THE CITY OF WINNIPEG

BY-LAW NO. 54/2015

A By-law of THE CITY OF WINNIPEG to amend the Neighbourhood Liveability By-law with respect to Basement Occupancies

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

Neighbourhood Liveability By-law amended

1 The Neighbourhood Liveability By-law No. 1/2008 is amended by this By-law.

Section 44 replaced

2 Section 44 is replaced with the following:

Gas and open flame appliances

44 Within a dwelling, gas stoves, gas water heaters, gas fireplaces and other gas appliances that have open flames must be kept in good repair and must be equipped with suitable pipes or flues or other effective means for the removal of the products of combustion.

Section 51 replaced

3 Section 51 of is replaced with the following:

Basement occupancies

51(1) In this section

***"bedroom"** means a room that is being used for sleeping, or is furnished with a bed, a cot, a convertible couch or other furniture that is set up or easily converted for sleeping;*

51(2) This section applies to all residential buildings, including multiple family residential buildings, except that subsections (5) and (6) do not apply to bedrooms in basements of residential buildings if the owner can demonstrate that

(a) the bedroom is part of a converted residential building that has been issued a final report under the Residential Buildings Fire Safety By-law No. 4304/86, and that the bedroom was approved under and continues to meet the standards of that By-law;

(b) the bedroom is part of a residential building that met the fourth or subsequent edition of the Manitoba Building Code, that the bedroom was permitted and inspected for compliance with one of those codes, and that it continues to meet those standards; or

(c) the bedroom is equipped with an automatic sprinkler system installed and operating in compliance with

(i) *NFPA 13,* Standard for the Installation of Sprinkler Systems, 1984 Edition;

(ii) *any edition of NFPA 13D,* Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes*; or*

(iii) *any edition of NFPA 13R*, Standard for the Installation of Sprinkler Systems in Low Rise Residential Occupancies*.*

51(3) Notwithstanding any other section in this Part, habitable rooms in a basement must meet the following requirements:

(a) floors and walls must be impervious to leakage and surface run-off water;

(b) the ceiling height in every habitable room must be at least 195 cm, except under beams, doorways and ducting where it must be at least 185 cm;

(c) stairs leading to the basement must be at least 75 cm in width, must have a maximum rise of 20 cm, a minimum run of 21 cm and a minimum tread of 23.5 cm, and must provide a minimum headroom clearance of 185 cm measured vertically from a line shown through the outer edges of the nosings.

51(4) If a dwelling unit exists in a basement, it must be protected from sewage backflow by the installation of a backwater valve in accordance with the City of Winnipeg Building By-law.

51(5) Every bedroom in a basement must have at least one window or door opening to the outside which is

(a) capable of being opened from the inside without the use of keys, tools or special knowledge and without the removal of sashes or hardware;

(b) subject to subsection (6), unobstructed by any obstacle that would reasonably prevent a person from escaping the bedroom through the door or window.

51(6) If a bedroom complies with subsection (5) because it has a window that opens to the outside,

(a) the window must provide an unobstructed opening of at least 0.35 m2 in area with no dimension less than 38 cm, which opening must be maintained during an emergency without needing to be propped open;

(b) if the window opens into a window well, a clearance of at least 76 cm must be provided in front of the window;

(c) If the window opens into a window well and a protective enclosure is installed over the window well, the protective enclosure must be capable of being opened from the inside without the use of keys, tools or special knowledge of the opening mechanism.

DONE AND PASSED, this 29th day of April, 2015.

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Mayor

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City Clerk

Approved as to content:

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Director of Community Services

Approved as to form:

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For A/Director of Legal Services/City Solicitor