

**REPEALED BY THE WINNIPEG ZONING BY-LAW NO. 200/2006
on DECEMBER 19, 2007
(effective MARCH 1, 2008)**

CONSOLIDATION UPDATE: JULY 27, 2005

THE CITY OF WINNIPEG

**X-RATED STORE ZONING BY-LAW
NO. 6087/93**

**A Development (Zoning) By-law of THE CITY
OF WINNIPEG to regulate the proximity of
certain uses to residential uses.**

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:
added 8162/2002

PURPOSE AND INTENT:

The undue proximity of the land use defined in this By-law to residential uses produces land use conflicts through adverse impact upon the amenity and enjoyment of residential uses. This By-law therefore regulates the location and concentration of that use relative to residential uses and residentially zoned areas including park zoning which is a zoning district supplementary to and supporting residential zoning.

1. DEFINITIONS

"Director" means the Director of Planning, Property and Development and his/her delegates.

added 8162/2002

"X-Rated Store" means:

- (a) any store which:
 - (i) offers for purchase or rental merchandise including sexually oriented films, videotapes or videodiscs, and
 - (ii) by storefront signage excludes persons under 18 years of age from the store.
- (b) any store which:

- (i) offers for purchase or rental merchandise including sexually oriented films, videotapes or videodiscs in a part of the store, and
- (ii) by internal signage excludes persons under 18 years of age from that part of the store.

2. For the avoidance of doubt the exclusion of persons under 18 years of age under section 1 includes any restriction of access to adults only.

3. No X-Rated store shall be located within 1,000 feet of:

- a) any single-family dwelling, two-family dwelling or multiple-family dwelling as defined by and located within the jurisdiction of the Winnipeg Zoning By-law No. 6400/94;
- b) any Parks and Recreation District or any park use in a Residential District as defined by and located within the jurisdiction of the Winnipeg Zoning By-law No. 6400/94;
- c) any other X-Rated store located within the jurisdiction of the Winnipeg Zoning By-law No. 6400/94.
amended 67/2005

4. If there is any conflict between the provisions of this By-law and the provisions of any other zoning by-law in effect within The City of Winnipeg the most restrictive provision shall apply.
amended 8162/2002

- 5.
- (1) The director may conduct inspections and take steps to administer and enforce this By-law or remedy a contravention of this By-law, in accordance with *The City of Winnipeg Charter*, and, for those purposes, has the powers of a designated employee under *The City of Winnipeg Charter*.¹
 - (2) Without limiting the generality of subsection (1), in accordance with The City of Winnipeg Charter the director may issue an order to remedy a contravention of this By-law, requiring the person responsible for the contravention to remedy it.¹
 - (3) An order issued under subsection (2) shall be prepared and served in accordance with *The City of Winnipeg Charter*.²

- (4) Where an address for sending an order under subsection (3) is required, one of the following shall be used:
 - (i) if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property; or
 - (ii) if the person to be served is the occupant of real property, the street address for that property.
- (5) An appeal from an order or decision of the Director under this By-law may be made in accordance with The City of Winnipeg Charter to the Standing Policy Committee on Property and Development.³
added 8162/2002 (entire section 5)

6. This by-law shall be referred to as the "**X-Rated Store Zoning By-law**".
added 8162/2002

DONE AND PASSED in Council assembled, this 27th day of January, 1993.

1 [See sections 180-181 and sections 183-188 of The City of Winnipeg Charter for information about some of the key powers given to designated employees.](#)

2 [See sections 116 and 117 of *The City of Winnipeg Charter* for information about how to serve orders, decisions and other documents.](#)

3 [See sections 189 and 121 of *The City of Winnipeg Charter* for information about appeals, including information about the time limit for appeals and how appeals are to be filed.](#)