



Purpose: To ensure that the requirements for disabled accessibility to a building or tenancy, are interpreted and applied in a consistent manner.

Discussion

Sentence 3.8.2.1(1) states:

“Except as provided in Sentence (2), access shall be provided to all storeys of buildings of new construction.”

Clause 3.8.2.1.(2)(e) states:

“in Group E, shops and stores with a total Retail floor area of less than 50 m² (see Appendix “A”), and ...” (p. 492).

Appendix “A” further states:

“Any individual Group E shop with a total retail floor space of less than 50 m² is exempt from the requirements of Section 3.8. A building could contain several such stores and each one would be exempt from the access requirements although other large stores and the building containing them all would be accessible.”

Conclusion

If an individual shop or store in a mall has a retail floor area of less than 50 m², the tenancy is not required to be accessible and would not require a disabled washroom.