

Information Bulletin

GUIDELINES FOR BUILDINGS USED FOR TEMPORARY OVERNIGHT SHELTERS

In emergency situations or during extreme cold weather, displaced persons or people experiencing homelessness may be accommodated in temporary shelters in various facilities including churches, community centres, school gymnasiums, soup kitchens, or retail spaces, that may not have been



established with appropriate development, building and/or occupancy permits. Therefore, temporary arrangements may not be compliant with The Manitoba Fire Code (MFC), The Manitoba Building Code (MBC), Zoning Bylaws, or the Winnipeg Building By-law for use as temporary shelters hence there is concern with these facilities and the possible implications for life safety, insurance, and community welfare.

Temporary shelters must be legally established to ensure they meet the above requirements. To confirm compliance, an Emergency Residential Shelters Development and/or Building Permit Application Form must be submitted, which covers:

- ◆ **The Zoning By-law** – the facility requires a development permit and must be established as an “emergency residential shelter” use
- ◆ **Building and Fire Codes** – the building requires a building permit and must meet life safety requirements
- ◆ **Occupancy requirements** – the building requires an occupancy permit and must receive approval from the Commercial Inspections Branch for the emergency shelter use

BUILDING AND FIRE CODES – LIFE SAFETY REQUIREMENTS

Buildings are classified by their use and occupancy group which then determines the construction and safety features required. The possible risks to overnight guests who may be sleeping in a space not intended for this use include:

- Low to no night lighting leading to potential disorientation in an emergency.
- Lack of notification to occupants in case of an emergency (fire or smoke alarms).
- Lack of directional clarity or adequacy of exits, and general security, etc.

Criteria for Life Safety Compliance

Existing facilities may require upgrading to provide basic life safety. Some facilities might already meet the requirements, but they must be reviewed and inspected to confirm compliance. Parameters aligned with the Building and Fire Codes to provide acceptable standards for existing “non-residential” facilities seeking to provide emergency shelter are detailed below in two available options based on a threshold of 10 overnight occupants.

SHORT TERM TEMPORARY ACCOMMODATIONS LIFE SAFETY COMPLIANCE CRITERIA	
10 OCCUPANTS OR LESS	<ul style="list-style-type: none"> • Supervision – security to the satisfaction of Fire Prevention must be provided continuously while clients are present [MFC 2.8.2.1., Measures in a Fire Safety Plan] • Building must have compliant exiting, i.e.: stairs of proper width & exit signs • Travel distance to at least one exit must not exceed 24 m in an unsprinklered building or 36 m in a sprinklered building. • Permanent beds or sleeping room(s) are not permitted; cots or mats only are permitted • Containment¹ of clients is not permitted; if contained, a permit to establish a Group B occupancy designation is required • Fire extinguishers must be provided [MFC 2.11.2.1. and NFPA 10] • Partitions or lockers for personal effects are not permitted • Portable privacy screens may be permitted • An occupancy permit specifically identifying the facility as an <i>emergency residential shelter</i> and listing any conditions is required.
OVER 10 OCCUPANTS	All of the above items for 10 occupants or less are required, PLUS the following: <ul style="list-style-type: none"> • Enclosed exiting if stairs • Fire Alarm system [MBC 3.2.4.1.(4)(j)] • Smoke alarms [MBC 3.2.4.21.] • CO detection, if applicable [MBC 6.9.3.1.] • Barrier-free provision [MBC 3.8]

For locations with over 10 occupants where long term stays are intended or anticipated in dedicated sleeping rooms or areas, like dormitories, a Residential (Group C) Occupancy with full compliance to the current Manitoba Building Code must be established through a building permit application detailing all required improvements. These facilities must be on properties zoned as Residential.

¹ As defined in the Manitoba Building Code, “**Contained Use Area** means a supervised area containing one or more rooms in which occupant movement is restricted to a single room by security measures not under the control of the occupant.”

ZONING

Temporary overnight shelters require a development permit to establish temporary use as an *emergency residential shelter* designation. A development permit will be issued following review and approval of the Emergency Residential Shelters Development and/or Building Permit Application package. A separate application is not required.

Definition **Emergency Residential Shelter**

Zoning By-law

means a facility where emergency temporary lodging is provided to persons who are homeless, due to indigence or disaster, operated by a public or non-profit agency, and where on-site supervision is provided whenever such shelter is occupied.

Downtown Winnipeg Zoning By-law

means a building where emergency temporary lodging is provided to persons who are homeless, and where on-site supervision is provided whenever such shelter is occupied.

The Development Permit can place conditions on the use including a time limit.

Emergency residential shelter is a permitted temporary use in all zoning districts except for RMH-Residential Mobile Home Park District. In the Downtown area, this use is permitted everywhere except for the Exchange District and the Downtown Living Sector. In those areas, a conditional use approval is required via a separate conditional use application.

OCCUPANCY

In accordance with The Winnipeg Building Bylaw, every building in use must have a valid building occupancy permit. Buildings offering temporary shelter may already have an occupancy permit in place for the principal occupancy, but might not have the use of *emergency residential shelter* or the additional occupant load included in that description. It is required that every facility offering this type of service request an Occupancy Permit to establish the use as *emergency residential shelter* to their premises through a Emergency Residential Shelters Development and/or Building Permit Application Form. Once established as an *emergency residential shelter*, the organization can provide a safe space in accordance with the conditions of the permit.

APPLICATION FORM

The Emergency Residential Shelters Development and/or Building Permit Application Form lists the required documents that must be submitted. Access the application form on the Commercial Permit Resources webpage.