**THE CITY OF WINNIPEG**

**BY-LAW NO. 1/2013**

**A By-law of The City of Winnipeg to amend Winnipeg Zoning By-law No. 200/2006 with respect to secondary suites.**

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

**Winnipeg Zoning By-law amended**

*1 This by-law amends the Winnipeg Zoning By-law No. 200/2006.*

**Part 2: Definitions amended**

*2 Part 2: Definitions is amended*

*(1) in section 48, by:*

*(a) repealing the definition* "secondary suite"*;*

*(b) adding a new definition* "secondary suite, attached" *defined as* "means an accessory dwelling unit added to or created within a single-family residence that provides basic requirements for living, sleeping, cooking, and sanitation. Only one secondary suite, either attached or detached, shall be allowed per zoning lot."*:*

*(c) adding a new definition* "secondary suite, detached" *defined as* "means a dwelling unit that is accessory to, but not attached to a single family residence and provides basic requirements for living, sleeping, cooking and sanitation. Only one secondary suite, either attached or detached, shall be allowed per zoning lot."*;*

**Part 4: Use Regulations amended**

*3 Part 4: Use Regulations is amended*

*(1) in section 62, by:*

*(a) in Table 4-2: Accessory Use Table under Use Category/Type* "Secondary suite"*, by adding* "attached" *after* "suite"*;*

*(b) in Table 4-2: Accessory Use Table under Use Category/Type, adding a new row* "Secondary suite, detached" *after* "Secondary suite, attached*" with* "C*" *in the* R1 and R2 *columns, and* "120" *in the* Use Specific Standards (Section) *column;*

*(2) in section 120, by:*

*(a) repealing subsections (1), (2), and (3);*

*(b) adding new subsections (1) and (2):*

*"*(1) Secondary suite, attached

(a) Only one entrance to the dwelling from the street may be located on the facade that faces the street, unless the

dwelling contained an additional street-facing entrance prior to the creation of the secondary suite;

(b) Lots containing secondary suites must contain a minimum of 2 off-street parking spaces;

(c) The maximum size of the secondary suites at or above grade may be no more than 33 percent of the living area of the dwelling, or 800 square feet, whichever is less;

(d) No secondary suite shall have a floor area less than 350 square feet.

(2) Secondary suite, detached

(a) The lot must be a 'through lot' or abut an improved public lane;

(b) The minimum site area shall be no less than 3,500 square feet;

(c) If the suite is at grade, the maximum height of the building containing the suite is 15 feet. If the suite is located above the garage, the maximum height of the building containing the suite is 25 feet;

(d) The maximum floor area of the secondary suite shall be 600 square feet;

(e) No secondary suite shall have a floor area less than 350 square feet;

(f) A secondary suite must be separated from the principal dwelling by a minimum of 10 feet;

(g) The minimum side yard setback shall be the same as for the principal dwelling;

(h) The minimum rear yard setback shall be 5 feet for that portion of the accessory building used as a secondary suite;

(i) A lot containing a secondary suite must contain a minimum of 2 off-street parking spaces;

(j) A secondary suite must be no greater than 150 feet from the nearest curb on the front street and an unobstructed pathway, a minimum of 30 inches in width, must be provided between the front property line and the secondary suite;

(k) Subdivision of land which results in a separate land title for the secondary suite will not be permitted;

(l) No roof decks are allowed above the living area of a secondary suite;

(m) A secondary suite shall not be utilized as a home based business, a care home, or a neighbourhood rehabilitation home;

(n) The owner must include a site plan with the application to the City, which site plan must provide the following:

(i) a lot grading plan,

(ii) the location and details of the proposed sewer and water connections, and

(iii) the location and design of the proposed secondary suite, including building elevations, floor plans, materials, exterior lighting, windows, doors, balconies, patios, outdoor space, fencing, parking and landscaping;

and

(o) The maximum lot coverage of the site, including the secondary suite, shall be no greater than the applicable zoning district allows."*;*

*(3) in the first line of subsection 142(2), by adding* "except detached secondary suites" *after* "detached accessory structures".

**DONE AND PASSED** this 27th day of February, 2013.

Mayor

City Clerk

Approved as to planning details:

*for* Director of Planning, Property and Development

Approved as to form:

James Carter
*for* Director of Legal Services and City Solicitor