

Before You Sign

A Guide to City Requirements For Commercial Leasing.



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A Guide to City Requirement for Commercial Leasing

Purpose

This guide is designed to help entrepreneurs and small business owners in Kamloops understand the critical considerations before signing a commercial lease. Whether you are opening a storefront, warehouse, or office, this document outlines the key legal, regulatory, and practical elements to review before committing to a space.

At the end of this document, the reader should:

1. Understand the business licensing process and requirements
2. Understand how zoning laws affect their business location.
3. Know how to check for compliance with building and fire codes.
4. Be aware of permit requirements for renovations or changes in occupancy.
5. Understand if your business needs to work with the Health Authority for approval
6. Be empowered to ask the right questions and seek professional guidance before signing.

Understanding the Business Licensing Process

All businesses operating within the City of Kamloops, including home-based businesses, must hold a valid business license issued by the City. Licenses are granted only to businesses whose operations comply with City regulations such as municipal zoning, building bylaws, fire safety requirements, and Interior Health standards. These requirements vary depending on the type of business.¹

To complete a business license application, you will need the following.

- Business name², business address, contact information.
- Business start date
- A brief description of business activity
- C\$ 15.00 non-refundable application fee
- Any additional license fees based on your business type (invoiced after the application review)

Additional restrictions may apply, depending on the business type and factors under consideration. Based on your industry of operation and type of license you are applying for, municipal or inter-community business license, the process, requirements, and cost of incorporating your business will be different.

For tailored guidance, contact Venture Kamloops for a detailed assessment of your business situation.

Understanding the Zoning Regulations

- **What is “Zoning” and why it matters:** All land within the City of Kamloops is assigned a specific zoning designation, which determines how that property can be used or developed. These designations are regulated by the City of Kamloops Zoning Bylaw, a legal document that outlines what types of activities or

¹ <https://www.kamloops.ca/business-development/business-licensing>

² Business names are approved at a provincial level. For more information, visit <https://www2.gov.bc.ca/gov/content/employment-business/business/managing-a-business/permits-licences/businesses-incorporated-companies/approval-business-name>

A Guide to City Requirement for Commercial Leasing

developments are permitted in different areas of the city—such as residential, commercial, industrial, institutional, or mixed-use.

For example, a property zoned C-4 (Service Commercial) may allow for uses that have a repair, maintenance, service, distribution, or small-scale manufacturing component that cater for the day-to-day needs of commuters and adjacent neighborhoods. If your business activity does not align with the permitted uses in that zone, you may not be able to legally operate at that location. Additionally, if the proposed business requires increased parking according to the zoning bylaw, for the site, you may not be able to operate unless additional parking is provided.

Why zoning matters to your business:

- It determines whether your type of business is permitted in that location.
 - It affects what changes or renovations you are can make to the property without changing the occupancy type.
 - It can influence traffic, signage, parking, and hours of operation.
 - Non-compliance with zoning bylaws can lead to fines, closure, or the need for a rezoning application.
- **When and how to confirm zoning compliance:** Zoning compliance should be confirmed before signing any commercial lease, but ideally, even earlier during your business planning process when scouting for a location. This allows you to avoid costly delays or legal issues down the line and helps ensure that your business location aligns with your operational needs, customer access, and regulatory requirements.

To confirm zoning compliance, start by checking the [City of Kamloops Property Information Portal](#), which allows you to search any property and view its zoning designation online. For complete certainty, it's best to contact the City of Kamloops Development, Engineering, and Sustainability Department directly.

- **What is rezoning?** Rezoning is the process of applying to the City of Kamloops to change the zoning designation of a property so that a different type of use or development can be legally permitted. You may need to apply for rezoning if:
 - Your business type is not permitted in the current zone (e.g., trying to open a retail trade business in a light industrial area).
 - You want to increase the maximum building height, density, or floor area.
 - You intend to add a site-specific use not already allowed in that zone.

Not all applications for rezoning are approved. The process is technical, public, and political, and final approval is made by City Council after community input and staff reviews. You can find more information in the [Zoning Bylaw Amendments Applicant's Guide](#).

- **Consequences of ignoring the zoning bylaws:** Failing to comply with zoning bylaws can have serious consequences for your business, including:

A Guide to City Requirement for Commercial Leasing

- Business License Denial: You may be unable to obtain or renew your business license if your business does not comply with the property's zoning.
- Fines and Legal Action: The City may issue fines or orders to cease operations until compliance is achieved.
- Forced Closure or Relocation: You may be required to vacate the premises entirely, often after you've already invested time and money in renovations or setup.
- Impact on Insurance: Operating outside of permitted zoning may void your insurance coverage in case of damage or liability claims.

Building Code Compliance

When leasing a commercial space, it's essential to ensure that the building complies with both the City of Kamloops Building Bylaw and the BC Building Code. These regulations are in place to uphold the safety, accessibility, and structural integrity of commercial properties. Non-compliance can lead to delays in obtaining a business license, costly renovations, or even enforcement action from the City.

1. **What to look for:** Before signing a lease, take time to assess whether the building supports your intended business operations. Key things to watch for include:
 - Does the current use of the space match your business activity?
 - Are there obvious safety or code issues, such as:
 - Missing or damaged exit signage
 - Lack of emergency lighting
 - Inadequate or non-compliant washroom facilities
 - Improper or inaccessible entry points

It's also wise to ask the property owner or realtor about any recent upgrades or permit activity. This helps you anticipate what changes might be needed and whether they'll require City approval.

2. **Change in occupancy:** Even if the space seems like a good fit, your business may represent a change in occupancy classification under the BC Building Code. This happens when the type of activity in a space changes—for example, converting an office into a restaurant or turning a retail space into a gym. A change in occupancy will require:
 - Updated floor plans.
 - Potential upgrades to fire protection, HVAC, plumbing, washrooms or exits.
 - Formal approval from the City.

Failure to address this can delay your business opening or result in fines and stop-work orders.

3. **Place a Request for Building Information (RBI):** If you are in doubt about the past occupancy of a building, past renovations and permits, you can submit a Request for Building Information (RBI) to the City of Kamloops before signing the lease. This will provide you with information on past permits that have been issued to the property.

A Guide to City Requirement for Commercial Leasing

4. **Accessibility considerations:** Under the new BC Building Code, introduced March 2024, many commercial spaces must meet barrier-free requirements, especially when accessed by the public. Depending on your business type, you may need to ensure accessible entrances, washrooms, and proper signage.

Development, Renovations and Permits

- **When do you need a development permit?** Generally, if you are constructing a new building, making exterior changes such as façade improvements or additions, or altering a site with new parking or landscaping, you may need a **development permit** before a building permit can be issued. Development permits must be consistent with the applicable development permit area guidelines (e.g., Commercial Development Permit Area, Downtown Development Permit Area, or North Shore Development Permit Area)³. Before you get started, you are encouraged to contact the Planning & Development department of the City to arrange a pre-application meeting and/or discuss your development plans.

You may need to hire a registered architect or engineer for

- Projects over a certain size or complexity (generally if affecting structure, occupancy, or public safety)⁴.
 - When required by the Building Code or City Building Department.
- **When do you need a building permit?** Some specific cases where you need a building permit include:
 - Removing or adding any type of walls
 - Changing plumbing, electrical, or mechanical systems
 - Changing occupancy (e.g., office to retail)
 - Installing signage that is not temporary⁵
 - Modifying exits or emergency lighting

A development permit ensures the project meets regulated design, land use, and site planning whereas a building permit regulates construction methods and safety standards under the Building Code and they both protect you from liability or enforcement issues later.

- **Who is responsible?** It's important to clarify who is responsible for what in your lease agreement. You may be responsible for all tenant improvements and permits, or sharing the responsibility with the landlord, especially if the changes benefit the property long-term. Negotiate this before signing. Many tenants assume the landlord will take care of approvals or upgrades, only to be surprised by hidden costs or delays.

³ <https://www.kamloops.ca/business-development/planning-development/development-applications-resources>

⁴ https://aibc.ca/wp-content/uploads/files/2023/09/Descriptive-Material_Reserved-Practice_September2023-1.pdf

⁵ <https://www.kamloops.ca/business-development/application-forms-and-guides/sign-permit-application>

A Guide to City Requirement for Commercial Leasing

The Health Authority Approval Process

When launching a business, it's important to determine whether your operation falls under the jurisdiction of the Interior Health Authority (IHA). Certain business types must meet public health requirements before opening, including submitting floor plans, obtaining permits, and passing inspections. Failing to do so can delay your opening, result in fines, or lead to costly retrofits.

Before you lease or build out a space, consider whether your business involves activities regulated by the Health Authority. Common examples include:

- Preparing or serving food and drinks (restaurants, cafés, food trucks, catering, delis)
- Offering personal services (hair salons, barbershops, nail or tanning salons, tattooing, esthetics, skin care)
- Operating public accommodations (hotels, motels, campgrounds)
- Managing pools, hot tubs, or splash pads (gyms, spas, apartment buildings)
- Running childcare or long-term care facilities

Do you need Interior Health approval?

If your business provides food, personal care, accommodations, or public water use, before you are issued a business license, you will need to:

- Submit floor plans for review.
- Receive formal approval before beginning renovations and opening.
- Schedule and pass an inspection by an Environmental Health Officer.

You can check if your business needs approval by visiting the Interior Health website or calling your local IH Public Health office or by contacting the Business Licensing department.

Building and Fire Inspection Requirements

Before a business license can be issued in Kamloops, your premises must pass both Building and Fire & Life Safety inspections. These inspections confirm that your space meets the BC Building Code, BC Fire Code, and City of Kamloops bylaws for safety, accessibility, and functionality.

- **Building Inspection:** Kamloops Building Officials will review your premises to ensure it is safe for occupancy and that any renovations, tenant improvements, or changes of use comply with:
 - BC Building Code and BC Plumbing Code
 - City of Kamloops Building Bylaw No. 11-84
 - Approved building permit drawings and conditions

Typical items reviewed in a commercial occupancy building inspection include:

- Proper exit routes and signage.
- Structural safety (walls, floors, stairs, ramps, guardrails).
- Accessible entrances, washrooms, and routes as required by code.
- Proper installation of doors, windows, and hardware.

A Guide to City Requirement for Commercial Leasing

- Clear and compliant spatial separation between units or occupancies.
- Completion of all work approved under your building permit.
- Required signage (address posted, emergency contacts).
- Grading and drainage not negatively impacting neighboring properties.
- Final plumbing compliance (fixtures, backflow prevention, hot water systems).

If you have used a Registered Professional (e.g., architect, engineer), their final inspection reports and required Schedule C-B documentation must be submitted before the City's final inspection.

- **Fire Inspection Required:** As part of the occupancy permit process and business licensing, Kamloops Fire Rescue performs a Fire & Life Safety Inspection to ensure your space complies with:
 - The BC Fire Code.
 - The City of Kamloops Fire Prevention Bylaw.
 - Relevant safety standards based on your business type (e.g., emergency lighting, exit signage, fire extinguishers, alarms, sprinklers).

This inspection typically checks:

- Emergency lighting is working and adequate.
- Presence and accessibility of fire extinguishers.
- Functionality and certification of sprinkler and fire alarm systems.
- Clear and compliant storage of flammable materials, if applicable.

Construction and Fire Safety Plan

If your business involves construction or renovation before opening, you may be required to submit a Construction Fire Safety Plan (CFSP) prior to starting work. This ensures safety during construction and is mandatory under the BC Fire Code.

Gaining Your Occupancy Permit

Before you can officially open your business to the public, you must obtain a Occupancy Permit from the City of Kamloops. This permit confirms that your commercial space meets all safety, building, zoning, and fire code requirements and that all necessary inspections have been completed. Without it, you will be prohibited from operating or face enforcement action.

- What to expect: The Occupancy Permit is typically the last step in the permit process and applies whether you're building a new space or renovating an existing one. Here's what to prepare for:
- Key steps to gaining occupancy:
 - Complete all permitted work
 - All construction or renovations must be finished according to the issued building permit.
 - Any outstanding deficiencies flagged by the Building Official or Fire Inspector must be resolved.
 - Schedule Final Inspections

A Guide to City Requirement for Commercial Leasing

- You must pass all inspections from the Building Department, Kamloops Fire Rescue, and, if applicable, Interior Health (for food, care, or personal services).
- Inspectors will check for compliance with fire safety, building code, plumbing, electrical systems, accessibility, and health standards.
- Provide supporting documentation
 - You may be required to submit:
 - Final as-built drawings
 - Letters of assurance (from engineers, if applicable)
 - Fire Safety Plan
 - Confirmation of Health Authority approval (if applicable)
 - HVAC, sprinkler, or fire alarm certifications
- Receive your Occupancy Permit
 - Once all inspections are complete and documentation is accepted, the City will issue your Occupancy Permit.
 - Only after this is issued can you apply for or activate your business license and open your doors to the public.

Important Note

This guide provides a general overview of key steps and considerations when preparing to lease or open a commercial space in Kamloops. It is not an exhaustive list, and there may be unique or site-specific factors that apply to your business or location, such as heritage status, environmental concerns, additional fire or health regulations, or zoning restrictions. We strongly recommend connecting directly with the City of Kamloops Development, Engineering, and Sustainability (DES) Department early in your planning process. Their staff can help you confirm exactly what permits, approvals, and inspections are required for your situation, and can save you time, money, and frustration in the long run.

Contacts

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Tel: (250) 828-3561

City of Kamloops – Business Licensing Department

Address: 105 Seymour Street, Kamloops, BC, V2C 2C6

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Tel: (250) 828-3481

Interior Health

Address: 519 Columbia Street, Kamloops. BC, V2C 2T8

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Kamloops Fire Rescue

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