

Public Review

Vancouver Building By-law (VBBL)

Proposed change to Subsidiary Garages and Carports

Topic: Residential garages and carports to be subsidiary

Code change number: 24-0002

Code reference: Book I, Division B, 9.10.2.1.(2)

Description of the proposed change

Adding a new provision to permit Residential Garages and Carports serving multiple residential buildings to be evaluated as subsidiary to the residential occupancy that they serve.

Justification

This proposal addresses a reoccurring concern where a storage garage serves one or more residential buildings which are not attached to the building containing the storage garage. A fundamental assumption of the Building By-law is that the requirements pertain to a single building. So that a review of the Code requirements associated with a storage garage serving other buildings would lead to the conclusion that the storage garage is own major occupancy.

This is problematic, when this is looked at in combination with other attached Group C residential uses, or even as a standalone building, as the application Article 3.2.5.12. would lead to the conclusion that the building must be sprinklered to NFPA 13, which is inconsistent with scale and building typology.

Further to this, the fire sprinkler industry has expressed significant amounts of frustration with permit applications based on the general application of NFPA 13 and its derivative standards and has expressed the general opinion the scope of required work is generally unnecessarily large for a building of this type, and does not offer addition protection which is commensurate to the relative cost and effort involved.

The proposed changes are intended to bring the scale of work in a detached building that is subordinate to one or more principal building on a site. While such a structure may contain a use that could be serving other buildings, the nature of its use remains consistent with that of the attached structure, which would clearly be ancillary to the principal building and this has historically been seen as an extension to the dwelling unit.

Allowances in the Building By-law already exist for both attached or detached garage serving a single dwelling unit, so it does not seem unreasonable to take the position that even if serving other residential units in separate buildings built to a similar standard on the same site should then perform at least as well as that of a single building.

The principal risk with this arrangement is that since such a garage would then be serving multiple dwelling units, occupants of one garage unit allotment (suite) may not be intimately aware of the specific hazards or contents of the other unit allotment. However, since all buildings would be part of a single residential site, it is expected that the owners would at least be passingly familiar with the general activities and use of the garage. Likewise, the presence of multiple garage allotments (forming part of another suite), continues to require the provision of a suite separation as required by other By-law requirements, which has generally been seen to be sufficient to protect the occupants of adjacent suites from each other.

Proposed VBBL content

Legend

Black Text – 2019 Vancouver Building By-law content

Underlined Black Text – Proposed modification to Vancouver Building By-law content

9.10.2. Occupancy Classification

9.10.2.1. Occupancy Classification

1) Except as provided in Article 9.10.2.2., every *building* or part thereof shall be classified according to its *major occupancy* as belonging to one of the groups or divisions described in Table 9.10.2.1.

Table 9.10.2.1.

Occupancy Classifications

Forming Part of Sentence 9.10.2.1.(1)

Group	Division	Description of <i>Major Occupancies</i> ⁽¹⁾
C	—	<i>Residential occupancies</i>
D	—	<i>Business and personal services occupancies</i>
E	—	<i>Mercantile occupancies</i>
F	2	<i>Medium-hazard industrial occupancies</i>
F	3	<i>Low-hazard industrial occupancies</i> (Does not include <i>storage garages</i> serving individual dwelling units)

Notes to Table 9.10.2.1.:

⁽¹⁾ See Note A-3.1.2.1.(1).

2) A storage garage or carport that serves one or more residential buildings, may be considered an ancillary use to a Group C major occupancy provided that
a) it serves buildings of only residential occupancy,
b) the storage garage or carport contains no other major occupancy, and
c) the storage garage or carport is on the same property as the building to which it is deemed ancillary.