

THE CITY OF WINNIPEG

BY-LAW NO. 49/2010

A By-law of The City of Winnipeg to amend the Winnipeg Zoning By-law No. 200/2006, the Downtown Winnipeg Zoning By-law No. 100/2004 and the Planning, Development and Building Fees By-law No. 77/2009 with respect to communication facilities.

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

1 *The Winnipeg Zoning By-law No. 200/2006 is amended*

(1) *in section 48:*

- (a) *by adding the following definition after the definition "commercial school":*

"communication facility" means a range of wireless communication facilities, including freestanding and building-mounted cellular and personal cellular service (PCS) providers and other point-to-point and point-to-multi-point wireless communication facilities including radio and television broadcasting, using a variety of technologies.

- (b) *by repealing the definitions "wireless communication freestanding tower" and "wireless communication building-mounted tower".*

(2) *in section 59, by adding the following after subsection (5):*

Communication Facility

- (5.1) A communication facility is a permitted use in all zoning districts if it complies with the Communication Facility Protocol adopted by Council.

(3) *in section 62:*

- (a) *in Table 4-1: Principal Use Table, under Transportation, Utility and Communications, by striking out Use Category "Communications" and Use Types "Wireless communication, building-mounted tower" and "Wireless communication, freestanding tower" and all corresponding entries in those rows;*

- (b) *in Table 4-2: Accessory Use Table, by striking out Use Category "wireless communication, building-mounted tower" and all corresponding entries in that row.*
- (4) *by repealing sections 99 and 100.*
- (5) *by adding the following after section 131:*

131.1 This Part does not apply to communication facilities.
- (6) *in section 161, Table 5-9: General Accessory Parking Requirements, under Parking Category 0, by striking out "Wireless communication, building-mounted tower" and "Wireless communication, freestanding tower".*

2 *The Downtown Winnipeg Zoning By-law No. 100/2004 is amended*

- (1) *by adding the following after subsection 200(10):*

Communication Facility
200(11) A communication facility is a permitted use in all sectors if it complies with the Communication Facility Protocol adopted by Council.
- (2) *in subsection 310(2), under Transportation, Utility, & Communications, by striking out "Wireless communications tower" and the corresponding entry in that row.*
- (3) *in subsection 410(2), under Transportation, Utility, & Communications, by striking out "Wireless communications tower" and the corresponding entry in that row.*
- (4) *in subsection 510(2), under Transportation, Utility, & Communications, by striking out "Wireless communications tower" and the corresponding entry in that row.*
- (5) *in subsection 610(2), under Transportation, Utility, & Communications, by striking out "Wireless communications tower" and the corresponding entry in that row.*
- (6) *in subsection 700(3):*
 - (a) *by adding the following definition after the definition "commercial marina":*

"Communication facility"

Means a range of wireless communication facilities, including freestanding and building-mounted cellular and personal cellular service (PCS) providers and other point-to-point and point-to-multi-point wireless communication facilities including radio and television broadcasting, using a variety of technologies. "; and

(b) *by repealing the definition "wireless telecommunications tower".*

3 *The Planning, Development and Building Fees By-law No. 77/2009 is amended by adding the following after section 72:*

Communication facility proposal review

72.1 The following fee is hereby imposed for a communication facility proposal review..... \$1,076.00

DONE AND PASSED this 28th day of April, 2010.