

Building Inspections

Restaurants & Take-Outs – Tenant Improvements

Overview:

This guide outlines the Building Permit application requirements and general considerations for locating an eating establishment in an existing building. This includes coffee shops, restaurants, catering, drive-through restaurants and food take-out businesses, but does not include pubs and liquor establishments.

Eating establishments are classified as either Mercantile or Assembly Occupancy. An eating establishment with 10 or less seats may be classified as Mercantile. All other eating establishments are considered Assembly Occupancies.

Restaurants:

Restaurants are considered Assembly Occupancies and are required by the British Columbia Building Code to be designed by a Registered Architect. Assembly occupancies less than 150m² may not require an Architect as determined by City of Nanaimo staff depending on the complexity of the project.

Take-outs:

A Take-Out is considered a Mercantile Occupancy. The maximum seating capacity permitted for a Take-Out is 10 seats. The floor plan design and area designated for seating must clearly restrict the seating capacity. A seating capacity sign, issued by Building Inspections, limiting the seating to 10 must be posted in a conspicuous location near the principal entrance.

General:

The Zoning Bylaw and Parking Bylaw must support the proposed occupancy. Confirm this with the City of Nanaimo Current Planning staff.

Building Classification:

Not all existing buildings have been designed to accommodate eating establishments. If the size of a proposed suite, including other tenant spaces with a similar occupancy, is 10% or more than the floor area in which they are located, the building may need to be upgraded to meet the 2006 BC Building Code (2006 BCBC). This is called a “Change of Occupancy”. An assessment and re-classification is required to determine if upgrading is possible or viable. An Architect is required where a building is reclassified for Assembly Occupancy. See our guide “Change of Occupancy, Special Inspections” for buildings less than 600m².

Seismic Upgrading:

One of the most onerous “Change of Occupancy” upgrades that could be required for an existing building is seismic upgrading. In recognition of this challenge and through consultation with professionals specializing in Fire and Building Codes, a *Policy for Seismic Upgrading for Assembly Occupancies* was adopted by Council in 2008. Where a building can meet the classification requirement under 2006 BCBC 3.2.2. for an Assembly Occupancy, no seismic upgrading is required if:

- the occupant load for the assembly use is less than 50 persons;
- the area of all assembly uses in the building is not more than 93m²;

- seismic upgrading for potentially non-structural falling hazards within the suite and its egress route are assessed by an Engineer (as required by Building Inspections); and
- the use does not include a liquor primary occupancy.

A building classified under this policy will always have a limited Assembly use.

If a seismic upgrade is required for an Assembly Occupancy and the building does not fit within the policy described above; the seismic upgrading must comply with the National Research Council (NRC) standard which requires a minimum of 60% of the seismic requirement of the current BC Building Code. See our guide “Seismic Upgrading of Existing Buildings”.

Washroom Requirements:

Eating establishments with 10 or less seats must provide an “accessible” toilet room, meeting the requirements of 2006 BCBC 3.8. This toilet room should be available to the public and not require access through any food preparation areas.

Eating establishments with an occupant load up to 20 must provide one “accessible” toilet room and one unisex washroom.

Eating establishments with an occupant load up to 50 must provide one female washroom, one male washroom both meeting the “accessible” washroom requirements.

Eating establishment with an occupant load up to 60 must provide one female washroom, one male washroom and one “accessible” washroom

For eating establishments with an occupant load greater than 60, refer to the Health Requirements under 2006 BCBC 3.7. See our guide “Building Requirements for Persons with Disabilities” for “accessibility” information.

Building Permit Application Requirements:

- **Building Permit Application** completed and signed.
- **Appointment of Agent** is required if someone other than the registered owner of the property or Coordinating Registered Professional is to apply for and/or pick up the Building Permit.
- **Site Plan or Key Plan**
 - Dimensions of site including a north arrow.
 - Location and dimensions of the building including vehicle access and parking stalls.
 - Street name(s) and location as well as location and width of any lane(s).
 - Street address, floor and tenant suite number.
 - Indicate area to be developed and adjoining tenants, including occupancy.
 - Indicate exiting for the tenant space and all other tenant spaces on the floor where the construction/alterations will occur.
- **Letters of Assurance (Schedules A, B) from the Architect & other Professionals** as applicable.
- **Floor Plans** sealed by the Architect as applicable (scale not less than 1/4”=1’0” or 1:50)
 - All outside dimensions of tenant space and total square meters or square feet of suite.
 - Dimensions and uses of all rooms and areas.
 - Indicate all door sizes, direction of swing and corridor widths.
 - Exit signage, emergency lighting locations and fire alarm pull stations.
 - Indicate all plumbing fixtures; identify as new or existing.
 - Seating and counter layout.

- **Construction Details** sealed by the Architect as applicable
 - Indicate wall structure (written description or cross sections).
 - Reflected ceiling plan.
 - Indicate the fire resistance rating of any required fire separations, new and existing.
 - Fire stopping details for service penetration of fire separation.
 - Indicate all exit signs, emergency lighting and fire alarm devices where required.
- **Sprinkler Drawings** (for sprinklered buildings)
 - Sprinkler layout indicating existing and proposed installations. Where the alteration involves more than 8 heads, a Mechanical Engineer's design and review is required.
 - Sprinkler contractor's name and business license number.
- **Health Approval** (Vancouver Island Health Authority) stamped on the floor plan or e-mail approval
- **Plumbing Drawings**
 - Isometric Plumbing drawings for new plumbing additions and changes, to include name and phone number of plumber. All installations in buildings more than one storey in height must be designed and inspected by a Mechanical Engineer.
 - Grease trap capacity and dimensions of pot sink.
 - Plumbing Declaration Form.
- **Cooking Equipment** – to be reviewed and approved by the Fire Prevention Branch of Nanaimo Fire Dept. (Building Inspection forwards your plans to the Fire Dept. as part of the building permit process)
 - Exhaust hoods complying with NFPA 96 are required where cooking may produce grease laden fumes. All installation drawing details including clearances to combustibles and manufactures documentation of products must be submitted and be specific to the project. Design and inspection by a Mechanical Engineer may be required dependant on the submission and the complexity of the installation.
 - Installation detail of the hood including interface of the extinguishing system detectors, piping, nozzles, fuel shut-off devices, agent storage containers and manual activation devices, exhaust ducts.
 - All appliances identified on a floor plan.

Contacts for further information:

Building Inspection - (250) 755-4429

Plumbing Inspection - (250) 755-4429

Sprinkler System - (250) 755-4429

Nanaimo Fire Department - (250) 755-4561

Public Health - (250) 755-6215

Additional guidelines and forms are available on the City of Nanaimo web site www.nanaimo.ca under Departments, Building Inspection, Publications and Forms or at our office 238 Franklyn St.

This guideline should not be used as a substitute for existing building codes and other regulations. The building owner is responsible for compliance with all codes, bylaws and other regulations whether or not described in this guideline.