Subsidiary Occupancies

Purpose
The purpose of this advisory is to help identify when a use is a “subsidiary occupancy”, and to clarify how this impacts the design in relation to National Building Code (NBC) requirements.

Discussion
NBC defines major occupancy as follows (note that italicized words are defined in NBC):

“Major occupancy means the principal occupancy for which a building or part thereof is used or intended to be used, and shall be deemed to include the subsidiary occupancies that are an integral part of the principal occupancy...”

Code does not provide additional guidance for differentiating between major occupancies and subsidiary occupancies. Therefore, the City of Regina has adopted the following guidelines, in alignment with guidelines from other jurisdictions in Canada. These guidelines are used to demonstrate that a subsidiary occupancy is, in fact, an integral part of the principal occupancy. The guidelines are as follows:

1. The subsidiary occupancy serves only the major occupancy, and the subsidiary occupancy would not exist if the major occupancy did not exist.
2. The major occupancy would not function as effectively if the subsidiary occupancy were removed or moved to a different location.
3. The major occupancy and subsidiary occupancy are under the same control/management and usually open and close for business at the same time.
4. There is free movement between the major occupancy and subsidiary occupancy at all times.

If a design includes subsidiary occupancies, the City may request clarification/discussion based on the guidelines above to confirm the subsidiary nature of the occupancy. In some cases, it may be challenging to answer all questions affirmatively. However, in all cases, subsidiary occupancies must be shown to be an integral part of the principal occupancy.

Code Implications
If it is demonstrated that an occupancy is a subsidiary occupancy, then it is not required to be fire-separated from the major occupancy based on Table 3.1.3.1. Also, as it is subsidiary to the major occupancy, it does not need to be considered for purposes of building classification (Article 3.2.2.4 through Article 3.2.2.8). However, requirements from Section 3.3 would still apply to the subsidiary occupancy based on its intended use.

For more information on Building Permits, Building Safety or Zoning Information, please visit Regina.ca or contact Service Regina.