

CITY BY-LAW AMENDMENT Washrooms within Retail Establishments

What?

Toronto Municipal Code Chapter 629, Property Standards, has been amended as it relates to WASHROOM FACILITIES WITHIN MERCANTILE OCCUPANCIES (retail establishments). The Chapter now includes provisions for the maintenance of washroom facilities; which includes the requirement for public (customer) access and signage (as specified within the by-law).

When?

On August 1, 2009 amendments to the Property Standards section of the Municipal Code, Chapter 629, came into affect. Retail establishments are now required to ensure that washroom facilities for their customers are made accessible and that proper signage is provided in accordance with the provisions in the bylaw. The bylaw can be viewed at toronto.ca/legdocs/bylaws/2009/law0570.pdf.

Who?

This revision affects all retail establishments required to provide washroom facilities for the public in accordance with the provisions of the Ontario Building Code or predecessor bylaw and/or other legislation (this includes any mercantile occupancy subject to a building permit since 1975).

Bylaw Amendment Details

Providing the Required Access and Signs

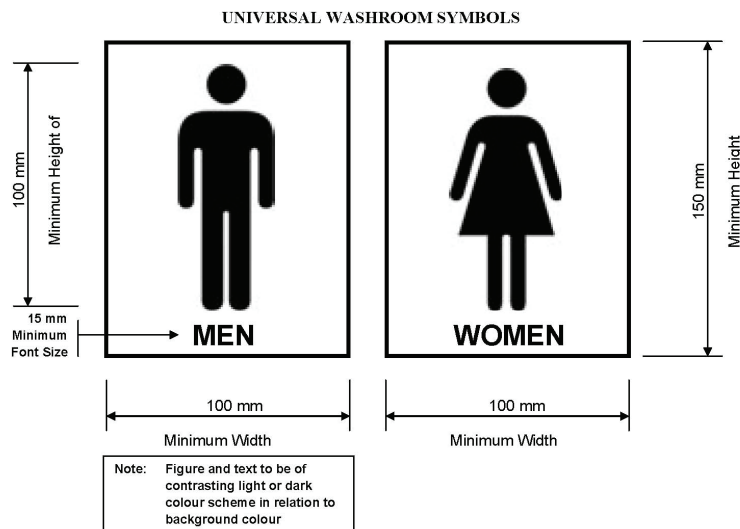
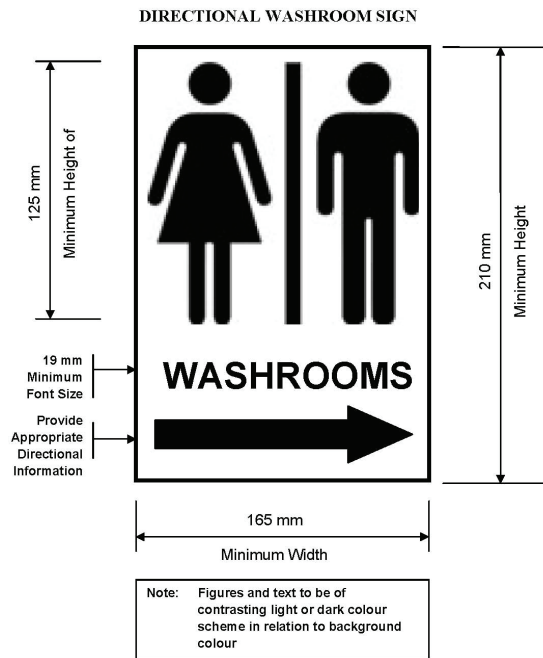
Retail establishments **greater than 300 square metres (3230 square feet)** in building area or an established occupancy load of **more than 9 persons** are required to provide separate male and female washroom facilities for their customers in accordance with the requirements in the Building Code. The by-law amendment requires that these facilities be made accessible to the intended users when the establishment is open for business.

For retail establishments **less than 300 square metres (3230 square feet)** in building area or an established occupancy load of **9 persons or less**, the Building Code requires that at least one washroom facility for customers be provided that can be utilized by both sexes, although the by-law does not impose any signage requirements.

In addition, for security reasons the by-law provides an exemption provision from the access requirement when an establishment is staffed by a single operator or attendant. In such instances the retail establishment is not required to provide customers access to washroom facilities.

Signage Requirements

The by-law amendment also contains specific requirements for retail establishments to provide signs for washrooms that incorporate the universal symbols for male and female. These signs need to be provided at the entrance to each washroom facility. As well, directional signs are required to be prominently displayed at customer service counters, attendant stations or cash register areas so that the location of the sanitary facilities within the building or the part of the building with a mercantile occupancy is conveyed.



Retail Establishments that Serve/Sell Food

This by-law amendment does not apply to restaurants with a seating capacity greater than 30 as these types of occupancies are not categorized as mercantile within the Building Code. These types of restaurants and any retail establishment that sells food are also governed by the Health Protection and Promotion Act, which contains additional requirements relating to washroom facilities. This Act is administered by the City's Public Health Division.

For more information or to access the district office contact list, you may visit the Municipal Licensing & Standards Division web site at: toronto.ca/licensing

Question/comments may also be directed by email to: mls@toronto.ca