

HOSTELS

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

This document is a by-law extract of pertinent sections regarding the regulation of specific business activities as adopted by Council effective June 1, 2008. To view the Doing Business in Winnipeg By-Law in its entirety, visit: <http://clkapps.winnipeg.ca/dmis/>

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:

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

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

Neighbourhood Liveability By-law No. 1/2008

“dwelling” means a building or other structure, all or part of which has been used, is used or is capable of being used for human habitation, and includes:

- (a) a single or two-family dwelling house;
- (b) an apartment block or other multiple family residential building;
- (c) a group home, assisted living facility and dormitory;
- (d) a live-work space;
- (e) a mobile home or recreational vehicle;
- (f) a hostel; and
- (g) a hotel;

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

Neighbourhood Liveability By-law No. 1/2008

“dwelling unit” means

- (a) a single family dwelling house;
- (b) a suite within a dwelling; or
- (c) one or more connected rooms within a dwelling, which may or may not include sanitary or kitchen facilities, used as a residence by a single person or by two or more people, whether related or not, who are living together as a housekeeping unit;

“**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 LICENCE APPLICATION

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

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

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) Subject to section 68 (record review board certification required for employees of used goods dealers), 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.

PART 2: RATES

All licence fees are based on an annual licence, for one year from the business start date, and cannot be prorated, reduced or refunded. Licence holders renewing a licence must pay the fee as increased by the rate of inflation, or as otherwise approved by Council.

See **Licence Fees** page at https://www.winnipeg.ca/cms/BLES/LS/business_licenses/licence_fees.stm.