

THE CITY OF WINNIPEG

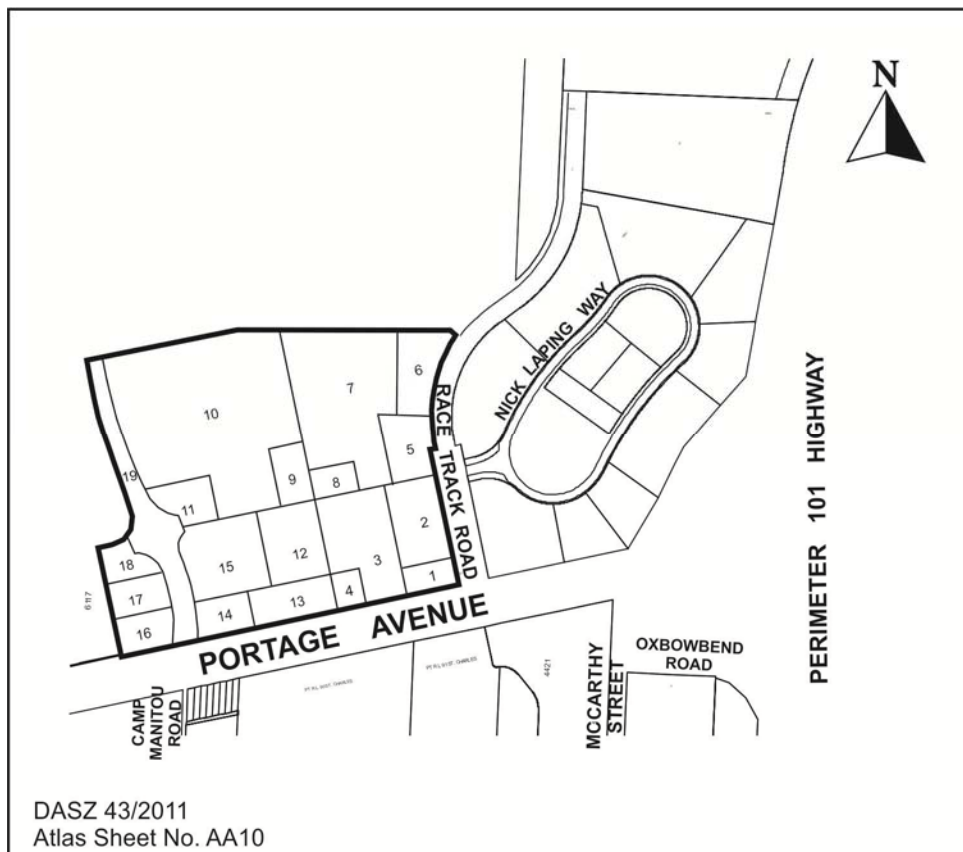
BY-LAW NO. 19/2015

A By-law of THE CITY OF WINNIPEG to approve a plan of subdivision and amend Winnipeg Zoning By-law No. 200/2006 to rezone land located at 3977 Portage Avenue in the Assiniboia Community and adopt the Westport Festival Planned Development Overlay 2.

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

Plan of subdivision

1 The plan of subdivision shown below is approved, subject to a Development Agreement for Servicing being entered into between The City of Winnipeg and the registered owner or persons entitled to be registered owner of the subject land.



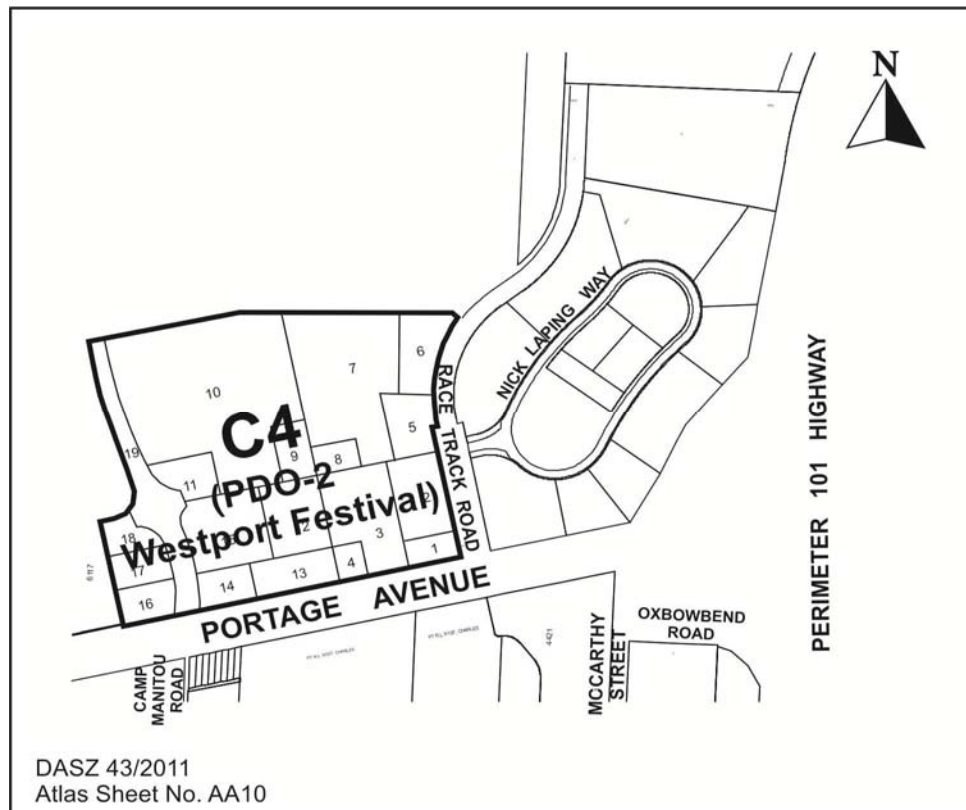
Zoning

2 *Winnipeg Zoning By-law No. 200/2006 is amended by:*

(1) *Adopting the attached document, entitled “Westport Festival Planned Development Overlay 2 (PDO-2 Westport Festival)”, as a Planned Development Overlay 2 district, adding it as Schedule Q after Schedule P, and adding subsection 3(12) in Schedule B which will refer to it.*

(2) *Adding the following in Schedule B:*

2(336) Notwithstanding anything elsewhere contained in this By-law or shown on the Zoning Maps, the land designated on the plan below as “C4 (PDO-2 Westport Festival)” is hereby zoned as a Commercial Regional (Westport Festival Planned Development Overlay 2) District, the zoning districts and zoning district boundaries are hereby located as shown on that plan, and the Zoning Maps shall hereafter be read and construed as shown on that plan, subject to a Zoning Agreement being entered into between The City of Winnipeg and the registered owner or persons entitled to be registered owner of the subject land.



Coming into force

3(1) Section 1 comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office.

(2) Section 2 comes into force when Zoning Agreement DASZ 43/2011 is registered in the Winnipeg Land Titles Office by caveat against the subject land within one year from the date this By-law is passed, failing which this By-law will expire unless an extension of time is applied for prior to expiry, Council approves the extension, and the caveat is registered before the extended date.

DONE AND PASSED this 28th day of January, 2015.

SCHEDULE Q

WESTPORT FESTIVAL PLANNED DEVELOPMENT OVERLAY 2

(PDO-2 Westport Festival)

Purpose

1. The purpose of this overlay is to support the development of the Westport Festival Regional Mixed Use Centre.

Applicability

2. PDO-2 Westport Festival overlay district is shown on the attached map and identified as PDO-2 Westport Festival (Map 1).

Development Standards

3. Except to the extent modified by the standards in this overlay, all standards of this By-law apply within the boundaries shown on the attached map (Map 1).

Definitions

4. **“Parking, Bicycle Parking and Loading Management Plan”** means a plan prepared by a professional traffic engineer or parking consultant that may be approved by the Director as an alternative to the requirements for off-street parking, bicycle parking, and loading of the Winnipeg Zoning By-law 200/2006.

A Parking, Bicycle Parking and Loading Management Plan will be required when a proposed development will not meet one or more of the requirements in By-law 200/2006 for off-street parking, bicycle parking, or loading.

Each Parking, Bicycle Parking and Loading Management Plan will include:

- 1 **Part 1:** Off-Street Parking
- 2 **Part 2:** Bicycle Parking
- 3 **Part 3:** Loading

5. **“Master Signage Plan”** means a plan with drawings, text, and specifications setting out the specifics of the location, arrangement, type and design of signs to be erected on premises within a defined area, that shall be approved by the Director and Community Committee.

Permitted Use Regulations

6. Notwithstanding other provisions of this By-law, in the PDO-2 Westport Festival, the following principal uses shall be permitted in addition to the permitted and conditional uses of the underlying C4 zoning district.

- (1) Stable or Riding Academy*
- (2) College or University*
- (3) Hospital*

- (4) Private Club, non licensed
- (5) Camping Ground*
- (6) Body Modification Establishment
- (7) Cheque-cashing facility
- (8) Funeral Chapel or Mortuary*
- (9) Pawn Shop
- (10) Bus Depot*
- (11) Transit Station
- (12) Contractor's Establishment*
- (13) Heavy Equipment Sales, Service, and Rental*
- (14) Wholesaling*
- (15) Light Manufacturing*
- (16) Mini-warehouse, Self Storage*
- (17) Warehouse*

* See sections 8 thru 17 for applicable use specific standards

7. Notwithstanding other provisions of this By-law, in the PDO-2Westport Festival, the following accessory uses shall be permitted in addition to the permitted and conditional uses of the underlying C4 zoning district.

- (1) Apiary*
- (2) Aviary*
- (3) Stable, private*
- (4) Agricultural Cultivation*
- (5) Agricultural Grazing and Feeding*
- (6) Auction Yard*

* See sections 8 thru 17 for applicable use specific standards

Use Specific Standards

8. Regardless of whether a use is allowed as a permitted or conditional use, the following additional standards must be met in respect of the uses identified, except as authorized by other sections of this By-law or by a Conditional Use or Variance Order.

Stable or Riding Academy, Camping Ground

9. Minimum lot area: 5 acres

College or University, Hospital

10. Subject to the Master Plan requirements in Part 5: Sections 149-151

Funeral Chapel or Mortuary

11. (1) Limited to a maximum of 15,000 square feet of gross floor area
(2) Cremation is not permitted

Bus Depot

12. All operations and storage of vehicles and equipment must occur within an enclosed building

Contractor's Establishment

13. (1) All operations must occur within an enclosed building
(2) Outdoor storage must be screened in accordance with Part 5: Section 197

Heavy Equipment Sales, Service, and Rental

14. (1) Outdoor storage must be screened in accordance with Part 5: Section 197
(2) Subject to all use specific standards in Part 4: Section 95 *Auto/Light Truck/Motorcycle Sales and Rental*

Wholesaling, Mini-Warehouse, Self-Storage, Warehouse

15. Outdoor storage must be screened in accordance with Part 5: Section 197

Light manufacturing

16. (1) Outside operations are not permitted
(2) Outside storage must be screened in accordance with Part 5: Section 197
(3) Noise, smoke, fumes, odours, glare, or health or safety hazards from the assembly, fabrication, and/or processing of goods and materials shall be fully contained within an enclosed building.

Additional Standards for Specific Accessory Uses

17. Regardless of whether an accessory use is allowed as a permitted or conditional use, the following additional standards must be met in respect of the uses identified, except as authorized by other sections of this By-law or by a Conditional Use or Variance Order.

Apiary, Aviary, Stable, Private, Agricultural Cultivation, Agricultural Grazing and Feeding

18. Minimum lot area: 5 acres

Auction Yard

19. (1) Outside operations are not permitted
(2) Outside storage is not permitted

Outdoor Display and Sales

20. (1) Outdoor display area not exceeding 35% of gross floor area is permitted in PDO-2 Westport Festival

Dimensional Standards

21. Notwithstanding Table 5-5 of this By-law, in PDO-2 Westport Festival, development must comply with the dimensional standards listed in this subsection.

Zoning District	Minimum / Maximum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Interior Side Yard (Ft.) [note a]	Minimum Corner Side Yard (Ft.)	Maximum Height of Building (Ft.)	Maximum Floor Area Ratio (FAR)
Non Residential Structures						
PDO-2 Westport Festival	0 [note b]	0 [note b]	0 [note b]	0 [note b]	n/a	5.0 [note c]
NOTES: a. Where a side or rear lot line in a commercial or institutional zoning district abuts a side or rear lot line of an R1 or R2 zoning district, a yard of 10 feet must be provided along the side or rear lot line in the commercial or institutional zoning district. The 10 foot side yard must be landscaped pursuant to sections 188 through 193, Landscaping and Buffering, and must not be used for parking or loading areas, storage of refuse or materials, or commercial activities of any kind. b. A 10 foot setback shall be required, free from all improvements other than parking, fences, landscaping, and drive-in or drive-throughs abutting all following roadways: 1) Portage Avenue (PTH 1) (public) 2) RaceTrack Road (private) 3) Any future north/south roadway extending north from the intersection of Camp Manitou Road and Portage Avenue (PTH 1), whether public or private c. Maximum FAR is increased to 6.0 if the property is located within 400 meters of a transit stop served by regular daily service.						

Parking, Bicycle Parking and Loading

22. Parking, Bicycle Parking and Loading Management Plan

- (1) A property owner may propose to the Director a Parking, Bicycle Parking and Loading Management Plan prepared by a professional traffic engineer or parking consultant documenting that a lower amount of off-street parking, and/or bicycle parking, and/or loading is adequate to meet the needs of the proposed use or combination of uses and to prevent traffic and parking congestion on surrounding streets or public lanes: because of the unique patterns of peak hour use, the proximity of other public parking areas, proximity to major transportation routes, or other factors, without the imposition of additional parking management tools.
- (2) If the Director concludes that the proposed Parking, Bicycle Parking and Loading Management Plan will provide off-street parking, bicycle parking, and/or loading adequate to meet the needs of the proposed use or

combination of uses and to prevent traffic or parking congestion on surrounding streets and public lanes, the Director may approve the Parking, Bicycle Parking and Loading Management Plan and may reduce the amount of required off-street parking, bicycle parking, and/or loading required to conform with the approved plan.

- (3) Once a Parking, Bicycle Parking and Loading Management Plan is approved, that owner shall provide parking spaces, bicycle parking spaces, and loading spaces in accordance with the Parking, Bicycle Parking, and Loading Management Plan which has been approved by the Director.
- (4) Any owner of land in the overlay district may, in accordance with this overlay and this By-law, submit to the Director for approval
 - (a) A Parking, Bicycle Parking and Loading Management Plan for the overlay district; or
 - (b) An amended Parking, Bicycle Parking and Loading Management Plan for the overlay district.

23. All bicycle parking spaces in the PDO-2 Westport Festival must comply with the following design standards

- (1) Be located with convenient access to major building entrances
- (2) Include short and long-term bicycle parking facilities
- (3) Racks or lockers made from high quality materials anchored with bolts to either concrete or asphalt surfaces of the ground, floor, or wall
- (4) Located in well-lit areas
- (5) Wherever possible, situated close to bicycle friendly routes
- (6) Located at ground level or accessible from ground level

Signage

24. The Director may approve a Master Signage Plan for the overlay district in accordance with this overlay and this By-law

25. An owner of land in the overlay district must not erect signage on his land unless the sign(s) are in accordance with the Master Signage Plan which has been approved by the Director and Community Committee.

26. Any owner of land in the overlay district may, in accordance with this overlay and this By-law, submit to the Director and to the Community Committee for the area where the land is located, for approval

- (1) A Master Signage Plan for the overlay district; or

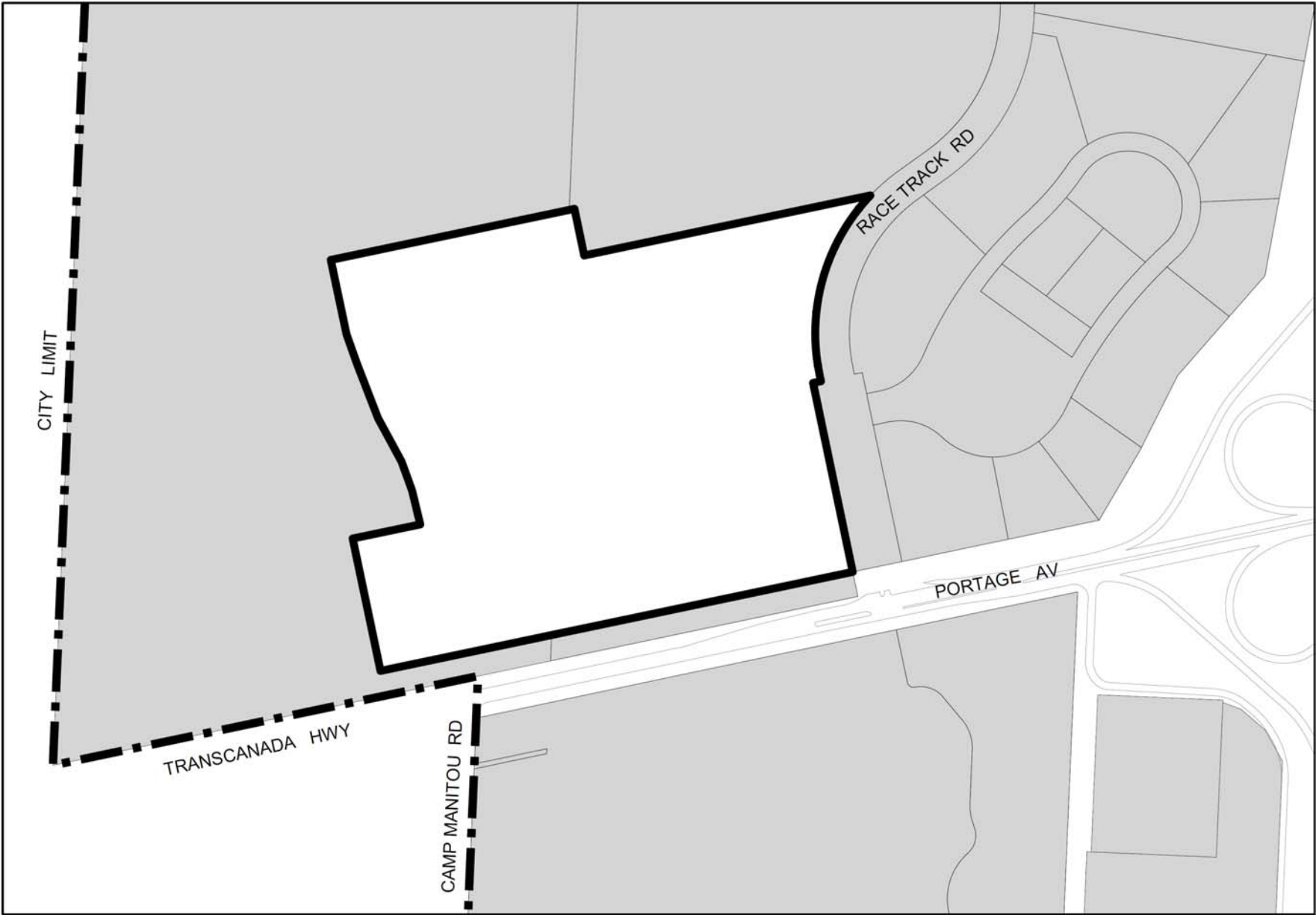
(2) An amended Master Signage Plan for the overlay district.

27. Provided that a Master Signage Plan is submitted to and approved by the Director and the Community Committee, the following dimensional standards shall apply:

- (1) Maximum number of freestanding signs permitted within the PDO-2 Westport Festival as shown on map 1: 8
- (2) Maximum sign surface area per freestanding sign:
 - i. 4 signs: 400 square feet
 - ii. 4 signs: none
- (3) Maximum height per freestanding signs:
 - i. 4 Signs: 45 feet
 - ii. 4 Signs: 155 feet
- (4) Maximum number of flags permitted with the PDO-2 Westport Festival as shown on map 1: 8
- (5) Maximum height per flag: 40 feet

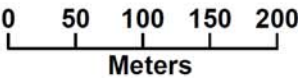
28. Freestanding signage may be located anywhere within the PDO-2 Westport Festival, as identified on map 1, in accordance with an approved Master Signage Plan for the overlay district.

29. Freestanding signage may display messages directing attention to a business, commodity, service, thing, message, or entertainment conducted, sold, or offered anywhere within the precinct area identified on map 2, in accordance with an approved Master Signage Plan for the overlay district.



 "PDO-2 Westport Festival"

Map 1 - Westport Festival





 PRECINCT AREA

Map 2 - Westport Festival

0.0 0.1 0.2 0.3 0.4 0.5
Kilometers

