 1) Except as provided in Sentences 1.3.3.2.(2) and (3), Part 9 of Division B applies to all *buildings* described in Article 1.1.1.1. of 3 *storeys* or less in *building height*, having a *building area* not exceeding 600 m<sup>2</sup>, and used for *major occupancies* classified as
  - a) Group C, *residential occupancies* (See Note A-9.1.1.1.(1) of Division B),
  - b) Group D, *business and personal services occupancies*,
  - c) Group E, *mercantile occupancies*, or
  - d) Group F, Divisions 2 and 3, *medium- and low-hazard industrial occupancies*.
- 2) Part 11 applies to the *alteration*, rehabilitation, renovation, repair, *addition* or change of *major occupancy* of an *existing building* and as defined in Appendix Note A-11.2.1.2 of Division B.
- 3) Part 12 applies to the design and *construction* of all new *marinas* and *float homes*; and to existing *marinas* and existing *float homes* as defined in Article 11.2.1.11. of Division B.

**1.3.3.4. Building Size Determination**

- 1) Where a *firewall* divides a *building*, each portion of the *building* so divided shall be considered as a separate *building*, except when this requirement is specifically modified in other parts of this By-law. (See Note A-1.3.3.4.(1).)
- 2) Except as permitted in Sentence (4), where portions of a *building* are completely separated by a vertical *fire separation* that has a *fire-resistance rating* of not less than 1 h and extends through all *storeys* and *service spaces* of the separated portions, each separated portion is permitted to be considered as a separate *building* for the purpose of determining *building height*, provided
  - a) each separated portion is not more than 4 *storeys* in *building height* and is used only for *assembly, residential, and business and personal services occupancies*, and
  - b) the unobstructed path of travel for a firefighter from the nearest *street* to one entrance of each separated portion is not more than 45 m.
 (See Note A-1.3.3.4.(2) & (3).)
- 3) Except as permitted in Sentence (4), where portions of a *building* are completely separated by a distance of at least 3 m, each separated portion is permitted to be considered as a separate *building* for the purpose of determining *building height*, provided
  - a) each separated portion complies with the requirements of Subsection 3.2.3. of Division B,
  - b) all connecting construction is
    - i) of *noncombustible construction*, and
    - ii) contains only F3 occupancies, or uses and occupancies subsidiary to the remainder of the building,
  - c) a vertical *fire separation* that has a *fire-resistance rating* of not less than 2 h and extends through all *storeys* and *service spaces* of the connecting construction **and superimposed portions of the building area above the connecting construction**, and
  - d) the unobstructed path of travel for a firefighter from the nearest *street* to one entrance of each separated portion is not more than 45 m.
 (See Note A-1.3.3.4.(2) & (3).)
- 4) The vertical *fire separation* referred to in Sentence (3) may terminate at the floor assembly immediately above a *basement* provided the *basement* conforms to Article 3.2.1.2. of Division B.

**1.3.3.5. Air Space Subdivision**

- 1) Where a subdivision of land creates an *air space parcel* boundary in or through a *building*, which otherwise complies with this By-law, such *building* or a portion of the *building* may, at the discretion of the *Chief Building Official*, be considered as a single *building* not requiring internal *firewalls* or *party walls* along *air space parcel* boundaries if legal agreements are registered against title to all *air space parcels* and the remainder whereby
  - a) all relevant *owners* grant easements necessary to ensure common access to the fire and life safety systems and exits required for the *building* to function as a single *building* and to allow the *owners* to operate and maintain the *building* and its common systems, and

- b) all owners grant a covenant to the *City* on terms acceptable to its Director of Legal Services and the *Chief Building Official* whereby the owners
  - i) acknowledge and agree that they have requested the *Chief Building Official* to treat the building as a single *building*,
  - ii) release and indemnify the *City* and the *Chief Building Official* for, without limitation, all liability arising from the *Chief Building Official* agreeing to treat the *building* or a portion of the *building* as a single *building* for the purposes of this By-law, and
  - iii) agree to inspect, test and keep in good repair and good working order all common fire and life safety systems, common utilities and shared *exits* located on their parcel and, to the extent necessary, use the easements referred to in Clause (1)(a) for that purpose.

### 1.3.3.6. Automatic Sprinkler Systems

- 1) Except for *buildings* described in Sentence (2), all newly constructed *buildings* shall be provided with an automatic *sprinkler system* designed and installed in accordance with Article 3.2.5.12. of Division B.
- 2) The following *buildings* are not required to be *sprinklered*
  - a) temporary *buildings* conforming to Subsection 1.6.8. of Division C, and tents and *air-supported structures* conforming to Subsection 3.1.6. of Division B,
  - b) one *storey* non-residential storage *buildings* less than 100 m<sup>2</sup> in *building area*, and having a *limiting distance* on all sides of not less than 15 m,
  - c) one *storey* detached residential garages and carports,
  - d) one *storey* detached *buildings* which are accessory to a residential *building* containing not more than two *dwelling units*, and which are less than 50 m<sup>2</sup> in *building area*,
  - e) *industrial* or *hazardous occupancies* where the *Chief Building Official* accepts that the installation of an automatic *sprinkler system* would represent a hazard to the occupants or would be incompatible with the use of the *building*,
  - f) public concession stands and changing room buildings less than 100 m<sup>2</sup> in *building area* and having a *limiting distance* on all sides of not less than 15 m,
  - g) ticket kiosks,
  - h) bleachers which do not contain roofed *occupancies*,
  - i) farm *buildings*, except farm *buildings* with caretaker residential *suites*,
  - j) greenhouses used solely for the growing of plants where no public admittance is permitted, and
  - k) one storey portable classroom *buildings* of less than 100 m<sup>2</sup> in *building area* with an *occupancy* classification of Group A Division 2 or Group D. (See Note A-1.3.3.6.(2)(k).)

### 1.3.4. Application of Division C

#### 1.3.4.1. Application of Parts 1, 2 and 3

- 1) Parts 1, 2 and 3 of Division C apply to all *buildings* covered in this By-law. (See Article 1.1.1.1.)