

Authority: Licensing and Standards Committee Item 21.2, adopted as amended,
by City of Toronto Council on May 25, 26 and 27, 2009
Enacted by Council: May 27, 2009

CITY OF TORONTO

BY-LAW No. 570-2009

**To amend City of Toronto Municipal Code Chapter 629, Property Standards,
respecting washroom facilities in mercantile occupancies.**

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Chapter 629, Property Standards, of The City of Toronto Municipal Code is amended as follows:
 - A. Section 629-1A is amended by adding the following definitions in alphabetical order:

MERCANTILE OCCUPANCY — The occupancy or use of a building or part of a building for the displaying or selling of retail goods, wares or merchandise.

SANITARY FACILITIES — A room or rooms containing one or more toilets, washbasins, bathtubs or showers or any combination thereof and includes a toilet room.

SUPPLIED FACILITY — An appliance, fixture or piece of equipment, including any related system, provided or established in conjunction with the use of property that is ancillary or incidental to the occupancy as may be specified within a lease agreement or required to be provided in accordance with the provisions of the Building Code, the *Health Protection & Promotion Act*, the Municipal Code or other applicable by-law or regulation.
 - B. Section 629-5 is amended by deleting Subsection B and substituting the following:
 - B. Ensure that every supplied facility in or on the property is:
 - (1) Constructed, installed and maintained so that it will function safely and effectively;
 - (2) Kept in a satisfactory working condition; and
 - (3) Available for use by the occupants and other users of the property in accordance with the standards.
 - C. Section 629-6 is amended by deleting Subsection C and substituting the following:
 - C. Maintain all sanitary facilities and every fixture in a sanitary facility in a clean and sanitary condition;

D. Section 629-37 is amended as follows:

- (1) By deleting the title and substituting “Plumbing; water and sanitary facilities.”
- (2) By amending Subsection D:
 - (a) By deleting “water closet” and substituting “toilet”;
 - (b) By deleting “one kitchen sink”.
- (3) By amending Subsections F and G in each case by deleting “water closet” and substituting “toilet”.
- (4) By amending Subsection J by deleting “toilet facilities and toilet rooms” and substituting “sanitary facilities”.
- (5) By adding the following:

K. Any separate male or female sanitary facility in a building with a mercantile occupancy of more than 300 square metres (3230 square feet) or an established occupancy load of more than 9 persons, that is provided or required for public use under the Building Code, predecessor legislation or another Act, shall have the following signs:

- (1) Schedules A-4 and A-5 signs.
 - (a) A sign posted on the door or entrance to the sanitary facility in a conspicuous manner, that clearly indicates if it is a male or female sanitary facility and incorporates the universal symbol for male or female washrooms as described in Schedule A-4, at the end of this chapter; and
 - (b) Directional signs, as described in Schedule A-5, at the end of this chapter, shall be displayed at one or more 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 prominently displayed; or
- (2) Other signage that incorporates the universal male and female symbols for washrooms and is to the satisfaction of the Executive Director, Municipal Licensing and Standards, in meeting the general intent of the signage requirements of this subsection.

- L. For greater certainty, if Subsection K applies to a sanitary facility, the owner's duty under § 626-5B, includes ensuring that the sanitary facility is available for the use of the mercantile occupancy's customers at all times that the mercantile occupancy is open to the public for business.
- M. Subsection L does not apply when a mercantile occupancy is staffed by a single operator or attendant, and complying with the availability requirements in Subsection L would cause a security problem.
- E. By adding Schedules A-4 and A-5 as set out in the schedule to this by-law.
2. This by-law comes into force on July 27, 2009.

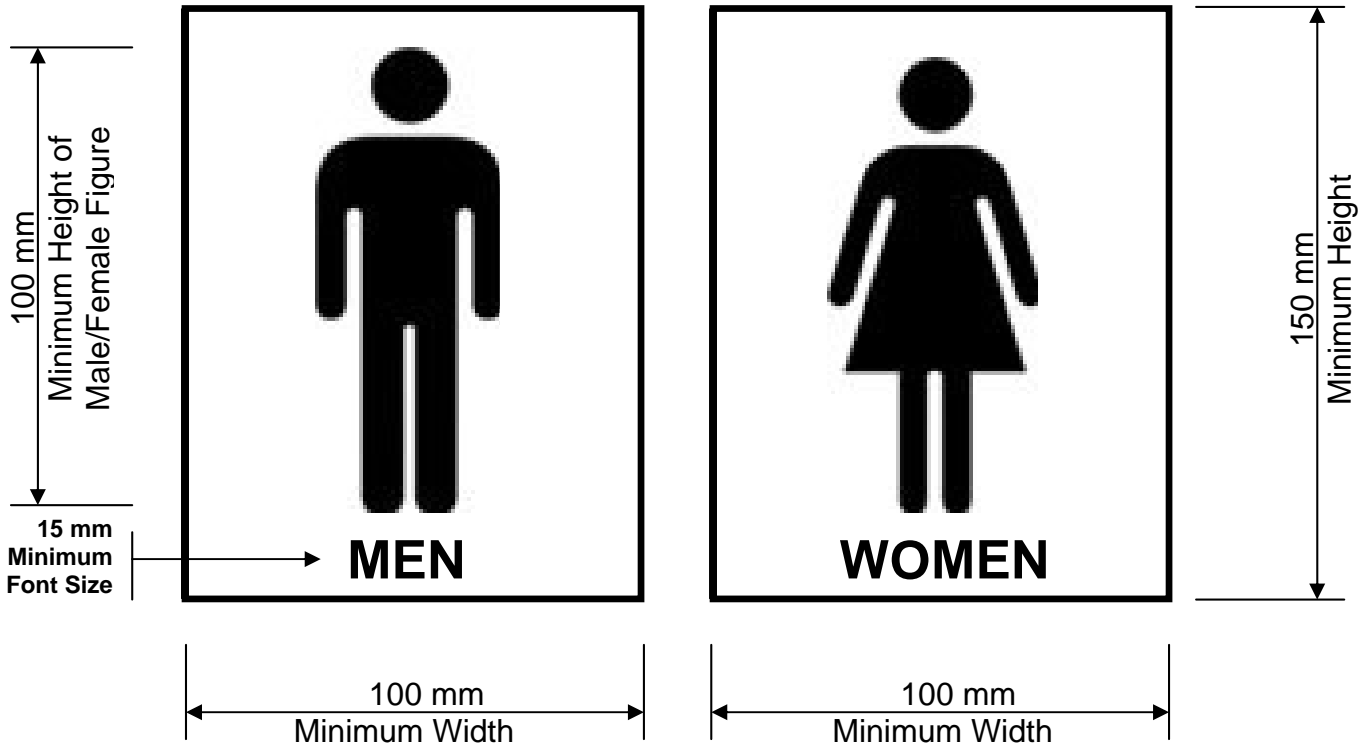
ENACTED AND PASSED this 27th day of May, A.D. 2009.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

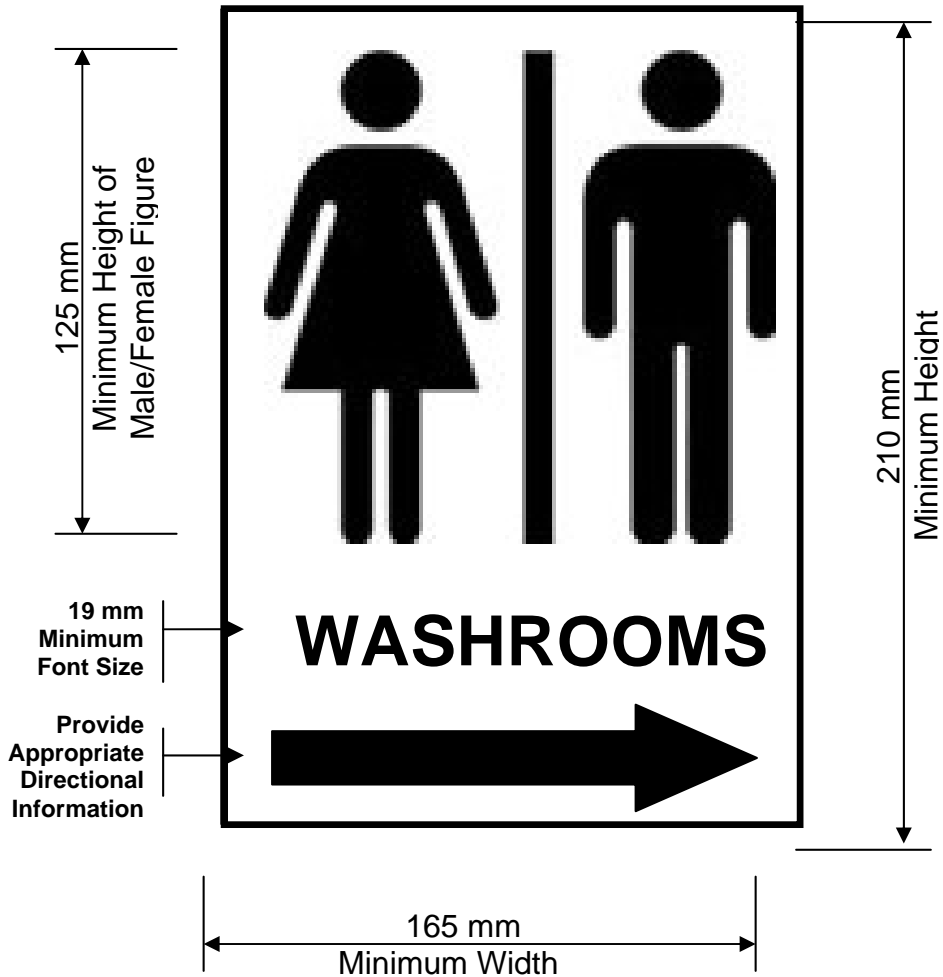
(Corporate Seal)

**SCHEDULE A-4 TO CH. 629
UNIVERSAL WASHROOM SYMBOLS**



Note: Figure and text to be of contrasting light or dark colour scheme in relation to background colour

**SCHEDULE A-5 TO CH. 629
DIRECTIONAL WASHROOM SIGN**



Note: Figures and text to be of contrasting light or dark colour scheme in relation to background colour