

GUIDELINES FOR LEGALIZING EXISTING MULTIPLE UNIT DWELLINGS

These guidelines only apply:

- when legalizing “existing” buildings which contain more than two dwellings,
- to buildings not more than three storeys high, and
- to buildings which are not considered to be row housing or terraced housing

The Planning and Development Branch is responsible for determining whether or not the building can be considered to be an “existing” apartment building despite the lack of a building permit for such a use. If the Planning and Development Branch considers the building to be an “existing” apartment, then these minimum standards are applicable. Building Standards will review the initial building permit application for the “existing” apartment building based on these guidelines, however, please note that each building will be assessed separately based on the information provided. Typically, these guidelines are applicable to buildings that were originally constructed as one unit dwellings, but were subdivided into multiple suites without a building permit for the conversion to an apartment building. These guidelines are not intended to be applied to buildings that were constructed as apartment buildings with a building permit.

1. Required Exits

- a) Each apartment shall have
 - two separate means of egress to two exits, or
 - a door onto a public corridor which has two separate exits, or
 - its own independent exit.

2. Fire Separations

- a) Public corridors and interior exit stairs shall be separated from the remainder of the building by a fire separation having a fire-resistance rating of not less than 30 minutes.
- b) Doors and door frames from shared exits or a public corridor into each apartment shall have a 20 minute fire protection rating and be equipped with a latch and closer. A 45 mm thick solid core door with 38 mm solid wood casings is acceptable.
- c) Each apartment shall be separated from adjoining apartments (vertically and horizontally) by a fire separation having a fire-resistance rating of not less than 30 minutes.

3. Service Penetrations

- a) Service penetrations for heating and air conditioning ducts shall be tight fitting and made of non-combustible material or rated closures will be required.
- b) Penetrations which are not tight fitting shall be fire stopped in accordance with Articles 9.10.9.6 and 9.10.9.7, or Subsection 3.1.9.
- c) No openings, other than doors, shall be permitted into the exit stairwells.

4. Emergency Lights are required in exit stairwells and public corridors.

5. A Fire Alarm System is required except where each apartment has its own separate exit.

6. Hardwired Smoke Alarms conforming to Subsection 9.10.19 shall be installed in each apartment. Smoke alarms in each apartment shall be interconnected, but shall not be connected to the building fire alarm system.

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7. Air Circulation

- a) Where air is circulated between apartments, an acceptable air cleaner is required to remove smoke and odours.
- b) Air shall not be permitted to recirculate into the public corridors unless fire dampers are installed.

8. Furnace Room

- a) The furnace shall be located in a room which shall be separate from the remainder of the building by a fire separation having a fire-resistance rating of not less than 20 minutes. A solid core door complete with latch and closer is required.
- b) Combustion air is required into the furnace room.

9. Bedroom Windows

- a) Except where a suite is sprinklered, each bedroom shall have at least one openable window or exterior door conforming to Article 9.7.1.2 of the *National Building Code* (NBC) 2005.
- b) Windows opening into window wells must have a clearance of at least 550 mm in front of the window as per Article 9.7.1.3.

10. Flame-Spread Ratings

- a) The interior wall and ceiling finishes of public corridors and exits shall have a flame-spread rating of not more than 25.

11. Spatial Separations

- a) Any building which is located less than 0.6 m from the property line shall have on that side of the building a $\frac{3}{4}$ hour fire-rated exterior wall and non-combustible cladding. Only those windows that are required in these guidelines (ie. bedroom windows) will be permitted to remain. These are required to be either wired glass or glass block.

12. Stairs

- a) The rise and run of stairs which exist in the building shall be uniform; the maximum allowable variation from the requirements contained in Section 9.8 of the NBC is 0.95 cm.
- b) The width of stairs which exist in the building shall not be less than 0.6 m.
- c) The headroom for stairs which exist in the building shall not be less than 1.95 m. Where this headroom cannot be achieved, the minimum headroom shall be 1.83 m. Occupancy will not be approved where the headroom is less than 1.83 m.