



Shared Occupancies

This information is provided for convenience only and is not in substitution of applicable Town Bylaws or Provincial or Federal Codes or laws. You must satisfy yourself that any existing or proposed construction or other works complies with such Bylaws, Codes or other laws.

BACKGROUND:

The following information outlines how the Building Department applies Town bylaws and Building Code requirements to buildings with single or shared occupancies. If you intend to sublease a portion of your building or unit, the shared occupancy criteria may apply to you.

If you intend to create a standalone tenancy within a building or suite then you must obtain the appropriate building permits and approvals prior to any construction to the spaces. See our Tenant Improvement Guide for more information regarding when permits are required for new businesses.

BUILDING CODE REQUIREMENTS:

The BC Building Code defines a "suite" as a single room or series of rooms of complementary use, operated under a single tenancy. The term suite applies to both rental and ownership tenure.

The Code also defines "Occupancy" as meaning the use or intended use of a building or part thereof for the shelter or support of persons, animals or property.

The Code explains that a "means of egress means a continuous path of travel provided for the escape of persons from any point in a building or contained open space to a separate building, an open public thoroughfare, or an exterior open space protected from fire exposure from the building and having access to an open public thoroughfare. Means of egress includes exits and access to exits." (Division A – Part 1)

Each suite, except in the case of business & personal services occupancies, must be separated from adjoining suites by a fire separation having a fire-resistance rating of, in most cases, not less than 1 hour. A suite must have its own means of egress as determined by the requirements of the BC Building Code. That means of egress cannot include passage through other tenant space(s). These requirements apply to all floor areas of a building.

SHARED OCCUPANCIES:

In some special situations separately licensed business operators do function as a single occupant or tenant with open circulation and access throughout a mutually shared work area. For example, more than one business may sell merchandise from a common commercial location or several businesses may share an office space utilizing shared telephone systems, fax machines washrooms, reception area clerical staff, etc.

If the following conditions are met, these shared occupancies may not require a fire separation between what would normally be considered separate tenants:

- All businesses must be of similar type occupancies as described by Table 3.1.2.1 of the B.C. Building Code.
- The floor area must have open circulation.
- Entrances and exits must be accessible to all of the tenants at all times.
- A statement of agreement (sample attached) must be provided by the tenants sharing the occupancy. This agreement must indicate that all facilities are shared and that all of the tenants operate as a single occupant without restriction to circulate and access throughout the building or suite. This agreement must be endorsed by the owner or owner's legal representative, and all tenants involved.
- A floor plan must be submitted to the Building Department for approval.
- This floor plan must indicate the use of all areas within the shared occupancy.

ELECTRICAL AND PLUMBING REQUIREMENTS FOR A SUITE OR SINGLE OCCUPANCY:

Each suite must have its own electrical service with a panel and separate disconnect located within the suite. The required electrical permits from Technical Safety BC must be obtained before any electrical work is done.

Suites must also have their own washroom, access to a public washroom or access to a washroom located in a common area of the building. Plumbing permits will be required for any plumbing work that needs to be done to meet these requirements. Contact the Building Department for more information.

ELECTRICAL AND PLUMBING REQUIREMENTS FOR SHARED OCCUPANCIES:

The electrical panel and disconnect must be located either in the shared occupancy, or in a common area of the building which is accessible to everyone. Electrical permits from Technical Safety BC will be required for any electrical work that needs to be done to meet this requirement.

All shared occupancies must have access to a public washroom or access to a washroom located in a common area of the building. Plumbing permits will be required for any plumbing work that needs to be done to meet this requirement. Contact the Building Department for more information.

ADDITIONAL INFORMATION:

It is important to ensure the current zoning for the property in question allows for the intended use prior to entering into any agreements. Zoning information for the property can be found in the [Zoning Bylaw](#) and [Zoning-map](#). Clarification or further land use information may be obtained by contacting: [**planning@gibsons.ca**](mailto:planning@gibsons.ca)

For information on how to apply for a business license, contact the Bylaw Department at: [**BEO@gibsons.ca**](mailto:BEO@gibsons.ca)

Further inquiries related to Building Code or Building Permit requirements can be addressed by contacting the Building Department at: [**Building@gibsons.ca**](mailto:Building@gibsons.ca)

SAMPLE

To: Town of Gibsons
Building Department
474 South Fletcher Rd
V0N 1V0

Date: _____

To whom it may concern:

Subject: Multiple Occupancy at _____, Gibsons, BC
Address (Print)

Please be advised that all tenants involved at the subject premises agree that all facilities are shared and that all of the tenants operate as a single occupancy with circulation and access throughout the building or suite.

Furthermore, all tenants are of similar type occupancies as described in Table 3.1.2.1 of the British Columbia Building Code.

Owner or Owner's Legal Representative

Date

Tenant No. 1 (Tenant's Business Name)

Date

Tenant No. 2 (Tenant's Business Name)

Date