THE CITY OF WINNIPEG

BY-LAW NO. 179/2006

A By-law of THE CITY OF WINNIPEG to implement Recommendations 12.1 and 12.3 of the Mayor's Red Tape Commission by amending the Winnipeg Building By-law No. 4555/87, the Winnipeg Zoning By-law No. 6400/94 and the Downtown Winnipeg Zoning By-law No. 100/2004.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Winnipeg Building By-law amended

1. Sentence (2) of section 14.2.1 of The Winnipeg Building By-law No. 4555/87 is amended

(a) in clause (i), by striking out *"one thousand dollars ($1000.00)."* and substituting *"ten thousand dollars ($10,000.00);"*;

(b) by adding the following immediately after clause (i):

(j) construction of unenclosed residential decks 600mm or less in height above finished ground and serving a single family dwelling or two family dwelling;

(k) erection of temporary tents less than 901 square feet in building area.

Winnipeg Zoning By-law amended

2. Section 121 of the Winnipeg Zoning By-law No. 6400/94 is amended

(a) in subsection (1), by striking out *"No person shall undertake"* and substituting *"Subject to subsection (1.1) and (1.2), no person shall undertake or permit the existence of"*;

(b) by adding the following immediately after subsection (1):

(1.1) Notwithstanding subsection (1), no development permit is required for the following developments:

(a) subject to subsection (1.2), unenclosed decks 24 inches or less in height above grade located in a side or rear yard of a single family or two-family dwelling;

(b) subject to subsection (1.2), permitted accessory structures less than 108 square feet in building area located in a side or rear yard of a single family or two-family dwelling;

(c) permitted fences located in a side or rear yard of a single family or two-family dwelling;

(d) in all zoning districts, temporary tents less than 901 square feet in building area.

(1.2) Where a lot does not abut upon a public lane or City-owned land acquired for a lane widening and where an attached garage or carport is not provided, clauses (1.1)(a) and (b) apply only if one interior side yard is a minimum of 8 feet clear of all projections except eaves and gutters.

Winnipeg Zoning By-law amended

3. Subsection 624(2) and subsection 624(3) of the Winnipeg Zoning By-law No. 6400/94 are each amended by repealing clause (c) in each subsection and substituting the following in each:

*(c) **Open terraces and decks** 24 inches or less in height above grade;*

Downtown Winnipeg Zoning By-law amended

4. Section 110 of the Downtown Winnipeg Zoning By-law No. 100/2004 is amended

(a) subsection (1), by striking out *"No person may undertake"* and substituting *"Subject to subsection (1.1) and (1.2), no person may undertake or permit the existence of"*;

(b) by adding the following immediately after subsection (1):

(1.2) Notwithstanding subsection (1), no development permit is required for the following developments:

(e) subject to subsection (1.2), unenclosed decks 24 inches or less in height above grade located in a side or rear yard of a single family or two-family dwelling,

(f) subject to subsection (1.2), permitted accessory structures less than 108 square fees in building area located in a side or rear yard of a single family or two-family dwelling;

(g) permitted fences located in a side or rear yard of a single family or two-family dwelling;

(h) in all zoning districts, temporary tents less than 901 square feet in building area.

(1.2) *Where a lot does not abut upon a public lane or City-owned land acquired for a lane widening and where an attached garage or carport is not provided, clauses (1.1)(a) and (b) apply only if one interior side yard is a minimum of 8 feet clear of all projections except eaves and gutters.*

DONE AND PASSED, in Council assembled, this day of , 2006.

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Mayor

_____
City Clerk

Approved as to content:

_____
Director of Planning, Property
and Development

Certified as to form:

_____
for City Solicitor/Manager of
Legal Services