

Repealed
By-law No. 4800/88 was repealed by By-law No. 100/2004 on June 23, 2004.
Therefore, this amending by-law is also deemed to be repealed.

BY-LAW NO. 6269/93

**A Zoning By-law of THE CITY OF
WINNIPEG for the enactment of zoning
text changes to By-law No. 4800/88**

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

1. Section 210 under PART II of By-law No. 4800/88 is amended by deleting the definition of "Director".
2. Section 210 under PART II of By-law No. 4800/88 is amended by adding alphabetically the following definitions:

"development" means the construction of a building or structure on, over or under land, a change in the use or intensity of use of a building or land, the removal of soil or vegetation from land, the deposit or stockpiling of soil or material on land, and the excavation of land.

"development application" means any application under The City of Winnipeg Act in connection with a development or an approval, permit, order, by-law or amendment which allows or would allow a development and includes any appeal filed against a variance order or conditional use order related to any one or more of them.

"development permit" means a permit authorizing a development that is subject to a development by-law.

"director or director of planning" means the Director of Planning of The City of Winnipeg and includes any officer or employee of the City to whom the director has delegated in writing an action or the exercise of power, duty or decision vested in the director by this by-law.

"zoning by-law" means a development by-law under Part 20 of The City of Winnipeg Act.

"zoning memorandum" means a zoning compliance certificate referred to in Subclause 110 (8) (c) under PART I of this by-law.

3. PART I under By-law No. 4800/88 is amended by deleting section 110, 120 and 130 and substituting the following:

DEVELOPMENT REGULATIONS

110 (1)A person requesting approval of any one or more of the following:

- (a) plan of subdivision
- (b) subdivision agreement amendment
- (c) condominium plan
- (d) consent
- (e) zoning by-law amendment
- (f) zoning agreement amendment
- (g) variance
- (h) conditional use
- (i) planned building group
- (j) downtown development application pursuant to this
- (k) building design in industrial districts

shall complete a development application on a form prescribed by the director, pay the applicable fee specified in The Development Fees By-law of The City of Winnipeg and supply all information requested by the director to show apparent compliance with this By-law and any of the relevant By-laws of the City, including evidence of ownership and where necessary as determined by the director a Building Location Certificate of the site showing the dimensions of the site, the position of all buildings or structures on the site, and the height of the buildings or structures.

110 (2)No person shall undertake a development that is subject to this by-law without first making application and obtaining a development permit for that purpose.

110 (3)Where a person makes application for a development permit in respect of a development, the director shall, where the application does not conform with Plan Winnipeg, a Secondary Plan or development by-laws, reject the development permit; but shall otherwise issue that permit.

110 (4)An application for a development permit shall be made on a form prescribed by the director and shall be accompanied by the applicable fee specified in The Development Fees By-law of The City of Winnipeg.

110 (5)A development permit shall expire and the right of an owner under that permit shall terminate if the work authorized by the

permit is not commenced within six (6) months from the date of issuance of the permit, or any extensions of that time period granted by the director, and reasonably continued without interruption thereafter.

110 (6) The applicant for a development permit shall supply all information requested by the director to show apparent compliance with this By-law and any of the relevant By-laws of the City, including evidence of ownership and where necessary as determined by the director a Building Location Certificate of the site showing the dimensions of the site, the position of all buildings or structures on the site, and the height of the buildings or structures.

110 (7) A development permit for use of vacant land may be issued without production of a Building Location Certificate upon the applicant satisfying the director that the proposed use appears to be in accordance with this By-law.

110 (8) The director may, upon receipt of such proof as the director deems necessary, issue a Zoning Compliance Certificate in respect of a zoning lot confirming any one or more of the following as of the date of that certificate:

- (a) the described use or uses operated or proposed to be operated on the lot comply with the applicable zoning rules, agreements and orders;
- (b) the development on the lot complies with all zoning rules, agreements and orders affecting it; and
- (c) the location of the building or buildings on the lot complies with the applicable zoning rules, agreements and orders (Zoning Memorandum).

110 (9) A request for a Zoning Memorandum shall be accompanied by a Building Location Certificate confirming the location of the building or buildings on a zoning lot.

110 (10) The director may revoke a development permit where there is to the director's knowledge a violation of this By-law or any other By-law of the City in respect of the development including, but without limiting the generality thereof, where:

- (a) Any division of a zoning lot results in making the structure on the zoning lot illegal under the terms of this By-law; or

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(b) There is any reduction of required yards for a building or any further reduction of non-conforming yards; or

(c) Any information supplied for the development permit is incorrect.

110(11) A development permit for a temporary building or structure approved as such under The Winnipeg Building By-law or in respect of a temporary use under this by-law shall expire upon expiration of the date specified in the permit unless before that expiry date an extension is granted by the Director.

4. Subsections 140 (1) and 140(2) under PART I of By-law No. 4800/88 are renumbered as subsections 120(1) and 120(2) respectively.

5. Subsections 150(1) and 150(2) under PART I of By-law No. 4800/88 are renumbered as subsections 130(1) and 130(2) respectively.

6. PART I under By-law No. 4800/88 is amended by deleting subsection 120(2) and substituting the following:

"120 (2) Any owner who is aggrieved by a decision of the director under this by-law may, within fifteen (15) days from the date of the decision, appeal therefrom to the Committee on Planning and Community Services."

DONE AND PASSED in Council assembled, this 17th day of November, A.D. 1993.

Reference: File No. DAZ 232/91