

# Housing Conversion

## Guidelines for the conversion of a house to commercial use



## General information

### **Can a single-family home be converted for commercial purposes?**

Yes. However, most buildings will require a development application to rezone the property to a commercial designation before applying for a building permit. Then, in addition, renovations may have to be made to the building to comply with Manitoba Building Code (MBC) for the proposed commercial use.

### **How much time is involved and how much would the whole conversion process cost?**

Time and expenses will vary for the rezoning process. A good rule of thumb is to allow six months for rezoning and approximately \$1,000 - \$1,500 for application and advertising fees. A 10 per cent dedication fee (in lieu of dedicating land) may also apply.

There may be additional costs for zoning site development upgrading. Renovations to the building required by MBC may involve substantial architectural, engineering, and construction expenditures. All of these costs should be considered before proceeding.

### **What type of permits may be required?**

The conversion may require development, building, plumbing, mechanical, electrical, and occupancy permits.

# Zoning information

## What zoning site development upgrades may be required?

Site upgrades may include:

1. asphalt or concrete surfacing for required or voluntary parking and loading areas
2. bumper guard fencing
3. landscaping

## What if I can't comply with zoning regulations?

You may apply for a variance to the Zoning By-law. However, approval is subject to the results of a public hearing.

## What if the building is located on land that is already zoned commercial?

If the land upon which the house is located is zoned commercial, the conversion may not require a rezoning development application. However, all zoning site development upgrade regulations must be met, and a development permit must be obtained.

In addition, certain uses may require conditional use approval, even with commercial zoning. Conditional use approval is subject to the results of a public hearing.

# MBC information

## What renovations might be required by MBC?

Housing conversions would normally be assessed according to MBC compliance for:

- access for persons with disabilities
- structural suitability as a commercial establishment
- fire rated floor assemblies
- suite and exit fire separations
- number and location of exit(s)
- sufficient headroom for stairs with provision of handrails and guardrails
- dimensions of stair risers, treads, and landings
- spatial separations to property lines and/or other buildings on the same property
- a fire alarm and detection system (if required)

- emergency lighting
- exit signs (if required)
- sufficient headroom in the basement
- mechanical ventilation and exhaust systems
- plumbing systems
- garage fire separation

**Note:** Some specific MBC requirements are explained in more detail near the end of this publication.

## Why must all these requirements be applied to a simple conversion from a house to commercial use?

A house is originally constructed for residential and not commercial use. Commercial and industrial buildings are used by the general public and employees. The degree of barrier-free access, structural protection, and life safety provision must be higher in these buildings than it is in a house. Also, MBC states that when the use of a building changes, the building must be made to comply with the current code requirements for the new use.

## Who can determine if it is feasible to convert a building for commercial purposes?

Applicants are advised to retain the services of an architect, engineer, or other qualified person. This should be done to determine the suitability of a building with respect to requirements contained in MBC and to prepare the necessary drawings to show how these requirements will be met.

**Note:** The services of an architect and engineer are mandatory in the case of assembly occupancy conversions, such as restaurants, private clubs, schools, churches, etc.

## Is there any way that compliance with a certain aspect of MBC can be waived?

Compliance to MBC is mandatory and waivers are not permitted. However, if you believe you can satisfy MBC intent by using an alternative solution that satisfies code intent, contact the plan examiner. A charge will be applied as per the current Planning, Development and Building Fees and Charges schedule.

## What building use and occupancy classifications does this publication cover?

The basic MBC requirements that follow are for commercial or industrial buildings that:

- have only one major occupancy group classification
- have a single tenant on any one floor
- are not more than three storeys in building height
- are not more than 600 m<sup>2</sup> (6,459 sq. ft) in floor area
- are of the following occupancy classifications:
  - i. Group A, Division 2 - Assembly occupancy (e.g. restaurants, private clubs, schools, churches, etc.) MBC Part 3 applies
  - ii. Group D - Business and personal service occupancy (e.g. offices, beauty salons, banks, etc.) MBC Part 9 applies
  - iii. Group E - Mercantile occupancy (e.g. retail stores, boutiques, etc.) MBC Part 9 applies

**Note:** Assembly occupancies must be limited to the first two storeys (unless non-combustible).

**For other occupancy classifications, please consult with a design professional.**

# MBC requirements

## What are some of the basic MBC requirements for conversions?

Some specific examples of renovations that may be required by MBC include:

### 1. Provisions for persons with disabilities

Every building must have at least one entrance designed to provide barrier-free access for persons with disabilities. The entrance must be intended for both general use by the public and the occupants. The entrance must open to the outdoors at sidewalk level or to a ramp leading to a sidewalk. The ramp must have a maximum gradient of 1 in 12. A power door opener is also required. See Figure 1. Toilet room facilities must be accessible to and useable by persons with disabilities. See Figures 2, 3, and 4 for washroom layout and minimum dimensions.

Barrier-free access is encouraged for all floors, but note that an extra measure of life safety must also be provided for persons with disabilities on these floors. Refer to MBC 3.3.1.7.

There are also other requirements concerning minimum door sizes, door swing, height of thresholds, level areas for ramps, guardrails and handrails for ramps, size and location of grab bars in washrooms, etc. Consult the design professional you have retained.

Figure 1 - Accessible entrance showing minimum dimensions

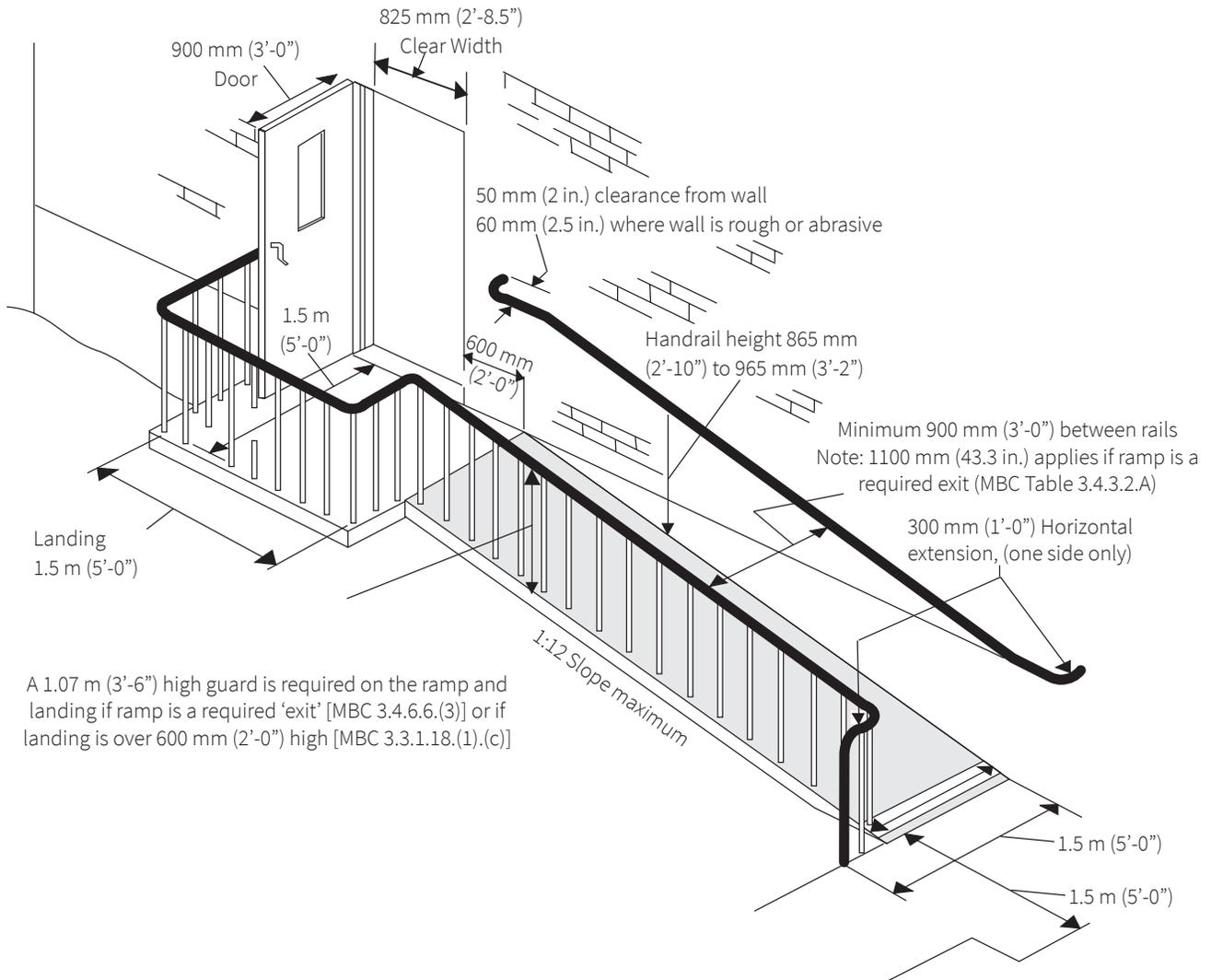
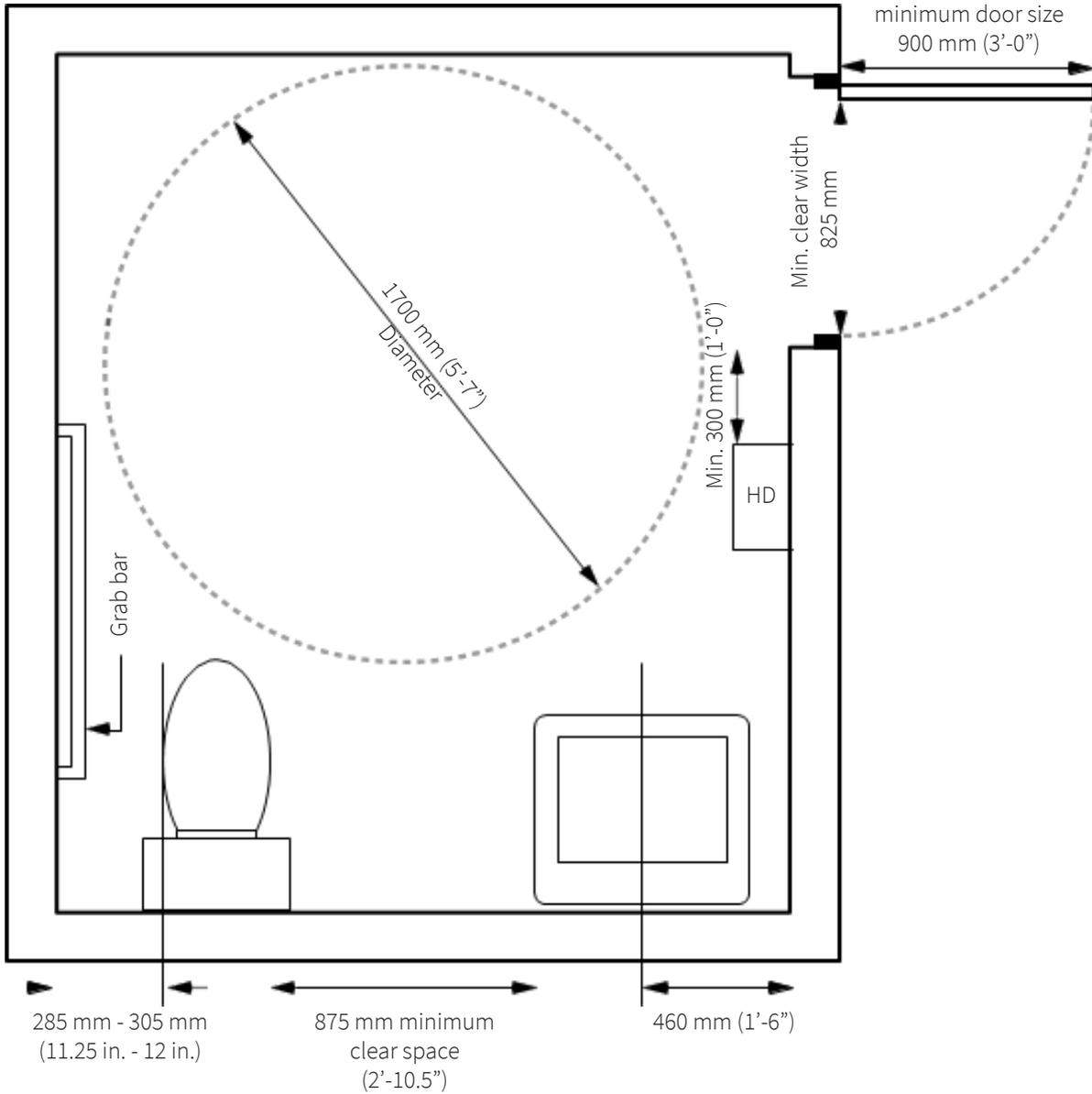


Figure 2 – Universal toilet room requirements



**Note:** \*600 mm (2'-0") latch-side clearance if door swings into washroom and 1700 mm (5'-7") turning circle must clear of door swing and fixtures.

Figure 3 – Clearance below lavatories

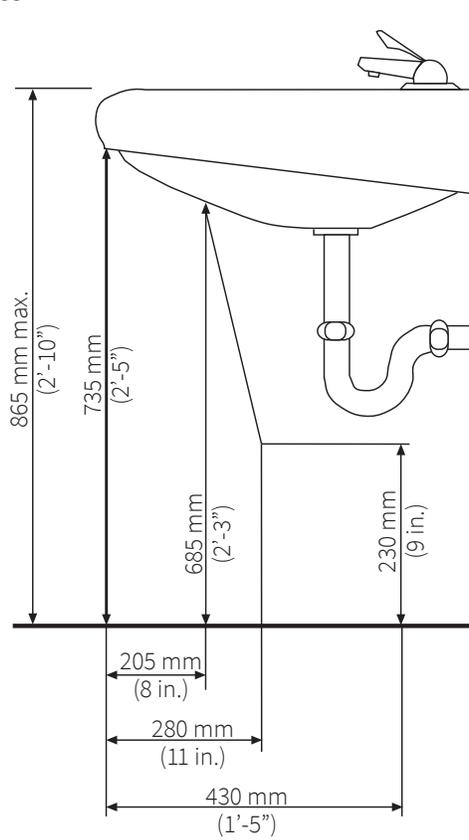
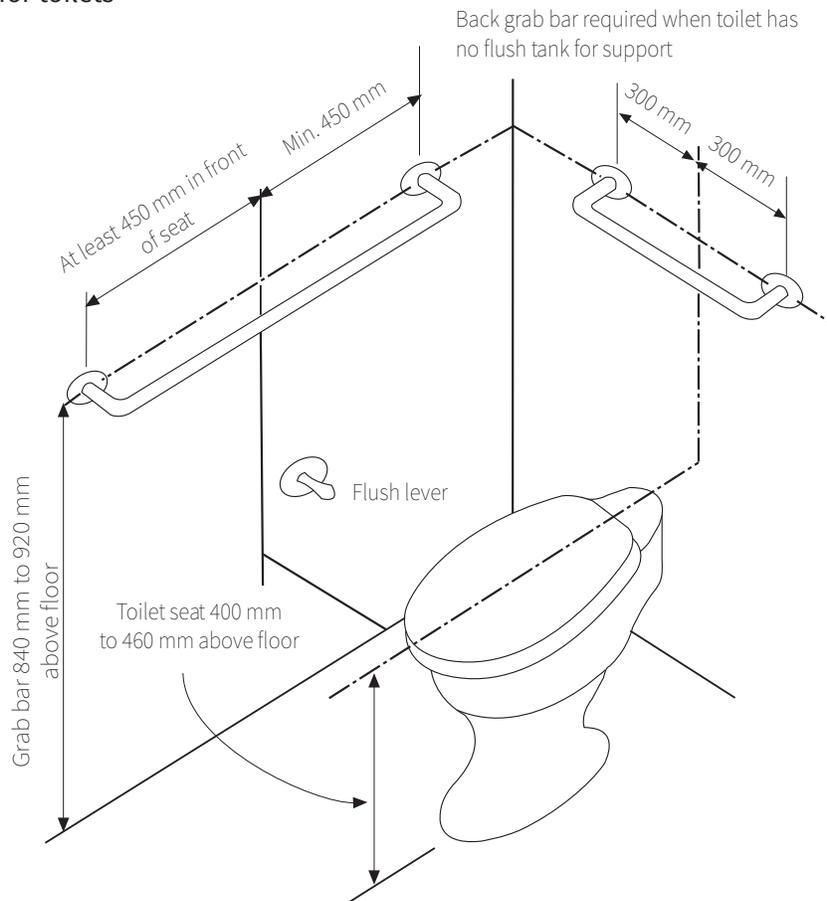


Figure 4 – Grab bars for toilets



## 2. Structural

Main floor assemblies and supports (including foundation) must be structurally certified for a design live load of 4.8 kPa (100 lbs./ sq. ft.) by an engineer.

Floor assemblies and their supports above main floor, must be structurally certified for design live load as per table 4.1.5.3 by an engineer.

If the existing structure cannot be certified without modifications, a detailed engineered plan must be submitted showing any necessary modifications at the time of the building permit application.

## 3. Fire-rated floor assemblies

All floor assemblies must be constructed as a fire separation having at least a ¾-hour fire resistance rating (e.g. 15.9 mm - 5/8 in Type X gypsum wallboard on the underside of joists).

Load bearing elements, such as walls, posts, beams, etc. must have a fire resistance rating equal to the supported assembly, or be of the type of heavy timber construction defined in MBC.

## 4. Tenant fire separations

Tenant fire separations shall conform to Table 3.1.3.1 and Section 3.3 of the MBC or Subsection 9.10.9.

## 5. Exits

In most commercial buildings, each floor, including the basement, is required to be served by two exits which lead to the outdoors and are remote from one another. Two exits are required in case one is blocked by fire.

Exit stairs within a floor area must be totally enclosed and fire separated from the remainder of the floor area

so that it is not necessary to re-enter a floor area to exit the building. The exit enclosure must include a door which leads directly to the outdoors. Exterior stairs are permitted if protection from building is provided

The doors from the remainder of the building to the exit enclosure are normally required to be 20-minute labelled doors complete with a listed self-closer and latching mechanism to ensure the continuous fire protection of the exit.

The fire separation of the stair enclosure from the remainder of the floor area is normally required to have a ¾-hour fire resistance rating.

Exit doors must swing on their vertical axis in the direction of exit travel. The doors must be a minimum of 865 mm (34 in.) in width and 2030 mm (6'-8") in height. These exit doors must be equipped with hardware which can be readily opened from the inside without requiring keys, special devices, or specialized knowledge of the door opening mechanism.

**Note:** One exit may be permitted in a building not exceeding two storeys in height provided:

- the occupant load served by the exit does not exceed 60 persons
- area and travel distances are within the limits shown in Table 1 (below)
- the building is limited to a single tenant on each floor

Table 1 – Travel distance for single emergency exit (MBC 3.4.2.1)

Occupancy of floor area	Maximum floor area		Maximum travel distance to exit	
	Square metres	Square feet	Metres	Feet
A, Div 2	150	1,615	15	49
D	200	2,153	25	82
E	150	1,615	15	49

## 6. Stairways in two storey, Group D (office) or E (mercantile) buildings

Where a Group D or E occupancy is located on the first storey and partly on the second storey, stairways serving the second storey of the suite need not be constructed as exit stairs provided:

- the building is not greater than two storeys
- the suite is separated from other occupancies by at least a 45-minute fire separation
- the area occupied by the suite is not greater than 100 m<sup>2</sup> (1076 sq. ft.) per storey
- the maximum travel distance from any point in the suite to an exterior exit is not greater than 25 m (82'-0") within a single exit floor
- the floor assemblies have at least a 45-minute fire- resistance rating or are of noncombustible construction
- the basement and first storey are separated by at least a 45-minute fire separation

## 7. Spatial separation

The requirements for spatial separation are to prevent the spread of fire from one building to another.

Spatial separation requirements for a particular building would affect the following areas of building construction:

- the type of construction and fire rating of the exterior walls
- the type of cladding on the outside of the exterior walls
- the number of unprotected openings in these exterior walls, such as windows, doors, etc.

Specific spatial requirements for a particular structure are determined by the building wall area, and by the distance of the wall to the property lines and/or other buildings on the same property.

The analysis to determine spatial separation requirements for a particular building is too lengthy to be included in this publication. Consult the design professional you have retained.

## 8. Fire alarm and detection systems

A fire alarm system may be required depending on the size, use, and occupant load of the converted building. If any of the following statements are applicable to the new use of the building, then a fire alarm system must be installed in accordance with MBC.

- The building is classified Group A, Division 2, has an occupant load of more than 40 persons, and is occupied as a school, college, daycare, or other similar use.

## 9. Emergency lighting

Emergency lighting is typically required in stairways, corridors used by the public, and exit routes from open floor areas. The MBC should be consulted for specific regulations governing the installation of emergency lighting.

## 10. Exit signs

Exit signs must be installed if:

- the building exceeds two-storeys, or
- the occupant load exceeds 150 persons, or
- the occupant load exceeds 60 persons in a licensed beverage establishment or other similar area having low lighting levels.

Exit signs are also mandatory where a fire escape forms part of a required means of egress. The MBC should be consulted for specific regulations governing the installation of exit signs.

## 11. Stairs, landings, handrails, and guards

Upgrading or replacement of the stairs, landings, handrails, and guards may be necessary to meet the requirements of MBC Section 3.4 or 9.8.

Stairs need to be addressed with respect to rise, run, width, and headroom. Landings have specific requirements concerning location, size, and headroom. Handrails and guards must comply with standards governing number, required height, design, clearance, and projection.

In cases where a basement is only used for storage or building services, such as the heating system and staff or the public do not normally occupy the area, the existing basement stairs may be acceptable provided they are safe, structurally adequate, equipped with guardrails on open sides and a handrail is provided to assist persons ascending or descending the stairs.

## 12. Basement headroom

Where a basement is intended to be used and occupied by persons, the minimum headroom in the basement must be 2.1 m (6'-11"). Exit door heights are to be minimum 2.03 m (6'-8").

## 13. Mechanical ventilation and exhaust systems

All ducts penetrating a required fire separation must be provided with approved fire dampers and/or fire stop flaps and/or other approved system of protecting the penetration.

All cold air returns must be ducted or lined with approved non-combustible materials.

A mechanical/HVAC trade permit will be required for new installations and for modifications or changes to existing systems.

## 14. Plumbing systems

All drain, waste, and vent piping that penetrates a fire separation must be non-combustible, except as permitted in articles MBC 3.1.9.4. or 9.10.9.7.

A plumbing permit will be required for any new installations, and for modifications or changes to an existing plumbing system.



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Updated: November 2022

Every effort has been made to ensure the accuracy of information contained in this publication. However, in the event of a discrepancy between this publication and the governing City of Winnipeg By-law, the bylaw will take precedence.