

# Changes in the Use of a Building

When the use of a building is changed, it may represent an increase in hazard to the occupants of the building. When constructed in accordance with current building codes, the occupants of the building and the building itself are protected from the anticipated levels of hazard by compensating construction. Consequently, when the use of a building is changed and the hazard level is increased as determined by the Ontario Building Code, measures have to be taken to mitigate those additional hazards. The following Code articles outline when an additional hazard exists and when a building permit is required.

## 1.3.1.4. Permits Under Section 10 of the Act

(1) Except as provided in Sentence (2), the following changes in use of a *building* or part of a *building* constitute an increase in hazard for the purposes of section 10 of the Act and require a permit under section 10 of the Act:

- (a) a change of the *major occupancy* of all or part of a *building* that is designated with a "Y" in Table 1.3.1.4. takes place,
- (b) a *suite* of a Group C *major occupancy* is converted into more than one *suite* of Group C *major occupancy*,
- (c) a *suite* or part of a *suite* of a Group A, Division 2 or a Group A, Division 4 *major occupancy* is converted to a *gaming premises*,
- (d) a *farm building* or part of a *farm building* is changed to a *major occupancy*,
- (e) a *building* or part of a *building* is changed to a *post-disaster building*,
- (f) a building or part of a *building* is changed to a *retirement home*, or
- (g) 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.

(2) A person is exempt from the requirement to obtain a permit under section 10 of the Act where the change in use of the *building* or part of the *building* will result from proposed *construction* and a permit under section 8 of the Act has been issued in respect of such *construction*.

(3) A person is exempt from the requirement to obtain a permit under section 10 of the Act for the change of use of a *building* in unorganized territory.

Forming Part of Sentence 1.3.1.4.(1)<sup>(1)</sup>

		FROM <sup>(2)</sup>												
		A-1	A-2	A-3	A-4	B-1	B-2	B-3	C	D	E	F-1	F-2	F-3
(A) ASSEMBLY	A-1	N <sup>(5)</sup>	Y	Y	N <sup>(5)</sup>	Y	Y	Y	Y	Y	Y	Y	Y	Y
	A-2	Y	N <sup>(5)</sup>	Y	N <sup>(5)</sup>	Y	Y	Y	Y	Y	Y	Y	Y	Y
	A-3	Y	Y	N <sup>(5)</sup>	N <sup>(5)</sup>	Y	Y	Y	Y	Y	Y	Y	Y	Y
	A-4	Y	Y	Y	N <sup>(5)</sup>	Y	Y	Y	Y	Y	Y	Y	Y	Y
(B) INSTITUTIONAL	B-1	Y	Y	Y	N <sup>(5)</sup>	N <sup>(5)</sup>	Y	Y	Y	Y	Y	Y	Y	Y
	B-2	Y	Y	Y	N <sup>(5)</sup>	Y	N <sup>(5)</sup>	Y	Y	Y	Y	Y	Y	Y
	B-3	Y	Y	Y	N <sup>(5)</sup>	Y	N <sup>(5)</sup>	N <sup>(5)</sup>	Y	Y	Y	Y	Y	Y
(C) RESIDENTIAL	TO <sup>(3)</sup>	C	Y	Y	Y	N <sup>(5)</sup>	Y	N <sup>(5)</sup>	N <sup>(5)</sup>	(4)	Y	Y	Y	Y
(D) BUSINESS AND PERSONAL SERVICE	D	N <sup>(5)</sup>	N <sup>(5)</sup>	Y	N <sup>(5)</sup>	Y	N <sup>(5)</sup>	N <sup>(5)</sup>	Y	N <sup>(5)</sup>	Y	Y	N <sup>(5)</sup>	N <sup>(5)</sup>
	E	Y	Y	Y	N <sup>(5)</sup>	Y	Y	Y	Y	Y	N <sup>(5)</sup>	Y	Y	Y
(E) MERCANTILE	F-1	Y	Y	Y	N <sup>(5)</sup>	Y	Y	Y	Y	Y	Y	N <sup>(5)</sup>	Y	Y
	F-2	Y	Y	Y	N <sup>(5)</sup>	Y	Y	Y	Y	Y	Y	N <sup>(5)</sup>	N <sup>(5)</sup>	Y
(F) INDUSTRIAL	F-3	Y	N <sup>(5)</sup>	Y	N <sup>(5)</sup>	Y	Y	Y	Y	N <sup>(5)</sup>	N <sup>(5)</sup>	N <sup>(5)</sup>	N <sup>(5)</sup>	N <sup>(5)</sup>
Col. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

### Notes to Table 1.3.1.4.:

- <sup>(1)</sup> See Clause 1.3.1.4.(1)(a), Subclause 3.17.1.1.(1)(i) of Division B and Clause 9.40.1.1.(1)(a) of Division B.
- <sup>(2)</sup> *Major occupancy* of all or part of a *building* before change of use.
- <sup>(3)</sup> *Major occupancy* of all or part of a *building* after change of use.
- <sup>(4)</sup> See Clause 1.3.1.4.(1)(b), Subclause 3.17.1.1.(1)(ii) of Division B and Clauses 9.40.1.1.(1)(b) and 11.4.2.3.(1)(b) of Division B.
- <sup>(5)</sup> "N" is only applicable where the *major occupancy* of the entire *suite* is changed.

For more detailed information about occupancy classifications refer to the Ontario Building Code, O.Reg 332/12 Division A Article 1.4.1.2 and Division B Article 3.1.2.1

**Disclaimer:** Any information contained herein is strictly for information purposes only and should be reviewed in conjunction with the Ontario Building Code O.Reg 332/12, as amended. In the case where the information provided conflicts with that of the text contained in the Ontario Building Code O.Reg 332/12, as amended, the text shall prevail