

HOSTELS

DOING BUSINESS IN WINNIPEG BY-LAW NO. 91/2008

(Comes into force on June 1, 2008)

By-law Extract of pertinent sections regarding the regulation of specific business activities as adopted by Council effective June 1, 2008. This is only an extract. For more information please contact Community By-Law Enforcement Services at 986-2234

PART 1: GENERAL LICENSING PROVISIONS

DEFINITIONS

“bed and breakfast establishment” means a dwelling in which

- (a) sleeping accommodations are rented;
- (b) the maximum occupancy load, as determined by the Manitoba Building Code, is twelve or fewer;
- (c) breakfasts are provided; and
- (d) no individual is allowed to rent sleeping accommodations for more than 28 consecutive days;

but does not include:

- (d) a facility licensed or otherwise regulated in its provision of accommodations by the Government of Manitoba or the Government of Canada;
- (e) a hospital, a sanatorium or a facility designated by regulations under *The Mental Health Act*;
- (f) a personal care home licensed under *The Health Services Insurance Act*;
- (g) a residential care facility licensed under *The Social Services Administration Act*;
- (h) a shared facilities dwelling or a hostel;

“dwelling” has the same meaning as in the Neighbourhood Liveability By-law No. 1/2008;

“dwelling unit” has the same meaning as in the Neighbourhood Liveability By-law No. 1/2008;

“hostel” means a dwelling where sleeping accommodations and shared cooking facilities are rented and no individual is allowed to rent sleeping accommodations for a

period of more than 28 consecutive days but does not include:

- (a) a facility licensed or otherwise regulated in its provision of accommodations by the Government of Manitoba or the Government of Canada;
- (b) a hospital, a sanatorium or a facility designated by regulations under *The Mental Health Act*;
- (c) a personal care home licensed under *The Health Services Insurance Act*;
- (d) a residential care facility licensed under *The Social Services Administration Act*;
- (e) a shared facilities dwelling or a bed and breakfast establishment;

“shared facilities dwelling” means a dwelling

- (a) which is designed for sanitary facilities or cooking facilities to be shared by occupants of three or more dwelling units, whether or not the dwelling units are occupied; or
- (b) in which sanitary facilities or cooking facilities are shared by two or more residents of a dwelling unit that is not operated under a single tenancy;

but does not include

- (c) a facility licensed or otherwise regulated in its provision of accommodations by the Government of Manitoba or the Government of Canada;
- (d) a hospital, a sanatorium or a facility designated by regulations under *The Mental Health Act*;
- (e) a personal care home licensed under *The Health Services Insurance Act*;
- (f) a residential care facility licensed under *The Social Services Administration Act*;
- (g) a hostel or a bed and breakfast establishment.

APPROVAL OF NEW LICENCE APPLICATION

43(2) A Hostel Licence must not be issued until the designated employee has received:

Public Health

- (a) verification from a public health inspector that the premises at which the hostel is proposed to be operated meets the requirements of *The Public Health Act*, relevant City by-laws and other regulatory requirements relating to public health;

Zoning Compliance

- (b) verification from a City employee authorized to administer and enforce the *Winnipeg Zoning By-law* or the *Downtown Winnipeg Zoning By-law* that operation of the hostel on the premises proposed is permitted under one of those two zoning by-laws;

Neighbourhood Liveability By-law

- (c) verification from an individual authorized to administer and enforce the *Neighbourhood Liveability By-law* that the operation of the hostel on the premises proposed would not violate that By-law;

Occupancy Permit

- (d) an occupancy permit authorizing the hostel to occupy the premises for which the licence is sought;

Fire Prevention

- (e) verification from the Fire Paramedic Chief or delegate that the operation of the hostel on the proposed premises meets the requirements of the Fire Prevention By-law, the Manitoba Fire Code and other regulatory requirements relating to fire safety;

Record Review

- (f) a certificate from the Record Review Board in compliance with section 16.

APPLICATIONS FOR CERTIFICATE FROM RECORD REVIEW BOARD

15(1) Where this By-law requires that one or more certificates from the Record Review Board must be provided as a condition of obtaining a licence, the applicant must apply to the Record Review Board for the required certificates.

15(2) When applying for a certificate, an applicant must provide the Record Review Board with accurate identification and the releases and authorizations sufficient to allow the Record Review Board to review, throughout the duration of the licence, the criminal and other records of every individual for whom a certificate is required as a condition of obtaining a licence.

Individuals requiring record reviews

16(1) Where this By-law provides that a licence must not be issued unless a certificate from the Record Review Board has been issued, the certificate must be provided in respect of each of the following individuals:

- (a) where the owner of the business is a sole proprietor, the owner;
- (b) where the owner of the business is a partnership or a corporation, the manager of the business at each location from which business is carried on.

16(2) It is a condition of a licence issued under this By-law that, where an individual

holding any position for which a Record Review certificate is required is replaced by another individual, the licence holder must, within 30 days of the replacement, apply to the Record Review Board for a certificate in respect of the new individual holding that position.

16(3) It is a condition of a licence issued under this By-law that a licence holder under this Part must immediately notify the Record Review Board when any individual for whom a Record Review certificate is required is convicted of a criminal offence.

SCHEDULE A – FEES

Part 1: All license fees in this part are applicable to the licence year June 1, 2011 to May 31, 2012 and are subject to an inflationary increase based on the Consumer Price Index thereafter. Licence holders renewing a licence must pay the fee as increased by the rate of inflation.

No.	Business License	Annual Fee
11	Hostel	\$317