



## **BULLETIN RB06-039**

(Updated 2015 Dec 18)

### **COFFEE SHOPS & RESTAURANTS WITHIN OTHER OCCUPANCIES**

**Reference: Article 3.1.3.1., Article 3.8.2.3., Div A, Article 1.4.1.2., Canadian Oxford Dictionary and RB06-021**

**Article 3.1.3.1.** "Separation of Major Occupancies"

**Article 3.8.2.3.** "Washrooms Required to be Barrier-Free"

**RB06-021** "Major and Subsidiary Occupancies and Their Fire Separation"

**Div A, Article 1.4.1.2.** "Restaurant means a food establishment where food is sold or distributed in a state ready for immediate consumption and that has

- a) seating or standing room designed for food consumption by patrons, or
- b) parking space under the control of the owner provided so that a patron may consume food in a vehicle, and includes a canteen, cafeteria, dining room or similar facility provided for employees, staff or students."

**Canadian Oxford Dictionary** "Coffee Shop" noun a small informal restaurant, esp. in a hotel or office building, serving simple meals and beverages."

#### **Commentary / Relevant Facts / Conclusions:**

Regulation Bulletin **RB06-021** gives guidelines for several combinations of major/subsidiary occupancies in the areas of: impact on subsidiary occupancy classification, need for fire separation, exiting, etc.

All situations described in **RB06-021** are based on the subsidiary occupancy being an integral part of the major one, under a single management and having the same hours of business. Also, the access to the subsidiary occupancy is always from the main occupancy.

At present there is a trend for locating so-called "coffee shops" and "restaurants" in a variety of other unrelated occupancies such as hospitals, libraries, and retail outlets such as book stores. Many of these go beyond the situations covered in **RB06-021**. They may be independently managed and have different business hours and entrances from the major occupancies.

In addition, the term "coffee shop" is sometimes misleading as these establishments serve other types of food such as soups, sandwiches, etc..

This Regulation Bulletin gives guidelines to the most common of such situations.

Provided the provisions listed below are complied with, the fire separation between the Major Occupancy and the coffee shop or restaurant may be waived.

### **Allowed**

Food which is allowed to be served in a coffee shop:

Coffee, donuts, muffins, sandwiches, soups, microwave food and cold food prepared in-house. Hot foods prepared in-house which require being fried, cooked or baked are not allowed.

### **Not Allowed**

Equipment which is allowed to be used in a coffee shop:

Coffee makers, refrigerators, microwave ovens, soup pots and any other equipment less hazardous than the above are allowed to be used in a coffee shop. Stoves, fryers and any other equipment more hazardous than the above shall not be allowed in coffee shops.

### **Seating:**

Counter seating, take-out and table seating are all permitted with Coffee Shops . However, it is recommended to check with the Development Division regarding parking in relation to the number of seats.

### **Barrier-Free:**

If barrier-free access is provided to the building then it is also a requirement to provide access to a Barrier-Free washroom for the patrons. In all cases, washrooms are to be available to patrons at all times that the Coffee Shop or Restaurant is open.

### **Hours of Operation:**

Coffee shop or restaurant hours of operation are allowed to be the same as the Major Occupancy. If hours of operation are different from the major occupancy, applicant is to provide a design to describe proposed after-hours exiting and washroom accessibility. This information is to be provided to the Plans Examiner at the time of application.

### **Access to and from Major Occupancy:**

Coffee shop or restaurant direct access to and from the Major Occupancy is allowed provided both have the same hours of operation. Indirect access maybe allowed depending on review of exiting plan. Barrier-Free access, if required, must be maintained at all times that coffee shop or restaurant is open.

### **Management:**

Coffee shop or restaurant management is allowed to be the same as Major Occupancy or it could be a completely separate business.

### **Occupancy combinations allowed:**

Coffee shops are allowed in D, E, F2 and F3 occupancies as well as in the public areas of B & C occupancies. Coffee shops are not allowed in F1 occupancies.

Washroom and fire alarm system requirements shall be based on the Major Occupancy.

The coffee shop or restaurant occupancy shall comply with the requirements of the Application for Occupancy, which should include a requirement for the Health Department to perform an inspection of the premises.

Restaurants may be attached to any other occupancy without a fire separation provided the seating does not exceed 15.

Chief Building Inspector