

Information Bulletin

Manitoba Building Code Amendments Regarding Washrooms MBC Section 3.8

Section 3.8 Manitoba Amendments regarding washrooms

Sections 3.7 and 3.8 of the Manitoba Building Code (MBC) are the responsibility of the designer as per the Required Professional Designer's Certificate, without review by the City of Winnipeg's Plan Examination Branch, however the work is subject to review by City Inspections Branch during construction. The Authority Having Jurisdiction (AHJ) is occasionally consulted for interpretations. Therefore, to maintain consistency and to provide clarity regarding amended Article 3.8.2.3., Sentences (1), (3), (4), and Clauses (6)(a), and (6)(b) have been described below to reflect the way they are understood by the AHJ. Interpretation and rationale are provided to reduce ambiguity, particularly, the words in bold font:

A. 3.8.2.3.(1)

"Except as permitted by Sentence (2), a barrier free washroom is required on each level of a **multi-level building** where **public** washrooms are provided."

AHJ interpretation:

"Except as permitted by Sentence (2), barrier free washroom(s) are required on each storey of a building where washrooms are provided."

Rationale:

- The indefinite article 'a' implies 'only one' when typically multiple water closets (WC) are required, e.g. one or more for each gender. Both genders must have barrier-free provision.
- 'Multi-level' may suggest incorrectly that these requirements do not apply to a one storey building.
- 'Public' is a word not defined in the Code. Staff using a staff washroom facility should have equal access to barrier free provision on the same basis as the public. A private office could be exempted with an explanatory letter. A private water closet would not contribute to the overall fixture count.

B. 3.8.2.3.(3)

"If one or more washrooms are required to be provided on a storey of an assembly, care, treatment, mercantile, or business and personal services occupancies, **one of them shall have** a universal toilet room."

AHJ interpretation:

“If one or more washrooms are required to be provided on a storey of an assembly, care, treatment, mercantile, or business and personal services occupancies, a universal toilet room shall be provided.”

Rationale:

- The phrase ‘one of them shall have’ could be misinterpreted that the universal toilet room (UTR) is to be located within one of the washrooms, precluding the purpose of universal/unisex accessibility. The intent is for a pair of gender assigned multi-stall washrooms with barrier-free provision to include an adjacent UTR.
- If a single WC is required (10 or less occupants) it shall be a UTR, as per Sentence (7).
- If only one WC is required per gender, then one UTR plus another smaller washroom can be provided, if both are signed as ‘Unisex.’
- If both washrooms are signed per gender, both shall be UTRs.
- If a group of washrooms is beyond 45m from those described in Sentence 3.8.2.3.(1) they shall also include a UTR as required by Sentence 3.8.2.3.(3).

C. 3.8.2.3.(4)

“A public washroom that is located on a floor in a residential occupancy **shall have** a universal toilet room.”

AHJ interpretation:

“A public washroom that is located on a floor in a residential occupancy shall be a universal toilet room if only one WC is provided.”

Rationale:

- This Clause could be misinterpreted as requiring an additional universal toilet room where only a single water closet is provided. If providing one washroom, the single washroom shall be the UTR instead of in addition to it.
- If more than one washroom is located in a common area, even voluntarily, they shall be provided on the same basis as per Article 3.8.2.3., Sentences (1) & (3), and Clause (6)(b).

D. 3.8.2.3.(6)(a)

“A universal toilet room

- a. may be substituted for one non-accessible stall in a gender-based washroom, if alterations are made to an existing building,”

AHJ interpretation:

“A universal toilet room

- a. *may contribute to the fixture count as one non-accessible stall of a gender-based washroom, if alterations are made to an existing building,”*

Rationale:

- This clause could be misinterpreted that the UTR is to be located and accessible within one of the washrooms in place of a stall. However, this clause is permitting a fixture/occupant count higher than 10 as limited by Sentence 3.7.2.2.(2) by including the UTR in the count on the same basis as a regular stall.
- If one of the washrooms is multiple stall, typically the Women’s, and the Men’s requires one Water Closet, it can be assigned as a ‘Unisex’ UTR. This way barrier-free access is made available to both genders and the UTR is also available for family use or for those requiring assistance.
- A change of use to Group A may require barrier free washroom upgrades.
- A change of use from Group F to D or E may require barrier free washroom upgrades.
- A washroom refresh may not require barrier free upgrades.

E. 3.8.2.3.(6)(b)

“A universal toilet room

- b. can be provided **in lieu** of one gender-based washroom in small public buildings requiring two washrooms, one per gender.”

AHJ interpretation:

“b)If one water closet is required per gender then both provided washrooms shall be universal toilet rooms.”

Rationale:

- Barrier-free washrooms and UTRs should be readily and clearly available to both genders, families, and those requiring assistance.
- This clause is also permitting a fixture/occupant count higher than 10 as limited by Sentence 3.7.2.2.(2) by including the UTR in the count on the same basis as a regular stall.
- Exemption as per Sentence (3) above: If only one WC is required per gender, then one UTR plus another smaller washroom can be provided, if both are signed as ‘Unisex.’