THE CITY OF WINNIPEG

BY-LAW NO. 200/2006

A By-law of THE CITY OF WINNIPEG to promote the orderly use and development of land and the location of buildings and structures in the City of Winnipeg as defined in The City of Winnipeg Charter excepting lands covered by the Downtown Winnipeg Zoning By-law No. 100/2004.

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

PART 1: ADMINISTRATION

GENERAL

Title

1. This By-law may be cited as the "*City of Winnipeg Zoning By-law*" or the "*Winnipeg Zoning By-law*".

Purpose

2. This By-law is intended to promote orderly and thoughtful development of real property and development in the city, except for the part of the city governed by the *Downtown Winnipeg Zoning By-law*, in order to promote the health, safety and general welfare of the City and to implement the provisions of *Plan Winnipeg* and the adopted Secondary Plans included in Schedule A.

Application

3. (1) This By-law controls and regulates the use and development of land in the City of Winnipeg, with the exception of the area of the city governed by the *Downtown Winnipeg Zoning By-law*, as shown on the Zoning Maps in Schedule B to this By-law.

(2) All activity and development within the area to which this By-law applies must conform to the provisions of this By-law and must be consistent with *Plan Winnipeg* and with any adopted Secondary Plans that cover the land in question.

(3) This By-law does not apply within streets, public lanes, paths or pathways, or public walks within a zoning district.

(4) This By-law does not apply to the construction, maintenance, or operation of public service works within a public utility right-of-way.[1]

Relation to Other By-laws

4. When this By-law and another by-law contain conflicting or overlapping provisions, the most restrictive or highest standard is applicable.

Effective Date

5. This By-law comes into force on March 1, 2008.

[1] NOTE: *The City of Winnipeg Charter* defines "public service works" as: "(a) water control works, bank stabilization works, docks, publicly owned open-air structures used for recreational purposes, (b) works used to provide services or commodities to the public by the Crown or the city, and (c) works used for or incidental to the operation of a public utility as defined in section 1 of The Public Utilities Board Act."

DEVELOPMENT TO COMPLY

Requirement for Compliance with By-law

6. (1) No development or use of land or a building may take place or be maintained except in conformity with this By-law and with any development agreement, variance, conditional use approval, condition or permit issued under this By-law.[2] The duty to comply with this By-law is imposed on the owner of a parcel or a building and on any person who has charge or control of the parcel or building, whether as lessee, tenant, occupier, agent or otherwise. The City's approval of a development application, the issuance of a permit, the approval of drawings and specifications, or completion of inspections does not relieve a person from the responsibility to comply with this By-law or any other by-law.

(2) 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) that the described use or uses operated or proposed to be operated on the lot comply with the applicable zoning rules, agreements and orders;

(b) that the development on the lot complies with all zoning rules, agreements and orders affecting it; and

(c) that the location of the building or buildings on the lot complies with the applicable zoning rules, agreements and order (Zoning Memorandum).

(3) 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.

Conflicting or Overlapping Provisions

7. If two or more provisions of this By-law contain conflicting or overlapping provisions, the most restrictive or highest standard is applicable, except that if the provisions of a zoning district conflict with the provisions of an overlay district as defined in section 57, *Planned Development Overlay Districts,* as they relate to the same parcel of land, the provisions of the overlay zoning district are applicable.

Development Permit Required

8. (1) No person shall undertake or permit the existence of a development that is subject to this By-law without first making application and obtaining a development permit for that purpose except for the following:

(a) subject to subsection 8(2), single level decks 24 inches or less in height above grade located in a side or rear yard of a single family or two-family dwelling;

[2] NOTE: *The City of Winnipeg Charter* defines "building" as "a well, pipe line, conduit, cut, excavation, fill, transmission line and any structure or erection, and any part of any of those things, and also includes an addition to or extension of any building or any of those things and a chattel that is attached to, or installed in or on, any building or any of those things. *The City of Winnipeg Charter* defines "development" to be "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, or the excavation of land."

(b) subject to subsection 8(2), permitted accessory structures less than 108 square feet in building area located in a side or rear yard of a single family or two-family dwelling;

(c) permitted fences located in a side or rear yard of a single family or two-family dwelling;

(d) in all zoning districts, temporary tents less than 901 square feet in building area.

(2) Where a lot does not abut upon a public lane or City-owned land acquired for a lane widening and where an attached garage or carport is not provided, clauses (1)(a) and (b) apply only if one interior side yard is a minimum of 8 feet clear of all projections except eaves and gutters.

(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.

(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 *Planning Development and Building Fees By-law*.

(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 6 months from the date of issuance of the permit, or within any extensions of that time period granted by the Director, and reasonably continued without interruption after such period.

(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.

(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 is in accordance with this By-law.

(8) 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 expiration date an extension is granted by the Director.

(9) 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 without limitation 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

(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.

ZONING AND URBAN INFILL AREA MAPS

Zoning District Maps

9. The location and boundaries of the zoning districts established in Part 3, Zoning Districts, are shown on the Zoning Maps in Schedule B.

Urban Infill Areas Maps

10. While newer portions of the city have been divided or can be divided into parcels that are of adequate size and shape to accommodate the general standards of this By-law related to required on-site parking and landscaping, some older portions of the city have been divided into parcels that are too small or shallow to accommodate such parking and landscaping. In order to promote infill redevelopment in older portions of the city, the City of Winnipeg hereby provides for the establishment of Urban Infill Areas. Urban Infill standards described in Part 5, Development and Design Standards, of this By-law apply to commercial and institutional and manufacturing zone districts located within that area designated on the Urban Infill Areas Maps in Schedule C to this By-law. The location and boundaries of the Urban Infill Areas provided for in Part 3 are hereby established as shown on the Urban Infill Areas Maps in Schedule C.

Interpretation of Zoning District and Urban Infill Areas Boundaries

11. The following rules apply in the interpretation and application of the Zoning Maps, Schedule B, and the Urban Infill Areas Maps, Schedule C:

(1) Boundaries indicated as approximately following the centre lines of streets, public lanes, footpaths, public walks, rivers, and public rights-of-way are construed to follow such centre lines.

(2) Boundaries indicated as approximately following lot or holding lines on a registered plan are construed as following such lot or holding lines.

(3) Boundaries indicated as approximately following city, community or municipal limits are construed as following the city, community or municipal limits.

(4) Boundaries indicated as following a railway right-of-way or a public utility right-of-way are construed as following the centre line of the right-of-way unless clearly designated otherwise.

(5) Boundaries indicated as following the shorelines of streams or rivers are construed as following the centre line of such streams or rivers.

(6) If a street, public lane, footpath, or public walk shown on the Zoning Maps is lawfully closed, the land formerly comprising it shall be included within the zoning district within which it is located. If the centre line of said closed right-of-way was a zoning district boundary between two or more different zoning districts, the zoning district boundary shall continue to be the former centre line.

INTERPRETATION

Illustrations

12. Drawings and illustrations form part of this By-law and are provided to assist in interpreting and understanding the By-law. Where any conflict or inconsistency arises between a drawing or illustration and the text of the By-law, the text governs.

Tables

13. Tables form part of this By-law and provide regulatory standards, either to supplement text or in place of text. Table headings, including column headings, row headings, and groupings of columns and rows, form part of this By-law, and have legal effect. Table notes, located within the tables, indicate special situations that affect the application of standards to specific zone districts and are also part of this By-law. Where any conflict or inconsistency arises between a table and the text of the By-law, the text governs.

Abbreviations

14. Each zoning district created in Part 3 of this By-law may be abbreviated with the letter and number designations used in Part 3 throughout this By-law. The meanings of other abbreviations contained in maps, illustrations and tables are found either in those maps, illustrations, and tables or in the text immediately preceding or following them.

Headings

15. Part, section, subsection, clause, subclause, and paragraph headings are not part of this By-law.

Footnotes

16. Footnotes are not part of this By-law. They are provided to assist in cross-referencing to relevant provisions of other by-laws or legislation.

DIRECTOR OF PLANNING, PROPERTY AND DEVELOPMENT

Duties and Powers of the Director

17. (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*.

(2) Where an address for sending a copy of the order, recommendation or decision or other document is required, one of the following must be used:

(a) 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;

(b) if the person to be served is the occupant of real property, the street address for that property; or

(c) the address for service provided by the person to be served in an application to the City under this By-law.

(3) The Director must not issue a permit to a person who has failed to pay any fees owing to the City under this By-law.

(4) The Director must not issue a permit to a person where issuing it would result in or lead to a violation of this or any other By-law.

Revoking a Permit

18. The Director may revoke a permit when there is a violation of any of the conditions under which the application was approved or the permit issued.

Permitted Projections

19. The Director may allow an obstruction or exception not listed in sections 159, *Permitted Projections into Required Front, Side, and Rear Yards,* and 160, *Permitted Projections Through Maximum Height Limits,* of this By-law, provided the obstruction or exception will have no greater impact on surrounding properties than those permitted.

Appeal

20. An appeal from an order or decision of the Director under this By-law may be made to a Committee of Council to which the conduct of appeal hearings under this By-law has been delegated in accordance with *The City of Winnipeg Charter*.

PROTECTED NON-CONFORMITIES

Purpose of This Division

21. The provisions of this division are intended to supplement those provisions addressing non-conformities in *The City of Winnipeg Charter*. It provides extended protection to certain uses and buildings that would otherwise be legal non-conformities under *The City of Winnipeg Charter*.

Protected Uses

22. No use that lawfully exists on the effective date of this By-law is non-conforming solely because:

(1) When it was established no conditional use approval was required and under this By-law conditional use approval is required; or

(2) It exists with less than the accessory off-street parking or loading spaces required by this By-law; or

(3) It exists with a non-conforming accessory sign.

Prior Non-conformities Continue

23. A protected non-conformity that existed prior to the effective date of this By-law remains a protected non-conformity for the purposes of this By-law unless it complies with this By-law. The intent of this By-law is to permit a non-conformity to continue until it is removed but not to encourage its survival.

Structural Alterations

24. A building devoted to a non-conforming use may be structurally altered:

(1) To comply with a legal requirement;

(2) To accommodate a conforming use;

(3) To conform to the development standards of Part 5; or

(4) In the course of an enlargement permitted in accordance with section 26, *Expansion of Non-Conforming Use*.

Repair or Incidental Alterations to a Non-Conforming Use

25. Repairs or incidental alterations to a building occupied by a non-conforming use may be made as follows:

(1) To the exterior of the building; and

(2) To those portions of the interior of the building occupied by the non-conforming use, or in connection with an expansion of the non-conforming use permitted in accordance with section 26, *Expansion of Non-Conforming Use*.

Expansion of Non-Conforming Use

26. A non-conforming use may be enlarged if:

(1) It is a single-family or two-family dwelling and the enlargement conforms to the applicable district dimensional standards; or

(2) The enlargement is required to comply with the provisions of this By-law related to off-street parking or loading spaces.

Non-Conforming Use Discontinued for 12 Months

27. A non-conforming use of a structure or of a parcel of land, or portion thereof, which is, or hereafter becomes, abandoned, vacant or unoccupied, and remains vacant and unoccupied for twelve consecutive months, shall not thereafter be occupied or used except for a use which conforms to the applicable district regulations. For the purpose of this Part, the stock in trade within the structure or on the land shall not in itself constitute a use thereof, nor shall the occasion or partial operation of such equipment or the presence of any stock in trade in itself constitute a use of any structure or parcel of land.

Accessory Uses

28. A use that is accessory to a principal non-conforming use may continue as long as the principal use exists.

Repairs or Incidental Alterations to Non-Conforming Structure

29. Repairs or incidental alterations may be made to a non-conforming structure.

30. If a non-conforming building is damaged to the extent of 50 percent or less of the value of an equivalent new building, repairs or restoration that result in any non-conformity with the regulations for the district where it is located may be made if a building permit is obtained within 180 days of the date of damage, and restoration is actually begun within one year and is diligently pursued to completion. The determination of the reduced structural valuation will be made by the City, or, at the applicant's option, by a certified independent appraiser.

Expansion of Non-Conforming Structure

31. A non-conforming structure may be enlarged or extended, provided that the use of the structure conforms with the regulations of the applicable zoning district and the enlargement or extension would not create a new non-conformity or increase the degree of non-conformity. The addition or enlargement shall conform to all the applicable zoning district dimensional standards in which the non-conforming structure is located.

Damage to a Non-conforming Structure

32. The right to maintain a non-conforming structure shall terminate when;

(1) The structure is damaged, in any manner whatsoever, to the extent the cost of repairing such damage exceeds one hundred percent (100%) of the structure's assessed value on the last revised assessment roll; or

(2) The structure has been abandoned and/or deteriorated from natural causes to the extent that the cost of repair or renovation would exceed one hundred percent (100%) of its assessed value on the last revised assessment roll.

Lots of Record

33. No structure may be erected on a lot of record unless:

(1) The parcel of land was on record in the Winnipeg Land Titles Office prior to the effective date of this By-law, or amendments thereto, and did not form part of a larger contiguous holding under the same ownership;

(2) The parcel of land is in separate ownership and is not part of a continuous frontage with other parcels of land of the same ownership; and

(3) The yards are provided as set forth in the dimensional standards table of the district in which the parcel of land is located, except that where width is a factor of the non-compliance, the side yards may be reduced to 10 percent of the width of the lot but shall not be less than 3 feet.

Non-conforming Signs

34. A non-conforming sign may be structurally altered, reconstructed, or replaced in the same location and position in any way that does not change the size, height, or degree of illumination of the sign, and does not create a new non-conformity or increase an existing non-conformity.

EFFECTS OF PUBLIC LAND ACQUISITION

35. The following applies to lots created by public land acquisition:

(1) If a lot is separated from the street upon which it would otherwise front by a parcel acquired by the City for the purpose of street-widening, the lot is deemed to have frontage on that street and a building or structure may be erected, or enlarged, altered or repaired and used on such lot provided that it conforms to all other requirements of this By-law.

(2) If a lot having a lesser width and/or area than that required by this By-law is created by expropriation or street-widening or other land acquisition from the owner of the lot by the City and the non-conformity is due to no other cause, the lot is deemed to comply with this By-law and a building or structure may be erected, altered or repaired and used on the lot provided that it conforms to all other requirements of this By-law.

(3) If a building or structure having lesser yards than those required by this By-law is created in the manner described in subsection (2), the building or structure is deemed to comply with this By-law and may:

(a) be maintained, altered or repaired and used, provided that it conforms to all other requirements of this By-law; and

(b) be enlarged, provided that a substandard yard is not further decreased.

VARIANCE ORDERS

36. Where an owner requests a Variance Order from the provisions of this By-law, the person or body with the authority to approve a variance must not grant a Variance Order unless in the opinion of the person or body, the provisions of this By-law have an injurious effect on the owner's property. For purposes of this determination, injurious effects includes physical characteristics of the owner's site that make it difficult or impossible to comply with the provisions of this By-law, but does not include conditions created by the owner or conditions generally shared with other properties in the same area. Without restricting the generality of the foregoing, only the provisions of Parts 4 and 5 may be the subject of a Variance Order.

REMEDIES AND PENALTIES

37. An individual found guilty of an offence under this By-law is liable on summary conviction to the following fines, which may not exceed $10,000:

(1) For a first offence, a fine of not less than $100;

(2) For a second offence with respect to any property, a fine of not less than $500; or

(3) For a third or subsequent offence with respect to any property; a fine of not less than $1,000;

or to imprisonment for a term not to exceed 6 months or both a fine and imprisonment.

38. A corporation found guilty of an offence under this By-law is liable on summary conviction to a fine of not more than $15,000:

(1) For a first offence, a fine of not less than $500;

(2) For a second offence, with respect to any property a fine of not less than $1,000;

(3) For a third or subsequent offence; with respect to any property a fine of not less than $1,500.

39. In addition to those remedies and penalties listed in sections 37 and 38 above, the City may impose any other remedy or penalty specifically provided for in this or another By-law.

40. A Director or officer found guilty of authorizing, permitting or acquiescing in an offence by a corporation is liable to the penalties set out in section 37.

41. Where a contravention of this By-law continues for more than one day, the person is guilty of a separate offence for each day the contravention continues.

TRANSITION FROM PREVIOUS BY-LAW

Repeal

42. The following By-laws are repealed:

(1) The *Winnipeg Zoning By-law No. 6400/94*;

(2) The *Airport Vicinity Protection Area Zoning By-law No. 6418/94*;

(3) The *X-rated Store Zoning By-law No. 6087/93*.

Transition

43. (1) Notwithstanding section 42, *Repeal*, a Variance Order or Conditional Use Order issued pursuant to the *Winnipeg Zoning By-law No. 6400/94*, the *Airport Vicinity Protection Area Zoning By-law No. 6418/94*, or the *X-rated Store Zoning By-law No. 6087/93* issued more than two years and one day prior to the effective date of this By-law is hereby repealed unless the order contains one or more conditions that remain in effect.

(2) Any use of land or a building lawfully in existence under applicable laws, plus a Variance or Conditional Use Order or both, upon enactment of this By-law and repeal of that order or orders shall be deemed to comply with this By-law to the extent and for the period of time authorized by such order(s).

(3) Any use lawfully in existence prior to this By-law, which did not require a Conditional Use Order prior to this By-law, but that would require a Conditional Use Order to comply with this By-law, shall be deemed to have a Conditional Use Order sufficient to create compliance with this By-law provided that no addition, enlargement or expansion is approved as a Conditional Use under this By-law.

Applications in Process

44. A development for which final approval was granted prior to the effective date of this By-law may be completed in accordance with the provisions of Winnipeg Zoning By-law 6400/94 or the approved plan, subdivision documents, and any other approved order, permits and conditions.

45. Where a development application has been submitted for any type of approval required by the *Development Procedures By-law*, but no final action had been taken by the appropriate decision-making body on such application prior to the effective date of this By-law, the application shall be reviewed and considered in accordance with either the provisions of the By-law in place on the date of submittal or the provisions of this By-law, at the applicant's option.

PART 2: DEFINITIONS

DEFINITIONS

Rules of Construction

46. The following rules of construction apply to the text of this By-law:

(1) Words, phrases and terms defined in this By-law must be given the defined meaning;

(2) Words, phrases and terms not defined in this By-law but defined in the building, electrical or plumbing by-laws of The City of Winnipeg must be construed as defined in such by-laws;

(3) Words, phrases and terms neither defined in this By-law nor in the building, electrical or plumbing By-laws of The City of Winnipeg must be given their usual and customary meanings except where the context clearly indicates a different meaning;

(4) Where any requirement of this By-law results in a fraction of a unit, a fraction of one-half or more is considered a whole unit and a fraction of less than one half, is disregarded;

(5) The terms "shall" and "must" are mandatory and not permissive; the word "may" is permissive and not mandatory;

(6) Words used in the singular include the plural and words used in the plural include the singular;

(7) Words used in the present tense include the future tense and words used in the future tense include the present tense;

(8) The phrase "used for" includes "arranged for", "designed for", "maintained for" or "occupied for"; and

(9) The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.

Rules of Measurement

47. The following rules of measurement apply to the text of this By-law:

Building Height

(1) Building height is measured as the vertical distance from grade to:

(a) the highest point of the roof surface of a flat roof or a shanty roof; or

(b) to the deck of a mansard roof; or

(c) to the mean height level between the eaves and ridge of a gable, hip or gambrel roof.

(2) Where the slope of a gable, gambrel, or hip roof, or any portion of such roof is less than 1:3 (rise:run), the building height is measured as though the roof were flat.

(3) Where a roof contains multiple gables, multiple ridgelines, or multiple flat surfaces, or a combination of those features, the measurement is made pursuant to the provisions of subsection (1) above as they apply to that portion of the roof resulting in the highest measurement. (See Illustration 1.)

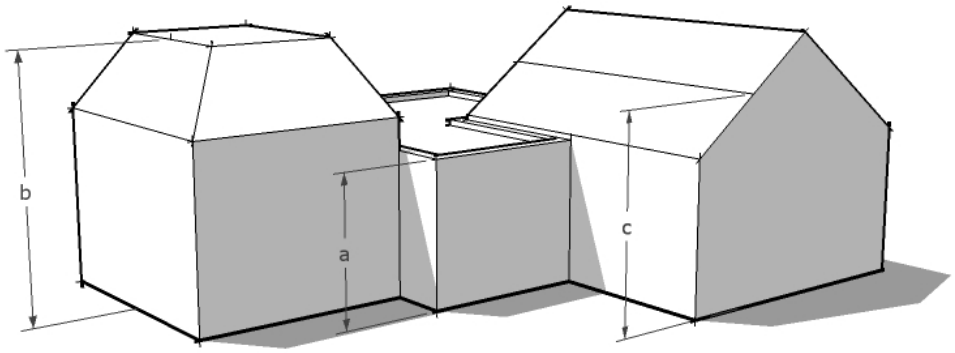


Illustration 1: Building Height
Height (a) indicates measurement for flat or shanty roof; height (b) indicates measurement for a mansard roof; and, height (c) indicates measurement for a gable or hipped roof at the mean level between ridge and eave. Overall height for the structure is determined based on the highest of the various measurements - in this case, height (b).

Floor Area Ratio (FAR)

(4) Floor area ratio (FAR) is measured as the gross floor area of all buildings on a lot or parcel, divided by the lot area, except that such floor area does not include any area used for parking within the principal building and does not include any area used for incidental service storage, installations of mechanical equipment, penthouses housing ventilators and heating systems, and similar uses. (See Illustration 2.)

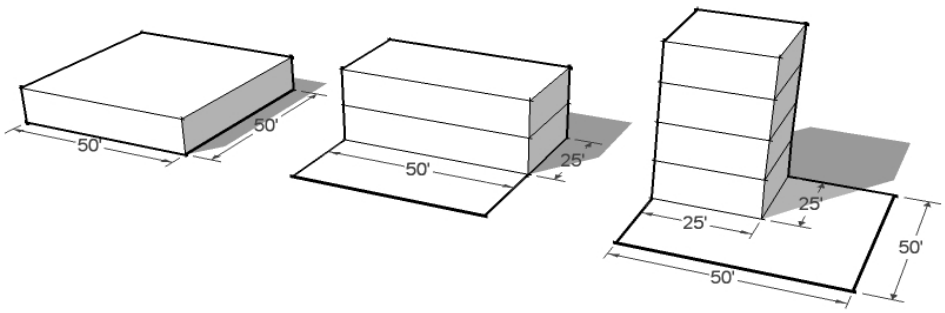


Illustration 2: Floor Area Ratio
In this illustration, a floor area ratio (FAR) of 1.0 is depicted in three ways: a single-storey building occupying the entire lot; a two-storey building occupying one-half the lot; and, a 4-storey building occupying one-quarter of the lot. In each case, the total floor area is equal to the lot size.

Lot Area

(5) Lot area is measured as the amount of gross land area contained within the property lines of a lot or parcel.

Lot Coverage

(6) Lot coverage is measured as the percentage of the total lot area covered by buildings. It is calculated by dividing the square footage of building cover by the square footage of the lot, except that the following structures are not counted as covered areas for purposes of determining lot coverage:

(a) areas covered by open swimming pools and hot tubs;

(b) open decks, landings, and stairs less than 4 feet above grade (See Illustration 3.);

(c) accessory structures with a cumulative lot coverage under 108 square feet in total area; and

(d) any permitted projections.

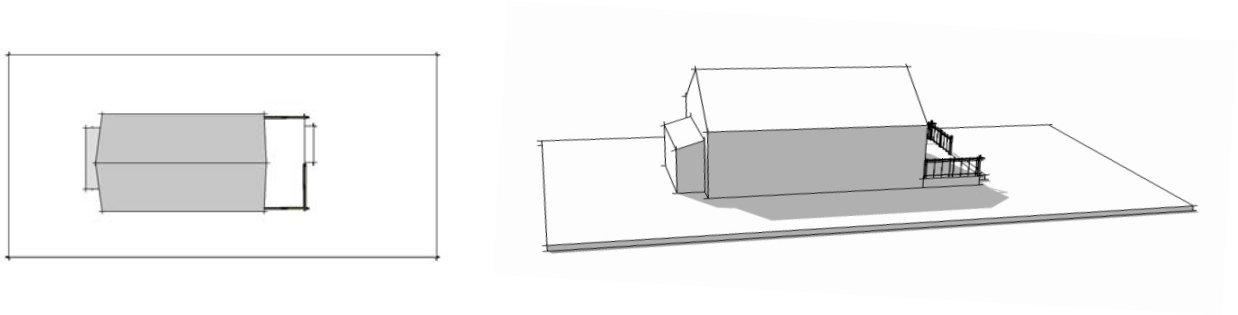


Illustration 3: Lot Coverage

Lot coverage is the ratio between the total area covered by buildings and the lot size. In this example, the uncovered deck (less than 4 feet above grade) would not count as building cover. The building footprint (shown as shaded in the plan view) divided by the lot size would determine lot coverage.

Lot Depth

(7) Lot depth is the depth of a lot from the street, measured as the horizontal distance between the centre points in the front and rear lot lines, and generally equal to the horizontal length of the lot depth line. In the case of a flag lot, the lot depth is measured as one-half of the cumulative horizontal lengths of all of the sidelines of the lot.

Lot Depth Line

(8) (a) for an interior lot or corner lot, the lot depth line is the line between the front lot line centre point to the rear lot line centre point. (See Illustration 4.)

(b) for a through lot, the lot depth line is the line between the centre points on the two front lot lines with the maximum horizontal separation.

Lot Line Centre Point

(9) The centre point of a lot line is located at one-half the cumulative distance of the length of all line segments or arcs forming the lot line. (See Illustration 4.)

Lot Width

(10) Lot width is the lesser of the horizontal distance between the side lot lines of a lot, measured at right angles to the lot depth line at a point midway between the front and rear lot lines, or at 50 feet from the front lot line. (See Illustration 4.)

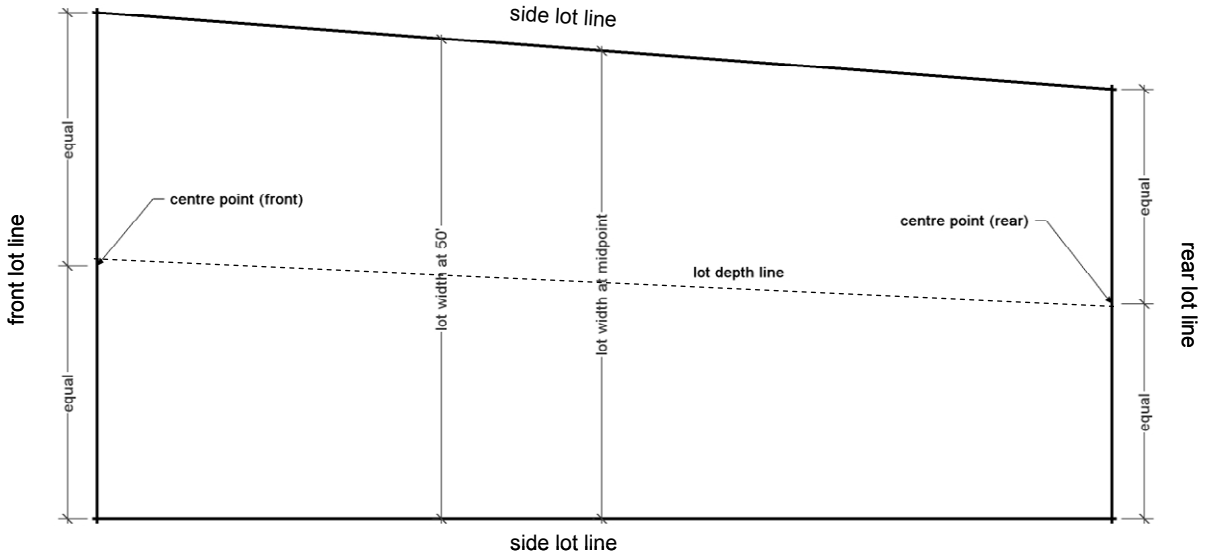


Illustration 4: Lot Width

Yards or Setbacks

(11) Yards are those areas of lots that are unobstructed from the ground to the sky except as otherwise specifically allowed in sections 19, *Permitted Projections,* and 159, *Permitted Projections into Required Front, Side, and Rear Yards*, of this By-law. Yards (also known as setbacks) are measured using the horizontal distances measured between the lot line and the closest foundation wall of a building or structure along a line perpendicular to the lot line.

General Terms

48. The following definitions apply to the text of this By-law:

A

"abut or abutting" means immediately contiguous to or touching and, when used with respect to a lot or site, means the lot or site touches upon another lot, site, right-of-way, or piece of land and shares a property line or boundary with it.

"accessibility" means the ability of persons with disabilities to enter and use facilities without having to avoid significant obstacles that are not inherent in the design of the facility.

"accessory building, structure, or use" means a building, structure, or use established or erected in conjunction with or subsequent to the establishment or erection of a principal building, structure, or use approved under this By-law, and is subordinate or incidental to, and located on the same zoning lot as, a principal building, structure, or use.

"adjacent" means properties or uses that abut one another or are separated by a street or other publicly-dedicated right-of-way, canal, or railroad right-of-way.

"adult service or entertainment establishment" means an establishment where any exhibition, display, dance, or service, or the sale or rental of products that involve the presentation or exposure to view of any portion of the female breast below the top of the areola, male genitals, female genitals, or the pubic hair, anus, or cleft of the buttocks of any person, or male genitals in a discernibly turgid state even if completely and opaquely covered but does not include establishments licensed by the Manitoba Liquor Control Commission, a dating and escort service, a massage parlour that do not meet the criteria above, or an "x-rated store".

"agricultural activity" means a use of land for agricultural purposes including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry.

"agricultural building" means a structure on agricultural land designed, constructed, and used to house farm implements, livestock, or agricultural produce or products used by the owner, occupant, employees, and persons engaged in the pick up or delivery of agricultural produce or products grown or raised on the premises but does not include a dwelling.

"agricultural cultivation" means the raising for consumption or commercial sale of agricultural vegetation, including vegetables, grains, fruits, plants, sod, trees, and other similar products.

"agricultural grazing and feeding" means the practice of keeping cattle, sheep, horses, or other similar animals on fields for the purpose of grazing and feeding, and includes livestock pasturing, dairy operations, and fur farming.

"airport and associated facilities" means land or water which is used or intended for the landing or take-off of aircraft and any associated areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, including taxi-ways, aircraft storage and tie-down areas, hangers, helipads, and other related buildings and open spaces.

"alteration, incidental" means changes to or replacement of non-structural parts of a building or structure, including:

(a) alteration of interior partitions; or

(b) replacement of, or minor changes in, the capacity of utility pipes, ducts or conduits; or

(c) changes or replacements in the structural parts of a building, including but not limited to the following:

(i) adding or enlarging windows or doors in exterior walls; or

(ii) replacement of building facades.

"amusement device" means any equipment, machine or instrument that may be used or operated as a game, entertainment or amusement, and includes all marble machines, strength testing machines, pinball machines, skill-ball machines, mechanical grab machines, flipper games, shooting galleries, electronic dartboards, electronic games, mechanical rides, shuffleboards,

billiard tables, but does not include video lottery terminals as licensed by the Province of Manitoba.

"amusement enterprise, indoor" means a commercial establishment designed and equipped for assembly occupancy uses for the conduct of sports, exercise, and/or leisure-time activities within a fully enclosed building, uses of which include: arcade games, billiards, bingo, bowling, skating/roller rinks, go kart tracks, shooting ranges, and paintball arcades, and related amusements.

"amusement enterprise, outdoor" means an outdoor facility whose main purpose is to provide the general public with entertainment or recreation, with or without charge, including amusement parks, batting cages, drive-in theatres, golf driving ranges, miniature golf courses, go-cart tracks, target sport ranges, skating rinks, skateboard parks, swimming pools, water parks, zoological parks, and similar uses.

"animal hospital or veterinary clinic" means an establishment providing inpatient and outpatient services for domestic animals which might involve indoor facilities only, or both indoor and outdoor facilities, depending on the zoning district in which they are located.

"apiary" means a place where bee colonies, hives, combs, or appliances are kept.

"applicant" means, unless otherwise specified, a registered owner or an owner's authorized agent, who has filed an application subject to the provisions of this By-law.

"assisted living facility" means a facility where meals, lodging, and continuing nursing care are provided for compensation, including assisted living facilities, nursing homes, retirement homes, and medical receiving homes.

"auction room" means a building or portion of a building used for the public sale of goods, merchandise, or equipment, other than livestock, vehicles or heavy equipment, to the highest bidder.

"auction yard" means a place where vehicles or heavy equipment (operable or inoperable) are offered for sale to the highest bidder.

"auditorium, concert hall, theatre or cinema" means an establishment devoted to showing motion pictures or dramatic, dance, musical, or other live performances.

"auto / light truck / motorcycle, sales and rental" means the storage, display, sale, lease, or rental of new or used vehicles, including automobiles, light trucks, motorcycles, and similar vehicles and may include repair and service. This use does not include junk or salvage operations. Light trucks include those with a gross vehicle weight of 10,000 pounds or less.

"auto / light truck / motorcycle, repair and service," means an establishment involved in the repair and maintenance of automobiles, light trucks, motorcycles, and similar vehicles. Services include engine, transmission, or differential repair or replacement; body work; upholstery work; painting; engine tune-ups; oil change and lubrication; brake repair shop; tire store; detailing and polishing, and associated repairs. Vehicle parts ordinarily installed on the premises may be sold.

"auto parts and supplies, sales" means an establishment that sells primarily new parts, tires, and other accessories for automobiles, light trucks, motorcycles, recreational vehicles, boats, trailers, snowmobiles, and similar vehicles but does not include establishments dealing primarily in used parts, including junk or salvage operations.

"automated teller machine" means a device that dispenses cash and conducts limited banking transactions for customers using a credit card, bank card, or other similar personal banking card.

"aviary" means a place for keeping birds for the purpose of raising, exhibiting, or selling them.

"awning" means a shelter:

(a) projecting from and supported by the exterior wall of a building;

(b) designed to be collapsible or retractable; and

(c) generally constructed of fabric or similar non-rigid material.

B

"bare land condominium" means a condominium plan upon which one or more units are defined by delineation of the horizontal boundaries of the unit without reference to any buildings.

"basement" means that portion of a building that is partly underground but that has at least one-half of its height from finished floor to finished ceiling above grade.

"bay window" means a large window or series of windows projecting from the outer wall of a building.

"bed and breakfast" means a major home-based business operated as an accessory use to a single-family residential use that provides temporary lodging (other than a hotel or motel) to guests for short periods of time, and that may also provide breakfast to guests.

"boarder or roomer" means a person who is provided lodging with or without meals at another's home for a fee or services.

"boat dock, public access" means a structure built over or floating on water used as a landing place for boats and for other recreational uses by the general public.

"body modification establishment" means a commercial establishment that provides physical body adornment by body piercing or tattooing including scarification and the insertion of implants but excluding piercing of the ear.

"building height". See subsection 47(1).

"building, principal" means the building or structure on a lot used to accommodate the principal permitted use, such use possibly occurring in more than one building or structure.

"bus depot" means an area utilized by commercial carriers for pick-up or drop-off of passengers, including loading and unloading areas, shelters, restrooms, concessions, benches, information offices, parking, ticket sales, landscaping, lighting and other such facilities and appurtenances.

C

"call centre" means a building or a portion of a building in which workers provide support services to offsite customers primarily via telephone interactions. Services to customers are not typically available on a walk-in or over-the-counter basis. Call centres are distinct from "office" uses on the bases of multiple-shift operations (typically 24-hour, seven days a week) and floor space configurations that typically involve dense staff concentrations in comparatively smaller work areas.

"camping ground" means an area or tract of land on which accommodations for temporary occupancy are located or may be placed, including tents and recreational vehicle equipment.

"canopy" means a non-retractable, covered or enclosed rigid structural framework attached to and extending outward from the exterior wall of a building, including theatre marquees, but does not include any structurally integrated architectural feature such as lintels, sills, mouldings, architraves and pediments, or any structures over petroleum pumps.

"car wash" means a facility for the cleaning of automobiles or other motor vehicles, whether operated by the public or by on-site employees, whether or not in conjunction with other goods or services provided to customers.

"care home" means a building or portion of a building used for:

(a) the boarding or other residential accommodation; and

(b) the care, treatment or supervision;

of persons, in which care, treatment or supervision is not provided to any persons not resident in the care home.

"caretaker's residence" means an accessory dwelling on a nonresidential property occupied by the person or family who oversees or guards the operation.

"cellar" means that portion of a building that is partly or wholly underground and which has more than one-half of its height, from finished floor to finished ceiling, below adjacent finished grade as approved.

"cemetery, mausoleum, or columbarium" means land used or dedicated to the interment of human or animal remains, including columbarium, mausoleums, mortuaries and associated maintenance facilities when operated in conjunction with, and within the boundaries of, such cemetery.

"cheque-cashing facility" commonly known as a "payday loan" establishment, means a commercial establishment that engages in the business of cashing cheques, warrants, drafts, money orders, or other commercial paper serving the same purpose but does not include a bank,

savings and loan, or credit union nor establishments selling retail consumer goods, where the cashing of cheques or money orders is incidental to the principal purpose of the business.

"college or university" means a permanent facility for the purpose of undergraduate and graduate instruction, whether privately or publicly funded, and includes on-site dormitories for enrolled students.

"commercial marina" means a commercial facility for the storage, launching, mooring, renting and incidental repair of boats.

"commercial school" means an establishment, other than elementary or junior high schools, senior high schools, or colleges and universities, offering training or instruction in a trade, art, or occupation, including beauty schools, dance schools, and trade or vocational schools.

"community gardens" means a public use of land for the cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family.

"community/recreation centre" means a facility for recreational, social, or multi-purpose use where patrons are primarily participants and any spectators are incidental and attend on a non-recurring basis. Examples include recreation and leisure centres, hockey and skating rinks, curling, swimming pools, bowling alleys, racquet clubs, rifle and pistol ranges, community halls, and community centres.

"conditional use" means a use of a building or land described as a conditional use in this By-law which may be approved under Part 6 of *The City of Winnipeg Charter.* Conditional uses are uses that may have unique or widely varying operating characteristics, may have potential operational or other impacts on adjacent properties, or may have unusual site development demands.

"Conditional Use Order" means an order in respect of an application for a conditional use.

"contractor's establishment" means a building or part of a building or land area for the construction or storage of materials, equipment, tools, products, and vehicles.

"crematorium" means a facility containing a properly installed, certified furnace or other apparatus intended for use in the incineration of human or animal corpses.

"cultural centre" means a building or portion of a building dedicated to the celebration and promotion of a cultural group or groups. A cultural centre is distinct from a private club on the basis of a broader range of uses typically available to customers and guests, including restaurants, retail sales, personal services, theatres, and banquet halls. In addition, customers and guests are not required to be members of a non-profit organization.

D

"dating and escort services" means any business which offers to provide or does provide an introduction between two persons for a period of companionship for which service a fee is charged, levied or otherwise imposed. This use is also regulated under the *City of Winnipeg License By-law*.

"day care" means facilities that provide care for children operated in connection with an employment use, shopping centre, or other principal use, where children are cared for while parents or guardians are occupied on the premises or in the immediate vicinity. No overnight care is provided.

"day care centre" means facilities that provide care for persons on a regular basis away from their principal residence, but do not provide medical treatment or overnight supervision, where the use is the principal use of the property (not an accessory use). This category does not include public or private schools or facilities operated in connection with an employment use, shopping centre, or other principal use, where children are cared for while parents or guardians are occupied on the premises or in the immediate vicinity.

"design standard" means a development requirement related to the design or layout of a site or building set out in sections 205 through 211, *Design Standards*.

"development" has the same meaning as in *The City of Winnipeg Charter.*[3]

"development application" means any application in connection with a development or an approval, permit, order, by-law or amendment that 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 zoning by-law.

"development standard" means a development requirement included in Part 5.

"diameter at breast height (DBH)" means the diameter of a tree or other landscape material at 4½ above grade.

"dimensional standard" means a development requirement that establishes maximum size of buildings and structures on a lot and the buildable area within which the building can be located, including lot coverage, yard requirements, height, floor area ratio, and other standards defined in Part 5.

"Director" means, except where otherwise specified in this By-law, the Director of Planning, Property and Development and his/her delegates.

"dormitory" means a building designed for or used as group living quarters for students of a school, and owned and managed by that school, or by a fraternity or sorority officially recognized by that school.

"drinking establishment" means an establishment or portion of an establishment, licensed by the Government of Manitoba, where the principal purpose of the establishment or portion is the sale of alcoholic beverages to the public, for consumption on the premises.

[3] NOTE: Under *The City of Winnipeg Charter* "development" means the construction of a building 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.

"drive-in or drive-through" means any use designed or operated to allow patrons, while outside on the premises in motor vehicles, to order, request, exchange, donate, or receive goods, wares, merchandise, products, foods, beverages, or services.

"dwelling" means a building or portion of a building designed for and intended to be used for residential occupancy. It does not include establishments for commercial accommodation.

"dwelling unit" means a building or portion of a building designed or used for residential occupancy by a single family, including cooking, eating, living, sanitary and sleeping facilities.

"dwelling, live-work" means a residential dwelling unit that includes working space accessible from the living area, reserved for and regularly used by one or more residents of the dwelling unit, in which working space exceeds 25 percent of gross floor area, but does not include a "home based business".

"dwelling, multi-family" means a structure, located on a single lot, containing 3 or more dwelling units, each of which is designed for or occupied by one family only, with separate housekeeping and cooking facilities for each.

"dwelling, single-family detached" means a building designed for residential occupancy by one family, including modular and ready-to-move homes, but not including a mobile home.

"dwelling, two-family" means a building containing two dwelling units, each designed and used or intended to be used exclusively by one family.

E

"elementary or junior high school" means an accredited school under the sponsorship of a public, private, or religious agency providing instruction to students between the kindergarten and senior high school levels.

"emergency residential shelter" means a facility where emergency temporary lodging is provided to persons who are homeless, due to indigence or disaster, operated by a public or non-profit agency, and where on-site supervision is provided whenever such shelter is occupied.

F

"family" means one person or two or more persons voluntarily associated, plus any dependents, living together as an independent, self-governing single-housekeeping unit.

"farmers' market" means an occasional or periodic market held in an open area or in a structure where groups of individual sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, arts and crafts items, and food and beverages dispensed from booths located on-site.

"feedlot" means a place where the feeding of livestock, poultry, pigs, or small animals takes place for commercial purposes in lots, pens, ponds, sheds or buildings where food is supplied primarily by means other than grazing, foraging, or other natural means.

"fitness or wellness centre, indoor" means a commercial establishment designed and equipped for assembly occupancy uses for the conduct of exercise and/or leisure-time activities within a fully enclosed building, uses of which include: gymnasiums and health clubs, wellness centres, weightlifting establishments, martial arts studios, fitness studios, yoga studios, dance studios, swimming pools, and related fitness and wellness activities.

"fleet services" means a central facility for the distribution, storage, loading and repair of fleet vehicles, with or without associated dispatch services and offices. Typical uses include, but are not limited to, courier, delivery, and express services, cleaning services, key and lock services, security services, and taxi services.

"floor area ratio". See subsection 47(4).

"floor area" means the sum of the gross horizontal areas of the several floors of all buildings and structures on the zoning lot, measured from the exterior faces of exterior walls, or from the centre line of partitions, except spaces in a basement, cellar or penthouse used for mechanical or heating equipment, and except any space within the building used as a parking area or loading area.

"freight or truck yard" means an area or building where cargo is stored and where trucks, including tractors and trailer units, load and unload cargo on a regular basis. The use may include facilities for the temporary storage of loads prior to shipment. The use also includes truck stops or fueling stations where diesel fuel is primarily sold.

"frontage" means that part of a zoning lot fronting on a public road. For the purposes of frontage foot calculations, "frontage" includes all property lines abutting public roads.

"fuel sales" means an establishment operated at a fixed location at which gasoline or any other motor vehicle engine fuel is offered for sale to the public.

"full cut-off lighting" means lighting with a light distribution pattern that results in no light being projected at or above a horizontal plane located at the bottom of the fixture. (See Illustration 5 for examples of full cut-off lighting.)

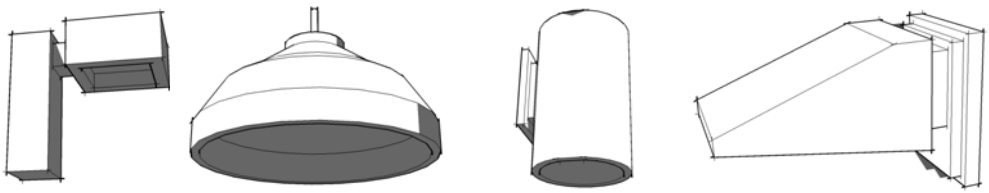


Illustration 5: Full Cut-Off Light Fixtures (Examples)

"fundraising event" means an activity sponsored by a non-profit organization or public entity for the purpose of raising funds or providing information, other than a special event as defined in this Part.

"funeral chapel or mortuary" means a facility for the storage of deceased human bodies prior to burial or cremation, or a building used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.

G

"gallery/museum" means

(a) a commercial establishment engaged in the sale, loan, or display of paintings, sculpture, textiles, antiquities, or other works of art; or,

(b) a permanent facility, open to the public, with or without charge, for the collection and display of paintings, sculpture, textiles, antiquities, or other works of art.

This type of use is distinct from and does not include libraries.

"garbage incineration and reduction" means a facility for the purpose of treating, burning, compacting, composting, or disposing of solid waste.

"golf course" means a tract of land laid out with a course having 9 or more holes for playing the game of golf. This term does not include miniature golf courses nor does it include driving ranges that are not accessory to a golf course.

"grade" means:

(a) for purposes of sign regulations, the elevation established by the City for the surface of the sidewalk or boulevard above which the sign is located and, for a sign completely within private property, the finished ground surface directly underneath the sign; and

(b) for other purposes, the average of the finished ground surface at the midpoint of each wall of a building. In the case of walls that are parallel to and within 5 feet of a public sidewalk, the ground level shall be measured at the sidewalk. (See Illustration 6.)

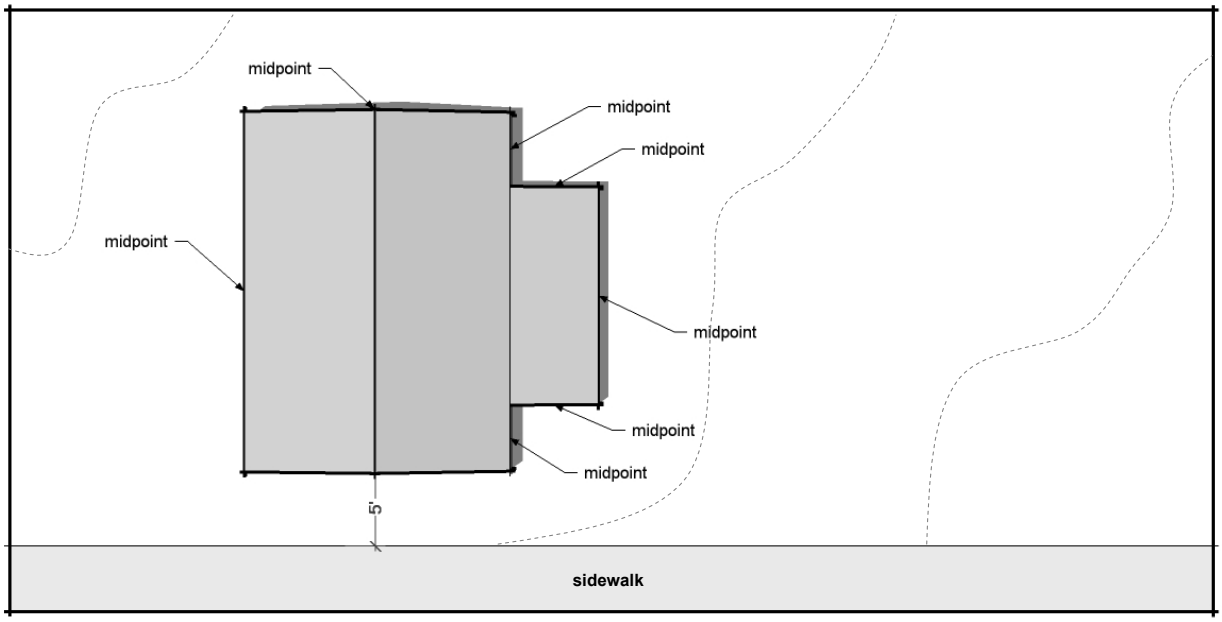


Illustration 6: Building Grade
Building grade is determined at the midpoint of each wall plane. In the case of the wall parallel to and within 5' of the sidewalk, grade is measured from the sidewalk grade.

"grain elevator" means a facility or area for the temporary storage of grain for transferal to trucks, train cars, or other forms of transportation.

H

"habitable room or space" means a room or enclosed space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers, communicating corridors, closets, storage rooms, and rooms in basements or cellars used only for recreational purposes.

"hall rental" means any building or portion of a building that is hired or rented for wedding receptions, private banquets, socials, or other functions to which the public is not admitted and to which no direct fee is charged for admission.

"heavy equipment sales, service, and rental" means a facility that is engaged in the sales and repair of heavy equipment typically used in agricultural, commercial or industrial operations, including tractors, trucks with a gross vehicle weight of over 10,000 pounds, semi trucks and/or trailers, harvesters, loaders and tracked vehicles as well as sales of parts, whether new or used, for heavy equipment.

"heavy manufacturing" means a use of land that includes the assembly, fabrication, and/or processing of goods and materials using processes that ordinarily have greater than average impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of other properties in terms of noise, smoke, fumes, odours, glare, or health or safety hazards, or that otherwise do not constitute "light manufacturing," or any use where the area occupied by outside storage of goods and materials used in the assembly, fabrication, or processing exceeds

25 percent of the floor area of buildings on the lot. Examples include, but are not limited to: battery, chemicals, machinery, and plastics manufacture; mushroom plant; batching plant; packaging plant; slaughterhouse; rendering plant.

"home-based business, major" means an occupation or activity that is accessory to the use of the premises as a dwelling and that does not adversely affect the residential character of the neighbourhood, but that has more impacts than minor home-based businesses.

"home-based business, minor" means an occupation or activity that is accessory to the use of the premises as a dwelling and that does not alter the exterior of the property or affect the residential character of the neighbourhood.

"hospital" means an institution that maintains and operates facilities for inpatient medical care with overnight stays, including x-ray, laboratory, and surgical, for the diagnosis, care, and treatment of human illness, injury, and disease (physical or mental). Outpatient care may also be provided.

"hostel" means a building or portion of a building other than a private home where temporary accommodation with cooking facilities or meals is provided, but not including a hospital, a care home, a rehabilitation home, or a social service facility.

"hotel or motel" means a building or portion of a building providing temporary accommodation in individual guest rooms or suites with or without provision for cooking in any individual guest room or suite.

I

"incidental use" means a use established or erected in conjunction with or subsequent to the establishment or erection of a principal building, structure, or use approved under this By-law, and is incidental to, and located on the same zoning lot as, a principal or accessory use, and that has fewer impacts than an accessory use.

J

[Reserved]

K

"kennel" means an establishment in which dogs or cats are housed, groomed, boarded, trained, bred, or sold, on a daily or overnight basis, for commercial purposes.

L

"landfill" means a permanent facility, either publicly- or privately-owned, operated for the purpose of disposing of or composting solid waste.

"landscape or garden supplies" means an establishment, including a building, part of a building or open space, for the display and/or sale of plants, trees, and other materials used in indoor or outside planting for retail sales and incidental wholesale trade.

"landscape/garden contractor or production" means a location for the production of landscape materials, including commercial greenhouses or nurseries, and the wholesale sale of supplies, plants, trees and landscaping materials.

"landscaping" means any decorative features, such as concrete bases, planter boxes, pole covers, or decorative framing on the sign support or base structures, and shrubs or plants, but does not include any copy or logo.

"lane, public" means a thoroughfare not over 33 feet in width in public ownership that affords only a secondary means of access to abutting property.

"large commercial retail building" means, for purposes of determining the applicability of those "retail building" standards and requirements in subsection 208(5), *Additional Standards for Large Commercial Retail Buildings*, single-storey retail building containing 65,000 square feet or more of gross floor area in which one user or tenant occupies more than 75 percent of the gross floor area.

"light manufacturing" means the assembly, fabrication, and/or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odours, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, where such processes are housed entirely within a building, or where the area occupied by outside operations or storage of goods and materials used in the assembly, fabrication, or processing does not exceed 25 percent of the floor area of buildings on the lot. Examples include, but are not limited to: Electronic equipment assembly and manufacturing and assembly from finished products.

"light truck" means a truck or similar vehicle with a single rear axle and single rear wheels.

"loading aisle" means that portion of a loading facility that provides vehicular access to a loading space, not directly from a driveway. May be shared with a parking aisle.

"loading driveway" means that portion of a loading facility that provides vehicular access from a public right-of-way to a loading space. May be shared with a parking driveway.

"loading space" means that portion of a loading facility, excluding vehicle maneuvering areas such as aisles and driveways, that will accommodate one motor vehicle.

"loading" means an open area of land or an area within a structure, not including within a public right-of-way, used for the loading and unloading of materials, merchandise, or people from motor vehicles.

"lot area" See subsection 47(5).

"lot coverage" See subsection 47(6).

"lot depth" See subsection 47(7).

"lot depth line" See subsection 47(8).

"lot line, front" means:

(a) in the case of an interior lot, all lot limits which abut public streets; or

(b) in the case of a through lot, all lot limits which abut public streets from which vehicular access is permitted; or

(c) in the case of a corner lot, that frontage which is the continuation of the front lot line of an abutting interior lot or, if none, those frontages which, as front lot lines, accord with the intent and purpose of yard requirements under this By-law, as determined by the Director.

"lot line, rear" means:

(a) the lot limit which is most nearly parallel to the front lot line; or

(b) any lot limit which is in whole or in part the rear lot line of an abutting lot and as a rear lot line accords with the intent and purpose of yard requirements or development standards under this By-law; or

(c) in the case of a lot where the side lot lines intersect, the rear lot line is deemed to be a line 10 feet in length, located within the lot, parallel to and at the maximum distance from the front lot line.

"lot line, side" means any lot limit which intersects with a front lot line and which is not a rear lot line in accordance with the intent and purpose of yard requirements under this By-law.

"lot of record" means any parcel of land lawfully existing prior to the effective date of this By-law that does not comply with the applicable district dimensional standards for lots on the effective date of this By-law. A "lot of record" may also be referred to as a "non-conforming lot."

"lot, corner" means a zoning lot that abuts the intersection of two or more public streets, or that abuts the approximately perpendicular intersection of two or more frontages of the same public street. (See Illustration 7.)

"lot, flag" means a lot so shaped and designed that the main building site area is set back from the street on which it fronts and includes an access strip connecting the main building site with the frontage street.

"lot, interior" means a zoning lot that has frontage on only a single public street. (See Illustration 7.)

"lot, reverse corner" means a corner lot, the side street line of which is substantially a continuation of the front lot line of the first lot to its rear.

"lot, through" means a zoning lot that abuts two or more public streets but that does not abut the intersection of those streets. (See Illustration 7.)

"lot, zoning" means a parcel of land that abuts a public street or an unimproved street that is to be improved as a public street to serve that lot pursuant to an agreement with the City, or is separated from a public street that it would otherwise abut by a portion of that parcel acquired out of it by the City or by the Queen in the Right of the Province of Manitoba for the purpose of dyking or future street widening, and which:

(a) conforms to the lot width and lot area requirements of the applicable zoning district and is one entire subdivided parcel, no part of which can separately be conveyed without subdivision approval under *The City of Winnipeg Charter*; or

(b) does not conform to the lot width and/or lot area requirements of the applicable zoning district, which is not contiguous with any parcel registered to the same owner, and which lawfully existed on the date of enactment or amendment of this By-law; or

(c) does not conform to the lot width and/or lot area requirements of the applicable zoning district, which is not contiguous with any parcel registered to the same owner, and which does not conform solely as a result of acquisition of a portion of that lot by the City or by the Queen in the Right of the Province of Manitoba.

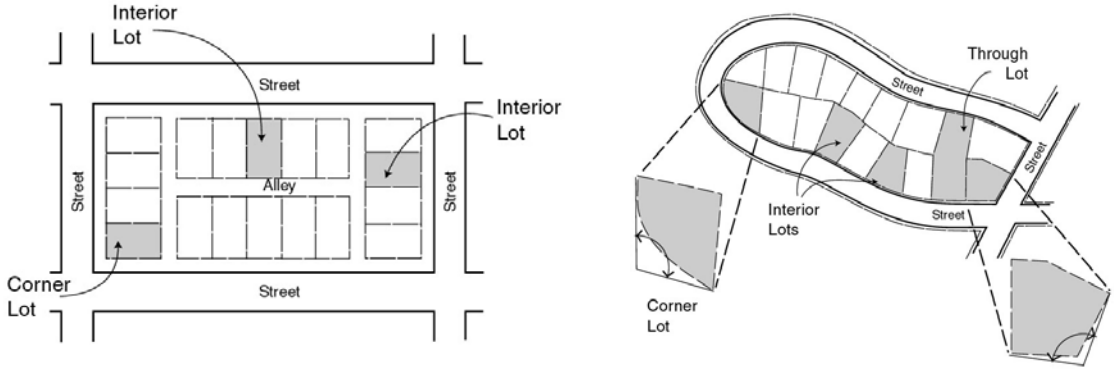


Illustration 7: Lot Types

M

"massage parlour" means any premises, room or place in which the trade of massaging is carried on by more than one individual other than an individual licensed under the *City of Winnipeg License By-law* as a massage therapist. This use is also regulated under the *City of Winnipeg License By-law*.

"medical, dental, optical, or counselling clinic" means a facility for the provision of human health services and related activities such as preparation of castings, dentures, and x-rays, for patients without overnight accommodations, and accessory laboratory facilities. Each clinic shall be considered a single use regardless of the number of professional service providers sharing a clinic space.

"micro-brewery, distillery or winery" means a small brewery, winery, or distillery operated in conjunction with a drinking establishment or restaurant, provided the beer, wine, or liquor is sold for consumption onsite or off the premises and is not sold to other drinking establishments, restaurants, or wholesalers.

"mining and extraction" means the extraction of minerals, sand, gravel, and ores, from their natural occurrences on affected land and distribution of extracted materials, including the excavation, processing or distribution of clay, gravel, stone and soils.

"mini-warehouse/self-storage" means an enclosed permanent facility that provides storage space to the general public on a for-hire basis. Mini-warehouses and self-storage areas may also include vehicle storage for recreational vehicles, boats, and other vehicles. No other business or service may be allowed to operate out of a rented storage space. This definition also applies to a use that provides portable containers for storage.

"mobile home" means a portable dwelling unit that is designed or used for residential occupancy, built upon or having a frame or chassis to which wheels may be attached for transportation purposes, whether or not such structure actually has at any time such wheels, or is jacked up or skirted.

"modular home" means a single-family dwelling suitable for year-round occupancy that consists of one or more modules either partially or wholly factory-fabricated and containing a framework that does not contain wheels or towing tongue. When transported to a building site, it will be placed on a permanent foundation so as to be substantially affixed to the site and connected to the required utilities, thereby making it immobile housing.

N

"neighbourhood rehabilitation home" means a building or portion of a building used for the boarding or other residential accommodation plus mandatory supervision or treatment of persons who are from or discharged from any penal institution or who are receiving supervision or treatment for alcohol or other drug addictions, in which supervision or treatment is not provided to any persons not resident in the rehabilitation home.

"non-conforming sign" means any sign lawfully established prior to the effective date of this By-law that does not comply with the signs standards of this By-law.

"non-conforming structure" means any building lawfully existing prior to the effective date of this By-law that does not comply with one or more of the applicable district dimensional standards set forth in Part 5 on the effective date of this By-law.

"non-conforming use" means any use of a building, or parcel of land, or portion of a building, or parcel of land, lawfully existing prior to the effective date of this By-law, that does not conform to one or more of the applicable use regulations of the district in which it is located on the effective date of this By-law.

"non-conformity" means any use, structure, sign, or lot, individually or in combination, which lawfully existed prior to the effective date of this By-law, but that does not conform to one or more of the applicable standards on the effective date of this By-law.

O

"office/service area or building" means an accessory use provided in conjunction to a mobile home park, multiple-family dwelling, or a non-residential use, that is clearly incidental to and customarily found in connection with the principal use, such as administrative offices for the principal use.

"office" means a building or a portion of a building used primarily for conducting the affairs of a business, profession, service, industry, government, or like activity, or that provides direct

governmental services to the public, such as employment, public assistance, motor vehicle licensing and registration, and similar activities.

"outside display and sales," means an outside display of goods and/or materials for sale, accessory to a commercial principal use. Merchandise may be directly available to the consumer for purchase.

"outside operations," means activities conducted outside that are directly related to, and in support of a permitted principal use on the site.

"outside storage" means outside storage, but not display for sale, of goods and/or materials. Storage of materials in a structure with a roof, but no walls, is considered outside storage.

"overlay district" means a zoning district established by section 57, *Planned Development Overlay Districts*.

"owner" means a person who is an owner of a freehold estate in the city and includes a person who is an owner jointly with another person, and a person who is registered under *The Condominium Act* as the owner, as defined in that Act, of a unit under that Act.

P

"parapet" means a low wall at the edge of a roof; especially that part of an exterior wall that rises above the roof.

"parish hall" means an accessory use to a religious institution containing office, meeting, or activity space.

"park, plaza, square, playground" means a development of public land specifically designed or reserved for the general public for active or passive recreational use and including landscaping, facilities, playing fields, buildings, and other structures that are consistent with the general purposes of public parkland, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park. Typical uses include tot lots, band shells, picnic grounds, pedestrian/bicycle paths and pathways, landscaped buffers, arboretums, botanical gardens, playgrounds, toboggan slides, skateboard parks, swimming pools, wading pools, and water features.

"parking aisle" means that portion of a parking facility that provides vehicular access to a parking space, not directly from a driveway .

"parking driveway" means that portion of a parking facility that provides vehicular access from a public right-of-way to a parking space, or an aisle.

"parking facility" means an open area of land or an area within a structure, not including an area or structure located within a public right-of-way, used for the parking of motor vehicles.

"parking space" means that portion of a parking facility, excluding vehicle manoeuvering areas such as aisles and driveways, that will accommodate one motor vehicle.

"parking, structured" means a structure or facility where motor vehicles may be stored for purposes of temporary, daily, or overnight off-street parking as a principal use. The facility may be above, below, or partially below ground and includes parking garages and parking decks.

"parking, surface" means an unenclosed area where motor vehicles may be stored for purposes of temporary, daily, or overnight off-street parking as a principal use.

"passenger vehicle" means a self-powered motor vehicle, other than a bus, commercial vehicle, motor home, or taxicab that is designed, used, or maintained primarily for the transportation of people on ordinary roads. This definition includes pickup trucks, vans, minivans, motorcycles, mopeds, scooters.

"pawnshop" means a place where money is loaned on security of personal property left in pawn and pledged as collateral for the loan.

"permitted use" means a use permitted in a zoning district without the need for special administrative review and approval, upon satisfaction of the standards and requirements of this By-law.

"personal services" means establishments that provide services to the general public, and in which any retail sale of merchandise associated with the service provided is incidental to the provision of services, but not including a "body modification establishment", "cheque-cashing facility", "funeral chapel or mortuary", or "medical/dental/optical/counselling clinic".

"place of worship" means facilities used primarily for non-profit purposes to provide assembly and meeting areas for religious activities. Examples include churches, temples, synagogues, mosques, chapels, and meeting houses.

"*Plan Winnipeg*" means the development plan adopted by Council in accordance with *The City of Winnipeg Charter*.

"principal building" means any building on a site that contains permitted principal uses, as opposed to

(a) buildings that contain only accessory or incidental uses; and ,

(b) buildings that contain only storage or operational functions in support of principal uses located in other buildings.

"principal building entrance" means the entrance of any building, generally facing a sidewalk or public street, intended to accommodate the majority of public traffic.

"principal use" means the primary or predominant use of any lot, building, or structure.

"private club, not licensed" means a non-profit organization incorporated as such by the Government of Canada or the Government of Manitoba. Includes facilities used for the meeting, social, or recreational activities of non-profit philanthropic, social service, athletic, business, or fraternal organizations, without onsite residences. When licensed for the sale of alcoholic beverages by the Government of Manitoba, such a club is considered a "drinking establishment."

"prohibited use" means a use not permitted in a zoning district.

"protection and emergency services" means a development that is required for the public protection of persons and property from injury, harm, or damage together with the incidental storage of equipment and vehicles. Typical uses include police stations, fire stations, ambulance services, and ancillary training facilities.

"public utility" means any person, firm, corporation, municipal department, or board duly authorized to furnish, and furnishing under provincial or municipal regulations to the public, electricity, gas, steam, sewer, communication, telegraph, transportation, or water services. The term also means the use of land for the purpose of providing such service.

Q

[Reserved]

R

"racetrack" means a measured course where animals or machines are entered in competition against one another or against time, including tracks used only in the training of animals.

"railway yard" means an area for storing or switching of freight and passenger trains. Necessary and allowed functions include but are not limited to the switching, storing, assembling, distributing, consolidating, repairing, weighing, or transferring of cars, trains, engines, and rolling stock.

"real estate sales offices and model sales homes" means a dwelling unit temporarily used for display purposes as an example of a dwelling unit to be available for sale or rental in a particular residential development and located within that development. Model homes may also incorporate sales or rental offices for dwellings within the development.

"recreation vehicle" means any vehicle, other than an automobile, motor home, travel trailer, or truck, with or without motive power, designed for recreational purposes, including but not restricted to a boat, a power toboggan, and a trailer designed specifically for the transport of a recreation vehicle.

"recycling collection centre" means a use that serves as a drop-off point for temporary storage for recoverable resources, such as newspapers, glassware, plastics, and metal cans. No processing of such items would be allowed.

"recycling plant" means a facility in which recoverable resources such as newspapers, glassware, plastics, and metal cans are recycled, reprocessed, and treated to return such products to a condition in which they can again be used for production. This facility is not a wrecking yard or a junkyard.

"research institution" means an establishment or facility engaged in scientific research, product design, development and testing, and limited manufacturing necessary for the production of prototypes.

"restaurant" means an establishment primarily engaged in the preparation of food intended to be sold to the public for consumption on or off the premises. Restaurants may be licensed by

the Government of Manitoba for the sale of alcohol; however, the sale of alcohol is incidental to the sale of food.

"retail sales" means a use involved in the sale, lease, or rent of new or used products directly to the general public, or to individuals or households based on their membership in an association or club, but not including an "auction room", "landscape and garden supplies", or "supermarket". This use includes facilities whose names indicate that they are warehouse or wholesale operations, but that in fact conduct more than incidental retail sales.

"roof line" means the line made by the intersection of a wall of a building with a roof of the building.

S

"seasonal sales" means the outside sale of seasonal merchandise, other than those sold at a farmer's market, such as Christmas trees, flags, kites, or arts and crafts.

"secondary plan" means a plan providing such objectives and actions as Council considers necessary or advisable to address, in a neighbourhood, district, or area of the city, any matter within a sphere of authority of the City of Winnipeg, including, without limitation, any matter dealt with in *Plan Winnipeg* or pertaining to economic development or the enhancement or special protection of heritage resources or sensitive lands.

"secondary suite" means an accessory dwelling unit added to or created within a single-family residence that provides basic requirements for living, sleeping, cooking, and sanitation.

"senior high school" means an accredited school under the sponsorship of a public, private or religious agency providing instruction to students at the senior high school level.

"shopping centre", means a facility that contains 5 or more retail sales uses, and that may also contain other personal service uses, in a single building or attached buildings, or on adjacent lots, sharing common parking, and with a floor area greater than 50,000 square feet.

"signs"

Notwithstanding anything else in this By-law, the following terms are defined for the purposes of sections 178 through 187, *Signs*:

"A-board sign" means an A-shaped sign which is set upon the ground and has no external supporting structure.

"advertising sign" means a sign or billboard directing attention to a business, commodity, service, thing, message, or entertainment conducted, sold, or offered elsewhere than upon the same zoning lot on which that sign is located.

"alteration" means a structural modification of a sign but does not include routine maintenance, painting or change in face, copy or lettering.

"animated sign" means a sign which uses movement or change of lighting to depict action or create special effects or a pictorial scene but does not include a clock.

"auxiliary sign" means a sign of any type which is attached to the face, copy, backing, lighting or supporting structure of any sign.

"awning sign" means an awning which incorporates a sign painted on, or affixed flat to the surface of the awning and which does not extend vertically or horizontally beyond the limits of such awning. The awning itself may or may not be illuminated.

"banner sign" means a temporary sign composed of lightweight, non-rigid material, such as cloth, canvas, P.V.C., or similar material.

"billboard sign" See advertising sign.

"bulletin board sign" means a sign of permanent character, but with movable letters, words or numerals indicating the names of persons associated with, or events conducted upon, or products or services offered upon the premises upon which such sign is located.

"business sign" means a sign directing attention to a business, commodity, service, or entertainment conducted, sold, or offered upon the same zoning lot on which that sign is located.

"canopy sign" means a canopy or free-standing canopy which utilizes or incorporates a sign.

"clearance" means the shortest vertical distance between the underside of a sign and grade immediately below.

"community identification sign" means a sign which states the name of a residential, commercial or industrial community area and may contain a logo or symbol which is related to the community name.

"construction sign" means a temporary sign erected by an individual or a firm on the premises undergoing construction and upon which the sign user identifies a construction project and information relative thereto.

"copy" means letters, graphics, or characters that comprise the sign message.

"copy area" means that area of a sign covered by a single rectangle drawn around the extremities of the message contained on the sign and in the case of a multi-face sign comprises one-half of the total area of all sign faces.

"directional sign" means:

(a) a sign which directs the public to or denotes the name of any thoroughfare, route, educational institution, public building, historical site, or hospital;

(b) a sign which directs and regulates traffic;

(c) a sign which denotes any public or transportation facility;

(d) a sign which gives direction to a private premises or its vehicular use area.

"double-faced sign" means a sign having two faces, with each face being of equal area and in identical proportion to the other, and with each face located on the structure so as to be parallel and opposite to and facing away from each other.

"electronic message centre sign" means a sign or component of a sign on which the copy can be changed by electrical or electronic means.

"encroaching sign" means a sign which extends, in whole or in part, into or over a public right-of-way or other public place.

"fascia sign" means a sign, or individual letters attached to, marked, or inscribed on, or erected or placed against a wall or other surface, whether forming part of a building or not, and having the exposed face of the sign on a place approximately parallel to the plane of such wall or other surface and projecting not more than 18 inches from the face of such wall.

"flashing sign" means a sign which contains an intermittent or flashing light source but does not include an electronic message centre.

"free-standing sign" means a sign supported by structures or supports that are placed on or anchored in the ground and that are independent from any building or other structure, including a sign that is attached to a fence.

"identification sign" means a sign that identifies a business, owner, resident, or institution by name, logo or street address, and which sets forth no other advertisement.

"illumination" means the lighting of any sign by artificial means.

"illumination, direct" means the lighting of any sign face from a light source located on or near the exterior of the sign.

"illumination, indirect" means the lighting of any sign face by reflected light.

"illumination, internal" means the lighting of any sign face from a light source located within the sign or behind the copy.

"inflatable sign" means an inflated three-dimensional device which may incorporate a sign and is anchored or affixed to a building or site, and is approved as a mobile sign.

"maintenance" means the cleaning, painting, repair or replacement of any defective parts of a sign in a manner that does not alter the basic design or structure of the sign and does not include a change in copy.

"mansard roof sign" means a sign attached to the face of, or located on the sloping roof of a mansard roof in the manner of a fascia sign.

"marquee sign" means a sign attached to a marquee.

"mobile sign" means a sign which is mounted on a trailer, vehicle, stand or similar support structure which is designed in such a manner that the sign can be readily relocated to another location, and which may include copy that can be changed through the use of removable characters or panels.

"multi-tenant sign" means a sign containing copy for 3 or more tenants or occupants located on a site.

"owner of sign" means a person or his authorized agent in lawful control of a sign.

"painted wall sign" means a sign which is painted directly upon any outside surface of a building or other integral part of a building.

"projecting sign" means a sign, other than a fascia or canopy sign, the exposed face or faces of which are not necessarily parallel to a wall and which is attached to a building and extends as a projection of a line of that building or beyond the surface of that portion of the building to which it is attached.

"reado-graph sign" means a sign on which the copy can be changed manually through the use of attachable letters, numerals or pictorial panels.

"real estate sign" means a temporary sign advertising real estate that is "for sale", "for lease", or "for rent", or real estate that has been "sold".

"roof sign" means a sign which projects above a roof line to which the sign is attached or is erected upon or above a roof or parapet of a building to which the sign is attached, except that a sign that projects above the roof line by not more than 2 feet at the point of attachment the total projection of which does not exceed 25 square feet is not included within the definition of a roof sign.

"rotating sign" means a sign or portion of a sign which moves in a revolving manner, but does not include a clock or a traditional barber pole sign 2 feet or less in height that meets all other standards of this By-law.

"sign" means any writing (including letter, word, or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol, logo, or trademark), flag (including banner, or pennant but not the flag of any nation or government), and anything designed or intended to, or having the effect of, announcing, identifying, directing attention to, or advertising any building or use.

"sign height" means the vertical distance measured from the highest point of the sign or sign structure to grade.

"sign message" includes any image, written copy, structure, graphics, pictures, logos, symbols, or letters used or intended to be used for advertising or for calling attention to any business, person, matter, object or event.

"sign surface area" means the entire area of a sign within a single continuous perimeter enclosing the extreme limits of writing, representation or emblem.

"under-canopy sign" means a sign which is suspended beneath a canopy or beneath a portion of a building.

"wall-mounted sign" means a sign which is mounted or fixed to or supported by a wall, by any means.

"warning sign" means a sign displayed to warn the public about a physical danger present in its surrounding, or associated with some feature, or activity on a specific site, such as "Danger, Look out for Cars".

"window sign" means a sign which is painted on, attached to, or installed on or near a window, for the purpose of being viewed from outside the premises.

"single room occupancy" means a building, other than a hotel or hostel, which provides living units with separate sleeping areas and some combination of shared bath or toilet facilities. The building may or may not provide meals to guests for compensation, and may or may not have separate shared cooking facilities for residents. Single-room occupancy includes uses commonly called "rooming houses" and "boarding houses." Care, treatment or supervision must not be provided to any resident.

"social service facility" means the use of a premises to provide social or welfare services to those in need, for no fee or compensation, or at a fee recognized as being significantly less than charged by profit-making organizations. Services may include but are not limited to information and referral services, counselling, skill development, aid through the provision of food or clothing, life skill and personal development programs, alcohol, drug, or substance abuse counselling centre, and drop-in or activity space.

"special event (carnival, circus, fair, concert, or similar event)" means a transportable group or aggregation or combination of rides, shows, performances, games, or concessions.

"sports or entertainment arena/stadium, indoor" means a fully-enclosed facility specifically intended for the viewing of public sports, concerts, circuses, and theatrical productions, where patrons attend on a recurring basis.

"sports or entertainment arena/stadium, outdoor" means outdoor or partially-outdoor facilities specifically intended for the viewing of public sports, concerts, circuses, and theatrical productions, or exhibition grounds, where patrons attend on a recurring basis.

"stable or riding academy" means a commercial facility where horses are sheltered, fed, or kept for sale or hire to the public. Training of horses and riders may also be conducted.

"stable, private" means a building or land where horses are sheltered, fed, or kept for personal use, accessory to a dwelling unit.

"standard" means a definite rule, principle, or measure with which compliance is mandatory unless expressly waived or varied. A development application may be denied for failure to meet one or more standards established by this By-law.

"Standing Policy Committee on Property and Development" means the standing committee established by Council under the *City of Winnipeg Organization By-law*, having jurisdiction with respect to certain matters relating to real property located entirely or primarily in the area covered by this By-law.

"storey, half" means a habitable basement or a storey under a gable, hip or gambrel roof, the wall plates of which on at least 2 opposite exterior walls are not more than 2 feet above the floor of such storey.

"storey" means that portion of any building that is situated between the surface of any floor and the surface of the floor next above it, and, if there is no floor above it, that portion between the surface of such floor and the ceiling above it, but does not include a cellar.

"street" means a public thoroughfare but does not include a public lane.

"street block" means a group of adjacent lots or parcels whose front lot lines all face a common abutting street and that are located between 2 intervening side streets. A street block is generally an area bounded by

(a) a street abutting the long dimension of a block;

(b) two side streets abutting the short dimensions of that block; and

(c) a lane abutting the rear lot lines of the lots, or if there is no lane, then the rear lot lines of other lots or parcels on the same block.

"structure" means anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground and includes, but is not limited to, buildings, walls, fences, signs, billboards, poster panels and light standards.

"studio, radio, TV, motion picture broadcast and production" means a facility for the production and/or broadcasting of motion pictures, videos, television programs, radio programs, or sound recordings. The use may also include facilities for the rehearsal of dance, music, or other performing arts.

"supermarket" means a retail store with a floor area of more than 40,000 square feet that sells primarily groceries, produce, and packaged food products, but in which up to 40 percent of the gross floor area may be used for the sale of non-food related products, including convenience products.

T

"temporary construction trailer or building" means a movable, portable, or modular structure or trailer used for the storage of construction materials and/or the offices or work spaces for construction managers or workers during the time a principal or accessory building is being constructed.

"temporary use" means a use established for a temporary period of time in conformance with Part 4.

"towing and storage facility" means a commercial establishment engaged in towing of vehicles or equipment from one location to another. Such facilities may also include an indoor storage component for such vehicles or equipment, but may not include junked, salvage, or permanently inoperable vehicles or equipment.

"transit station" means an area utilized by public or commercial carriers for pick-up or drop-off of passengers. In addition to loading and unloading areas, transit stations may include shelters, restrooms, concessions, benches, information offices, parking, ticket sales, landscaping, lighting

and other such facilities and appurtenances. Transit modes served may include, without limitation, local bus service, express bus service, commuter rail, and light rail.

U

"uniformity ratio" means the ratio between the maximum initial horizontal illuminance level and the minimum initial horizontal illuminance level on a site and within a specific use area such as a parking lot.

"universal design" means an approach to design that creates environments that respond to the needs of the range of the population to the greatest extent possible. It is also known as "intergenerational design."

"urban infill area" means those areas designated on the Urban Infill Areas Maps shown in Schedule C to this By-law.

"use category" means the broadest grouping of land uses in this By-law, based on generally accepted industry groupings, similar descriptions of planning goals or functions, similar allowed use types, and similar allowed density/intensity of use. A "use category" may be further subdivided into "use sub-categories."

"use sub-category" means a category of uses within a "use category." "Use sub-categories" are based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. A "use sub-category" may be further subdivided into "use types."

"use type" means the finest-grained category of uses in this By-law. They are used to tailor the regulatory treatment of uses to address issues such as the relative intensity of the use, issues related to building type, possible effects on neighboring land uses, and consistency with zoning district purposes and goals.

"use specific standard" means a standard located in Part 4 of this By-law that is applied to use types in order to address issues such as building size, location, and operating requirements.

"utility facility, major" means those facilities that normally entails the construction of new buildings, and that may have employees located at the site. Examples include public works yards, water control works, reservoirs, and works used to provide services or commodities to the public by the Crown or the City, including but not limited to power plants, heating plants, steam generating plants, or sewer treatment facilities.

"utility facility, minor" means those facilities that do not qualify as major utility facilities, and that are used for or incidental to the operation of a public utility. Examples include electric transformer stations, gas regulator stations, telephone exchange buildings, and well, water, and sewer pumping stations.

V

"variance" means the modification of a provision of a zoning by-law.

"Variance Order" means an order in respect of an application for a variance.

W

"warehouse" means a permanent facility for the storage of products, supplies, and equipment within an enclosed building.

"waste transfer station" means a fixed facility where solid waste from collection vehicles is consolidated and temporarily stored for subsequent transport to a permanent disposal site.

"wholesaling" means a facility where goods are distributed or sold to retailers, to industrial, commercial, or institutional users, or to other wholesalers, for resale or redistribution, but where goods are not sold to the public or to individuals or households based on their membership in an association or club.

"wireless communication freestanding tower" means any structure that is designed and constructed primarily for the purpose of supporting one or more wireless analog or digital communication facilities, that is located on the ground or anchored to the ground and exceeds 24 feet in height. Such a tower may have a variety of configurations, including a monopole, a lattice tower, or a guyed tower.

"wireless communication building-mounted tower" means any structure attached to a building that supports one or more wireless analog or digital communication facilities, and that exceeds the height of the building by 24 feet or more. Such a tower may have a variety of configurations, including a monopole, a lattice tower, or a guyed tower.

"wrecking and salvage yard" means any lot upon which 2 or more motor vehicles of any kind, which are incapable of being operated due to condition or lack of license or registration, have been placed for the purpose of obtaining parts for recycling or resale. Building materials, scrap metal, or any other kind of salvage are also be included in this definition.

X

"x-rated store" means any store that offers for purchase or rental merchandise including sexually oriented films, videotapes or videodiscs, and by storefront or internal signage excludes persons under 18 years of age from the store.

Y

"yard" means an open area, on the same zoning lot with a building or structure, which yard is unoccupied and unobstructed from grade level to the sky, except as otherwise permitted. A yard extends along a lot line or wall and to a depth or width (measured from the lot line or wall) specified in the yard requirement for the zoning district in which such zoning lot is located. (See Illustrations 8 and 9.)

"yard, corner side" means a side yard which adjoins a public street.

"yard, front" means an open area on a zoning lot which is clear from ground to sky, except as otherwise permitted, extending along the full length of the front lot line, the depth of which is measured perpendicularly and radially to the front lot line. (See Illustrations 8 and 9.)

"yard, rear" means an open area on a zoning lot which is clear from ground to sky, except as otherwise permitted, extending along the full length of the rear lot line, the depth of which is measured perpendicularly and radially to the rear lot line. (See Illustrations 8 and 9.)

"yard, side" means an open area on a zoning lot which is clear from ground to sky, except as otherwise permitted, extending along the full length of the side lot line between the front yard and rear yard, the depth of which is measured perpendicularly to the side lot line. (See Illustrations 8 and 9.)

"yard, voluntary" means that portion of a front, side, or rear yard that is provided in addition to the minimum yard requirements of this By-law. For example, if this By-law requires a front yard of at least 20 feet, and the owner provides a front yard of 30 feet, the 10 feet furthest from the street is a voluntary yard.

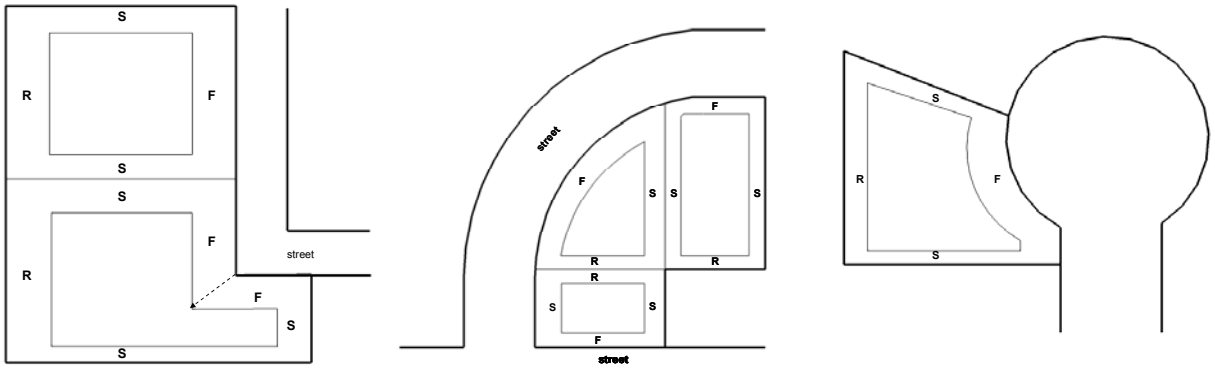


Illustration 8: Yard Types
In this illustration, front (F), side (S), and rear (R) yards are shown for unusual lot configurations.

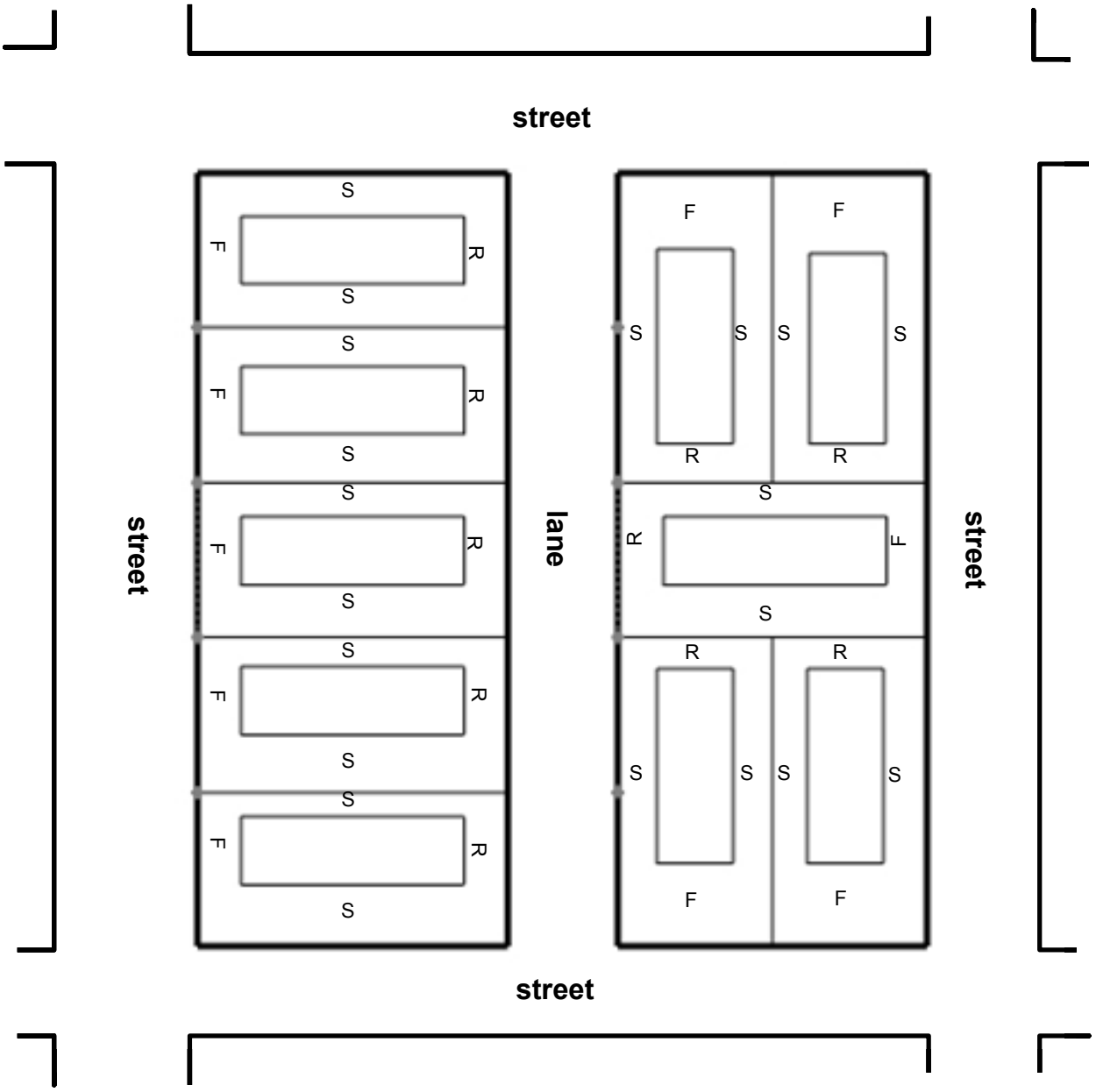


Illustration 9: Yard Types
In this illustration, front (F), side (S), and rear (R) yards are shown for a variety of typical lot configurations.

Z

"zoning by-law" has the same meaning as in *The City of Winnipeg Charter*.[4]

"zoning district" means an area or areas within the limits of the City, as established by Part 3 of this By-law, for which the regulations and requirements governing use, lot and dimensional standards of buildings and premises are uniform.

[4] NOTE: *The City of Winnipeg Charter* defines "zoning by-law" as a by-law passed under section 236 (zoning by-laws), and includes (a) a by-law amending a by-law passed under that section, and (b) a by-law that under The City of Winnipeg Act, S.M. 1989-90, c. 10, was a development by-law and a by-law amending such a development by-law.

PART 3: ZONING DISTRICTS

GENERAL PROVISIONS

49. This Part establishes the zoning districts and contains basic information pertaining to zoning districts, primarily statements of purpose and district-specific regulations. Part 4, *Use Regulations,* and Part 5, *Development and Design Standards,* identify the uses allowed within the districts and the standards applying to development in the districts.

Districts Established

50. The zoning districts, district names and abbreviations shown in Table 3-1, and the locations and boundaries of the zoning districts shown on maps set out in Schedule B, are hereby established.

TABLE 3-1: Zoning Districts Established

District Type	Abbreviation	District Name
Agricultural and Parks	A	Agricultural
	PR1	Parks and Recreation 1 (Neighbourhood)
	PR2	Parks and Recreation 2 (Community)
	PR3	Parks and Recreation 3 (Regional)
Residential	RR5	Rural Residential 5
	RR2	Rural Residential 2
	R1	Residential Single-Family
	R2	Residential Two-Family
	RMF	Residential Multi-Family
	RMU	Residential Mixed Use
	RMH	Residential Mobile Home Park
Commercial and Institutional	C1	Commercial Neighbourhood
	C2	Commercial Community
	C3	Commercial Corridor
	C4	Commercial Regional
	CMU	Commercial Mixed Use
	EI	Educational and Institutional
Manufacturing	MMU	Manufacturing Mixed Use
	M1	Manufacturing Light
	M2	Manufacturing General
	M3	Manufacturing Heavy
Overlay	PDO-1	Planned Development Overlay – 1 (District)
	PDO-2	Planned Development Overlay – 2 (Site-Specific)

Relationship to Overlay Districts

51. All lands within the city must be designated by the City as one of the base zoning districts set forth in Table 3-1. In addition, some lands may be designated as one or more of the overlay districts set forth in section 57, *Planned Development Overlay Districts*. Where the City designates a property as an overlay district as well as a base zoning district, the regulations governing development in the overlay district apply in addition to the regulations governing development in the underlying base district. In the event of a conflict between the two sets of standards, the standards for the overlay district control, regardless of whether other regulations in this By-law are more restrictive.

District Descriptions

52. The descriptions of districts contained in this Part are intended to assist in selecting the appropriate zoning district for different types of land, and to assist in identifying the intended character of each district. When there is a conflict between any statement in the district description and a substantive requirement in other sections of this By-law, the substantive requirements in other sections apply. In no case may a district description be interpreted to require performance levels beyond the substantive requirements of this By-law.

AGRICULTURAL AND PARK DISTRICTS

General Purposes of All Agricultural and Park Districts

53. (1) The agricultural and park districts contained in this section are intended to:

(a) provide rural and open land for agricultural purposes until such time as it is required for future urban development; and

(b) provide lands for active and passive recreation needs for all citizens.

Specific Purposes of Individual Agricultural and Park Districts

Agricultural (A)

(2) The Agricultural (A) district is intended for general agricultural activities.

Parks and Recreation 1 (PR1) (Neighbourhood)

(3) The Parks and Recreation 1 (PR1) district is intended for sites that are generally passive neighbourhood and community parks and facilities with predominantly pedestrian and cyclist access. These sites may provide unstructured drop-in play and recreation opportunities, including play structures, passive parks, plazas and natural areas. Generally, there are no parking facilities associated with these uses. These parks and open spaces typically occur in a residential neighbourhood or riverbank context and are generally accessed by residential streets.

Parks and Recreation 2 (PR2) (Community)

(4) The Parks and Recreation 2 (PR2) district is intended for sites that include community recreation facilities and parks that are accessed by a mix of pedestrian and vehicular traffic. These sites may provide active programs and activities, including community centres, hockey pens, arenas, indoor soccer, wading pools, spray parks, skateboard parks and athletic fields. Parking facilities ranging from 10 to 100 stalls may be associated with these uses. These parks and facilities typically occur along collector streets.

Parks and Recreation 3 (PR3) (Regional)

(5) The Parks and Recreation 3 (PR3) district is intended for sites that include major recreation facilities and parks that are a regional destination. These sites may include major recreation facilities, aquatic leisure centres, regional parks, sport multi-plexes and athletic field developments. Parking facilities ranging from 100 to 300+ stalls may be associated with these uses. These facilities are typically found along major arterials.

RESIDENTIAL DISTRICTS

General Purposes of All Residential Districts

54. (1) The residential zoning districts contained in this section are intended to:

(a) provide appropriately located areas for residential development that are consistent with *Plan Winnipeg* and with standards for public health, safety, and general welfare;

(b) allow for a variety of housing types and community amenities that meet the diverse physical, economic, and social needs of residents; and

(c) respect the scale and character of existing residential neighbourhoods and surrounding areas.

Specific Purposes of Individual Residential Districts

Rural Residential 5 (RR5)

(2) The Rural Residential 5 (RR5) district is intended to provide areas for large-lot rural residential development, along with limited agricultural uses.

Rural Residential 2 (RR2)

(3) The Rural Residential 2 (RR2) district is intended to provide for large-lot rural residential development.

Residential Single-Family (R1)

(4) The Residential Single-Family (R1) district is intended to accommodate primarily single-family residential development in lower-density neighbourhoods.

Residential Two-Family (R2)

(5) The Residential Two-Family (R2) district is intended to accommodate the development of single- and two-family units and where appropriate limited multi-family units in lower-density neighbourhoods. Residential units are permitted at densities as set out in Part 5.

Residential Multi-Family (RMF)

(6) The Residential Multi-Family (RMF) district is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities. Residential units are permitted at densities as set out in Part 5.

Residential Mixed Use (RMU)

(7) The Residential Mixed Use (RMU) district is intended to facilitate the development of primarily medium- to higher-density residential development, though it also may contain limited small-scale commercial, institutional, recreational, and service facilities needed to support residential development. The area, site, or building should retain a predominantly residential character. Development in the RMU district should facilitate and encourage pedestrian travel between residential and nonresidential uses. This district is often adjacent and incidental to a town centre, neighbourhood commercial centre, or other type of mixed use or major employment centre.

Residential Mobile Home Park (RMH)

(8) The Residential Mobile Home Park (RMH) district is intended to provide areas for the location of mobile homes. All provisions of this By-law apply to the RMH zoning district unless superseded by the district-specific standards in Part 5.

COMMERCIAL AND INSTITUTIONAL DISTRICTS

General Purposes of All Commercial and Institutional Districts

55. (1) The commercial and institutional zoning districts contained in this section generally are intended to:

(a) provide appropriately located areas consistent with *Plan Winnipeg* for retail, service, office, and institutional uses.

(b) provide adequate space and locations to meet the needs of commercial development.

(c) ensure that the appearance of commercial buildings and lands are of high quality and are harmonious with the character of the area in which they are located.

Specific Purposes of Individual Commercial and Institutional Districts

Commercial Neighbourhood (C1)

(2) The Commercial Neighbourhood (C1) district is intended to accommodate small, compact commercial uses within or surrounded by residential areas that are attractive and compatible in scale and character with surrounding residential uses, to serve the convenience needs of the surrounding neighbourhood. This district is not intended to accommodate businesses sized or designed to serve a trade area more than one-half mile from the business. C1 districts are generally located along local streets or at local/collector intersections.

Commercial Community (C2)

(3) The Commercial Community (C2) district is intended to accommodate more intensive commercial sites that do not have a local or neighbourhood orientation. The district is intended to include attractive commercial, institutional, recreational, and service facilities needed to support the surrounding neighbourhoods and the broader community. C2 districts are generally located along collector streets, at arterial/collector intersections, or along portions of arterial streets with relatively shallow lots.

Commercial Corridor (C3)

(4) The Commercial Corridor (C3) district is intended primarily for uses that provide commercial goods and services to residents of the community in areas that are dependent on automobile access and exposed to heavy automobile traffic, but not including regional shopping malls or regional shopping areas. These commercial uses are subject to frequent view by the public and visitors to Winnipeg, and they should provide an attractive appearance with landscaping, sufficient parking, and controlled traffic movement. C3 districts are generally located along portions of arterial streets where lot depths are 200 feet or greater, or at arterial/arterial intersections.

Commercial Regional (C4)

(5) The Commercial Regional (C4) district is intended to accommodate the development of large-scale, distinctive and attractive regional centres containing a mix of concentrated land uses. These commercial uses are subject to frequent view by the public and visitors to Winnipeg, and they should provide an attractive appearance with landscaping, sufficient parking, and controlled traffic movement. The centre should provide commercial, office, institutional, and residential uses and structures at higher intensities than surrounding areas. The area may also contain concentrations of medium- to high-density office development, as well as a broad mix of complementary uses, which may include major civic and public facilities and parks. The district may contain multi-family housing, and development should facilitate and encourage pedestrian travel between residential and nonresidential uses. These areas are generally associated with the Areas of Regional Commercial and Mixed Use Concentration identified in *Plan Winnipeg*.

Commercial Mixed Use (CMU)

(6) The Commercial Mixed Use (CMU) district is intended to provide for community-serving mixed use development at a higher scale than is appropriate for neighbourhood locations. The CMU district is intended for use along selected corridors and at important nodes in the city. The district is intended to include attractive commercial, institutional, recreational, and service facilities needed to support surrounding neighbourhoods and the community at-large. Although the area, site, or building should have a predominantly commercial character, multi-family housing may be incorporated within the district, and development should facilitate pedestrian connections between residential and nonresidential uses.

Educational and Institutional (EI)

(7) The Educational and Institutional (EI) district is intended to provide areas for the development of large and significant, multi-building, public, quasi-public, or private facilities of a non-commercial character that may have significant impacts on the surrounding areas. Typical uses may include places of worship, schools, colleges and universities, libraries, cultural facilities, hospitals, and large research facilities as well as supporting residential uses. Attractive, campus-style development is encouraged within this district. In some cases, EI zoning may be appropriate for clustered or core facilities, while supporting facilities on non-contiguous lots remain in other zoning districts. Commercial or non-commercial uses that support the function of the facility or its population would be considered as accessory uses.

MANUFACTURING DISTRICTS

General Purposes of All Manufacturing Districts

56. (1) The manufacturing zoning districts established in this section generally are intended to:

(a) provide appropriately located areas consistent with *Plan Winnipeg* for industrial and employment purposes, and limit non-industrial uses that may erode the supply of industrial lands that are well-located and serviced to accommodate industrial development; and

(b) ensure that the appearance of industrial buildings and lands are of high quality and are compatible with the area in which they are located.

Specific Purposes of Individual Manufacturing Districts

Manufacturing Mixed Use (MMU)

(2) The Manufacturing Mixed Use (MMU) district is intended to provide linked commercial and industrial activities that are supportive of industrial functions and are compatible with surrounding industrial use areas, while allowing more flexibility of uses and requiring a higher standard of landscaping and design. Uses may include offices, wholesale and business service establishments, campus-style industrial or business parks, and limited retail/personal service storefronts. Supportive retail development, not including offices, would be allowed to a maximum of 35% of site area including any land needed by the supportive retail to satisfy parking requirements, yards/setbacks and development and design standards (e.g., landscaping). During build out, supportive retail shall not exceed 50% of built site area. MMU zone districts should generally include at least thirty-five (35) acres of contiguous land, or land that would be contiguous except for intervening rights-of-way.

Manufacturing Light (M1)

(3) The Manufacturing Light (M1) district is intended to provide for light manufacturing, processing, service, storage, wholesale, and distribution operations with all operations contained within an enclosed building with some limited outside storage.

Manufacturing General (M2)

(4) The Manufacturing General (M2) district is intended to provide for light manufacturing, processing, service, storage, wholesale, and distribution operations, with some limited outside operations and storage.

Manufacturing Heavy (M3)

(5) The Manufacturing Heavy (M3) district is intended to provide for light or heavy industrial development, including heavy manufacturing, storage, major freight terminals, waste and salvage, resource extraction, processing, transportation, major utilities, and other related uses, particularly those that require very large buildings, frequent heavy truck traffic for supplies or shipments, or that may require substantial mitigation to avoid sound, noise, and odour impacts to neighbouring properties. New M3 zone districts should not be established within 300 feet of an existing residential zone district.

PLANNED DEVELOPMENT OVERLAY DISTRICTS

57. The following overlay zoning districts are hereby established by the City, and each such district is intended for the purposes described below.

Planned Development Overlay - 1 (PDO-1) (District)

Purpose

(1) The purpose of the Planned Development Overlay 1 (PDO-1) overlay district is to provide a means to alter or specify allowed uses and/or development standards in otherwise appropriate zones, in unique or special circumstances, in order to achieve local planning objectives in specially designated areas. A PDO-1 zoning district is appropriate when additional zoning controls are required to address an area-wide (rather than site-specific) condition, or to implement an area-wide plan for the proposed district. PDO-1 districts are generally appropriate for areas with unique or special circumstances containing 10 or more parcels or containing 25 acres or more in area.

Eligibility

(2) The PDO-1 overlay must only be applied to zones where specified through an amendment to the Zoning By-law. Such amendment must include:

(a) a map of the location(s) of any neighbourhood(s) affected by the overlay at an appropriate scale indicating the designation, location, and boundaries of each underlying zoning district;

(b) the name and boundaries of any List of Adopted Secondary Plans applicable to the area covered by the PDO-1 designation; and

(c) every regulation specified or changed by the PDO-1 overlay.

Criteria

(3) The PDO-1 overlay must meet criteria in subsection 57(1) and:

(a) the proposed development rules are to implement an adopted Secondary Plan or an area-wide plan; or

(b) the proposed development rules apply to land in more than one underlying base zoning district; and

(c) the proposed development rules are unique to the proposed area, and are not likely to be used in other areas of the City without significant changes; and

(d) the proposed development rules contain relatively minor changes to the permitted and conditional uses in the underlying zoning district and/or minor changes to permitted dimensional standards applicable to the underlying zoning district.

(4) The PDO-1 overlay may not be used:

(a) in conjunction with a PDO-2 overlay district;

(b) to add to the list of permitted or conditional uses or increase density;

(c) to allow more than one single-family detached dwelling on a lot; or

(d) where the proposed changes to the regulations of the underlying zoning district:

(i) are significant enough to be inconsistent with the general purpose of that zoning district and the designation of another zone would be more appropriate;

(ii) are not merely related to local planning objectives but would have significant general application to warrant an amendment to the text of the underlying zoning district itself; or

(iii) are intended to provide such detailed or site-specific control over the design and siting of development that the use of the PDO-2 district would be more appropriate.

Uses

(5) The permitted uses specified in the underlying zones are permitted and the conditional uses specified in the underlying zones are conditional, unless the development regulations adopted in the PDO-1 district state otherwise.

Development Regulations

(6) The regulations provided in the PDO-1 district may be substituted for the specified regulations of the underlying zone. Where there is a conflict between the provisions of the PDO-1 district and those of the underlying zone, the provisions of the PDO-1 govern.

(7) Notwithstanding subsection (6) above, where there is a conflict between the provisions of the Airport Vicinity Protection Area Overlay District and any PDO-1 overlay district, the provisions of the Airport Vicinity Protection Area Overlay District govern.

(8) The PDO-1 may change or specify regulations and submission requirements, as provided below, and may specify the conditions under which such changed or specified regulations would apply:

(a) the total residential density;

(b) site dimensions and area;

(c) building height;

(d) size and floor area ratio for each use category and use type;

(e) yard requirements;

(f) separation spaces;

(g) parking requirements for each use category or use type;

(h) architectural and site design requirements;

(i) performance criteria;

(j) landscaping requirements;

(k) regulations pertaining to accessory structures;

(l) signage requirements; and

(m) environmental regulations, which may include such things as flood proofing, noise attenuation, and servicing requirements.

Effect of Approval

(9) All regulations in the *Zoning By-law* must apply to development in the area covered by the adopted PDO-1 overlay, unless the PDO-1 By-law specifically modifies those regulations.

Adopted PDO-1 Districts

(10) All adopted PDO-1 districts are contained in the attached schedules which form part of this By-law.

Planned Development Overlay - 2 (PDO-2) (Site-Specific)

Purpose

(11) The purpose of the Planned Development Overlay 2 (PDO-2) overlay district is to provide for site-specific control over an individual proposed development, in unique or special circumstances, where any other zone would be inappropriate or inadequate. A PDO-2 district is appropriate when the proposed development regulations do not relate to an area-wide condition or the implementation of an area-wide Secondary Plan, but are specific to the lot(s) or parcel(s) proposed for the PDO-2 zoning. PDO-2 districts are appropriate for areas with unique or special site characteristics containing fewer than 10 parcels and a total land area of 25 acres or less.

Eligibility

(12) This PDO-2 overlay must only be applied to a site to regulate a specific proposed development under the following circumstances:

(a) the proposed development exceeds the development provisions of the closest equivalent conventional zoning district.

(b) the proposed development requires specific regulations to ensure land use conflicts with neighbouring properties are minimized.

(c) the site for the proposed development has unique characteristics that require specific regulations.

(d) the ongoing operation of the proposed development requires specific regulations.

Criteria

(13) The PDO-2 must meet criteria in subsection 57(11) and:

(a) the proposed development rules are intended to apply to a contiguous area of land in single ownership or control, or under multiple ownership and control if

each of the ownership units has requested to be subject to the proposed development rules; and

(b) the proposed development rules are unique to the proposed development area, and are not likely to be used in other areas of the City without significant changes; and

(c) the proposed development rules contain relatively minor changes to the permitted and conditional uses in the underlying zoning district and/or minor changes to permitted dimensional standards applicable to the underlying zoning district.

Procedural Requirements

(14) The procedures for creation of a PDO-2 overlay district are set forth in the *Development Procedures By-law*.

Effect of Approval

(15) All development in the site covered by the adopted PDO-2 overlay must be in accordance with the approved site plan and other materials provided with the application.

(16) All regulations in the Zoning By-law must apply to development in the site covered by the adopted PDO-2 overlay, unless such regulations are specifically excluded or modified by the PDO-2 By-law.

(17) Notwithstanding subsection (16) above, where there is a conflict between the provisions of the Airport Vicinity Protection Area Overlay District and any PDO-2 overlay district, the provisions of the Airport Vicinity Protection Area Overlay District govern.

PART 4: USE REGULATIONS

DEFINITION OF SYMBOLS USED IN TABLES

58. (1) Tables 4-1, 4-2, and 4-3 below list the principal, accessory, and temporary uses allowed within all base zoning districts.

(2) In Tables 4-1, 4-2 and 4-3:

(a) "P" in a cell indicates that the use identified at the far left of that row is permitted in the zoning district identified at the top of that column;

(b) "C" in a cell indicates that, in the zoning district identified at the top of that column, the use identified at the far left of that row is allowed only if reviewed and approved as a conditional use in accordance with the procedures of the *City of Winnipeg Charter* and *Development Procedures By-law*;

(c) a blank cell indicates that the use identified at the far left of that row is not permitted in the zoning district identified at the top of that column.

(d) a number in a cell within the column headed "Use Specific Standards" identifies a section within this By-law which imposes an additional standard with which the use must comply except as authorized by this By-law or by a Conditional Use or Variance Order.

(e) an asterisk symbol (*) following the "P" or "C" symbol indicates that a use specific standard imposed by a section identified in the cell located within the same row and within the column headed "Use Specific Standards" applies to permitted or conditional uses, as the case may be, within the zoning district.

(f) a number in a cell within the column headed "Parking Category" identifies a parking class described in Table 5-9 in section 161, *Parking Spaces Required*.

IMPLICATIONS OF TABLE ABBREVIATIONS

59. (1) The following applies to *Table 4-1 Principal Use Table, Table 4-2 Accessory Use Table, and Table 4-3 Temporary Use Table*:

Permitted Uses

(2) Permitted uses ("P") are subject to all other applicable regulations of this By-law, including the use specific standards set forth in this Part and the requirements of Part 5, *Development and Design Standards*.

Conditional Uses

(3) Conditional uses ("C") are subject to all other applicable regulations of this By-law, including the use specific standards set forth in this Part, the requirements of Part 5, and the standards below:

(a) a conditional use approval expires if the use does not begin operation within 2 years of the date of approval unless otherwise specified in the terms of approval due to special conditions;

(b) a conditional use approval expires if the use begins operations within 2 years of the date of approval but later ceases operations for 2 consecutive years unless otherwise specified in the terms of approval due to special conditions;

(c) a Conditional Use Order may provide that the conditional use approval expires after a specified time; and

(d) unless otherwise provided in a Conditional Use Order, all approved conditional uses:

(i) must be operated in accordance with all plans and documents submitted as part of the application; and

(ii) must comply with all other applicable provisions of this By-law.

Uses Not Permitted

(4) If a use is not specifically listed in the tables, or deemed similar by the Director pursuant to section 61, *Classification of Uses,* the use is not permitted.

Prohibited Uses

(5) Land uses incompatible with the vision of Winnipeg articulated in *Plan Winnipeg* and other City policy documents are prohibited, and shall not be deemed similar to a permitted or conditional use pursuant to section 61, *Classification of Uses,* below. Prohibited uses include:

(a) dating and escort service;

(b) massage parlour.

Use Specific Standards

(6) Regardless of whether a use is allowed as a permitted use or as a conditional use, and regardless of the zoning district in which the use is located, there may be additional standards that are applicable to the use, and the use must comply with such standards except as authorized by this By-law or by a Conditional Use or Variance Order. The existence of these use specific standards is noted in a column headed "Use Specific Standards", which cross-references the section of this By-law that imposes the additional standard. In some cases, use specific standards apply only in select zoning districts, as indicated by an asterisk symbol (*) following the "P" or "C" symbols described in subsections (2) and (3), above.

(7) An application to establish a permitted use that does not meet the applicable use specific standards in sections 63 through 130 may only be approved through the conditional use review procedure.

(8) An application to establish a conditional use that does not meet the applicable use specific standards in sections 63 through 130 may only be approved through the variance procedure.

(9) An application to establish a use that does not meet the size or dimensional standards set forth in Part 5 may only be approved through the variance procedure.

Parking Categories

(10) Regardless of whether a use is allowed as a permitted use or as a conditional use, and regardless of the zoning district in which the use is located, it must provide the parking required by section 161 of this By-law, except as authorized by this By-law or by a Conditional Use or Variance Order. Cross-references in the last column of the table refer to parking classes described in Table 5-9 in section 161, *Parking Spaces Required.*

TABLE ORGANIZATION

60. In Table 4-1, Table 4-2, and Table 4-3, land uses and activities are classified into general "use categories" and specific "use types" based on common functional or physical impact characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. This classification provides a systematic basis for assigning present and future land uses into appropriate zoning districts. This classification does not list every use or activity that may appropriately exist within the categories and specific uses may be listed in one category when they may reasonably have been listed in one or more other categories. The use category titles are intended merely as an indexing tool and are not exhaustive and do not form part of the by-law:

Use Categories and Use Sub-Categories

(1) The following provides a description of the Use Category and Use Sub-Categories found in Table 4-1: Principal Use Table.

accommodations uses means a subcategory of uses including facilities where lodging and ancillary activities are provided to transient visitors and guests for a defined period.

agricultural uses means a category of uses that include the use of land for agricultural purposes including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry. Accessory uses may include dwellings for employees, barns, storage of grain, animal raising, feed preparation, and wholesale sales of products produced on-site.

animal sales and service uses means a subcategory of uses involving the selling, boarding, or care of animals on a commercial basis. Accessory uses may include confinement facilities for animals, parking, and storage areas.

commercial sales and service uses means a category of uses primarily associated with the sale, lease, or rent of new or used goods and the sale or provision of services, including associated offices.

communications uses means a subcategory of uses that include facilities that transmit analog or digital voice or communications information between or among points using electromagnetic signals via antennas, microwave dishes, and similar structures. Supporting equipment includes buildings, shelters, cabinets, towers, electrical equipment, parking areas, and other accessory development.

community facilities uses means a subcategory of uses including buildings, structures, or facilities owned, operated, or occupied by a non-profit or governmental agency to provide a service to the public.

cultural and entertainment uses means a category of uses primarily associated with viewing of cultural materials or entertainment events.

cultural facilities uses means a subcategory of uses including facilities that display or preserve objects of interest or provide facilities for one or more of the arts or sciences. Accessory uses may include parking, offices, storage areas, and gift shops.

education uses means a subcategory of uses involving the provision of educational instruction to students provided by a public, private, and parochial institution at the primary, elementary, middle, high school, or post-secondary level, or trade or business schools, which provide educational instruction to students. Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before or after school day care.

food and beverage service uses means a subcategory of uses that involve the serving of prepared food or beverages for consumption on or off the premises. Accessory uses may include food preparation areas, offices, and parking.

group living uses means a subcategory of uses characterized by residential occupancy of a structure by a group of people who do not meet the definition of Household Living. Tenancy is arranged on a monthly or longer basis, and the size of the group may be larger than a family. Generally, Group Living structures have a common eating area for residents. The residents may receive care, training, or treatment, and caregivers may or may not also reside at the site. Accessory uses commonly include recreational facilities and vehicle parking for occupants and staff.

household living uses means a subcategory of uses primarily associated with residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis (lodging where tenancy may be arranged for a period of less than 30 days is classified under the "Accommodation" category). Common accessory uses include recreational activities, raising of pets, gardens, personal storage buildings, hobbies, and parking of the occupants' vehicles. Home occupations and accessory dwelling units are accessory uses that are subject to additional regulations. (See sections 105 through 120, *Accessory Uses and Structures*.)

industrial service uses means a subcategory of uses engaged in the repair or servicing of agricultural, industrial, business, or consumer machinery, equipment, products, or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. Accessory activities may include sales, offices, parking, and storage.

industrial uses means a category of uses including activities and facilities engaged in providing industrial services, manufacturing and production, warehousing and freight movement, or waste and salvage services.

manufacturing and production uses means a subcategory of uses including firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, constructed, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Custom industry is included (i.e., establishments primarily engaged in the on-site production of goods by hand manufacturing involving the use of hand tools and small-scale equipment). Goods are generally not displayed or sold on site, but if

so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site. Accessory activities may include retail sales, offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets, and caretaker's quarters.

office uses means a subcategory of uses focusing on business, professional, administrative, clerical, or financial services. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

other public and institutional uses is a subcategory of uses that includes uses primarily associated with public assembly, schooling and training, government services other than public utilities, and private and non-profit congregation, worship, and services, but not including any uses listed separately in Table 4-1 Primary Use Table under the subcategories of, "community facilities", "education" or "parks and park related" uses.

park and park-related uses means a category of uses characterized by large areas consisting mostly of landscaping for outside recreation, community gardens, or public squares and plazas. Lands tend to have few structures. Accessory uses may include clubhouses, maintenance facilities, concessions, caretaker's quarters, and parking.

personal services uses means a subcategory of uses that provide individual services related to personal needs directly to customers at the site of the business, or receive goods from or return goods to the customer that have been treated or processed at that location or another location. This use does not include vehicles and equipment, recreation, or adult service or entertainment establishment, dating and escort services, or massage parlours. No outside display is permitted unless specifically authorized by this By-law. Accessory uses may include offices, parking, storage of goods, and assembly, repackaging, or repair of goods for on-site sale.

private motor vehicle related uses mean a category of uses primarily associated with the sale, lease, rent, repair, storage, or movement of automobiles, light trucks, motorcycles, recreational vehicles, boats, trailers, snowmobiles, and similar vehicles, as well as fuel sales and drive-through facilities. This category includes sales and rental of new and used vehicles and parts for vehicles, outside display and storage of vehicles, vehicle repair, painting, upholstery and rebuilding, vehicle service office or garage, tire re-treading, tire dealers, and trailer rental, sale, display, and/or storage uses. Accessory uses may include incidental repair and storage, offices, and sales of parts.

public and institutional uses means a category of uses primarily associated with public assembly, schooling and training, government services other than public utilities, and private and non-profit congregation, worship, and services.

recreation and entertainment uses, indoor means a subcategory of uses including facilities that provide recreation or entertainment activities within an enclosed environment and includes facilities owned or operated by associations, corporations, or other persons for social, educational, or recreational purposes primarily for members and their guests. Accessory uses may include offices, meeting areas, food preparation areas, concessions, snack bars, parking, and maintenance facilities.

recreation and entertainment uses, outdoor means a subcategory of uses that include facilities that provides recreation or entertainment activities outside of an enclosed environment. Accessory uses may include concessions, snack bars, parking, and maintenance facilities.

residential and residential-related uses means a category of uses primarily associated with living accommodations, including dwellings, residential care facilities, live-work units, and boarding facilities. Hostel and hotel uses are not included in this category.

restricted uses means a subcategory of uses that have been identified as requiring scrutiny due to their potentially objectionable operational characteristics and their potentially deleterious effects if concentrated within a small geographic area.

retail sales uses means a subcategory of uses involved in the sale, lease, or rent of new or used products directly to the general public or to individuals or households based on their membership in an association or club. This use includes facilities whose names indicate that they are warehouse or wholesale operations, but that in fact conduct more than incidental retail sales. This use does not include food service, personal services, or recreation uses. Accessory uses may include offices, parking, storage of goods, assembly, repackaging, or repair of goods for on-site sale.

signs uses means a subcategory of uses that includes all signs used for the promotion of goods, services, or events offered in a location other than upon the same zoning lot on which the sign is located, and includes advertising signs and billboards.

transit and transportation uses means a subcategory of uses that include facilities that receive and discharge passengers and facilities for the storage and service of equipment required for their operation.

transportation, utility and communications uses means a category of uses primarily associated with train, bus, and boat uses. Utility uses mean those primarily associated with providing electrical, heating, cooling, and similar utility services, as well as public works yards, and similar operations. Uses related to the processing of solid waste are addressed under the Industrial Use category and are not included in this category. Communications uses mean those primarily associated with communications facilities and infrastructure.

utility uses means a subcategory of uses that includes buildings, structures, or other facilities used by any private or governmental utility other than communications facilities. This category includes buildings or structures that house or contain facilities for the operation of water, wastewater, waste disposal, or electricity services. This use also includes water storage tanks; electric or gas substations, water or wastewater pumping stations, or similar structures used as an intermediary switching, boosting, distribution, or transfer station of electricity, natural gas, water, or wastewater. This category includes passageways, including easements, for the express purpose of transmitting or transporting electricity, gas, water, sewage, or other similar services on a local level. Additionally, a private utility facility means any energy device and/or system that generates energy from renewable energy resources including solar, hydro, wind, biofuels, wood, geothermal, or similar sources. Accessory uses may include control, monitoring, data, or transmission equipment.

warehouse and freight movement uses means a subcategory of uses including firms engaged in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present. Warehouse and Freight Movement uses may include carting, hauling or storage yards and contractor's shops, large-scale distribution, and warehousing. Accessory uses may include offices, truck fleet parking, and maintenance areas.

waste and salvage uses means a subcategory of uses including firms that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material or processing of scrap or waste material. Waste and Salvage uses also include uses that receive hazardous wastes from others. Accessory uses may include recycling of materials, offices, and repackaging and shipment of by-products.

CLASSIFICATION OF USES

61. (1) The list of uses in Table 4-1, Table 4-2, and Table 4-3 is not exhaustive. New types of land use will develop and forms of land use not anticipated may seek to locate in the city.

Interpretation by the Director

(2) Any person may apply to the Director for an interpretation as to whether a proposed use falls within any of the use categories or use types shown in Table 4-1, Table 4-2, and Table 4-3, and, if so, which one. The Director must provide the interpretation taking into account the nature of the proposed use and its potential impacts, including but not limited to: whether it involves dwelling units; sales; processing; type of product, storage and amount, and nature thereof; enclosed or open storage; anticipated employment; transportation requirements; excessive noise, odour, fumes, dust, toxic material, and vibration likely to be generated; and the general requirements for public utilities such as water and sanitary sewer. The authority to provide an interpretation does not include the authority to add a new permitted or conditional use to Table 4-1, Table 4-2, or Table 4-3.

Appeal

(3) An appeal of the Director's interpretation under subsection (2) may be made to the Standing Policy Committee on Property and Development in accordance with the *City of Winnipeg Charter*.

USE TABLES

62. Table 4-1, Table 4-2, and Table 4-3 identify the land uses allowed within all base zoning districts. No new use or expansion of an existing use may be established except in conformance with the following tables and with the applicable use specific regulations referenced in the tables.

Table 4-1: Principal Use Table

P=Permitted | C=Conditional | *=Use Specific Standard Applies in this Zoning District

ZONING DISTRICT USE CATEGORY / TYPE	A	PR1	PR2	PR3	RR5	RR2	R1	R2	RMF	RMU	RMH	C1	C2	C3	C4	CMU	EI	MMU	M1	M2	M3	Use Specific Standards (Section)	Parking Category
Residential and Residential-Related																							
Household Living																							
Dwelling, live-work								C*	C*	C*		C*	C*			C*						65	1
Dwelling, multi-family								C	P	P		C	C			P	P						2/3
Dwelling, single-family detached	P				P	P	P	P	P	P		P	C										1
Dwelling, two-family								P	P	P		P	C										1
Mobile home											P												1
Group Living																							
Assisted living facility									P	P		C	P	P		P	P						5
Care home	P*				P*	P*	P*	P*	P*	P*		P*	P*				P*					64	5
Dormitory									C	C							P						4
Neighbourhood rehabilitation home						C*	C*	C*	C*	C*		P*	P*			P*	P*					66	5
Single room occupancy									P*	P*		P*	P*			P*	P					67	2
Agricultural																							
Agricultural cultivation	P				P																		0
Agricultural grazing and feeding	C																						0
Apiary	C																						0

Table 4-1: Principal Use Table

P=Permitted | C=Conditional | *=Use Specific Standard Applies in this Zoning District

ZONING DISTRICT USE CATEGORY / TYPE	A	PR1	PR2	PR3	RR5	RR2	R1	R2	RMF	RMU	RMH	C1	C2	C3	C4	CMU	EI	MMU	M1	M2	M3	Use Specific Standards (Section)	Parking Category
Aviary	C																						0
Feedlot	C																						0
Stable or riding academy	C			C	C																		0
Public and Institutional																							
Community Facilities																							
Community/recreation centre	C		C	P	C	C	C	C	C	P		C	P	P	P	P	P	P	P	P			12
Jail/detention centre																	C			C	P		17
Library	C		P	P	C	C	C	C	C	P		P	P	P	P	P	P	P					9
Post office/carrier depot	P				P					P		P	P	P	P	P	P	P	P	P	P		17
Protection and emergency services	P								P	P		P	P	P	P	P	P	P	P	P	P		17
Social service facility												C	P	P	P	P	P	P	P				17
Education																							
College or university	C								C	C			P	P	C	P	P	P					8
Commercial school	C									C			P	P	P	C	P	P	P	P			8
Elementary or junior high school	C*		P*	P*	C*	C*	C*	C*	C*	C*						C*	P*					69	7
Senior high school	C*		C*	P*	C*	C*	C*	C*	C*	C*						C*	P*					73	7
Park and Park-Related																							
Boat dock, public access	C		C	P					C	C		C	C	C	C	C	C	C	C	C	C		0

Table 4-1: Principal Use Table

P=Permitted | C=Conditional | *=Use Specific Standard Applies in this Zoning District

ZONING DISTRICT USE CATEGORY / TYPE	A	PR1	PR2	PR3	RR5	RR2	R1	R2	RMF	RMU	RMH	C1	C2	C3	C4	CMU	EI	MMU	M1	M2	M3	Use Specific Standards (Section)	Parking Category
Cemetery, mausoleum, columbarium	C	C	C	C	C																		0
Community gardens	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P					0
Park/plaza/square/ playground	P	P*	P	P	P	P	P*	P*	P	P*		P*	P	P	P	P	P	P	P	P	P	68	0
Other Public and Institutional																							
Day care centre	C*	C*	P*	P*	C*	C*	C*	C*	C*	P*		P*	P*	P*	P*	P*	P*	P*	P*	P*		70	5
Hospital													C*	C*	C*	C*	P	C*	C*			71	5
Place of worship	C*				C*	C*	C*	C*	C*	C*	C*	C*	P*	P*	P	P*	P	P	P	P		72	6
Cultural and Entertainment																							
Cultural Facilities																							
Cultural centre										C			C	P	P	C	P	P*	P*			76	12
Gallery/museum	C	C	P	P						P*		P*	P	P	P	P	P	P*	P*	P		77	9
Recreation and Entertainment, Indoor																							
Amusement enterprise, indoor			C	C									P*	P	P	P*		P*	P	P		74	12
Auditorium/concert hall/theatre/cinema			P*	P									P*	P	P	P		P*	P*			75	11
Hall rental			P	P									C	P	P	C		P	P				12
Private club, not licensed			C	C									C*	C	C	C		C*	C*			78	13

Table 4-1: Principal Use Table

P=Permitted | C=Conditional | *=Use Specific Standard Applies in this Zoning District

ZONING DISTRICT USE CATEGORY / TYPE	A	PR1	PR2	PR3	RR5	RR2	R1	R2	RMF	RMU	RMH	C1	C2	C3	C4	CMU	EI	MMU	M1	M2	M3	Use Specific Standards (Section)	Parking Category
Sports or entertainment arena/stadium, indoor			C	P										P	P	C	P	P*	P*	C		79	11
Studio, radio/TV/motion picture broadcast and production													P	P	P	P		P	P	P			18
Recreation and Entertainment, Outdoor																							
Amusement enterprise, outdoor	C		C	C									C	P	P	C		P	P	P			11
Camping ground	C			C																			0
Golf course	C		C	P																			15
Race track	C			C										C	C				C	C	C		11
Sports or entertainment arena/stadium, outdoor	C		C	P										C	C		C	C	C	C	C		11
Commercial Sales and Service																							
Accommodation																							
Hostel												C	P	P	P	P	P						16
Hotel or motel												C	P	P	P	P	C	P	C	C			16
Animal Sales and Service																							
Animal hospital or veterinary clinic	P											P*	P	P	P	P		P	P	P	P	81	20
Kennel	P											P*	P*	P*	P	P*		P	P	P	P	85	20

Table 4-1: Principal Use Table

P=Permitted | C=Conditional | *=Use Specific Standard Applies in this Zoning District

ZONING DISTRICT USE CATEGORY / TYPE	A	PR1	PR2	PR3	RR5	RR2	R1	R2	RMF	RMU	RMH	C1	C2	C3	C4	CMU	EI	MMU	M1	M2	M3	Use Specific Standards (Section)	Parking Category
Food and Beverage Service																							
Drinking establishment			C	C						C			P*	P	P	C		P*	P*	P*		84	22
Restaurant			C	P						P*		P*	P*	P	P	P		P	P	P		92	22
Office																							
Call centre														P	P	P		P	P	P			19
Office										P*		P*	P	P	P	P	P	P	P	P		87	18
Research institution														P	P		P	P	P	P	P		18
Personal Services																							
Personal services (unless otherwise listed)										P*		P*	P*	P	P	P	C	P	P			89	20
Body modification establishment													C	C	C			C					20
Cheque-cashing facility													C*	C*	C*			C*	C*			83	21
Funeral chapel or mortuary	C												C	C	C			P	P	P			6
Medical/dental/optical/ counselling clinic										P*		P*	P	P	P	P	P	P	P	P		86	20
Retail Sales																							
Retail sales (unless otherwise listed)										P*		P*	P*	P*	P	P*		P*	P*			90	20
Auction room													C	P	P	P*		P*	P*	P	P	82	13
Landscape or garden supplies	P												P	P	P	P		P	P	P			20

Table 4-1: Principal Use Table

P=Permitted | C=Conditional | *=Use Specific Standard Applies in this Zoning District

ZONING DISTRICT USE CATEGORY / TYPE	A	PR1	PR2	PR3	RR5	RR2	R1	R2	RMF	RMU	RMH	C1	C2	C3	C4	CMU	EI	MMU	M1	M2	M3	Use Specific Standards (Section)	Parking Category
Supermarket													P*	P	P	P*		P*	P*			91	20
Restricted																							
Adult service or entertainment establishment																		C*	C*	C*	C*	80	20
Pawnshop													C*	C*	C*			C*	C*	C*		88	20
X-rated store													C*	C*	C*			C*	C*	C*	P*	93	20
Signs																							
Advertising sign													C	C					C	C	C		0
Private Motor Vehicle Related																							
Auto/light truck/motorcycle, repair and service													P*	P*	P*	P*		P*	P*	P*	P*	94	20
Auto/light truck/motorcycle, sales and rental													P*	P*	P*	P*		P*	P*	P*		95	20
Auto parts and supplies, sales													P	P	P	P		P	P	P	P		20
Car wash													C	P	P	C		P	P	P	P		21
Drive-in or drive-through													P*	P*	P*	C*		P*	P*	P*		96	0
Fuel sales													P*	P*	P*	P*		P*	P*	P*	P*	97	21
Parking, structured													P	P	P	P		P	P	P	P		0
Parking, surface													C	P	P	P		P	P	P	P		0
Towing and storage facility	C																	C	C	P	P		10

Table 4-1: Principal Use Table

P=Permitted | C=Conditional | *=Use Specific Standard Applies in this Zoning District

ZONING DISTRICT / USE CATEGORY / TYPE	A	PR1	PR2	PR3	RR5	RR2	R1	R2	RMF	RMU	RMH	C1	C2	C3	C4	CMU	EI	MMU	M1	M2	M3	Use Specific Standards (Section)	Parking Category
Transportation, Utility and Communications																							
Transit and Transportation																							
Airport and associated facilities	C																			P	P		10
Bus depot													C	C	C	C	C	P	P	P	P		9
Commercial marina	C		C	C									C	C	C	C		C	C	P	P		14
Railway yard																					P		0
Transit station									C	C	C	C	C	C	C	C	C	P	P	P	P		0
Utility																							
Utility facility, major	C																	C	C	P	P		23
Utility facility, minor	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	98	0
Communications																							
Wireless communication, building-mounted tower	P*	P*	P*	P*	P*				P*	P*		P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	99	0
Wireless communication, freestanding tower	C*		C*	C*	C*								C*	C*	C*		C*	C*	C*	P*	P*	100	0
Industrial Uses																							
Industrial Service																							
Auction yard	C																			P	P		10
Contractor's establishment												P	P						P	P	P		10

Table 4-1: Principal Use Table

P=Permitted | C=Conditional | *=Use Specific Standard Applies in this Zoning District

ZONING DISTRICT USE CATEGORY / TYPE	A	PR1	PR2	PR3	RR5	RR2	R1	R2	RMF	RMU	RMH	C1	C2	C3	C4	CMU	EI	MMU	M1	M2	M3	Use Specific Standards (Section)	Parking Category
Crematorium																				C	C		10
Fleet services													C	C	C			P	P	P	P		10
Heavy equipment sales, service, and rental	C																	C	C	P	P		10
Landscape/garden contractor or production	P				C									P	P				C	P	P		10
Wholesaling																		P	P	P	P		10
Manufacturing and Production																							
Heavy manufacturing																					P		10
Light manufacturing																		P	P	P	P		10
Mining and extraction	C																				P		10
Warehouse and Freight Movement																							
Freight or truck yard																			P	P	P		10
Grain elevator	P																			C	P		10
Mini-warehouse, self-storage														P*				P	P	P	P	101	10
Outside storage																				P*	P*	102	10
Warehouse																		P	P	P	P		10
Waste and Salvage																							
Garbage incineration and reduction	C																				P		10

Table 4-1: Principal Use Table

P=Permitted | C=Conditional | *=Use Specific Standard Applies in this Zoning District

ZONING DISTRICT USE CATEGORY / TYPE	A	PR1	PR2	PR3	RR5	RR2	R1	R2	RMF	RMU	RMH	C1	C2	C3	C4	CMU	EI	MMU	M1	M2	M3	Use Specific Standards (Section)	Parking Category
Landfill/snow dump	C																				P		10
Recycling collection centre	P												P	P	P	P	P	P	P	P	P		10
Recycling plant																		P*	P*	P*	P	103	10
Waste transfer station																					P		10
Wrecking and salvage yard																					P*	104	10

Table 4-2: Accessory Use Table

P=Permitted | C=Conditional | *=Use Specific Standard Applies in this Zoning District | N/A=Not Applicable

ZONING DISTRICT USE CATEGORY / TYPE	A	PR1	PR2	PR3	RR5	RR2	R1	R2	RMF	RMU	RMH	C1	C2	C3	C4	CMU	EI	MMU	M1	M2	M3	Use Specific Standards (Section)	Parking Category
Accessory uses, not listed	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		N/A
Amusement devices			P	P						P		P	P	P	P	P	P	P	P	P	P		N/A
Apiary	C				C												C						N/A
Aviary	C				C	C	C*	C*														109	N/A
Automated teller machine										P		P	P	P	P	P	P	P	P	P	P		N/A
Boarder or roomer	P*				P*	P*	P*	P*	P*	P*	P*	P*	P*				P*					110	N/A
Caretaker's residence	P*	P*	P*	P*	P*							P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	111	N/A
Day care		P*	P*	P*					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	112	N/A
Drive-in or drive-through													P*	P*	P*	P*		P*	P*	P*		96	N/A
Hall rental	C	C	C	P	C	C	C	C	C	C	C	C	C	P	P	C	P	P	C	C			N/A
Home-based business, minor	P*				P*	P*	P*	P*	P*	P*	P*	P*	P*			P*	P*					113, 114	N/A
Home-based business, major	C*				C*	C*	C*	C*	C*	C*	C*	C*	C*			C*	C*					113, 115	N/A
Micro-brewery/ distillery/winery										P		C	C	P	P	C		P	C	C			N/A
Office/service area or building	P		P	P					P	P	P	P	P	P	P	P	P	P	P	P	P		N/A
Outdoor dining/drinking area			C	C						C		P*	P*	P	P	C	P	P	P	P		116	N/A
Outside display and sales	P												P*	P*	P*	C*	C*	P*	P*	P*	P	117	N/A

Table 4-2: Accessory Use Table

P=Permitted | C=Conditional | *=Use Specific Standard Applies in this Zoning District | N/A=Not Applicable

ZONING DISTRICT USE CATEGORY / TYPE	A	PR1	PR2	PR3	RR5	RR2	R1	R2	RMF	RMU	RMH	C1	C2	C3	C4	CMU	EI	MMU	M1	M2	M3	Use Specific Standards (Section)	Parking Category
Outside operations	P																P			P	P		N/A
Outside storage	P*													P*	P*		P*	P*	P*	P*	P*	118	N/A
Parking, structured									P	P			P	P	P	P	P	P	P	P	P		N/A
Recycling collection centre	P*		P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	119	N/A
Retail sales		P	P	P					C	P		P	P	P	P	P	P	P	P	P	P		N/A
Secondary suite	C*				C*	C*	C*	C*	C*	C*		C*	C*									120	N/A
Social service facility							C		C	C		C	P	P	P	P	P	P	P	P			N/A
Stable, private	P				P																		N/A
Wireless communication, building-mounted tower										P*		P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	99	N/A

Table 4-3: Temporary Use Table

P=Permitted | C=Conditional | *=Use Specific Standard Applies in this Zoning District | N/A=Not Applicable

ZONING DISTRICT USE CATEGORY / TYPE	A	PR1	PR2	PR3	RR5	RR2	R1	R2	RMF	RMU	RMH	C1	C2	C3	C4	CMU	EI	MMU	M1	M2	M3	Use Specific Standards (Section)	Parking Category
Emergency residential shelter	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P		N/A
Farmers' market	C*				C*					C*		P*	P*	P*	P*	P*	P*	P*	P*			127	N/A
Fundraising event	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		N/A
Real estate sales offices and model sales homes	P*				P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*					128	N/A
Seasonal sales	P*									C*		P*	P*	P*	P*	P*	P*	P*	P*	P*		129	N/A
Special event (carnival, circus, fair, concert, or similar event)	P	C	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P			N/A
Temporary construction trailer or building	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	130	N/A

USE SPECIFIC STANDARDS

63. Regardless of whether a use is allowed as a permitted or a conditional use, and regardless of the zoning district in which the use is located, 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.

Residential and Residential-Related

Care Home

64. (1) A care home is permitted to a maximum of 6 persons.

(2) No care home may be located within 330 feet of another care home.

(3) No care home with more than 6 persons may be located within 990 feet of a care home or neighbourhood rehabilitation home.

Dwelling, Live-Work

65. (1) No live-work dwelling unit may be larger than 3,000 square feet.

(2) A minimum of 20 percent of the gross floor area of a live-work dwelling must be devoted to residential use, and a minimum of 25 percent of the gross floor area must be devoted to business activities.

(3) The business activity within a live-work dwelling must not include any activity that would be defined as an adult service or entertainment establishment if it occurred in a separate facility.

Neighbourhood Rehabilitation Home

66. (1) No neighbourhood rehabilitation home may be located within 990 feet from a care home or another neighbourhood rehabilitation home.

Single Room Occupancy

67. (1) In RMF, RMU, C1, C2, and CMU zoning districts the use is permitted to a maximum of 12 beds.

Public and Institutional

Park/plaza/square/playground

68. In the PR1, R1, R2, RMU, C1 zoning districts, parks, plazas, square, playgrounds, and similar uses are subject to the following limitations:

(1) The use may contain a maximum of 2 athletic playing fields.

(2) The use may not contain a swimming pool.

(3) Any skateboard park must be limited to 5,000 square feet of gross area.

Elementary or Junior High School

69. Each elementary or junior high school must provide queuing spaces for the loading and unloading of passengers to accommodate 3 school buses and 5 passenger vehicles. Such queuing spaces may be located within the required front yard, as allowed in Table 5-7, Permitted Projections.

Day Care Centre

70. Each day care centre must provide a drop-off/pick-up area to ensure the safety of persons and to ensure that vehicles dropping off or picking up do not interfere with smooth traffic flow on adjacent public streets.

Hospital

71. Hospitals in C2, C3, C4, CMU, MMU and M1 zoning districts must have no more than 25 inpatient beds.

Place of Worship

72. Places of worship with a gross floor area of more than 40,000 square feet are permitted only in the C4, EI, MMU, M1 and M2 zoning districts.

Senior High School

73. Each senior high school must provide queuing spaces for the loading and unloading of passengers to accommodate 3 school buses and 3 passenger vehicles. Such queuing spaces may be located within the required front yard, as allowed in Table 5-7, Permitted Projections.

Cultural and Entertainment

Amusement Enterprise, Indoor

74. (1) In the C2 and CMU zoning districts indoor amusement enterprise establishments shall not include drinking establishments.

(2) In the MMU zoning district, indoor amusement enterprise establishments are limited to a maximum of 10,000 square feet of gross floor area, except fitness and wellness centres which are limited to a maximum of 40,000 square feet of gross floor area.

Auditorium/Concert Hall/Theatre/Cinema

75. In the PR2, C2, MMU, and M1 zoning districts, auditoriums, concert halls, theatres, cinemas, and similar uses are limited to a maximum of 40,000 square feet of gross floor area.

Cultural Centre

76. In the MMU and M1 zoning districts, cultural centres are limited to a maximum of 10,000 square feet of gross floor area.

Gallery/Museum

77. In the RMU, C1, MMU, and M1 zoning districts, museums are limited to a maximum of 10,000 square feet of gross floor area.

Private Club, Not Licensed

78. In the C2, MMU, and M1 zoning districts, private clubs (not licensed) are limited to a maximum of 10,000 square feet of gross floor area.

Sports or Entertainment Arena/Stadium, Indoor

79. In the MMU and M1 zoning districts, indoor sports or entertainment arenas/stadiums are limited to a maximum of 40,000 square feet of gross floor area.

Commercial Sales and Service

Adult Service or Entertainment Establishment

80. (1) No adult service or entertainment use may be located within 1,000 feet of:

(a) any dwelling unit;

(b) any Parks and Recreation District or any park use in a Residential District;

(c) any other adult service or entertainment use;

(d) any place of worship; or

(e) any elementary, middle, or senior high school.

(2) Sex objects and adult publications must not be visible from the street.

(3) Signage indicating minimum age of admission must be clearly visible from the street.

Animal Hospital or Veterinary Clinic

81. In the C1 district, each animal hospitals or veterinary clinics are limited to a maximum of 1,500 square feet of gross floor area.

Auction Room

82. In the CMU, MMU, and M1 district, auction rooms are limited to a maximum of 10,000 square feet of gross floor area and may not include outside storage areas.

Cheque-cashing Facility

83. No cheque-cashing facility may be located within 1,000 feet of another cheque-cashing facility or a pawnshop.

Drinking Establishment

84. In the C2, MMU, M1, and M2 zoning districts, drinking establishments are limited to a maximum of 5,000 square feet of gross floor area.

Kennel

85. In the C1, C2, C3, and CMU districts, a kennel is permitted only if all operations are conducted within an enclosed building.

Medical/Dental/Optical/Counselling Clinic

86. (1) In the C1 district medical/dental/optical/counselling clinics use are limited to a maximum of 1,500 square feet of gross floor area.

(2) In the RMU district medical/dental/optical/counselling clinics use are limited to a maximum of 5,000 square feet of gross floor area.

Office

87. In the RMU and C1 district, office uses are limited to a maximum of 5,000 square feet of gross floor area.

Pawnshop

88. No pawnshop may be located within 1,000 feet of another pawnshop or a cheque-cashing facility.

Personal Service Uses (Unless Otherwise Listed)

89. (1) In the RMU and C1 zoning districts, personal service uses (unless otherwise listed):

(a) are limited to a maximum of 5,000 square feet of gross floor area; and

(b) are limited to operate between the hours of 9:00 am to 9:00 pm.

(2) In the C2 zoning district, a personal service use is limited to a maximum of 25,000 square feet of gross floor area.

Retail Sales Uses (Unless Otherwise Listed)

90. (1) In the RMU and C1 zoning districts, retail sales uses (unless otherwise listed):

(a) are limited to a maximum of 5,000 square feet of gross floor area;

(b) are limited to operate between the hours of 9:00 am to 9:00 pm.

(2) In the C2, CMU, MMU, and M1 zoning districts a retail sales use is limited to a maximum of 40,000 square feet of gross floor area.

(3) In the C3 zoning district a retail sales use is limited to a maximum of 120,000 square feet of gross floor area.

Supermarket

91. (1) In the C2, CMU, and M1 zoning districts supermarkets are limited to a maximum of 55,000 square feet of gross floor area.

(2) In the MMU zoning district supermarkets are limited to a maximum of 10,000 square feet of gross floor area.

Restaurant

92. (1) In the RMU and C1 zoning districts, restaurants are limited to a maximum of 2,500 square feet of gross floor area and must not have a drive-in or drive-through facility

(2) In the C2 zoning district, restaurants are limited to a maximum of 5,000 square feet of gross floor area.

X-Rated Store

93. No X-Rated store may be located within 1,000 feet of:

(1) Any dwelling unit as defined by and located within the jurisdiction of this By-law;

(2) Any Parks and Recreation District or any park use in a Residential District as defined by and located within the jurisdiction of this By-law;

(3) Any other adult X-rated store or adult entertainment or service use as defined by and located within the jurisdiction of this By-law;

(4) Any place of worship; or

(5) Any elementary, middle, or senior high school.

Private Motor Vehicle-Related

Auto/Light Truck/Motorcycle, Repair and Service

94. Auto, light truck, and motorcycle repair and service facilities must meet the use specific standards in section 95 with the following exceptions:

(1) The restriction on fence height contained in subsection 95 (1) only applies in required front yards.

(2) In voluntary front yards and in side and rear yards, fences that comply with sections 194 through 198 *Fences and Screening* are permitted.

Auto/Light Truck/Motorcycle, Sales and Rental

95. Auto/Light Truck/Motorcycle sales and rental establishments must comply with the following standards:

(1) Vehicle display area subject to compliance with section 172 (9) *Vehicle Display Areas.*

(2) All work on vehicles or equipment, including estimates, inspections, and repairs, washing, and vehicle preparation, must be conducted within an enclosed building meeting the requirements of this By-law.

(3) Any overhead service doors visible from an adjacent lot or site containing a residential use must remain closed when not being used for entry or exit of vehicles.

(4) A lot area for outside sales must be paved with concrete, asphalt, paving stones, or other impervious surface approved by the City, and must be graded and drained to dispose of all water accumulated within the area.

(5) Vehicle or equipment displays must not be located within a required yard or on top of any building.

(6) At least one permanent building must be erected for use as a sales or administrative office, having at least 200 square feet of gross floor area, constructed of wood, masonry, or other building material approved by the City, and set on a foundation.

(7) All garbage containers must be fully enclosed by a brick/concrete and/or wood barrier that is at least 6 inches above the top of the garbage container.

Drive-In or Drive-Through

96. Drive-in or drive-through facilities must comply with the following standards:

(1) Existing parking or loading stalls must not be utilized as part of a drive-through lane.

(2) No drive-in or drive-through facility may be located on a lot or site adjacent to a lot containing a residential use unless the drive-in or drive-through facility is separated from the residential use by an intervening building, public lane, or public street.

(3) No portion of a drive-in or drive-through facility may be located in a required front yard.

Fuel Sales

97. Fuel sales uses must comply with the following standards:

(1) No displays or storage of merchandise, parts or refuse may be located closer than 20 feet from the street or lane.

(2) All trash and refuse must be stored in a building or within an area enclosed by a wall or a solid fence at least 6 feet high.

(3) Screening adequate to buffer adjacent residential uses from noise and light must be installed and maintained along property lines where the use abuts a residential area.

Transportation, Utility and Communication

Utility Facility, Minor

98. Each above-ground minor utility facility must be located to minimize visibility from residential uses and public streets, and must be screened from view from adjacent public streets by shrubs with a minimum height at maturity of 3 feet.

Wireless Communication, Building-Mounted Tower

99. Building-mounted towers may be located on buildings at the heights set forth in the following table. Height for a building-mounted tower must be measured from the grade of the building to the highest point on the tower structure, including any installed antennae and lighting and supporting structures. Tower structures must not exceed the height limits as shown in Table 4-4, below.

TABLE 4-4: Maximum Tower Height, Building-Mounted Tower

Building Height	Maximum Tower Height (including antennae)
Over 150 feet	15 percent of building height
75 to 149 feet	25 percent of building height
Less than 75 feet	40 percent of building height

Wireless Communication, Freestanding Tower

100. All freestanding towers must comply with the following standards:

Height

(1) The maximum height for all freestanding towers without the bonus height allowed for co-location [see subsection (4) below] is 100 feet. The maximum permitted height for freestanding towers using the bonus height allowed for co-location [see subsections (4) and (5) below] is 250 feet.

(2) Height for a freestanding tower must be measured from grade to the highest point on the tower structure, including any installed antennae and lighting and supporting structures.

(3) Tower structures must not exceed the height limits allowed by the Airport Vicinity Protection Area Planned Development Overlay 1 (see Schedule D).

Co-Location Bonus Height

(4) A new tower may exceed the maximum height of 75 feet only if designed to accommodate one additional user's equipment for every 25 feet of tower height above 75 feet.

(5) Applicants seeking to erect a tower greater than 75 feet in height, and proposed to be located within 3,000 feet of any communication tower greater than 75 feet in height, must provide evidence that reasonable efforts have been made to lease space on an existing planned or constructed tower(s) or that no existing tower(s) will technically satisfy the applicant's needs.

Yards

(6) All freestanding towers must be set back from the property boundary a distance equal to the height of the proposed tower. In addition, all freestanding towers must be set back from all existing dwellings and property zoned residential or mixed use by a minimum of 200 feet, or at least 2 times the height of the proposed tower, whichever is greater.

Signs and Logos

(7) No advertising sign or logo is permitted on any telecommunications facility.

Buffering and Screening

(8) All fences and walls must be screened with approved buffering materials. (See sections 194 through 198, *Fences and Screening*.)

(9) The base of the tower and each guy anchor must be surrounded by a fence or wall at least 8 feet in height.

(10) The City may require all antenna(ae) be screened to safeguard surrounding property, provided that such screening must not interfere with the transmission and/or reception capabilities of any antennae located on the tower.

Existing Towers

(11) New antennae may be co-located upon towers that exist on the effective date of this By-law.

Abandoned Antennas or Tower Structures

(12) Any antenna or tower structure that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower structure must remove the same within 180 days of receipt of notice from the Director notifying the owner of such abandonment.

Industrial Uses

Mini-Warehouse, Self-Storage

101. The outside storage of boats, RVs, cars, and/or buses is prohibited in the C3 district.

Outside Storage

102. Outside storage is subject to compliance with section 197, *Screening of Outside Storage Required*.

Recycling Plant

103. Recycling Plants with outside operations and/or storage are prohibited in MMU, M1, M2 and MP zoning districts.

Wrecking or Salvage Yard

104. Wrecking or Salvage Yards must comply with the following standards:

(1) The site must be maintained in good condition, free of weeds, dust, trash, and debris.

(2) The site must be screened by a solid fence at least 6 feet in height.

(3) No materials or supplies shall be stored above the level of the screening fence.

ACCESSORY USES AND STRUCTURES

Purpose

105. This section authorizes the establishment of accessory uses.

Director's Determination

106. If a question arises as to whether a proposed accessory use or structure is included within those use categories or use types listed in Table 4-1, the Director must make the determination as described in section 61, *Classification of Uses*.

General Standards

107. All accessory uses and structures must comply with the following standards:

(1) All principal uses allowed in a zoning district are deemed to include the accessory uses, structures, and activities allowed for that district, as set forth in Table 4-2.

(2) All accessory uses and structures must comply with all other applicable provisions of this By-law (including, without limitation, the use specific standards in Part 4 and the dimensional and operating standards in Part 5).

(3) Accessory uses must comply with all standards of this By-law applicable to the principal use with which they are associated. Parking requirements must be met for the principal use.

(4) No accessory structure may be erected except as authorized by the dimensional standards in Part 5.

(5) Temporary accessory uses and structures are governed by the temporary use permit procedures and standards set forth in sections 121 through 130, *Temporary Uses and Structures.*

Additional Standards for Specific Accessory Uses

108. The accessory uses listed in sections 109 through 120 must comply with the general standards of section 107, *General Standards*, as well as the use specific standards of sections 109 through 120.

Aviary

109. In residential zoning districts, other than the RR5 and RR2 districts, aviaries are not permitted except for flightless birds.

Boarder or Roomer

110. Limited to no more than 2 boarders or roomers per dwelling unit.

Caretaker's Residence

111. Limited to no more than one caretaker's residence per principal non-residential use on the premises.

Day Care

112. The day care facility must provide a pick-up/drop-off area, which may be a driveway, to ensure the safety of people when entering and leaving the premises.

Prohibited Home-Based Businesses

113. The following home-based businesses are prohibited in all zoning districts:

(1) Adult entertainment;

(2) Dating and escort service;

(3) Massage therapy unless the resident providing the service is licensed as such by the License Branch of the City of Winnipeg;

(4) Body modification;

(5) On-site painting, body repairs, or other repair of automobiles, trucks, boats, trailers, or other motorized vehicles;

(6) Vehicle towing operations;

(7) Dispatch centres for auto-oriented services;

(8) Sales of firearms or ammunition;

(9) Any business utilizing radio transmission equipment; and

(10) Any business engaged in the sales and rental of autos, light trucks, or motorcycles.

Home-Based Business, Minor

114. In addition to all standards applicable in the zoning district where the use is located, the following conditions apply to all minor home-based businesses, as defined in Part 2. Any Home-Based Business not able to meet any one of the following conditions is considered a Major Home-Based Business and is subject to the standards under section 115, *Home-Based Business, Major*.

(1) All home-based businesses must be operated in accordance with all plans and documents approved as part of the application.

(2) The operators of the home-based business must be residents of the dwelling unit.

(3) A minor home-based business must not have non-resident employees.

(4) More than one home-based business per dwelling may be permitted, provided that all applicable regulations are satisfied.

(5) An accessory structure may be used for conducting a home-based business, provided that the structure complies with all other requirements of this By-law.

(6) The cumulative size of all home-based businesses within a dwelling unit or accessory building must not exceed 25 percent of the total gross floor area of the dwelling unit and accessory building or 800 square feet, whichever is less.

(7) Work or activity must be conducted entirely within the residential unit or accessory building.

(8) No home-based businesses may have any outdoor storage of any items related to the business, including without limitation, materials, inventory, or equipment, unless such items are stored in an enclosed accessory building meeting the requirements of this By-law.

(9) There must be no exterior indication of the existence of the home-based business, and no indoor display of the business visible from the outside, except that a home-based business may have one non-illuminated identification sign not exceeding 2 square feet in area, provided the sign is attached to and parallel with a wall of the principal or accessory building.

(10) Retail sales on the premises must be limited to those articles produced or incidental to the service provided by the home-based business.

(11) Clients, customers, and suppliers are not permitted to visit the home-based business with the exception of day cares.

(12) If the home-based business is a day care, the use must comply with the following additional requirements:

(a) the hours of operation must be limited to between 7:00 am and 7:00 pm;

(b) no other home-based businesses may be conducted within the premises;

(c) limited to no more than 4 persons;

(d) limited to a single family dwelling; and

(e) must provide a pick-up/drop-off area, which may be a driveway, sufficient to ensure the safety of people when entering and leaving the premises.

Home-Based Business, Major

115. In addition to all standards applicable to the zoning district where the use is located, the following conditions apply to all major home-based businesses, as defined in Part 2.

(1) All home-based businesses must be operated in accordance with all plans and documents approved as part of the application.

(2) A major home-based business may have a maximum of two non-resident employees or business partners working on the premises.

(3) A major home-based business may provide instructional classes for not more than 4 pupils at a time.

(4) If the home-based business is a bed and breakfast, the use must comply with the following additional requirements:

(a) the operator of the business must reside on the premises and must use it as their principal residential dwelling;

(b) the maximum number of guest rooms is the number of bedrooms existing in the structure, minus one for occupancy by the owners/operator of the facility;

(c) no cooking facilities are permitted in guest rooms;

(d) guests may reside at the Bed and Breakfast for a maximum of 2 weeks;

(e) bed and breakfast facilities are not subject to the restriction that home-based businesses occupy no more than 25 percent of the gross floor area of the principal building; and

(f) a minimum of 2 parking spaces must be provided per 3 guest rooms.

(5) If the major home based business is a day care the use must comply with the following additional requirements:

(a) the hours of operation must be limited to between 7:00 am and 7:00 pm;

(b) no other home-based businesses may be conducted within the premises;

(c) Limited to no more than 8 persons;

(d) Limited to a single family dwelling; and

(e) Must provide a pick-up/drop-off area, which may be a driveway, sufficient to ensure the safety of people when entering and leaving the premises.

(6) There must be no exterior indication of the existence of the home-based business, and no indoor display of the business visible from the outside, except that a home-based business may have one non-illuminated identification sign not exceeding 2 square feet in area, provided the sign is attached to and parallel with a wall of the principal or accessory building.

(7) Notwithstanding subsections 113(5) and (10), all existing Conditional Use Orders for auto dealers and auto repair operations, are not affected by the By-law. Conditional Use Orders with expiration dates shall be allowed to continue to operate in compliance with

the conditions contained in their respective Orders until January 1, 2025, at the discretion of the Director of Planning, Property and Development.

Outdoor Dining/Drinking Area

116. In the C1 and C2 zoning districts, outdoor dining and drinking areas are limited to a maximum of 100 square feet.

Outside Display and Sales

117. (1) Outside display area not exceeding 10 percent of gross floor area is permitted in all C2, C3, C4, CMU, MMU, and M1 districts.

(2) An outside display area associated with a landscape or garden supply establishment may not exceed 25 percent of the maximum permitted gross floor area in the C2, C3, C4, MMU, M1 and M2 districts.

(3) Outside sales are limited to a maximum of four 3-day events in each calendar year.

Outside Storage

118. (1) Accessory outside storage in the, C3, C4, MMU, M1 and M2 districts is subject to compliance with section 197, *Screening of Outside Storage Required*.

(2) In C3 and MMU zoning districts, outside storage is limited to 25 percent of gross floor area.

Recycling Collection Centre

119. No more than 10 percent of the parking lot in which the recycling collection centre is located may be devoted to the use, and the use must not make the number of available parking spaces lower than the minimum required by this By-law.

Secondary Suite

120. A secondary suite may be created accessory to a single-family dwelling, subject to the following standards:

(1) Only one entrance to the dwelling from the street may be located on the facade that faces the street, unless the dwelling contained an additional street-facing entrance prior to the creation of the secondary suite;

(2) Lots containing secondary suites must contain a minimum of 2 off-street parking spaces; and

(3) The maximum size of a secondary suite unit may be no more than 33 percent of the living area of the dwelling, or 800 square feet, whichever is less.

TEMPORARY USES AND STRUCTURES

Purpose

121. This section allows for the establishment of specifically enumerated uses for a temporary period of time provided that the proposed temporary use complies with the requirements of this section and all other provisions of this By-law.

Director's Determination

122. If a question arises as to whether a proposed temporary use or structure is included within those use categories or use types listed in Table 4-3, the Director must make the determination as described in section 61, *Classification of Uses*.

Temporary Use Permits

Permit Required

123. Subject to section 124, no temporary use or structure may exist without an approval pursuant to the *Development Procedures By-law*.

Permit Exemptions

124. The following temporary uses are exempt from the requirement for an approval in section 123, provided that the proposed temporary use complies with the general requirements of section 125, *General Requirements for All Temporary Uses and Structures*:

(1) Garage or yard sales up to a maximum of 2 weekends per year, for a maximum of 3 days each; and

(2) Temporary car washes lasting no more than 2 consecutive days, 7 times per year.

General Requirements for All Temporary Uses and Structures

125. An approval issued for a temporary use or structure is issued subject to the following general requirements, unless otherwise specified in this By-law:

(1) The temporary use or structure must not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare.

(2) The temporary use or structure must not have adverse impacts on nearby residential neighbourhoods.

(3) The temporary use must comply with all applicable general and specific regulations of this section unless otherwise expressly stated.

(4) The temporary use or structure must not result in permanent alterations to the site.

(5) Unless otherwise stated in this By-law or in the terms of the permit, the temporary use must cease to operate 30 days after approval of the permit.

(6) All temporary signs associated with the temporary use or structure must be removed when the activity ends.

(7) The temporary use or structure must not violate any applicable conditions of approval that apply to a principal use on the site.

(8) If the property is undeveloped, it must contain sufficient land area to allow the temporary use or structure to occur, as well as any parking and traffic movement that may be associated with the temporary use, without disturbing sensitive or protected resources such as floodplains.

(9) Tents and other temporary structures must be located so as not to interfere with the normal operations of any permanent use located on the property.

(10) A temporary use is not permitted unless sufficient off-street parking is adequate to accommodate anticipated parking needs associated with the temporary use.

Additional Standards for Specific Temporary Uses

126. In addition to complying with section 125, the temporary uses listed in sections 127 through 130 must comply with the standards set out in those sections.

Farmers' Market

127. Farmers' markets are limited to between April 1st to October 31st.

Real Estate Sales Offices and Model Sales Homes

128. (1) All real estate sales offices and model sales homes must meet all dimensional standards and parking requirements set forth in Part 5 as applicable to principal structures in the zoning district where the temporary structure is located.

(2) No real estate sales office or model home must be used as a dwelling during the time it is being used as a real estate sales office or model home.

Seasonal Sales

129. Seasonal sales areas:

(1) Must not reduce the number of required off-street parking or loading spaces below the minimums required by this By-law;

(2) Obstruct any vehicular circulation route into or through the property; and

(3) Are limited to a maximum of 60 days in each calendar year.

Temporary Construction Trailer or Building

130. Temporary construction trailers or buildings must be removed from the premises within one month after completion of construction.

PART 5: DEVELOPMENT AND DESIGN STANDARDS

APPLICATION

131. This Part of the *Zoning By-law* provides development and design standards applicable to all development in the City, except that area covered by the *Downtown Winnipeg Zoning By-law*, unless the application of a development or design standard is specifically limited to certain types or categories of development. Where specific design or development standards apply in different zoning districts, they apply to the zoning districts designated on the Zoning Maps in Schedule B to this By-law.

DIMENSIONAL STANDARDS

Standards for All Districts

132. The following standards apply to all development under the jurisdiction of this By-law:

(1) The owner has a continuing obligation to maintain the minimum yards and other open spaces required in this By-law.

(2) The minimum yards and other open spaces required by this By-law for one use may not serve to satisfy the requirements of this By-law for minimum yards and other open spaces for any other use.

(3) Yards and other open space required for a use must be located on the same zoning lot as the use.

(4) The owner may provide lots with larger lot areas, frontages, or yards than the minimum amounts required by Tables 5-1 through 5-6, as applicable, but may not exceed any maximum established by Tables 5-1 through 5-6, as applicable, or any maximum imposed as a condition of any rezoning, Variance or Conditional Use Order.

Agriculture and Park Districts

Principal Buildings

133. (1) No person may erect a principal building in the A, PR1, PR2, or PR3 zoning districts, except for major utility facilities and minor utility facilities, unless;

(a) the principal building complies with the dimensional standards in Table 5-1; or

(b) an alternative dimensional standard is authorized by sections 159 or 160, *Permitted Projections,* or the requirements of sections 155 through 158, *Additional Yard Requirements,* or by another provision of this By-law, or by a Variance Order.

(2) In Table 5-1, the contents of each cell set out the dimensional requirement, in feet unless otherwise stated, identified at the top of its column for the zoning district identified at the far left of its row. "NA" means "not applicable". Notes within Table 5-1 have legal effect and indicate special situations that affect the application of dimensional standards to specific zoning districts.

TABLE 5-1: Agriculture and Park District Standards

Zoning District	Minimum Lot Area	Minimum Lot Width (Ft.)	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Side Yard (Ft.) [note a]	Maximum Height of Bldg. (Ft.)
A	40 acres	300	100	25	25	30
PR1	NA	NA	20	25	8	30
PR2	NA	NA	20	25	10	NA
PR3	NA	NA	20	25	10	NA

NOTES:
a. Side yard requirements do not apply when land is used for a permitted recreational use without a structure

Accessory Structures

134. No person may erect an accessory structure, except for those related to public utilities, unless:

(1) The accessory structure complies with the same dimensional standards applicable to a principal building on the lot; or

(2) An alternative dimensional standard is authorized by sections 159 and 160 regarding permitted projections, sections 155 through 158, regarding required yards, or by another provision of this By-law, or by a Variance Order, with the following exception:

(a) in the A zoning district, the maximum height of a detached garage is 13 feet.

Residential Districts

General

135. With the exception of an alternative development pattern allowed under Section 140, No person may erect and the owner of property may not permit to be erected more than one principal building on any zoning lot in the R1 and R2 zoning districts.

136. In the R1 zoning district, where the depth of a lot is reduced by the enlargement of the right-of-way at the bend of a street or the curve of a cul-de-sac, the Director may reduce the front yard requirement by up to 5 feet so long as the required front yard is not reduced to less than 18 feet measured from the front lot line to the front wall of a private garage or the edge of a carport nearest the public street.

Single and Two-Family Zoning Districts

137. (1) No person may erect and the owner may not permit to be erected a principal building on lands in the RR5, RR2, R1, R2, or RMH, zoning districts, except for public utility facilities, unless:

(a) the principal building complies with the dimensional standards in Table 5-2; or

(b) an alternative dimensional standard is authorized by sections 159 and 160 regarding permitted projections, sections 155 through 158, regarding required yards, subsection (b) below, by another provision of this By-law, or by a Variance Order.

(2) In Table 5-2, the cells in each row specify a dimensional requirement for development for each zoning district noted in the far right column in relation to the requirement set out at

the top of the column in which the cell is contained, and notes indicate special situations that affect the application of dimensional standards to specific zoning districts. Except where otherwise specified in the cells, the requirements set out in each cell are expressed in feet, in the case of length and in square feet, in the case of area. In the case of "maximum lot coverage" the requirement is expressed as a percentage of the total area of the lot.

TABLE 5-2: Dimensional Standards for the RR5, RR2, R1, R2 and RMH Zoning Districts

Zoning District and Designation	Minimum Lot Area (Sq. Ft.) [Note a]	Minimum Lot Width (Ft.)	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Side Yard (Ft.) [Note b]	Minimum Reverse Corner Street Side Yard (Ft.)	Maximum Height of Bldg. (Ft.)	Maximum Lot Coverage (%)
Principal Residential Structure								
RR5	5 acres	25	100	25	25	25	35	30
RR2	87,120	25	50	25	25	25	35	30
R1-Estate	20,000	25	30	25	15	20	35	30
R1-Large	5,500	25	20	25	4	10	35	40
R1-Medium	3,500	25	15 [note c & d]	25	4	4	35	45
R1-Small	2,500	25	15 [note c & d]	25	3 each, or 2 & 4	4	35	45
RMH	See section 147, *Residential Mobile Home Park District-Specific Standards*							
R2	5,000 (2,500 per dwelling unit for two-family; 800 per dwelling unit for multi-family)	25	20	25	4	10	35	NA
Principal Non-Residential Structure								
RR5	25,000	25	100	25	25	30	30	50
RR2	25,000	25	50	25	25	30	30	50
R1, R2	20,000	25	20	25	25	30	30	50

NOTES:

a. Where the lot is serviced by a private sewage disposal system with a septic field, the minimum lot area is that required by the *Sewer By-law* (7070/97) or that shown in dimensional standards table, whichever is greater. In other cases where residential uses are not served by municipal water and/or sewer, the minimum lot area is 11,000 sq. ft.

b. Where the width of the lot is a factor of the non-compliance of a lot of record, the side yards may be reduced to 10% of the width of the lot but must not be less than 3 feet.

c. Portions of the front façade that do not include garages or carports must have a minimum front yard of 15 feet; where a driveway leads from the street to a garage or carport located on the front facade of the house, such driveway must be a minimum of 18 feet in length, unless the provisions of subsection 140(2), *Auto Courts*, apply. Driveway length is measured between the garage door or the edge of the carport closest to the street and the front property line.

d. If the house has rear access to a public lane and does not have a driveway providing access from the public street to a garage or carport, the minimum front yard is 10 feet, unless the provisions of subsection 140(3), *Loop Lanes*, apply.

Special Boundary Conditions

138. (1) If an undeveloped parcel of land is located in the R1 or R2 zoning districts, or proposed for rezoning to the R1 or R2 zoning districts, and abuts an existing R1 or R2 zoning district, or is separated from an R1 or R2 zoning district by a street right-of-way, railroad right-of-way, or waterway, the undeveloped parcel must not be subdivided unless the width/square footage of the proposed lot(s) within 200 feet (measured from the edges of the proposed subdivision) of the adjacent R1 or R2 zoning district is not less than the average lot width/square footage of existing developed lots in residential use in the adjacent R1 or R2 areas along such shared boundary, but in no case may be less than 35 feet.

(2) Other lots proposed to be created within the undeveloped parcel must comply with Table 5-2. (Illustration 10 provides an example of this requirement.)

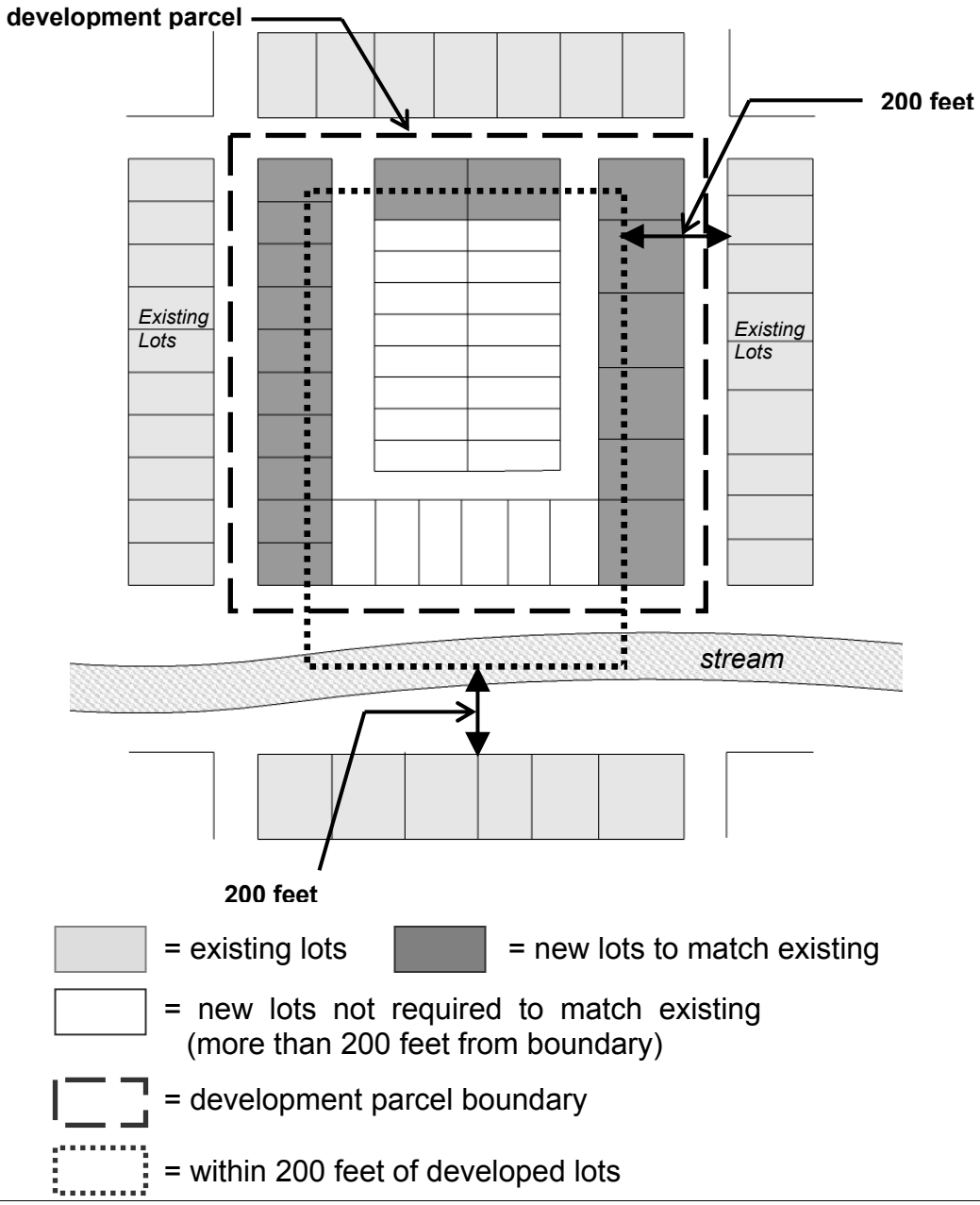


Illustration 10: Special Boundary Conditions

Front Yard Building Alignments

139. Where a new single-family or two-family dwelling or addition to a dwelling is proposed within a street block or a portion of a street block where at least 80 percent of the lots have been developed with principal residential structures, and the front yard required by Table 5-2 is inconsistent with the majority of existing front yards for developed single- and two-family dwellings on the street block, the new structure must be developed with a front yard consistent with the average of the existing front yards within that block or portion of the block. In the case of a corner lot, either the average of the setback for the two nearest properties on the same

block or for all the properties facing the same street on the same block may be used for calculating the allowed setback. (Illustration 11 provides an example of the application of this provision.)

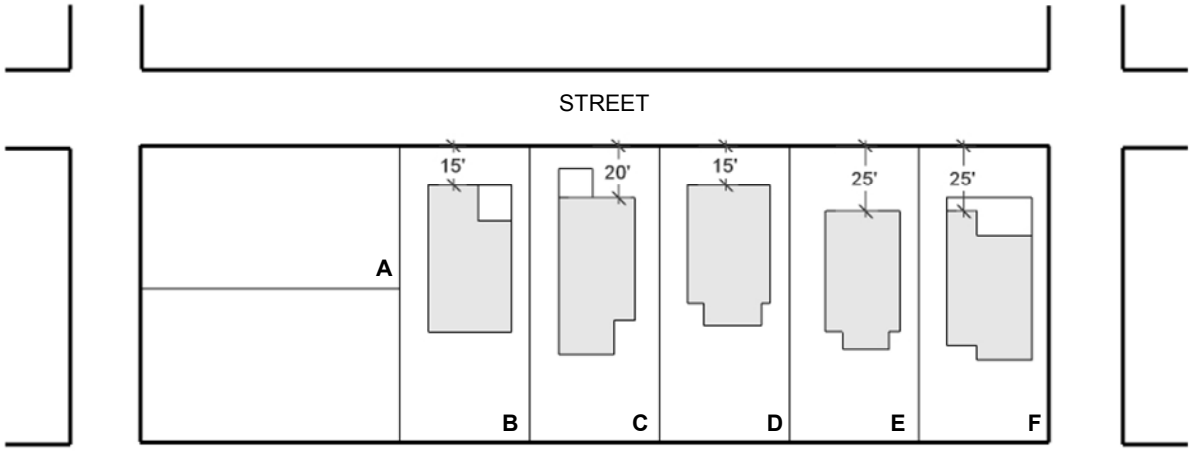


Illustration 11: Front Yard Building Alignments
In this example, lots "B" through "F" are included in the street block for purposes of measuring front yard building alignments. Lot "A" is not included, as the front of this lot is on a different street. Setback averaging is measured to the bulk of the buildings (shaded areas) and does not include porches (unshaded).

The minimum required front yard setback in this example is 25 feet. An addition to the front of lot "E" would require the averaging of the setbacks of lots "D" and "F", the two closest buildings on the same block face. In this example the resulting setback would be 20 feet - the average of lot "D" (15 feet) and lot "F" (25 feet). An addition to the front of lot "F" would be based on the average of the two closest buildings on the same block face; in this case, lots "D" and "E" or the average of all the lots facing the same street ("B" through "F").

Alternative Development Patterns

140. (1) As an alternative to organizing each single-family lot with separate access to a public street, the owner of land in the R1 or R2 zoning districts may develop an auto court pursuant to the standards in subsection (2) below or a loop lane pursuant to the standards in subsection (3) below. An owner may only create flag lots pursuant to the standards in subsection (4) below. All dimensional standards in Table 5-2 continue to apply unless modified by the standards in subsections (2) through (4) below.

Bare Land Condominium - Auto Courts

(2) Up to 4 single-family dwelling units may share a single driveway access to a public street through the use of an auto court layout (see Illustration 12) that complies with the following conditions:

(a) the minimum width of the surface of an auto court must be 20 feet;

(b) shared driveways must be surfaced with concrete, asphalt, or paving stone, or a combination of those materials;

(c) individual driveways leading from the shared driveway to each dwelling unit must be at least 20 feet long, as measured between the front of the garage or carport and the closest edge of the shared driveway;

(d) the design of the auto court must permit a passenger vehicle to back out of an individual driveway and turn 90 degrees using the individual drive or intersecting street;

(e) the auto court design must comply with all off-street parking requirements applicable to singe-family dwellings. In addition, each auto court design must provide one-half off-street parking space per dwelling unit, in a location other than a private driveway; and

(f) the maintenance and repair of shared driveways is the responsibility of the homeowner's association unless such driveways are constructed to City street standards and the City accepts responsibility for maintenance and repair during the development approval process.

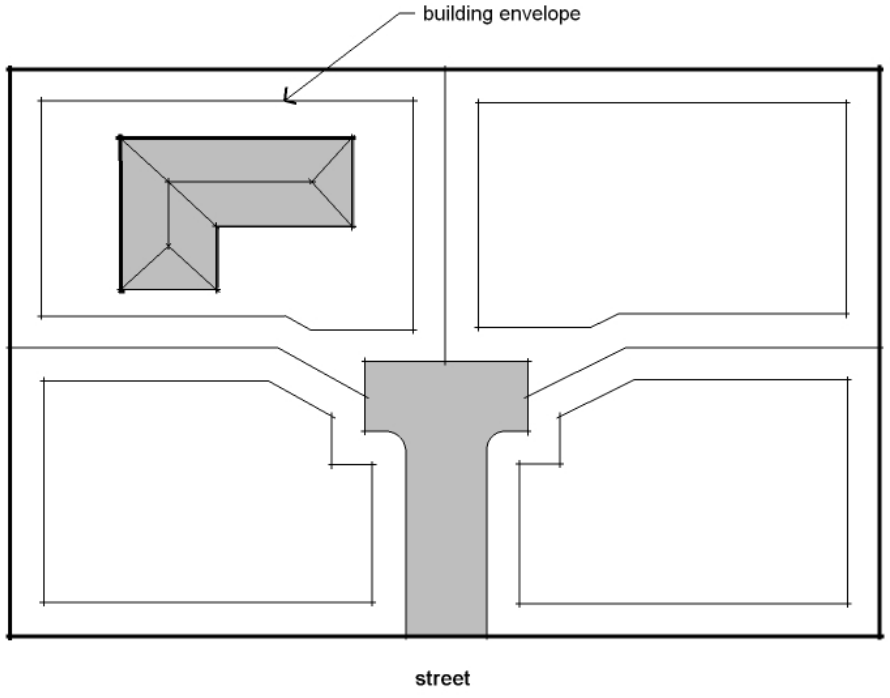


Illustration 12: Auto Courts

Bare Land Condominium - Loop Lane

(3) Up to 7 single-family dwelling units may share access to a public street through the use of a loop lane layout (see Illustration 13) that complies with the following conditions:

(a) the surface of the loop lane must be at least 16 feet wide, and must be surfaced with concrete, asphalt, or paving stone, or a combination of those materials;

(b) no portion of the loop lane may extend more than 250 feet from the public street to which the loop lane gives access;

(c) the common area surrounded by the loop lane must be at least 60 feet wide;

(d) individual driveways leading from the loop lane to each home must be at least 20 feet long, as measured from the closest edge of the loop lane;

(e) traffic on the loop lane must be one-way only and must be adequately signed as a one-way drive;

(f) design of the loop lane must permit a passenger vehicle to back out of an individual driveway and turn 90 degrees using only the individual driveway, the loop lane, or the intersecting public street;

(g) the loop lane design must comply with all off-street parking requirements applicable to singe-family dwellings. In addition, each loop lane court design must provide one-half off-street parking space per dwelling unit, in a location other than a private driveway; and

(h) the maintenance and repair of the loop lane surface and the common area surrounded by the loop lane is the responsibility of the owner unless the loop lane is constructed to City street standards and the City accepts responsibility for maintenance and repair during the development approval process.

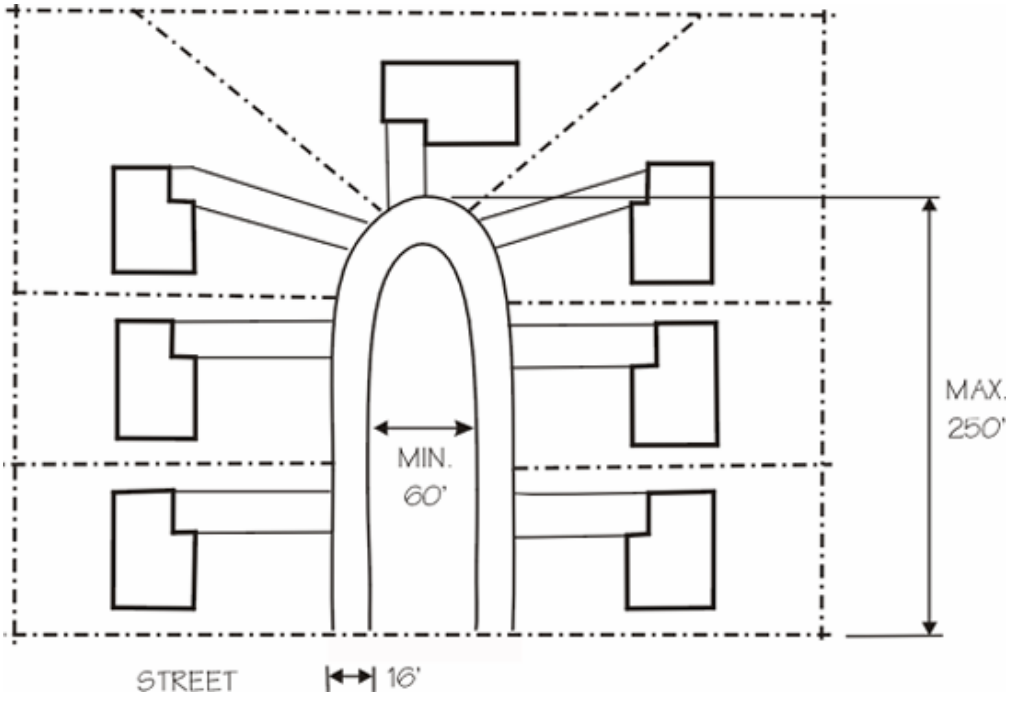


Illustration 13: Loop Lanes

Flag Lots

(4) The creation of new flag lots is prohibited unless:

(a) the lands proposed for flag lot access are located in an R1 or R2 zoning district;

(b) the lands proposed for flag lot development are located more than 150 feet from the nearest existing or planned public street or lane; and

(c) the Director determines that there is no feasible alternative way to provide access to such lands.

(5) Where flag lots have been created prior to the effective date of this By-law, or are permitted pursuant to subsection (4) above, the following standards apply:

(a) the minimum width of the strip of land used to provide driveway access to the buildable portion of the flag lot shall be 25 feet; and

(b) within the access strip, the owner must erect and maintain a property address sign meeting the standards of sections 178 through 187, *Signs* and 189(4) *Avoiding Interference with Traffic/ Pedestrian Safety*, within 20 feet of the right-of-way of the public street or lane; and

(c) the lands adjacent to the intersection of the access driveway and the right-of-way of the public street or lane must comply with the standards of section 189(4), *Avoiding Interference with Traffic/Pedestrian Safety*.

Splitting Two-Family Lots

141. The owner of a lot that has a two-family dwelling located on it may split the lot into 2 lots provided that:

(1) The new lot line must be a straight line between the front and rear lot lines, located in such a manner that the party wall of the two-family dwelling must form part of the new lot line, and where the new lot line is unable to form a straight line due to the irregular shape of the lot or the structure, the location of that new lot line must be determined by the conditions of any subdivision approval issued.

(2) Each of the 2 lots created must have frontage on a street.

(3) The permitted use of each lot created must be for a semi-detached single-family dwelling unit and permitted accessory uses only.

(4) Each lot created must provide one parking space with access to this required parking space being directly from either a public lane or a street; however, the parking space must not be permitted in the front yard.

(5) Each lot created must provide yards not less than the R2 zoning district minimum yard requirements; except that the minimum side yard along the new lot line may be zero feet in width. (See Illustration 14.)

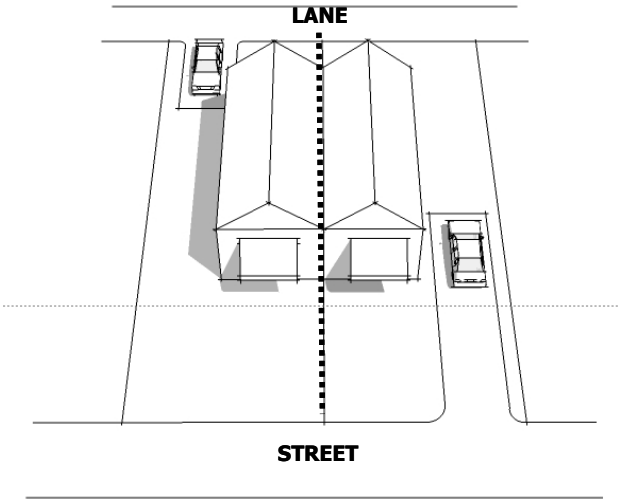


Illustration 14: Splitting Two-Family Lots

Accessory Structures

142. (1) No person may erect an accessory structure, including but not limited to parabolic antennas and swimming pools, but excluding those related to public utilities, unless (i) the accessory structure meets the dimensional standards in this subsection (4), or (ii) an alternative dimensional standard is authorized by sections 159 and 160 regarding permitted projections, sections 155 through 158, regarding additional yard requirements, by another provision of this By-law, or by a Variance Order.

(2) The following regulations apply to detached accessory structures:

(a) if a detached accessory structure is located behind the rear wall of the principal building, the following regulations in Table 5-3 apply:

TABLE 5-3: Dimensional Standards for Accessory Structures Located to Rear of Rear Wall of Principal Building

Minimum Side Yard	Minimum Reverse Corner Side Yard	Minimum Rear Yard	Maximum Lot Coverage	Maximum Height of Building
2 ft. maximum 1 ft. overhang excluding eavestrough	As required for principal building maximum 2 ft. overhang excluding eavestrough	2 ft. maximum 1 ft. overhang excluding eavestrough	484 sq. ft. or 12.5% of total lot area to a maximum of 880 sq. ft.	13 ft.

(b) if a detached accessory structure is not located to the rear of the rear wall of the principal building, the dimensional standards of the principal building including front yard requirements apply for that portion of the structure not to the rear of the rear wall of the principal building;

(c) the minimum separation space between a detached accessory building and the any other building on the lot must be 3 feet, clear of all projections;

(d) open decks 2 feet or less in height are permitted in any side yard or rear yard; and

(e) accessory structures under 108 square feet in floor area are permitted in any side or rear yard; and

(f) where a lawfully-constructed detached accessory structure that conforms with this By-law exists on a lot, such structure does not become non-conforming due to the subsequent construction of an addition to the principal building that complies with the standards of this By-law.

(3) Notwithstanding any other regulations regarding the location of accessory structures, no accessory structure may be located in such a way as to impair access to a required parking space in the side or rear yard.

(4) Where a structure is attached to the principal building by a roof, an open or enclosed structure, a floor or a foundation, it is considered to be part of the principal building and is subject to the dimensional standards for the principal building, excepting that any portion of a private garage located to the rear of the rear wall of the principal building is subject to the regulations in Table 5-3 above.

(5) Unenclosed above-ground swimming pools must meet the same minimum yard requirements as other detached accessory buildings. Unenclosed in-ground swimming pools must provide a minimum 5 foot side yard and 5-foot rear yard.

Multiple-Family Districts

General Dimensional Standards

143. No person may erect a principal building on lands in the RM zoning districts, except for public utility facilities, unless (i) the principal building complies with the dimensional standards in Table 5-4 or (ii) an alternative dimensional standard is authorized by sections 159 and 160 regarding permitted projections, sections 155 through 158, regarding additional yard requirements, by subsection (2) below, by another provision of this By-law, or by a Variance Order. In Table 5-4, each row indicates a zoning district and each column indicates a dimensional requirement for development.

TABLE 5-4: Dimensional Standards for Multi-Family Districts

Zoning District and Designation	Minimum Lot Area (Sq. Ft.)	Minimum Lot Area Per Dwelling Unit (Sq. Ft.)	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Interior Side Yard (Ft.)	Minimum Corner Side Yard (Ft.)	Principal Building Separation (Ft.) [note a]	Maximum Building Height (Ft.)
Multi-Family Residential Structures								
RMF-S	9,000	1,250	20	25	4	5	8	35
RMF-M	9,000	800	25	25	8 **[note b]**	20	8	60
RMF-L	20,000	400	25	25	8 **[note b]**	20	8	150
RMU	9,000	500	20	25	5 **[note b]**	20	8	100
Single-family residential structures must meet the requirements of the R1-M zoning district								
Two-family residential structures must meet the requirements of the R2 zoning district								
Principal Non-Residential Structures								
RMF-S, RMF-M, RMF-L	20,000	NA	25	25	8	20	NA	35
RMU	9,000	NA	20	25	5	20	NA	39

NOTES:
a. For buildings taller than 35 ft, the principal building separation distance must be 50% of the height of the taller building to a maximum of 25 feet.
b. In the RMF-M, RMF-L, and RMU zoning districts, where a building is more than one storey in height, the required interior side yard increases by 2 feet for each storey above the ground floor to a maximum of 20 feet.

Front Yard Building Alignment

144. Where a multi-family dwelling building or addition to a multi-family dwelling building is proposed within a street block or a portion of a street block, and the front yard required in the relevant zoning district is inconsistent with the existing front yards of a majority of the principal buildings on the street block, the new structure must be developed with a front yard consistent with the average of the existing front yards within that block or portion of the block. In the case of a corner lot, either the average of the setback for the two nearest properties on the same block or for all the properties facing the same street on the same block may be used for calculating the allowed setback. (See Illustration 11.)

Splitting a Lot Containing Attached Dwellings

145. The owner of a lot with attached dwellings located on it may split the lot to provide individual lots for one or more of the attached dwelling units provided that:

(1) The new lot lines must be a straight line between the front and rear lot lines, located in such a manner that the party walls of the attached dwelling must form part of the new lot lines, and, where a new lot line is unable to form a straight line due to the irregular shape of the lot or the structure, the location of that new lot line may be determined by the Director.

(2) Each of the new lots created must have frontage on a street.

(3) The area of each lot created must be not less than the minimum lot area per dwelling unit permitted under the dimensional standards for the District in which the lot is located.

(4) The permitted use of each lot created must be for a single-family attached dwelling unit and permitted accessory uses only.

(5) Each lot created must provide at least 1 parking space with access to the required parking space directly from a public lane or a public street.

(6) Minimum side yards along party walls established by the lot split may be 0 feet in width.

(7) Each end unit in a grouping of single-family attached dwellings must meet the minimum side yard or corner side yard requirement, as applicable, of a two-family structure in the same zoning district. (See Illustration 15.)

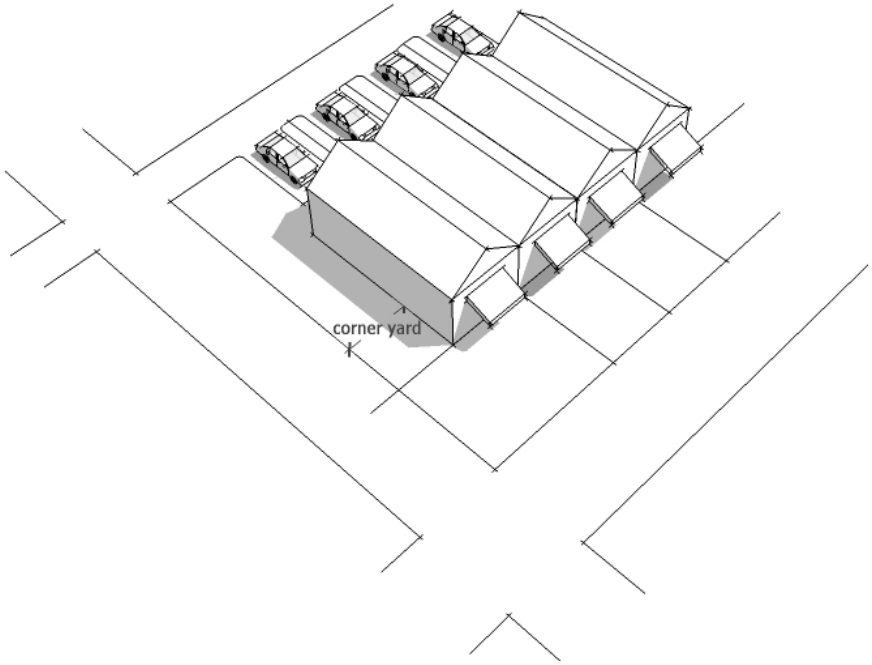


Illustration 15: Splitting a Lot Containing Attached Dwellings
Side yard(s) for end unit(s) must meet the dimensional standards of the district. Side yards at party walls are zero feet.

Accessory Structures

146. No person may erect an accessory structure, including but not limited to parabolic antennas and swimming pools, but excluding those related to public utilities, unless (i) the accessory structure meets the dimensional standards in this section 146 or (ii) an alternative dimensional standard is authorized by sections 159 or 160 regarding permitted projections, sections 155 through 158, regarding additional yard requirements, by another provision of this By-law, or by a Variance Order.

(1) Structures accessory to a principal multi-family structure must meet the same dimensional requirements applicable to the principal building, except that:

(a) no accessory structure may be located in the required front yard, except that not more than 4 feet in height of the walls of an underground parking structure may exist in a required front yard, where the front yard and side yards adjacent to those walls are landscaped slopes to the tops of those walls, and the roof of that underground parking structure is fully landscaped.

(b) a detached parking structure must comply with the same front yard and reverse corner side yard standards applicable to the principal multi-family residential structure and have a maximum height of 13 feet.

(c) unenclosed in-ground swimming pools must comply with the same front, side, and reverse corner side yard requirements applicable to the principal multi-family structure, but may have a reduced rear yard requirement of 8 feet.

(2) Structures accessory to a principal single-family or two-family dwelling unit must meet the standards set out in section 142.

Residential Mobile Home Park District-Specific Standards

147. All development or redevelopment in the Mobile Home Park District must meet the following standards.

(1) A buffer area must be provided within and adjacent to the perimeter of the mobile home park property boundary in accordance with the following:

(a) minimum width of buffer area adjacent to a mobile home park property boundary abutting a public street or highway must be 25 feet; and

(b) minimum width of buffer area adjacent to any other mobile home park property boundary must be 15 feet.

(2) The required buffer area must be developed as follows:

(a) suitably landscaped with trees, shrubs, grass and similar horticultural features as shown on the plans submitted to and approved by the Director;

(b) the buffer area may be crossed by an access right-of-way from a street to the internal roadway system; and

(c) the buffer area must contain no use other than those permitted above.

(3) The following minimum separation distances must be provided:

(a) the minimum distance between mobile homes must be 10 feet;

(b) the minimum distance from a mobile home to a common parking area, storage compound, and rights-of-way of an internal roadway system and access roads must be 5 feet; and

(c) the minimum distance from an accessory structure to a mobile home to a common parking area, a storage area, rights-of-way of the internal roadway system or access roads must be 5 feet.

(4) A porch, carport or any addition must be considered as part of the mobile home for the application of the above separation requirements.

(5) A mobile home park must contain a storage compound containing a minimum of 100 square feet of storage area for each mobile home space in the mobile home park and must be located as shown on plans submitted pursuant to the above-noted requirements.

(6) A mobile home park must contain a common recreational area that:

(a) contains a minimum of 7 ½ percent of the mobile home park area;

(b) is not part of the required buffer area; and

(c) is bordered by a fence or hedge where it abuts any part of the internal roadway system.

(7) A mobile home park must have internal roadway system rights-of-way as follows:

(a) the main spine or collector road of the internal roadway system must have a right-of-way a minimum of 50 feet in width; and

(b) other roadways of the internal roadway system must have a right-of-way a minimum of 33 feet in width.

(8) The internal roadway system must have a concrete or asphalt driveway a minimum of 25 feet in width.

(9) A walkway, where provided, must have a minimum width of 10 feet.

(10) A mobile home space must be provided with the following:

(a) a sewer and water connection;

(b) an electrical service outlet; and

(c) an adequate base support for the mobile home.

(11) Accessory structures (other than parabolic antennas) must not be located in the following yard areas:

(a) front yard - 5 feet

(b) rear yard - 2 feet

(c) interior side yard - 2 feet

(d) corner side yard - 10 feet

(12) Dimensional Standards

(a) minimum number of spaces - 50

(b) minimum width of site - 300 feet

(c) minimum area per mobile home space - 2,800 square feet

(d) minimum width per mobile home space - 40 feet

(13) Parabolic antennas must meet the requirements applicable to the R1 district.

Commercial and Institutional Districts

General Dimensional Standards

148. No person may erect a principal building or an accessory structure on lands in the C1, C2, C3, C4, CMU, or EI zoning districts, except for public utility facilities, unless (i) the principal building complies with the dimensional standards in Table 5-5 or (ii) an alternative dimensional standard is authorized by sections 159 and 160 regarding permitted projections, sections 155 through 158, regarding additional yard requirements, by another provision of this By-law, or by a Variance Order. In Table 5-5, each row indicates a zoning district, each column indicates a dimensional requirement for development, and notes indicate special situations that affect the application of dimensional standards to specific zoning districts. Development must comply with all dimensional standards applicable to the zoning district where the property is located.

TABLE 5-5: Dimensional Standards for Commercial and Institutional Zoning Districts

Zoning District	Minimum/ Maximum Front Yard (Ft.) [note a]	Minimum Rear Yard (Ft.)	Minimum Interior Side Yard (Ft.) [note b]	Minimum Corner Side Yard (Ft.)	Maximum Height of Building. (Ft.)	Maximum Floor Area Ratio
Non-Residential Structures						
C1	0 / 10 [note f]	0	0	0	39	1.0
C2	0 / NA	25 [note c]	0	0	49	3.0
C3	25 / NA	25	0	25	49	1.5
C4	[Note d] / NA	50	[Note d]	[Note d]	NA	5.0 [Note e]
CMU	0 / NA	25	0	0	60	3.0
EI	25 / NA	25	0	25	100	3.0
Single-family residential structures must meet the requirements of the R1-M zoning district						
Two-family residential structures must meet the requirements of the R2 zoning district						
Multi-family residential structures in the C1 district must meet the requirements of the RMF-S zoning district; Multi-family residential structures in the C2, CMU or EI districts must meet the requirements of the RMF-M zoning district.						

NOTES:

a. Where a maximum front yard requirement applies, a minimum of 50 percent of the ground floor front façade of the principal structure must meet the maximum front yard requirement; other portions of the front façade may be located further from the street. (See Illustration 16.)

b. 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 side yard of 10 feet must be provided along the side lot line in the commercial or institutional 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.

c. No rear yard is required for lots in the C2 district located in the Urban Infill Areas on Maps 1 and 2 in Schedule C

d. Principal buildings must be located 125 feet from the boundary of any lot with residential zoning or residential use, and 50 feet from the boundary of any lot with any other zoning or use. Secondary "liner" or "pad site" buildings that are not the principal building on a site must comply with yards applicable to the C3 district. Fuel sales kiosks must be located at least 50 feet from each property boundary.

e. Maximum FAR is increased to 6.0 if the property is located within 400 meters of a transit stop served by regular daily service.

f. Maximum front yard in the C1 district applies only in Urban Infill Areas as identified on Maps 1 and 2 in Schedule C.

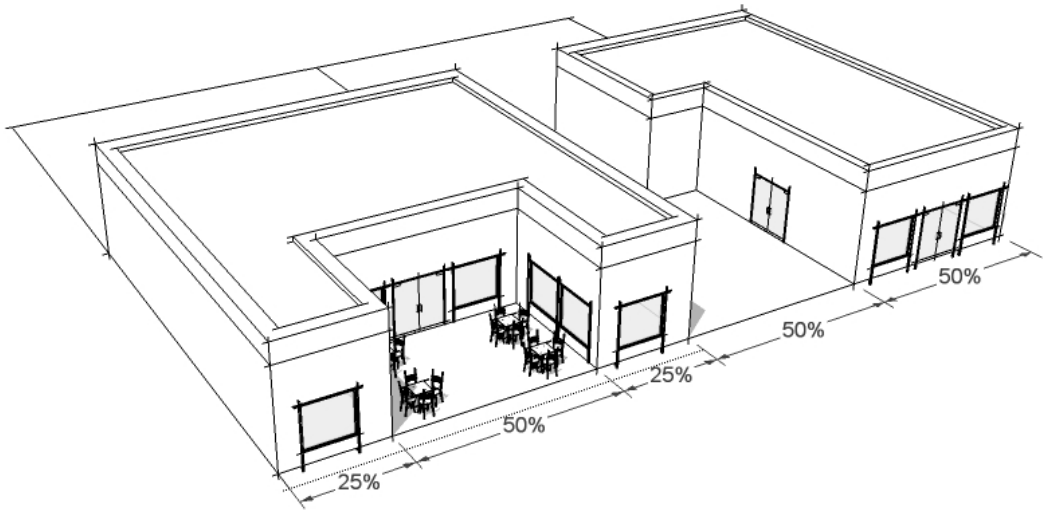


Illustration 16: Maximum Front Yard in C1 District
In Urban Infill Areas identified on Maps 1 and 2 in Schedule Cwithin the C1 district, a minimum of 50 percent of the ground floor front façade must be located within 10 feet of the front property line. The illustration demonstrates two possible ways that a building may be designed to meet that standard.

Educational and Institutional District

Master Plan Required

149. Prior to the approval of any development application and/or construction of a building on land within an EI district, the owner of the land is required to prepare and submit a Master Plan, addressing current and proposed development, for any development or redevelopment that meets one or more of the following characteristics:

(1) Any development with a multi-building campus;

(2) Any development with more than 100,000 square feet of combined floor area in all principal and accessory structures; or

(3) Any development on a site of more than 10 acres, but not including elementary, middle, or high schools.

Contents of Master Plan

150. If a Master Plan is required pursuant to section 149, *Master Plan Required*, above, the following information should be included in that Master Plan:

(1) The location of each existing and each proposed building and structure, the use or uses to be contained in that building, the approximate size, and approximate location of entrances and loading points of the building;

(2) The location of major outside facilities for waste disposal;

(3) The location of access points to public streets, parking areas, loading areas, and public transportation points;

(4) All pedestrian walks, malls and open areas for use by tenants or members of the public;

(5) The location, size, and height of all freestanding signs;

(6) The types of surfacing, such as paving, turfing or gravel, to be used at the various locations;

(7) The location of major utilities;

(8) Typical floor plans and elevations of proposed buildings and structures, if available;

(9) Features included to minimize any impacts on adjacent properties, including but not limited to transitions in building height, building size, location of parking areas, and landscaping and screening; and

(10) Land for future development.

Effect and Amendment of Master Plan

151. A copy of the plan must be deposited with the Director and this plan will guide the issuance of all permits and the construction, location, use and operation of all land, buildings and structures included within this plan. Minor changes to the location of structures and buildings may be permitted without amendment to the plan. A change which causes any of the following circumstances to occur is considered major change and will require amendment to the plan:

(1) A change in the character of the development;

(2) An increase in the ratio of the total gross floor area to the total site area;

(3) An increase in the intensity of use;

(4) A reduction in the originally approved separations between buildings;

(5) An increase of the problems of circulation, safety and utilities;

(6) An increase of the external effects on adjacent property;

(7) A reduction in the originally approved yards from property lines;

(8) An increase in ground coverage by structures or buildings;

(9) A reduction in the ratio of off-street parking and loading space to gross floor area in buildings;

(10) A change in the subject, size, lighting, flashing, animation or orientation of originally approved signs; or

(11) A proposal to develop vacant land.

Manufacturing Districts

General Dimensional Standards

152. No person may erect a principal building or an accessory structure on lands in the MMU, M1, M2, M3 or MP zoning districts, except for public utility facilities, unless (i) the principal building complies with the dimensional standards in Table 5-6 or (ii) an alternative dimensional standard is authorized by sections 159 and 160 regarding permitted projections, sections 155 through 158, regarding additional yard requirements, by another provision of this By-law, or by a Variance Order. In Table 5-6, each row indicates a zoning district, each column indicates a dimensional requirement for development, and notes indicate special situations that affect the application of dimensional standards to specific zone districts. Development must comply with all dimensional standards applicable to the zoning district where the property is located.

TABLE 5-6: Dimensional Standards for Manufacturing Zoning Districts

Zoning District	Minimum Lot Area (Sq. Ft.)	Minimum Lot Width (Ft.)	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.) [note a]	Minimum Interior Side Yard (Ft.) [note a]	Minimum Corner Side Yard (Ft.)	Maximum Height of Building. (Ft.)	Maximum Floor Area Ratio
MMU	NA	NA	20	0	15	20	85	2.0
M1	NA	NA	25	0	0	15	50	2.0
M2	NA	NA	25	0	0	15	100	2.0
M3	NA	NA	25	0	0	15	150	3.0
MP	NA	NA	40	0	15	20	85	1.0

NOTES:

a. Where the rear or side lot line abuts the side or rear lot line of an R1, R2 or RMF zoning district, a 25 foot yard must be provided along the side or rear lot line. The side or rear 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.

Yards for Uses without Structures

153. No person may cause a lot in a manufacturing zoning district to be occupied for a permitted use without a structure, unless the yards required by Table 5-6 are provided and maintained.

Planned Development Overlay Districts

154. Dimensional standards for PDO-1 and PDO-2 districts must be established at the time of approval of those districts, and are set forth in section 57, *Planned Development Overlay Districts,* and accompanying schedules.

Additional Yard Requirements

Lots Adjacent to Storm Water Retention Basins

155. Notwithstanding the minimum yards required by sections 132 through 154, owners of lots adjacent to storm water retention basins must provide and maintain the following additional minimum rear or side yards:

(1) If the property has been the subject of a zoning or subdivision agreement between the City and the owners of the lands, the yards required by those agreements are not affected by the enactment of this By-law and continue to apply to those lands until those

agreements are terminated by the parties. Copies of such zoning and subdivision agreements may be obtained from the Planning, Property and Development Department. Maps illustrating the lots that are subject to this provision are included in Schedule H.

(2) If the property has not been the subject of a zoning or subdivision agreement or a zoning by-law stating a specific minimum yard requirement from a storm water retention basin, then the following minimum yard requirements apply:

(a) 50 feet measured from a rear lot line to any temporary use or structure and open swimming pool;

(b) 75 feet measured from a rear lot line to any detached accessory building; and

(c) 93.2 feet measured from a rear lot line to any principal building.

Special Yards

156. Notwithstanding the minimum yards requirements imposed by sections 132 through 155, special yard requirements, set out in Schedule I, are hereby imposed on the properties described in Schedule I to address one or more of the following concerns: Right-of-way widening, buffering, noise attenuation, adjacency to retention ponds, building alignments, and design standards along designated Image Routes.

Lots Adjacent to Greater Winnipeg Gas Easement

157. Notwithstanding the minimum yard requirements imposed by sections 132 through 156, additional yard requirements between the Greater Winnipeg Gas Easement and all habitable buildings, set out in Schedule J, are hereby imposed on the owners of lots described in Schedule J.

Additional Area-Specific Yard Requirements

158. Owners of the properties listed in Schedule K are required to provide and maintain additional yards. Details of each required additional yard may be obtained from the Planning, Property and Development Department. Maps illustrating impacted lots are provided in Schedule K.

PERMITTED PROJECTIONS

Permitted Projections into Required Front, Side, and Rear Yards

159. Notwithstanding the required front, side, and rear yard requirements in sections 132 through 158, owners may permit the building elements, landscaping and site elements, and other features listed in the far left column of Table 5-7 to project into required front, side, and rear yards of properties falling within the zoning districts set out in the second column of Table 5-7 to the extent and with the restrictions set out in cells located in the 3 columns to the right of Table 5-7. Projections that are not listed for a particular zoning district are not allowed unless otherwise approved by the Director in accordance with section 19, *Permitted Projections*. Where maximum heights are stated in Table 5-7, those height limits apply to such elements and features when located in required yard areas. In addition, all elements and features located outside of required yard areas are subject to maximum heights stated in Tables 5-1 through 5-6, as applicable, unless a projection is allowed pursuant to section 160.

TABLE 5- 7: Permitted Projections

Features	Zoning District - Use Designation	Projections Permitted		
		Front Yard	Side Yard	Rear Yard
Building Elements				
Alcoves, bay windows, vestibules, and similar additions creating interior floor area, limited to one storey (See Illustration 17.)	A	Maximum depth 5 feet		
	RMF District and multi-family uses in C1, C2, C3, C4 or CMU Districts	Maximum depth = 5 ft. Maximum floor area = 50 sq. ft. in any yard		
	All Others	Maximum depth = 5 ft; Maximum floor area = 50 sq ft	Maximum depth = 2 ft; No closer than 1 ft to property line; Maximum floor area = 20 sq ft	Maximum depth = 5 ft Maximum floor area = 50 sq ft
Balcony required under a Fire Protection By-law; unenclosed fire escape	RR5, RR2, R1, R2 Districts and Single- and Two-Family Uses in C1, C2, C3, C4, or CMU Districts	Not permitted for new construction; Those existing on effective date of this By-law may be replaced	Not permitted for new construction; Those existing on effective date of this By-law may be replaced	Maximum depth = 4 ft; Maximum area = 48 sq ft
	RMF District and multi-family uses in C1, C2, C3, C4 or CMU Districts	Maximum depth = 4 ft Maximum area = 48 sq ft		
	Other Uses in C1, C2, C3, C4, CMU Districts	Not permitted	Maximum depth = 2 ft	Maximum depth = 5 ft; Maximum area = 50 sq ft
Other balconies	All Districts	Maximum depth of 4 inches per foot of yard but not exceeding 5 feet		
Brick facing	All Districts	Maximum depth = 5 in		
Exterior wall finish, excluding brick facing	All Districts	Maximum depth = 3 in		
Incidental building architectural features	A and RMF Districts and multi-family uses in C1, C2, C3, C4 or CMU Districts	Maximum depth = 5 ft		
	All Other	Maximum depth = 5 ft	Maximum depth = 2 ft; For yards less than 4 feet, eaves may project 4 inches per foot; Other features: no closer than 1 ft to property line	Maximum depth = 5 ft
Roofs over exterior entrances (may not be enclosed except by railing)	All Districts	Maximum depth = 5 ft; Maximum width = 50% of front facade of principal building;	No closer than 4 inches per foot of side yard; No closer than 2 ft to side lot line	Maximum depth = 5 ft; Maximum width = 50% of facade of principal building;

TABLE 5- 7: Permitted Projections

Features	Zoning District - Use Designation	Projections Permitted		
		Front Yard	**Side Yard**	**Rear Yard**
Landscaping and Site Features				
Arbours, trellises, trees, shrubs and similar horticultural landscape features	A	Permitted		
	All Others	Permitted. If placed to create fence effect then fence height limitations apply. Single, two-family, and multi-family uses in C1, C2, C3, C4, and CMU Districts must comply with fence height limitations of R1, R2, and RMF Districts, respectively.		
Basketball hoops	RR5, RR2, R1, R2, RMU Districts, and Single- and Two-Family Uses in C1, C2, C3, C4, and CMU Districts	Not closer than 10 ft to front or side lot line	Not permitted	Not closer than 10 ft to side lot line, or rear lot line where there is no abutting lane
Bicycle racks	All districts	Permitted		
Clotheslines, clothesline poles	All Districts	Not Permitted	Maximum height = 7 ft No closer than 2 ft to side lot line	Maximum Height = 7 ft No closer than 2 ft to side lot line; No closer than 2 ft to rear lot line if abutting a residential property with no intervening lane
Flag poles, lighting fixtures, lamp posts, and similar features	All Districts	Permitted, but maximum 13 ft height in residential districts		
Garbage and recycling enclosures	RR5, RR2, R1, R2, RMU Districts, and Single- and Two-Family Uses in C1, C2, C3, C4, and CMU Districts	Not Permitted	Not Permitted	Permitted when adjacent to a lane no closer than 2 ft to side lot line Maximum height = 6.5 ft
	All Others	Not Permitted	Not Permitted	Maximum height = 13 ft
Open landings and terraces	All Districts	Maximum height = 4 ft May not be enclosed except by railing		
		Maximum depth = 5 ft unless maximum height equal to or less than 1 foot; Maximum area = 36 sq. ft.	No closer than 2 ft to side lot line if height exceeds 2 ft unless maximum height = 1 foot; Maximum area = 36 sq. ft	Permitted; Maximum area = 36 sq ft
Open parking or loading area, and queuing spaces	C1, C2, C3, C4, CMU, MMU, M1, M2, M3	Not Permitted	Not permitted	Permitted
Public utility transformers and pedestals	All Districts	Permitted		

TABLE 5- 7: Permitted Projections

Features	Zoning District - Use Designation	Projections Permitted		
		Front Yard	**Side Yard**	**Rear Yard**
Swimming pool equipment	RR5, RR2, R1, R2, RMU Districts, and Single- and Two-Family Uses in C1, C2, C3, C4, and CMU Districts	Minimum distance from filters, pumps, heaters, or related equipment to an operable window of a habitable room on an adjoining lot = 10 ft (measured laterally)		
Walks and steps	All Districts	Permitted		
Wheelchair landings and ramps	All Districts	Permitted		
Driveways	All Districts	Permitted		
Queuing areas for student drop-off (Elementary, Junior High, and Senior High schools)	All Districts	Permitted		
Other				
Air conditioning unit and/or compressor	RR5, RR2, R1, R2, RMU Districts, and Single- and Two-Family Uses in C1, C2, C3, C4, and CMU Districts	Minimum. distance to openable window of a habitable room on an adjoining lot = 15 ft. (measured laterally)		
		Must be screened with compact hedge or shrubs or other landscaping	No closer than 2 ft. to side lot line	No closer than 2 ft. to side lot line; No closer than 2 ft. to rear lot line if abutting a residential property with no intervening lane
Permitted Signs	All Districts	Minimum distance to lot line = 5 ft		

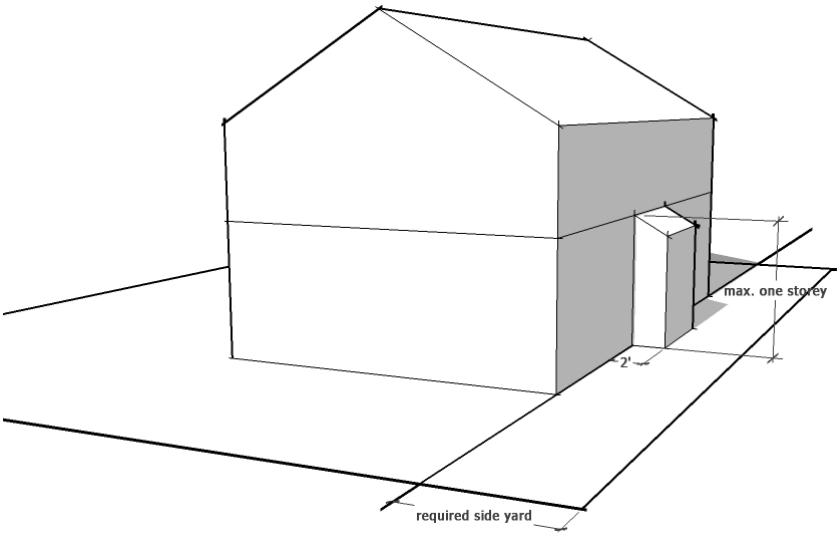


Illustration 17: Permitted Side Yard Projection
An alcove, bay window, or similar building element may project into a required yard. The amount of projection depends on the zoning district and yard. In most zoning districts, such a projection may extend a maximum of 2 feet into the yard, provide a total of 20 square feet of interior space, and is limited to a single storey.

Permitted Projections Through Maximum Height Limits

160. Notwithstanding the maximum height limits established in sections 132 through 159, building elements, site elements, and other features may project above maximum height limits as shown in Table 5-8 below. If a projection is not listed for a particular zoning district it is not allowed. These projections are permissible only:

(1) For structures in any Parks and Recreation zoning districts, the RMF zoning district, any commercial and institutional zoning district, or any manufacturing zoning district; and

(2) For lots in the A, RR5, RR2, R1, or R2 zoning districts containing a permitted principal non-residential use.

TABLE 5-8: Permitted Projections through Maximum Height Limits

Feature	Restrictions on Projection (if any)
Radio, television and parabolic dish receiving antennas of the type normally used for home radio and television receivers	May not extend higher than 3 1/2 feet above the highest point on the roof of the principal building. Parabolic antennas attached to the roof of a building may not extend higher than 1 1/2 feet above the nearest point on the roof. Other antennas 30 ft.
Flagpoles, provided that no flagpole is used as a sign or attention-attracting device. The flag must be of a government and/or a country.	Maximum 13 ft in residential districts.
Elevator penthouses, other non-habitable penthouses, water reservoirs, and necessary mechanical appurtenances	Must not extend more than 20 feet above the supporting roof; penthouses must be used for no purpose other than the enclosure of tanks, elevators and necessary mechanical appurtenances; the aggregate area of all penthouses must not exceed one-third of the area of the supporting roof.
Guard railings and parapets	Must not exceed 5 feet when measured from the roof
Gables, cupolas, skylights, spires, and similar architectural features	Must not extend more than 10 feet above the roof
Spires with a cross-section of less than 5 percent of the footprint of the principal building	The height of the spire may be equal to the height of the principal building without the spire.
Chimneys and flues	

PARKING AND LOADING

Parking Spaces Required

161. (1) Each owner must provide the amounts of accessory off-street parking spaces shown in Table 5-9 for all principal and accessory uses unless the requirements in that table are modified by another provision of this By-law.

(2) In the C1 and C2 zoning district, within those areas identified on the Urban Infill Areas Maps 1 and 2 contained in Schedule C, owners are required to provide the amounts of accessory off-street parking spaces shown in Table 5-9 only in the event of new construction, expansion, or redevelopment of the property, but not in the event of a change in use.

(3) Where Table 5-9 requires the applicant to provide more than 250 off-street automobile parking spaces, the owner must not provide surface accessory off-street parking spaces in an amount exceeding 125 percent of the minimum number required. This provision does not apply to parking class 24 (shopping centres), and does not apply to structured parking for any use. This provision shall apply at the time of development or redevelopment of the property; if the tenancy or use of the property is later changed to a use with lower parking requirements, the fact that surface parking exceeds 125 percent of the minimum parking requirements of the new use will not create a non-conformity.

(4) Notwithstanding the parking class that would otherwise apply, if the development meets the definition of a shopping centre, then the requirements of parking class 24 shall apply.

TABLE 5-9: General Accessory Parking Requirements

Parking Category	Use Type	Parking Spaces Required	Additional Parking Requirements	
			Bicycle Parking Sec. 169	Queuing Spaces Sec. 170
0	Advertising Sign Agricultural cultivation Agricultural grazing and feeding Apiary Aviary Boat dock, public access Camping ground Cemetery, mausoleum, columbarium Community gardens Drive-in or drive though Feedlot Park/Plaza/Square/Playground Parking, surface Parking, structured Railway yard Transit station Utility facility, minor Wireless communication, building-mounted tower Wireless communication, freestanding tower Stable or riding academy	No off-street parking required		
1	Dwelling, single-family, detached Dwelling, two-family Dwelling, live-work Mobile home	1 per dwelling unit; maximum of 6 spaces per unit		
2	Housing for multi-family dwellings managed as communal living facilities whose residents are likely to have lower auto ownership, as determined by the Director Single room occupancy	1 per 5 dwelling units or beds		
3	Other multi-family	1.5 per dwelling unit. Ten percent of the required parking spaces must be unassigned guest parking, designated as such, to the satisfaction of the Director, and readily available to the entrance of the building served.	YES	
4	Dormitory	1 for every 3 bedrooms in a dormitory, sorority, or fraternity associated with a college or university	YES	
5	Assisted living facility Care home Day care centre Hospital Neighbourhood rehabilitation home	1 guest parking space per 10 residents or resident care beds but not less than 1 space, plus 1 for every 3 employees on the maximum shift	YES	

TABLE 5-9: General Accessory Parking Requirements

Parking Category	Use Type	Parking Spaces Required	Additional Parking Requirements	
			Bicycle Parking Sec. 169	Queuing Spaces Sec. 170
6	Place of worship Funeral chapel or mortuary	1 for each 5 seats in the principal assembly area, but not less than 10 spaces (for parish hall see parking group 12)		
7	Elementary or junior high school Senior high school	1 for each 2 faculty members plus 1 for each 4 employees, plus one for each 10 students for senior high schools		
8	College or university Commercial school	1 for each 5 classroom seats	YES	
9	Gallery/museum Library Bus depot	1 for each 1,000 square feet of gross floor area, but not less than 2 spaces	YES	
10	Airport and associated facilities All industrial uses Towing and storage facility	1 for each 1,000 square feet of gross floor area, but not less than 2 spaces		
11	Amusement enterprise, outdoor Auditorium/concert hall/theatre/cinema Race track Sports or entertainment arena/stadium, indoor Sports or entertainment arena/stadium, outdoor	1 per 6 persons maximum occupancy load	YES	
12	Amusement enterprise, indoor Cultural centre Hall rental Community/recreation centre	1 for each 100 square feet of floor area	YES	
13	Auction room Private club, not licensed	1 for each 250 square feet of floor area, but not less than 4 spaces per establishment		
14	Commercial marina	2 per boat slip		
15	Golf course	3 per hole or 1 per 100 square feet in clubhouse, whichever is greater		
16	Hostel Hotel or motel	2 for every 3 guest rooms plus 1 for every 8 seats in all auxiliary rooms including restaurant and drinking establishments, banquet halls and meeting rooms	YES	
17	Jail/detention centre Post office/carrier depot Protection and emergency services Social service facility	1 for each 550 square feet, inclusive of assembly and conference rooms but not less than 2 spaces	YES	

TABLE 5-9: General Accessory Parking Requirements

Parking Category	Use Type	Parking Spaces Required	Additional Parking Requirements	
			Bicycle Parking Sec. 169	Queuing Spaces Sec. 170
18	Office Research institution Studio, radio/TV/motion picture broadcast and production	1 for each 750 square feet of floor area, but not less than 2 spaces per tenant	YES	
19	Call centre	1 for each 400 square feet of floor area	YES	
20	Animal hospital or veterinary clinic Auto/light truck/motorcycle, repair and service Auto/ light truck/motorcycle, sales and rental Auto parts and supplies, sales Kennel Landscape or garden supplies Personal services (as shown in Table 4-1) not listed separately in this table Restricted uses (as shown in Table 4-1) not listed separately in this table Retail sales (as shown in Table 4-1) not listed separately in this table Supermarket	1 for each 250 square feet of floor area over 2,000 square feet (1 space minimum)	YES	
21	Cheque-cashing facility Fuel sales Car wash	Without drive-through facility: 1 for each 330 square feet of floor area over 2,000 square feet (1 space minimum); With drive-through facility: 1 for each 500 square feet of floor area over 2,000 square feet (1 space minimum), plus 1 for every 3 employees on the maximum shift	YES	YES
22	Restaurant Drinking establishment	Without drive-through facility: 1 for each 100 square feet of floor area With drive-through facility: 1 for each 150 square feet of floor area	YES	YES
23	Utility facility, major	1 for every 5,000 square feet of floor area		
24	Shopping centre	1 per 250 square feet of floor area, as reduced by subsections 172(2), *Urban Infill Areas* (as applicable), and 172(3), *Combination of Uses*, as applicable	YES	

Calculation of Off-Street Parking Requirements

Fraction of a Parking Space

162. When the computation of the number of accessory off-street parking spaces required by this By-law results in a requirement of a fractional parking space, any fraction less than one-half of a parking space may be disregarded, but a fraction of one-half or more of a parking space must be counted as one parking space.

Requirements Based on Floor Area

163. Where parking requirements are based on the "floor area" of the use, the term "floor area" means the gross floor area of the premises excluding:

(1) Any area used for parking within the principal building; and

(2) Any area used for incidental service storage, installations of mechanical equipment, penthouses housing ventilators and heating systems, and similar uses.

Places of Public Assembly

164. In places of public assembly, the following applies:

(1) Where those in attendance occupy benches, pews, or other similar seating facilities, each 20 inches of such seating facilities are counted as 1 seat;

(2) Where both fixed seats and an open assembly area are combined, the requirements for each must be computed separately and added together; and

(3) Where movable seats or chairs are used in a place of public assembly, and a determination of seating capacity is required, the said seating capacity must be determined on the basis of 1 seat for every 6 square feet of assembly area.

Outdoor Dining/Drinking Areas

165. Where a restaurant or drinking establishment provides an outdoor dining/drinking area, additional accessory off-street parking is not required for that area. The creation or maintenance of an outdoor dining/drinking area is prohibited where such outdoor dining/drinking area reduces the number of accessory parking spaces below the minimum number required by Table 5-9.

Parking Area Devoted to Transit Support

166. An existing accessory parking area may be modified to accommodate a transit centre, bus loop, upgraded bus stop, or park-and-ride facility, even though the result of the modification may reduce the number of remaining accessory off-street parking spaces below the number required by Table 5-9.

Accessible Parking Spaces

167. (1) Out of the total number of required off-street parking spaces, the owner must provide a portion of those spaces so as to be accessible to persons with disabilities. Each such space:

(a) the width of each required accessible space must be at least 10 feet, and for every 10 accessible parking spaces required to be provided, at least 1 space must be a minimum of 8 feet wide and must have an adjacent loading and manoeuvring area at least 8 feet wide;

(b) must be located within 200 feet of major building entrances used by residents, employees, or the public; and

(c) must include signage reserving the space for use by persons with disabilities.

(2) At least 1 curb ramp must be located within 100 horizontal feet of the auto parking space closest to each entrance to a principal or accessory building that is not a service entrance.

Minimum Required Accessible Spaces

168. Except single- and two-family residential dwelling units and mobile home parks, the owner must provide at least the number of accessible spaces shown in Table 5-10 below, based on the total minimum number of parking spaces required by Table 5-9.

TABLE 5-10: Accessible Parking Space Requirements

Total Required Parking Spaces per Table 5-9	Minimum Number of Accessible Parking Spaces Required
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total
1,001 to over	20, plus 1 for each 100 over 1,000

Bicycle Parking

169. Where Table 5-9 indicates that bicycle parking is required, the owner must provide 1 lockable bicycle space per 10 required automobile parking spaces. Required bicycle parking must be located with convenient access to major building entrances.

Vehicle Queuing Spaces

170. (1) In addition to those accessory off-street parking spaces listed in Table 5-9, if any, the owner of property containing any of the uses listed in the first column of Table 5-11 must provide the number of automobile queuing spaces indicated in the second column of the table for any drive-through facility. The location of the queuing spaces is to be measured from the point indicated in the third column in the table.

TABLE 5-11: Vehicle Queuing Space Requirements

Use	Minimum Queuing Spaces	Measured From
Car wash – automatic	3	2 before the entrance to wash, plus one between vehicle exit from each bay and the point of vehicular egress to the public street
Car wash – self-service	2 per bay	One before the entrance to each bay, plus one between vehicle exit from each bay and the point of vehicular egress to the public street
Bank or lending institution, cheque-cashing facility, or automated teller machine (ATM) with drive-through facility	3	Teller window or ATM machine
Restaurant with drive-through facility	6	3 before order box 3 between order box and pick up window
Other use with accessory drive-through facility	2	Pick-Up Window

(2) The owner must provide required vehicle queuing spaces so that no queuing space blocks or interferes with the smooth flow of traffic to and from (i) required off-street parking spaces or (ii) the driving aisles providing access to those spaces, or (iii) any adjacent street or public lane through an approved access point.

(3) Each required queuing space must have minimum dimensions of 16 feet in length and 8 feet in width.

Adjustments to Parking Requirements

171. (1) At the owner's option, the accessory off-street parking requirements set forth in Table 5-9 may be adjusted downward through the use of the provisions set forth in this section 171. No adjustment may reduce the total number of accessible parking spaces or bicycle parking spaces below the number required in sections 168 and 169.

Urban Infill Areas

(2) Within the Urban Infill Areas designated on Maps 1 and 2 in Schedule C, the number of required off-street parking spaces for the following types of uses designated in Table 4-1 are reduced to 80 percent of the minimum number shown in Table 5-9, provided that (i) the property currently does not meet the minimum standards for accessory off-street parking set forth in Table 5-9 above, or (ii) the property is located with frontage on a public transit route with regular daily service:

(a) "multi-family" uses;

(b) "commercial sales and service" uses;

(c) "public and institutional" uses;

(d) "cultural and entertainment" uses; or

(e) "industrial" uses.

Combination of Uses

(3) Where principal uses from different sub-categories of uses listed in Table 4-1 are located within a single building (for example: retail and service uses in a hotel or office building, or offices combined with warehousing uses), the number of parking spaces required is reduced to 80 percent of the aggregate of the accessory off-street parking spaces required for each use established on the zoning lot pursuant to Table 5-9. This adjustment may be combined with the adjustment in clause (2) above if applicable.

Parking Management Plan

(4) An applicant may propose to the Director a parking management plan prepared by a professional traffic engineer or parking consultant, documenting that a lower amount of automobile parking is adequate to meet the needs of the proposed use or combination of uses and to prevent traffic or parking congestion on surrounding streets or public lanes: because of unique patterns of peak hour use, the proximity of other public parking areas, proximity to major public transportation routes, or other factors, without the imposition of additional parking management tools.

(5) If the Director concludes that the proposed parking management plan will provide automobile parking 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 management plan and may reduce the amount of required off-street parking required to conform with the approved plan.

Development Standards for Parking Areas

172. (1) The following provisions shall apply to all new development after the effective date of this By-law:

Dimensions of Parking Spaces

(2) The owner must provide all required accessory off-street parking spaces and parking driveways so that they meet the dimensions and standards shown in Table 5-12, except for required accessible parking spaces, which must meet the standards of section 167. Parking space dimensions and driveway widths are determined based on the angle of parking, shown in the first column.

TABLE 5-12: Minimum Required Parking Space Dimensions

Angle of Parking [note a]	Minimum Dimensions of Parking Space	Minimum Parking Driveway Width (Ft.)
75 to 90 degrees	8 feet wide by 20 feet long; or 10 feet wide by 18 feet long, or any combination in between where the sum of the width and length equals 28 feet 7 feet high [note b]	20
50 to 74 degrees		18
Less than 50 degrees		12
Parallel	8 feet wide by 23 feet long; by 7 feet high [note b, note c]	12

NOTES:
a. The angle of parking must be measured between the centre line of the parking space and the centre line of the parking aisle or parking driveway.
b. A maximum of 25 percent of the total number of parking spaces for non-residential uses, and a maximum of 33 percent of the total number of parking spaces for multi-family residential uses, may be reduced in length to 16 feet and designated for small cars only.
c. Width must be increased to 10 feet if long dimension is immediately adjacent to a fence or wall.

Layout

(3) The owner must provide all required accessory off-street parking spaces and parking driveways so that they meet the following standards:

(a) an accessory off-street parking area must be provided with a parking driveway with a minimum width of 8 feet, having access to a street or, where permitted, to a public lane;

(b) where the sill of a window to a habitable room is located 5 feet or less from grade, no parking space may be permitted within 10 feet of the window;

(c) where an applicant provides more than 200 accessory automobile parking spaces, and any parking area will be located more than 200 linear feet from a sidewalk leading to a principal building entrance, the design of the parking area must incorporate pedestrian walkways between each such area and either a provided sidewalk or the building entrance. Required pedestrian walkways must be:

(i) designed to minimize the need for pedestrians to cross parking aisles or to walk behind parked cars on the parking surface; and

(ii) designated through the use of colours, textures, materials, or grade elevations that differ from the automobile parking surface;

(d) parking areas must be designed to avoid the creation of isolated parking spaces in which an automobile cannot be seen from either:

(i) an entrance to the principal building; or

(ii) from at least 2 other parking spaces located more than 50 feet away from the subject space; (See Illustration 18.)

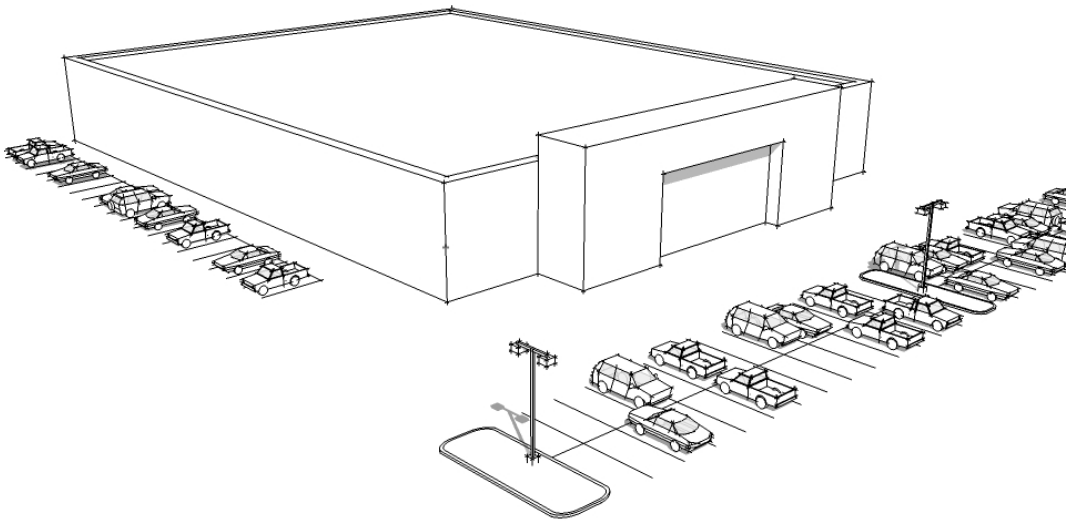


Illustration 18: Parking Visibility
For safety reasons, isolated parking spots are not permitted. All spaces must be visible from a building entrance or from other spaces located 50 feet or more away from the subject space. In this example, the spaces on the side of the building are permitted because they can be seen from other spaces in the lot.

(e) the owner must provide every parking space perpendicular and adjacent to a fence or a required landscaped yard or berm with either:

(i) A wheel stop located at least 2½ feet from the front limit of the parking space; or

(ii) A bumper guard fence located along the front limit of the said parking space.

Surfacing

(4) The following standards apply to the surfacing of required parking areas:

(a) the owner must provide all required parking areas and driveways accessory to single and two-family dwellings with an all-weather, adequately drained, hard surface of compacted crushed stone, asphalt, concrete, paving stones, or similar materials approved by the City, constructed and maintained so loose material is not dislodged and thrown or carried onto adjoining public streets or lanes.

(b) the owner must surface all required parking areas and driveways accessory to all other uses and all non-accessory parking areas, with asphalt, concrete, paving stones, or other surface approved by the City.

Landscaping

(5) All required parking spaces accessory to a multi-family residential or a non-residential use must comply with the requirements of sections 188 through 193, *Landscaping and Buffering*.

Lighting

(6) All required parking spaces accessory to a multi-family residential or a non-residential use must comply with the lighting requirements of sections 199 through 204, *Lighting*.

Principal Use Parking Areas

(7) Principal use parking areas that do not comply with the provisions of subsections (2), (3), or (4) above regarding surfacing, landscaping, or lighting, must comply with those standards no later than 5 years following the effective date of this By-law.

Additional Standards for Single- and Two-Family Dwellings

(8) (a) in any zoning district, the owner must limit parking accessory to single and two-family dwellings to a maximum of 6 vehicles, which may include:

(i) a maximum of 4 passenger vehicles;

(ii) a maximum of 1 travel trailer or 1 motor home; and

(iii) a maximum of 1 truck having a registered gross vehicle weight less than 15,000 lbs.; and

(iv) with conditional use approval, a maximum of 1 truck with a registered gross vehicle weight greater than 15,000 lbs., provided that the truck (a) is parked further from the street than the front wall of the structure, and (b) is either parked in an enclosed structure or shielded from view from adjacent properties through the use of landscaping meeting the side and rear yard buffering requirements of sections 183 through 193, *Landscaping and Buffering*.

(b) a maximum of 2 vehicles may be parked on a driveway leading to a parking space in the principal building or in a side or rear yard.

(c) between May 15 and October 31, a maximum of 1 recreational vehicle, travel trailer, or motor home may be parked on a driveway leading to a parking space in the principal building or in a side or rear yard.

Vehicle Display Areas

(9) If a parking area is used as a vehicle display area for the exhibition, sale, or rental of automobiles, light trucks, motorcycles, boats, recreational vehicles, off-road vehicles, or similar items, the owner must comply with the following additional provisions. In the event of a conflict between these provisions and the provisions of subsection (1) through (6) above, these provisions govern:

(a) a bumper guard fence not exceeding 27 inches and not less than 18 inches in height must be erected where the display area abuts upon a public right-of-way or an adjacent property; or

(b) a post-and-chain fence not exceeding 4 feet and not less than 2 feet in height must be erected where the display area abuts upon a public right-of-way or an

adjacent property, and wheel stops must be located at least 2½ feet inside the said fence.

(c) the maximum height of a fence in a required or voluntary yard is 4 feet unless the fence is set back 10 feet from the lot line, public right-of- way or an adjacent property.

Loading Spaces Required

173. In Table 5-13, uses listed in the first column must provide off-street loading spaces. The number of required spaces is dependent on the size of the use, measured in floor area, as shown in the second column. The owner of each property containing any of those uses must provide and maintain accessory off-street loading spaces in accordance with the third column of Table 5-13:

TABLE 5-13: Minimum Accessory On-Site Loading Space Requirements

Use	Floor Area	Number of Loading Spaces Required
College or university **Library** **Museum** **Private club, not licensed** **Places of worship** **Assisted living facility**	Less than 10,000 square feet	0
	10,000 square feet to 199, 999 square feet	1
	200,000 square feet or more	1 additional for each 200,000 square feet or fraction thereof in excess of 200,000 square feet
Cheque-cashing facility **Commercial school** **Hall rental** **Medical/dental/optical/counselling clinic** **Office** **Personal service uses** **Research institution**	Less than 20,000 square feet	0
	20,000 square feet to 199,999 square feet	1
	200,000 square feet or more	1 additional for each 200,000 square feet or fraction thereof in excess of 200,000 square feet
Auditorium/concert hall/theatre/cinema **Funeral chapel or mortuary** **Hospital** **Sports or entertainment arena/stadium, indoor**	Less than 10,000 square feet	0
	10,000 square feet to 199,999 square feet	1
	200,000 square feet or more	1 additional for each 100,000 square feet or fraction thereof in excess of 100,000 square feet
Uses not elsewhere classified and primarily concerned with the handling of goods	Less than 20,000 square feet	1
	20,000 square feet to ~~3~~59,999 square feet	2
	60,000 square feet to ~~7~~99,999 square feet	3
	~~8~~100,000 square feet or more	1 additional for each 50,000 square feet or fraction thereof in excess of ~~8~~100,000 square feet

Development Standards for Loading Spaces

Dimensions of Loading Spaces

174. The owner must provide all required accessory off-street loading spaces so that they meet the dimensional standards in Table 5-14 below.

TABLE 5-14: Required Loading Space Dimensions

Uses	Minimum Length (Feet) [note a]	Minimum Width (Feet)	Minimum Vertical Clearance from Floor or Grade (Feet)
Uses listed in Table 5-13 and not classified as "commercial" or "industrial" uses in Table 4-1.	25	10	14
Uses listed in Table 4-1 as "commercial sales and service" or "industrial" uses, but excluding those classified in Table 4-1 as "manufacturing and production" or "warehouse and freight movement" uses	50	12	14
"Manufacturing and production" or "warehouse and freight movement" uses	33	12	14

NOTES:
a. The dimensions of the accessory off-street loading spaces must not include driveways, entrances, or exits from such accessory off-street loading spaces.

Loading Area Surfacing

175. All off-street loading areas must be surfaced with asphalt, concrete, paving stones, or other impervious surface approved by the Director.

Loading Area Lighting

176. All required loading spaces must comply with the lighting requirements of sections 199 through 204, *Lighting*.

Parking and Loading Spaces after Reconstruction

177. For any structure or use in existence on the effective date of this By-law that is subsequently damaged or destroyed, and which is reconstructed, re-established, or repaired, accessory off-street parking or loading spaces maintained at the time of such damage or destruction must be restored or continued in operation except that, if the original parking or loading spaces were provided in numbers or dimensions greater than that required by this By-law, restored or continued parking spaces may meet the minimum requirements contained in this By-law.

SIGNS

General Provisions

178. The following standards apply to signs:

Compliance with Sign Regulations Required

(1) No person may commence or cause to be commenced on site the construction, erection, alteration, relocation, or repair, other than normal maintenance, of any sign, except in compliance with the provisions of sections 178 through 187, *Signs*, unless exempted by

this By-law. For purposes of this subsection (1), normal maintenance includes a change of sign copy if the sign face is damaged.

Development Permit Required

(2) No person may commence or cause to be commenced on site the construction, erection, alteration, relocation, or repair, other than normal maintenance, of any sign, unless a development permit has been approved, or unless exempted by this By-law.

Unspecified Signs

(3) The Director may permit signs of types that are not specified in this By-law under the sign type regulations that most nearly reflect the characteristics of the unspecified sign, as determined by the Director.

Abandoned Signs

(4) When an owner of a sign can no longer be located and the sign no longer correctly directs attention to or includes any person, advertising of a business, lessor, owner, product or activity conducted, or product available, on the premises where such a sign is displayed, the Director may serve notice on the owner of the land that either the copy area of the sign or the sign itself be removed.

Adjacent Lots in Related Use

(5) Where adjacent lots are in related use, the lots have cross-access easements and/or shared parking agreements so that they have the appearance and function of a single lot development, signage that is accessory to a principal use on any of the lots will not be considered advertising signage simply because it is erected on another of the lots.

Signs Not Subject to this By-law

179. The following types of signs are not subject to the provisions of this By-law:

(1) Signs installed by the City for traffic control, public transit, parking, street names and direction;

(2) Street decorations installed by or authorized by the City;

(3) Signs required to be erected or maintained by law or governmental order;

(4) Window signs, unless such signs occupy more than 30 percent of the window surface on any façade of the principal building in which case they are treated as fascia signs; and

(5) Election signs during Federal, Provincial, Municipal, and School Board election periods and up to 7 days after the election.

Signs Permitted in All Districts Without a Development Permit

180. An owner may erect or maintain the following signs in all zoning districts without first obtaining a development permit, provided such signs are not illuminated, flashing, scintillating or animated, unless otherwise noted:

(1) Official public notice signs;

(2) One fascia or free-standing real estate sign, per zoning lot (i.e., for sale or lease sign), illuminated or non-illuminated, not exceeding 32 square feet in sign surface area, with a maximum height of 12 feet. The sign must be removed within 15 days of conclusion of the purpose for which the sign is erected;

(3) Non-illuminated construction signs not exceeding 108 square feet in total sign surface area, to be located within the zoning lot, or attached to a fence or hoarding, with a maximum height of 12 feet. The sign must be permitted from the date a development application is made until 80 percent of the building(s) is/are occupied, or a Zoning Compliance Certificate is issued confirming compliance with all rules, agreements and orders;

(4) Temporary signs not exceeding 32 square feet in sign surface area or banners related to civic, non-commercial health, safety or welfare campaigns or to campaigns by educational or religious organizations, with a maximum height of 12 feet. The signs must be removed within 15 days following the date of the event and the signs are not erected earlier than the official date of the commencement of the above campaigns;

(5) Non-advertising memorial signs, commemorative plaques and corner-stones of bronze, brass, stone or other non-combustible materials when built into or attached to the walls of a building or other structure provided they bear only the name of the owner, the name and use of the building, the date of erection of the building and/or reading matter commemorating a person or event;

(6) Bulletin boards not exceeding 18 square feet in sign surface area;

(7) For a single-family dwelling and each dwelling unit of a two-family dwelling, one illuminated or non-illuminated fascia sign up to a maximum of 2 square feet in sign surface area indicating the address, name of occupant, or a permitted use;

(8) For each use other than a single- or two-family dwelling, one identification fascia sign with illuminated or non-illuminated letters or logo, up to a total of 4 square feet in sign surface area identifying the civic address and the name of the building; and

(9) Any sign that cannot be seen from off the premises.

Signs Permitted in Accessory Off-Street Parking and Loading Areas

181. The owner may erect and maintain the following types of signs for accessory off-street parking areas in the RMF zoning district, the commercial and institutional zoning districts, and the manufacturing zoning districts, and on any lot containing a permitted non-residential principal use in the A, RR5, RR2, R1, and R2 zoning districts:

(1) One illuminated or non-illuminated sign designating each entrance and exit, limited to a maximum of 6 square feet in sign surface area per sign and a maximum height of 6½ feet above curb or grade; and

(2) Illuminated or non-illuminated directional signs for control of traffic movement; limited to a maximum of 6 square feet in sign surface area and a maximum height of 6½ feet above curb or grade; and

(3) Illuminated or non-illuminated parking area sign or signs identifying the parking area and setting forth the rules governing the use of a parking area (i.e., "No Parking," "Public Parking," "Private Parking," etc.), limited to a maximum of 6 square feet in sign surface area and a maximum height of 6½ feet above curb or grade; and

(4) Warning signs, provided that the sign surface area must not exceed 6 square feet.

Regulations for Specific Types of Signs

182. The following standards apply only to the specific types of signs listed below:

Signs Obstructing Views

(1) No sign, including a mobile sign, may be erected, re-erected, or altered that may interfere with, obstruct the view of, or be confused with any authorized traffic signal, warning sign, or other regulatory or information device.

Flashing, Animated, Scintillating, Rotating, and Electronic Message Board Signs

(2) (a) flashing, animated, or scintillating signs, rotating signs or beacons, and electronic message boards are not permitted in any zoning district except the C2, C3, C4, CMU, MMU, M1, M2 and M3, zoning districts.

(b) a Conditional Use Order is required for the erection of a flashing, animated or scintillating sign that has copy height of more than 9 inches, or any rotating sign or beacon.

(c) flashing, animated, or scintillating features, rotating features, beacons, and electronic message boards are not permitted on mobile signs.

(d) no electronic message board may be located within 100 feet of a pedestrian crosswalk/corridor or controlled intersection.

Illuminated Signs in Certain Yards

(3) No owner may place an illuminated sign, in a yard in a commercial and institutional or manufacturing zoning district that abuts a lot line in an agricultural or residential district, or on a wall overlooking such a lot line.

Roof Signs

(4) Roof signs, other than signs on mansard style roofs, are not permitted. On mansard roofs, roof signs may be attached to the sloping portions of the roof, but must not extend beyond the parapet height, and must not be located on the horizontal portion of the roof.

Fascia Signs

(5) Fascia signs may have an emblem, logo, or other unique features projecting above the building wall if the sign projection is not more than 2 feet above the building wall or parapet wall and the total projection does not exceed 25 square feet. The area of the projection must be counted towards the total sign area allowed.

Freestanding Signs

(6) Up to 10 percent of the maximum permitted sign area of any freestanding sign may be installed on the support structure for the sign face.

Projecting Signs

(7) The minimum height above-grade to the bottom edge of projecting signs must be 8.5 feet.

Accessory Signs

183. The owner may erect and maintain accessory signs to all sites and uses other than single- and two-family dwellings, and excepting advertising signs, subject to the following standards:

Location

(1) Each free-standing accessory sign must be set back from each side lot line of an adjoining use, and/or from the centre line of an abutting right-of-way, a distance equal to at least 50 percent of the height of that sign.

District-Specific Regulations

(2) All signs, accessory to any use, must be consistent with the standards shown in Table 5-15. In Table 5-15, the first column indicates a zoning district or districts. The second column indicates the sign type. The third and fourth columns indicate dimensional requirements for each sign type. Signs must comply with all dimensional standards applicable to the zoning district where the property is located.

TABLE 5-15: District-Specific Sign Regulations

District	Type [note a]	Maximum Height	Permitted Surface Area Per Zoning Lot
A	Free-standing	25 feet above grade	100 sq. ft.
	Attached to building	Wall height	25% of building wall
RR5, RR2, R1, R2	Free-standing or attached to building	20 feet for lot containing a permitted non-residential principal use	48 sq. ft. per lot containing a permitted non-residential principal use [note c]
	Attached to building	Wall height	1.5 sq. ft. per dwelling unit
PR1, RMF, RMU, RMH	Free-standing	8 feet above grade [note b]	48 sq. ft. maximum [note c]
	Attached to building	wall height	25% of building wall -- 48 sq. ft. maximum
PR2, PR3, C1, M1, MP	Free-standing	8 feet above grade [note b]	48 sq. ft. maximum [note c]
	Attached to building	Wall height	25% of building wall maximum
EI, C2, CMU, MMU, M2, M3	Free-standing	20 feet above grade	1.25 sq. ft. per foot of frontage to a maximum of 323 sq. ft.
	Attached to building	Wall height	25% of building wall maximum
C3, C4	Free-standing	30 feet above grade	1.25 sq. ft. per foot of frontage to a maximum of 323 sq. ft. per frontage [note d]
	Attached to building	Wall height	25% of building wall maximum

NOTES:
a. Signs "attached to buildings" include fascia signs, projecting signs, awning signs, marquee signs, and canopy signs.
b. Maximum height of a sign accessory to a school or community centre is 20 feet
c. Maximum sign surface area of a sign accessory to a school, community centre or religious institution is 100 square feet if a bulletin board is included.
d. No individual sign may exceed a sign surface area of 323 square feet.

Mobile Signs

184. (1) An owner of property may only place, maintain, or permit the placement or maintenance of mobile signs on the owner's property if the placement and maintenance of such signs complies with the provisions of this section:

Permit Required

(2) (a) an owner, agent, firm, corporation or person having charge or control of a mobile sign must not locate, erect, place or display a mobile sign on a zoning lot, a lot or a site, unless:

(i) the mobile sign has an identification number issued by the Director permanently affixed to the end of the sign between a height of between 3 feet and 6 feet above grade; and

(ii) a mobile sign permit has been issued by the Director for that numbered sign setting out the expiry date of that permit.

(b) a mobile sign must be removed from a zoning lot, a lot, or a site upon the expiry date of the mobile sign permit.

(c) the Director must issue a mobile sign permit in accordance with this By-law to the owner/agent of the sign upon application by that owner/agent and payment of the fee prescribed by the *Planning, Development and Building Fees By-law 166/2004*.

(d) each type of mobile sign approved by the City must display a certification sticker issued by the City of Winnipeg Planning, Property and Development Department.

(e) no mobile sign shall be permitted on the same zoning lot as an electronic message board sign.

Length of Time for Display

Flags, Banners, and Inflatable Signs

(3) (a) subject to issuance of a mobile sign permit, an owner may locate or erect either a flag, a banner, or an inflatable sign (but not more than one of them) on a zoning lot, a lot, or a site for a period not exceeding 14 consecutive days. Subject to the issuance of a mobile sign permit, 1 mobile sign in this category may be located or erected for not more than two 14-day periods during each calendar year.

Other Mobile Signs

(b) subject to issuance of a mobile sign permit, an owner may locate or erect a mobile sign that is not a flag, an inflatable sign, or a banner on a zoning lot, a lot, or a site for a period not exceeding 90 consecutive days. Subject to the issuance of a mobile sign permit, 1 mobile sign in this category may be located or erected for not more than three 90-day periods during each calendar year.

Spacing and Maximum Number of Signs

(4) No property owner may erect more than 1 mobile sign per use on a zoning lot or site. The maximum number of mobile signs on any zoning lot or site at any one time may not exceed 2, regardless of the number of individual uses located on that zoning lot or site.

Maximum Sign Surface Area

(5) No owner may erect a mobile sign that does not meet the following standards for maximum sign surface area:

(a) a mobile sign that is a flag, an inflatable sign, or a banner, is not subject to a maximum sign size limit; and

(b) a mobile sign that is not a flag, an inflatable sign, or a banner, is 64 square feet.

Height

(6) No owner may erect a mobile sign except flags, banners and inflatable signs that do not meet the following standards for maximum height:

(a) the maximum allowed height of a mobile sign is 8 feet measured from grade to the highest part of the sign.

Location

(7) A mobile sign must be contained within the zoning lot on which it is located, not encroaching within any right-of-way, with the exception of the frontage on Nairn Avenue between Watt Street and the east limit of Panet Road, where the applicable district regulations apply. Additionally, all such signs must comply with the following standards:

(a) a mobile sign on a lot in a commercial and institutional or manufacturing zoning district that abuts any agricultural or residential zoning district must be located in accordance with the yard requirements of the abutting residential district;

(b) a mobile sign is permitted in the agricultural zoning district only in association with a permitted non-residential use;

(c) a mobile sign must not be located within 10 feet measured from the nearest part of any exit or entrance driveway giving access to a lot;

(d) mobile signs located on adjacent lots must be separated from each other by a minimum of 65 feet, measured along the street right-of-way, unless the narrowness of lot frontages or other restrictions in this By-law make that separation impossible, in which case the 2 signs must be separated as far as reasonably possible;

(e) a mobile sign must not be placed within any part of any landscaped area required under a Zoning Agreement, including any schedule thereto, or under a Variance Order or a Conditional Use Order executed or made under *The City of Winnipeg Charter*;

(f) notwithstanding clauses (a) through (b) above, in any zoning district, a school, government building, a community club, park, golf course, curling club, or a church may display one mobile sign on a zoning lot, a lot, or a site under its control for a maximum of 14 consecutive days for the advertisement of a special event. Subject to the issuance of a mobile sign permit, one mobile sign in this category may be located or erected for not more than two 14-day periods during each calendar year; and

(g) off-site mobile signs are permitted in all commercial and institutional and manufacturing districts except the C1, CMU, and MMU districts.

Materials and Construction

(8) The sign surface of a mobile sign must be adequately covered or the letters permanently affixed to prevent the letters from being moved to alter the wording of the sign without the consent of the owner of the sign.

(9) All lettering shall be either black on a white sign background, or white on a black sign background within one year from the effective date of this By-law.

Measurement of Sign Surface Area

Signs Attached to Building

185. Sign surface area is calculated as follows for signs attached to a building:

(1) Sign surface area includes the entire area of the smallest rectangle that encloses the extreme limits of any writing, representation or emblem forming part of the display, and also includes 10 percent of the area of the wall outside of that rectangle where a colour or material is applied that is a colour or material in that fascia sign (see Illustration 19);

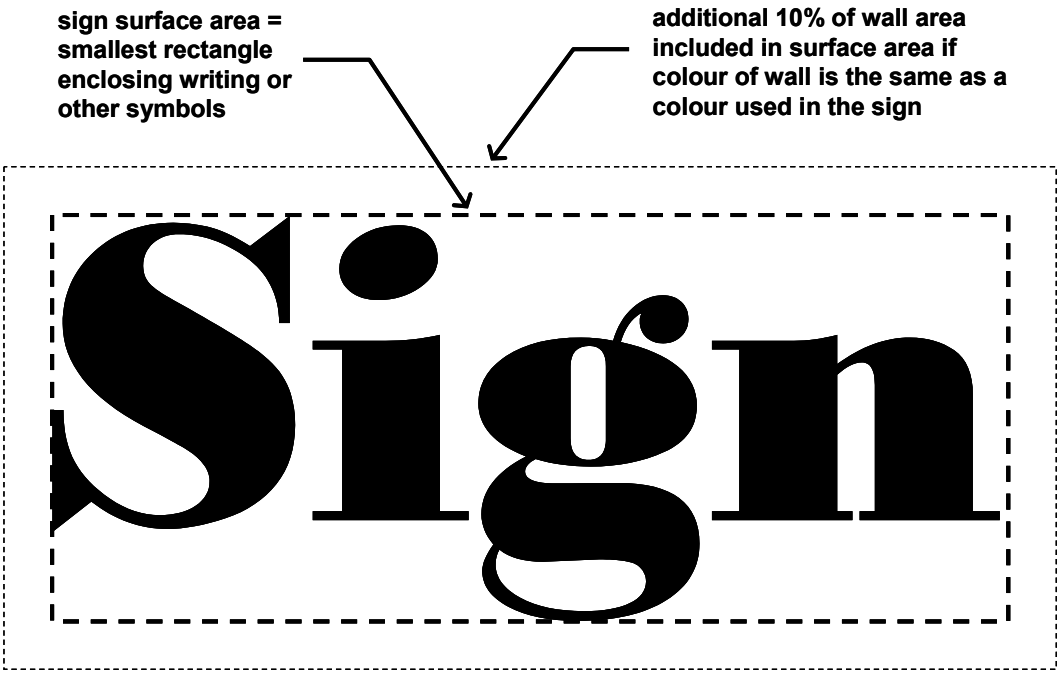


Illustration 19: Surface Area for Signs Attached to Buildings

(2) Sign surface area does not include non-illuminated signs visible through windows in the building façade, provided that such signs do not exceed 30 percent of the glazed surface on any façade of the building. Allowable window signage is not transferable to the glazed surface on another façade of the building;

(3) In calculating wall area for purposes of determining maximum sign surface area, only the first 3 storeys or 45 feet (whichever is lower) of the building may be used. Allowable sign surface area is not transferable to another wall;

(4) Reado-graph or bulletin board sign areas are not included in calculation of sign surface area provided that they comply with the following:

(a) are a maximum of 25 percent of the overall size of the sign;

(b) incorporate the same background color as the sign;

(c) do not exceed 15 square feet in area; and

(d) are designed as an integral part of the sign (not an add on).

Free-Standing and Mobile Signs

186. Sign surface area is calculated as follows for free-standing and mobile signs:

(1) Sign surface area includes the entire area of the smallest rectangle that encloses the extreme limits of any writing or symbol, background colour or material, and any embellishment of the supporting structure forming part of the display;

(2) Sign surface area includes the total area of all faces exhibited or intended for display, except where two faces are parallel and located back-to-back, sign surface area includes the area of only one such face, and if the two parallel, back-to-back faces are not equal, then the sign surface area is the larger of such faces (see Illustration 20);

(3) The maximum allowed surface area for free-standing signs is not transferable to any frontage other than that from which its maximum size was calculated pursuant to Table 5-15, *District-Specific Sign Regulations*;

(4) Reado-graph or bulletin board sign areas are not included in calculation of sign surface area provided that they comply with the following:

(a) is a maximum of 25 percent of the overall size of the sign;

(b) incorporates the same background color as the sign;

(c) does not exceed 15 square feet in area; and

(d) is designed as an integral part of the sign (not an add on).

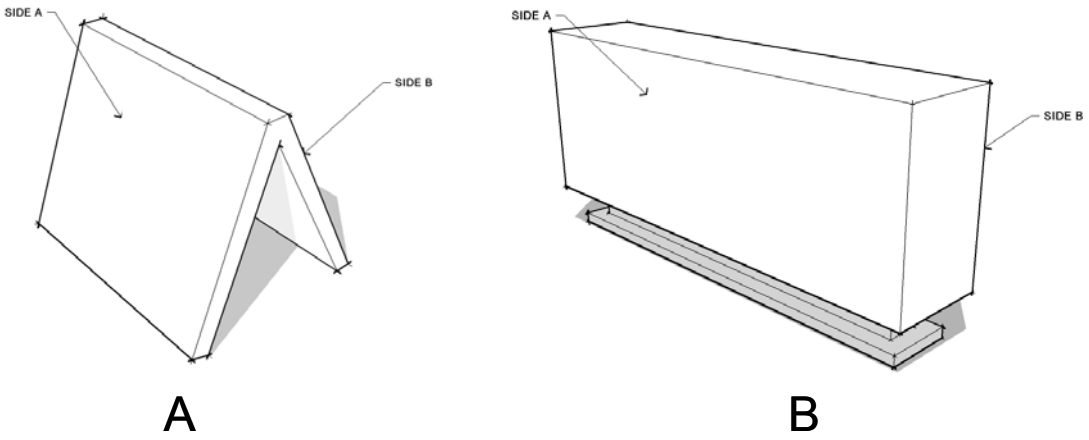


Illustration 20: Surface Area Measurement for Freestanding Signs
The two sides of sign "A" are back-to-back but are not parallel. As such, both sides are included in the surface area calculation. The two sides of sign "B" intended to include copy (the larger faces) are back-to-back and parallel. As such, only one side is included in the surface area calculation.

Three-Dimensional Sign

187. When a three-dimensional sign has no easily measurable faces the sign surface area of said sign is half the sum of the area of the vertical faces of the smallest right-angled rectangle encompassing the sign. (See Illustration 21).

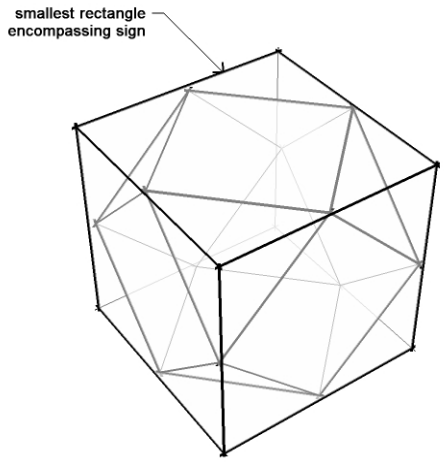


Illustration 21: Three Dimensional Sign

LANDSCAPING AND BUFFERING

Intent

188. The intent of sections 188 through 193, *Landscaping and Buffering*, is to specify landscaping and buffering requirements for all land uses except single- and two-family residential dwelling units and mobile home parks, and to provide for landscape techniques to achieve compatibility between abutting and adjacent uses, including public and private streets. These regulations are designed to provide flexibility, taking into account the high percentage of already-developed properties and the wide variation in the size of existing lots.

General Landscaping and Buffering Standard

Landscape Plan Required

189. (1) A landscaping plan must be submitted as a part of any development application subject to this section, unless the Director determines that compliance with the provisions of these sections 188 through 193 can be documented without the use of such a plan. Each landscaping plan must comply with the provisions of this section 189. A landscaping plan may be combined with other required application materials if compliance with this section 189 can be clearly demonstrated in the combined materials.

Plant Materials

(2) (a) plant material must be able to withstand local climatic conditions.

(b) plant material must be No. 1 Grade Nursery Stock, supplied and installed in conformance with the latest edition of Canadian Nursery Landscape Association "Canadian Standards for Nursery Stock".

(c) plant materials located within 20 feet of a public street must be of a salt-tolerant species.

Minimum Plant Sizes

(3) Plant materials must comply with the following:

(a) deciduous trees located within 5 feet of a walkway, path, or pathway: 2½ inch caliper, and of species that normally have lower branches at least 6 feet above grade at maturity.

(b) deciduous trees not located within 5 feet of a walkway, path, or pathway: 1¾ inch caliper.

(c) coniferous trees: 6 feet high at the time of planting.

(d) all shrubs: 2 gallon container, and of species that can remain healthy when trimmed so as to maintain a height of not more than 30 inches at maturity.

(e) groundcover, annuals, and perennials: no minimum size.

Avoiding Interference with Traffic/Pedestrian Safety

(4) All required plantings must comply with the following:

(a) all required plantings within 30 linear feet of an intersection between any combination of public streets, public lanes, railroad rights-of-way, or driveways (except those accessory to single-and two-family dwellings) must be limited to species that will not block sightlines between persons on such public streets, public lanes, railroad rights-of-way, or driveways, between a height of 30 inches and a height of 6 feet above grade; and

(5) Required landscape or buffer areas must not be used to accommodate accessory off-street parking or loading, storage of materials, or commercial or industrial activities of any kind.

Landscaping and Buffering Required

Requirement

190. (1) The following areas of each lot must be landscaped by the owner pursuant to the standards of this section. In the event that standards for the landscaping of two or more of the following areas overlap, or are inconsistent, the standard requiring more landscaping governs.

Street Edge Landscaping

(2) All required or voluntary yards must contain a minimum of one deciduous or coniferous tree for each 30 feet of linear street frontage, plus 3 shrubs for each 20 feet of linear street frontage.

(3) Required trees may be clustered to provide visual interest as long as other requirements of this By-law are met.

(4) Lot frontage areas occupied by curb cuts or driveways must be included when calculating linear frontage planting requirements, and any trees that would otherwise be required in such areas must be planted in remaining lot frontage areas unless prohibited by minimum spacing requirements for the species being used.

Building Foundation Landscaping

(5) Outside of the Urban Infill Areas, as shown on Maps 1 and 2 in Schedule C, building foundation landscaping is required for all principal buildings. At least 1 shrub must be planted per each 10 lineal feet of each façade facing a public right-of-way or containing a principal building entrance. Foundation plantings may be clustered to provide interest. Foundation planting is not required along any portion of the sides or rears of buildings. (See Illustration 22).

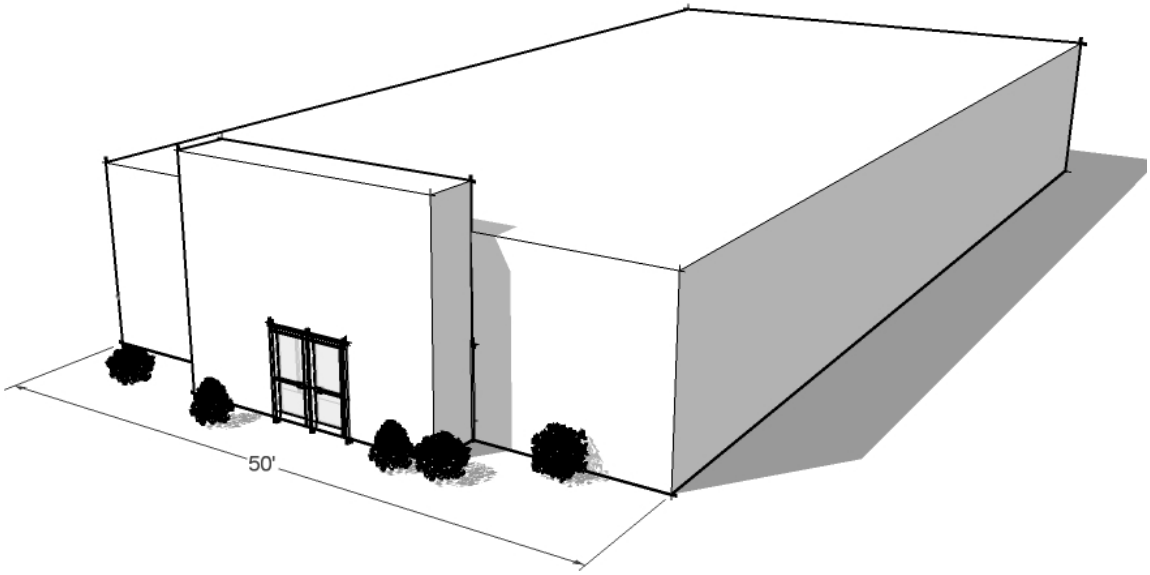


Illustration 22: Building Foundation Landscaping

Parking Lot Interior Landscaping

(6) The following landscaping of areas internal to parking lots is required for all parking areas within the Urban Infill Areas, as shown on Maps 1 and 2 in Schedule C that contain more than 50 automobile parking spaces and all parking areas outside the Urban Infill Areas having more than 20 automobile parking spaces:

(a) in addition to landscaping installed to meet any other requirements of this section, 5 percent of the gross parking lot area must be landscaped;

(b) one tree must be provided for each 300 square feet of parking lot interior landscape area within the area required in subsection (6)(a) above; and one shrub must be installed for each 100 square feet of parking lot interior landscape area within the area required in subsection (6)(a) above;

(c) internal landscape areas must be dispersed on the site so as to break up the expanse of pavement;

(d) where landscaping is provided within landscape islands, those islands must be a minimum of 5 feet wide; and

(e) required trees and shrubs within a required landscaped area may be clustered to create visual interest.

Side and Rear Site Edge Buffering

(7) A landscaped buffer must be installed along side or rear lot lines to reduce the impacts of traffic movements, light, noise, dust, and odours on adjacent properties in the following two situations:

Buffering of Residential Uses from Non-Residential Impacts

(a) a landscaped buffer must be installed where a side or rear lot line of a lot in a commercial or institutional or manufacturing zoning district abuts a lot in a single, two-family or multi-family residential zoning district. The required buffer must comply with Option 1 or Option 2 below:

(i) Option 1: Site edge buffering must have a landscaped area with at least 1 deciduous or coniferous tree for every 35 linear feet of lot line and 3 shrubs per 20 linear feet of lot line where the abutting condition exists. A landscaped berm a minimum of 2½ feet in height with a rise-to-run ratio not exceeding 1:3 may be integrated into this option. The height of planted materials (together with any berm provided) must be at least 6 feet in height at the time of planting.

(ii) Option 2: Site edge buffering must include an opaque wall, berm, fence and/or dense vegetative screen with a minimum combined height of 6 feet. If a vegetative screen is proposed, it must be at least 6 feet in height at the time of planting. If a wall or fence is used the maximum continuous horizontal length of any section is 48 feet, at the end of which a landscaped strip of a minimum length of 16 feet, a minimum depth of 4 feet, and with shrubs a minimum height of 2½ feet must be provided.

(b) regardless of which option is chosen, required trees and shrubs within a required landscaped area may be clustered to create visual interest.

Buffering of Parking and Loading Areas

(8) A landscaped buffer must be installed when a parking or loading area accessory to any use, other than a single- or two-family residential use, is located within 20 feet of a side or rear lot line abutting a residential zoning district.

(9) Buffering of a parking or loading area may comply with either Option 1 or Option 2 in clause (7)(a) above, but the required minimum height of any wall, fence, berm, or combination of a wall, fence, or berm must be 4 feet rather than 6 feet.

Preservation of Existing Trees

Incentive

191. The owner shall receive credit against the amount of landscaping material otherwise required by section 190 for each healthy mature tree over 2½ inches diameter at breast height (DBH) preserved on the site. The credit for preserved trees is determined based on the size of the preserved tree, as shown in Table 5-16, below. Credit for preserved trees must not result in any reduction of trees planted in street frontage landscaping unless the preserved trees are located within 20 feet of the front lot line.

TABLE 5-16: Tree Preservation Credits

Caliper of Preserved Tree (in inches)	Number of Required Trees Credited
Over 12 inches	6
8 inches to 11.9 inches	4
2.5 inches to 7.9 inches	2

Installation

192. The owner must install required landscaping and buffering in conformance with the following standards:

(1) Installation of required landscaping and buffering is required before issuance of a zoning compliance certificate for the principal building unless climate or weather conditions make installation impractical.

(2) Where, due to climate or weather conditions, it is impractical to install required landscaping before construction on the principal building has been completed, the Director may authorize a delay in installation until no later than the following June 30.

Maintenance

193. The owner must maintain required landscaping and buffering areas in conformance with the following standards:

(1) The owner must maintain all landscaping and buffering areas required by this By-law free from refuse and debris and with a neat appearance, and must maintain plant materials, including lawns and naturalized landscaping, in a healthy growing condition. The owner must replace any plant material required by this section that dies or becomes diseased.

(2) The owner must maintain street edge landscaping and parking lot interior landscaping between a height of 30 inches and a height of 6 feet above grade to preserve sightlines between public streets and adjacent properties, except where a fence has been erected.

(3) The owner must maintain each required landscape or buffer area with adequate drainage in order to prevent the accumulation of standing water, and must maintain drainage features free of refuse and debris so as to allow water to drain freely.

(4) The owner must maintain all landscaping to avoid encroachment onto pedestrian walkways and to maintain a minimum clear distance of 7 feet above all pedestrian walkways.

FENCES AND SCREENING

194. The owner may erect and maintain fences, hedges, trees, shrubs, arbours, trellises, and similar landscape features in all yards, provided that (i) no electric fences or barbed wire fences are erected or maintained except as provided for in Table 5-17, and (ii) the fences, hedges, trees, shrubs, arbours, trellises, and similar landscape features comply with the standards of sections 194 through 198.

Maximum Height Permitted

195. The owner may only erect and maintain fences, hedges, trees, shrubs, arbours, trellises, and similar landscape features that comply with the standards set forth in Table 5-17. The number in each cell represents the maximum permissible height in feet for fences, hedges, trees, shrubs, arbours, trellises, and similar landscape features depending on which area of the lot in which it is located, set out in the column on the far left, and the zoning district in which the lot is located, set out in the row at the top of the table. Notes describe special conditions that must be met.

TABLE 5-17: Maximum Height in all Voluntary or Required Yards

Zoning District						
Yard	**Agricultural (feet) [Note a, c]**	**Park (feet) [Note b, c]**	**Residential (feet) [Notes a, c]**	**Commercial and Institutional (feet) [Notes a, c]**	**Manufacturing (feet) [Note c]**	
					MMU	**Other [Note d]**
Front yard	4	10	4	4	4	10
Side yard	6.5	10	6.5	6.5	6.5	10
Rear yard	6.5	10	6.5	6.5	6.5	10

NOTES:
a. If accessory to a school or park site, the maximum permitted height is 10 feet.
b. Chain link fences accessory to school or park sites are exempt from this limit.
c. Entrance gates are permitted to a maximum of 13 feet in height.
d. Two feet of barbed wire may be added to the top of such fences, for a total height of 12 feet.

Fence Materials and Design

196. (1) No person may erect or maintain a fence or wall made of debris, junk, or waste materials.

(2) Where fences for a non-residential use are placed on a side or rear lot line of a non-residential use where a residential use abuts any other type of zoning district, the side of the fence with the more "finished" appearance (generally the side with fewer supporting structures or bracing) must face the residential use.

Screening of Outside Storage Required

197. (1) On any lot that (i) contains any use other than a single- or two-family dwelling unit, and (ii) abuts a lot containing a residential use, all permitted storage of materials, inventory, and products must be:

(a) within a completely enclosed building; or

(b) effectively screened from the view of the residential buildings by (a) an opaque fence or masonry wall at least 6 feet in height, or (b) a chain link fence with plastic slats at least 6 feet in height, or (c) a chain link fence bordered by coniferous trees and shrubs with an expected mature height at least equal to the height of the fence. The stored materials, inventory, or products within the enclosure must not exceed the height of the enclosure. The wall or fence must be maintained in good repair at all times, to the satisfaction of the Director.

(2) In addition, in all zoning districts, any outside storage must comply with the following additional standards:

(a) if the outside storage area is used only for outside storage, and not for operations and maintenance related to the use or property, the outside storage area must be located to the rear of a line adjacent to and parallel with the front wall of the principal building;

(b) if the outside storage area is also used for operations and maintenance related to the use or the property, then the outside storage area must be located to the rear of a line adjacent to and parallel with the rear wall of the principal building;

(c) outside storage of sand, gravel, soil, or other loose aggregate is prohibited within 300 feet of the boundary of any residential zoning district.

(d) outside storage is not permitted in any required yard

(3) In the M3 zoning district, areas used for storage compounds may be surfaced with asphalt, concrete, paving stones, other impervious surface approved by the Director, or gravel, provided that all entrance and exit driveways and driving aisles are surfaced with the same materials as the streets to which the compound has access.

Maintenance

198. (1) The owner must maintain all screening required by this By-law free from refuse and debris and with a neat appearance, and if live materials are used then such materials must be maintained in a healthy growing condition. The owner must replace any live plant material used for screening that dies or becomes diseased.

(2) The owner must maintain each required screening area with adequate drainage in order to prevent the accumulation of standing water, and must maintain drainage features free of refuse and debris so as to allow water to drain freely.

(3) The owner must maintain all required screening to avoid encroachment onto pedestrian walkways and to maintain a minimum clear distance of 7 feet above all pedestrian walkways.

LIGHTING

Applicability

199. The owner of each lot containing a use other than a single-family or two-family residential dwelling must comply with the following standards in sections 201 to 204. These standards do not apply to seasonal lighting used less than 60 days per calendar year.

Intent

200. The owner may design and install all site lighting to maintain adequate lighting on site and provide security for people and property through the use of fixtures that are durable and energy efficient, while preventing glare beyond the property line.

General Standards

201. The owner must design and install only on-site lighting that complies with the standards in this section 201. Lighting of parking lots, canopies, and loading areas must also comply with the provisions of sections 203 and 204 as applicable. In case of a conflict between the provisions of this section 201 and the provisions of sections 203 and 204, the latter govern.

Wall-Mounted Lights

(1) Wall-mounted lights must have fully shielded luminaires to direct all light downward.

Direction of Lighting

(2) No owner may install or maintain a light source that is directed outward toward property boundaries or adjacent rights-of-way.

(3) Lighting of non-residential properties must be directed downward except for low-voltage architectural, landscape and decorative lighting, which is subject to subsection (4).

(4) Architectural, landscape, and decorative lighting may be directed upward to illuminate flags, statues, or any other objects but must use a narrowly directed light whose light source is not visible from adjacent residential properties or public streets.

Shielding

(5) All light sources must be shielded to prevent glare and spillover.

Walkways

(6) The owner must install all required lighting so as to maintain a minimum clear distance of 7 feet above all pedestrian walkways, and such lighting must be installed so as not to cause a hazard to those using pedestrian walkways.

Prohibited Lighting

202. (1) No person may install or maintain strobe lights that are visible from another property, unless required by a governmental aviation authority.

(2) No person may install or maintain red, blue, or yellow rotating lights designed to imitate lighting on police, fire, or emergency vehicles that are visible from another property.

Parking Area Lighting

203. The owner may install and maintain parking area lighting only if it complies with the following standards:

Location

(1) Light fixtures must be located to provide a relatively uniform level of lighting and to avoid extreme contrasts between levels of lighting, except as necessary to prevent glare onto adjacent properties.

Height

(2) Within any residential zoning district, the maximum permitted height of light poles is 20 feet.

(3) Within any commercial or manufacturing zoning district, the maximum permitted height of light poles is 25 feet within 50 feet of residential uses, and 35 feet in all other areas.

Canopy and Service Area Lighting

204. The owner may install and maintain canopy and service area lighting only if it complies with the following standards.

Canopy Lighting

(1) All canopy lighting must use recessed luminaire fixtures and must be designed and located so as to prevent glare onto adjacent properties. No light source in a canopy structure may extend downward further than the lowest edge of the canopy ceiling. Highly reflective material must not be installed on the underside of the canopy. As an alternative (or supplement) to recessed lighting, indirect lighting may be used where light is beamed upward and then reflected down from the underside of the canopy. When this method is used, light fixtures must be shielded so that direct light is focused exclusively on the underside of the canopy and is not visible from any residential use adjacent to or across a street or public lane from the subject property, or from any public right-of-way.

Service Areas

(2) Service area lighting fixtures must be designed and located so that the light source cannot be seen from adjacent streets or areas with residential uses. Wall mounted light fixtures must use cutoff devices to contain direct lighting to the service area and must have a concealed light source.

DESIGN STANDARDS

205. Owners must complete development in accordance with the design standards in sections 206 through 211 unless those standards are otherwise provided by another section of this By-law, by the terms of an adopted PDO-1 or PDO-2 zoning district, or by a Variance Order.

Intent

206. The intent of the design standards in this section is to (a) implement those recommendations in *Plan Winnipeg* calling for high-quality design; (b) ensure that the design of multi-building complexes integrate good circulation systems for automobiles, bicycles, and pedestrians; and, (c) to ensure that the design quality of commercial, institutional, mixed use, and industrial developments protects and enhances the image of surrounding developments.

Multi-Family Residential Development

207. Each principal building or development in which a majority of the gross floor area is occupied by multi-family dwellings use must comply with the standards set out in this section, unless the provisions of section 210, *Mixed Use Development*, apply:

Accessibility

(1) Multi-family dwelling developments containing more than one principal building on a single lot or parcel must include an unobstructed walkway or pathway providing access between the principal buildings for persons with disabilities. The walkway or pathway must be at least 5 feet wide, and, if curb ramps are necessary to provide such access, the curb ramps must comply with the slope and design requirements established by the City of Winnipeg, Public Works Department.

Rooftop Equipment Screening

(2) Rooftop mechanical equipment and appurtenances must be screened so that they are not visible from adjacent public streets or adjacent properties less than 200 feet away when viewed from 5 feet above grade level. Screening enclosures must be constructed of a material similar in appearance to at least one of the materials used in the facades of the principal building and one of the same colours used in the principal building. All air conditioning compressors must be completely screened. Any rooftop equipment generating noise that can be heard outside the boundaries of the lot must also be buffered or otherwise attenuated to direct unavoidable noise upward. (See Illustration 23.)

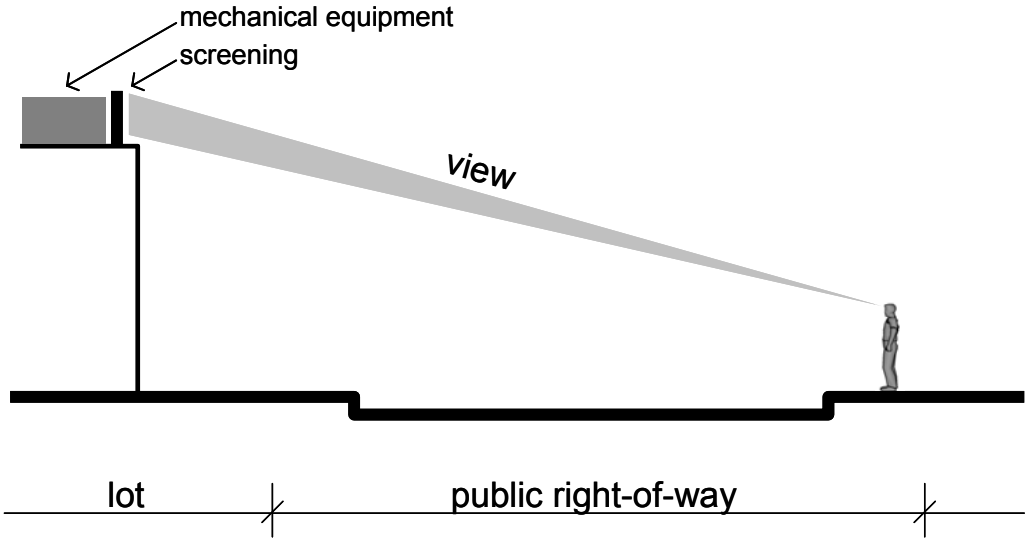


Illustration 23: Rooftop Equipment Screening

Pedestrian and Bicycle Access

(3) Each multi-family dwelling development containing more than 50 dwelling units, whether developed in a single or multiple phases, and whether in a single or multiple principal buildings, must comply with the following standards, where applicable:

Paths and Pathways

(a) pedestrian and bicycle paths and pathways must be developed where indicated in the City's adopted path and pathway plan and policies. Paths and pathways must be designed and constructed to adopted City of Winnipeg Public Works Department standards;

Pedestrian Connections

(b) all principal entrances of principal buildings must have direct access (i.e., access without having to cross a street) to a sidewalk, walkway, path, or pathway that leads to a public street. Each such sidewalk, walkway, path, or pathway must be a minimum of 5 feet wide; and

Bicycle Access

(c) bicycle access routes must be provided between public bicycle lanes, paths, or pathways and on-site bicycle parking areas. Sites should be designed to avoid or minimize all conflicting bicycle/motor vehicle and bicycle/pedestrian movements. All bicycle paths and pathways connecting to the city's path and pathway system must comply with adopted City of Winnipeg Public Works Department standards.

Visibility of Common Areas

(4) To promote public safety, primary multi-family dwelling buildings and landscaping must be located and designed so that clear sight lines are provided to and between common open spaces, circulation paths, and access points into the development, where applicable.

Commercial and Institutional Development

208. Each principal building or development in which a majority of the gross floor area is occupied by uses categorized in Table 4-1 as "commercial sales and service" uses or as "cultural and entertainment" uses, or a combination of such uses, must comply with the following standards, unless the provisions of section 210, *Mixed Use Development,* apply:

Facades and Articulation

(1) Each commercial or institutional principal building, other than large commercial retail buildings, as defined in subsection (5) below, must meet at least two of the following four standards, with the choice of those standards to be at the option of the owner:

Transparency Option

(a) a minimum of 10 percent of each facade area that faces a street must be composed of transparent materials. At least 1/2 of this amount must be provided so that the lowest edge of the transparent materials is no higher than 4 feet above the street level (See Illustration 24);

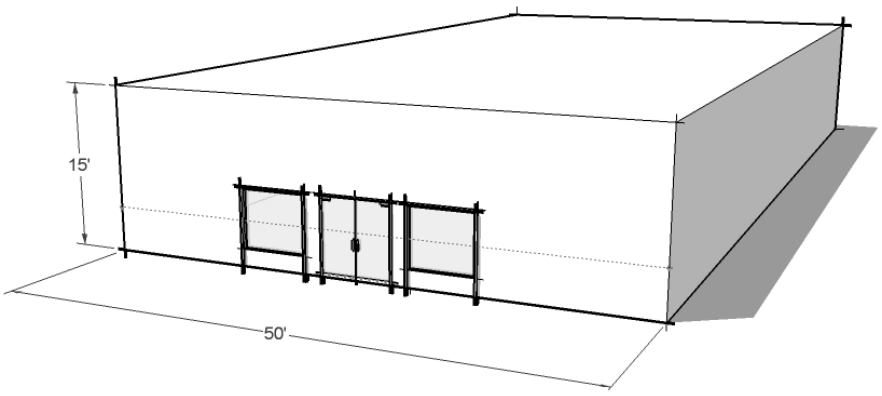


Illustration 24: Transparency

In this example, windows and doors with a transparent surface area equal to 10 percent of the façade surface area are provided on the front façade. Transparent materials should be located to provide visual interest to pedestrians, with the bottom edge of at least half of them located no higher than 4 feet above grade.

Wall Plane Articulation Option

(b) each facade greater than 100 feet in length abutting a street, measured horizontally, must incorporate architectural features such as wall plane projections, recesses, or other building material treatments and textures that visually interrupt the wall plane. No uninterrupted length of any facade must exceed 100 horizontal feet.

Vertical Articulation Option (for Buildings Taller than 30 Feet)

(c) each principal building taller than 30 feet in height must be designed so that the massing or façade articulation of the building presents a clear base, middle, and top when viewed from the abutting street (See Illustration 25.);

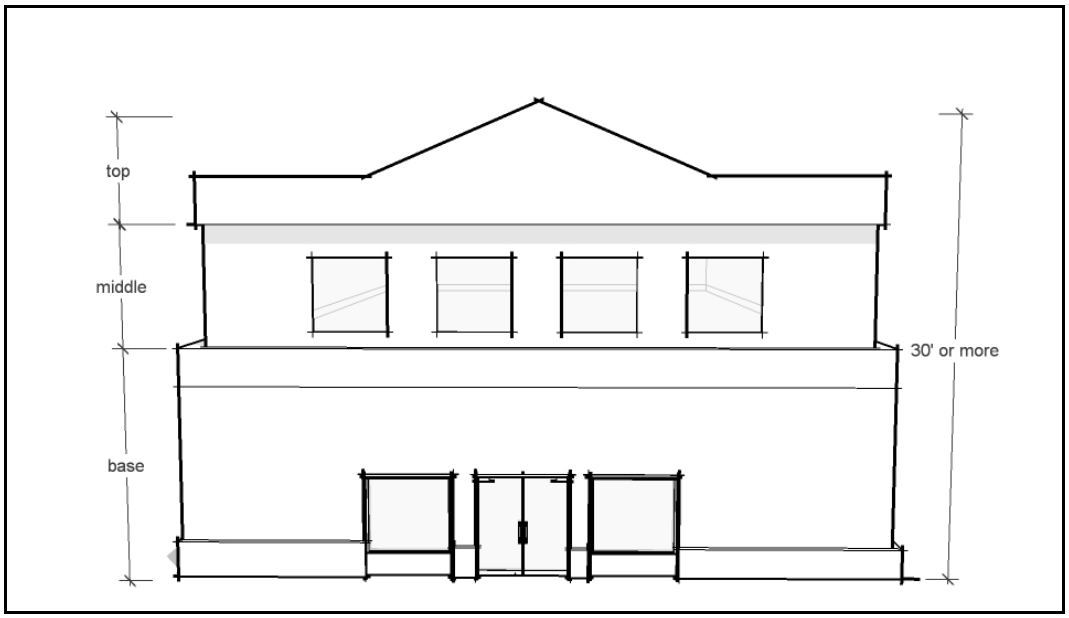


Illustration 25: Example of Vertical Articulation

Roof Articulation Option

(d) where sloping roofs are used, at least one projecting gable, hip feature, or other break in the horizontal line of the roof ridgeline must be incorporated for each 60 lineal feet of roof. Where flat roofs are used, the design or height of the parapet must include at least one change in setback or height of at least 3 feet along each 60 lineal feet of façade. (See Illustration 26.)

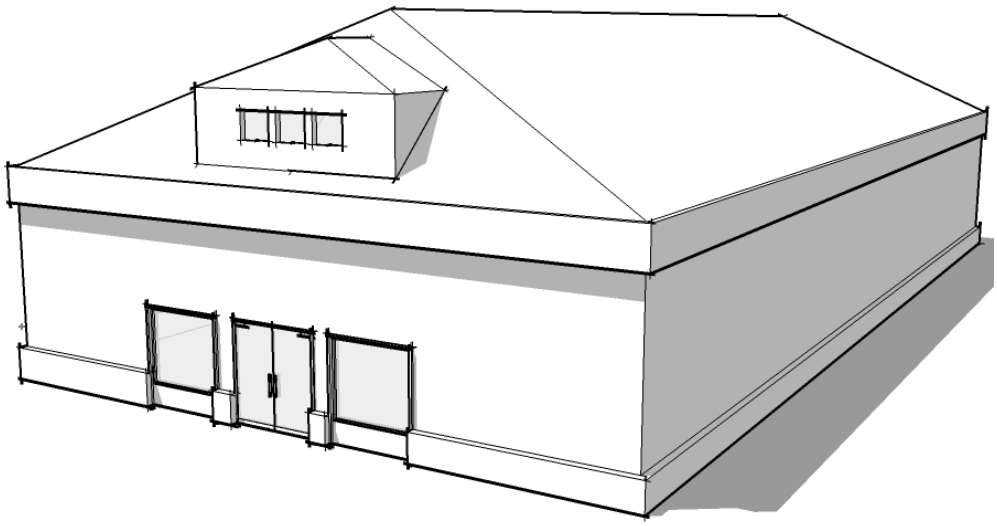


Illustration 26: Example of Roof Articulation

Entryway Design and Location

(2) Each principal building must have clearly defined, highly visible main entrances for occupants and/or customers with features designed to emphasize the importance of the entrance, which must include at least two of the following features, with the choice of the features to be at the option of the owner:

(a) a canopy or portico;

(b) a roof overhang;

(c) a horizontal recess or projection;

(d) an arcade or arch;

(e) a peaked roof form;

(f) an outside patio;

(g) a display window;

(h) architectural tilework or moldings integrated into the building design;

(i) integrated planters or wing walls that incorporate landscaped areas or seating areas; or

(j) another architectural feature not found on the remainder of that building façade.

Rooftop Equipment Screening and Projections

Rooftop Equipment Screening

(3) Rooftop mechanical equipment and appurtenances must be screened so that they are not visible from adjacent public streets or adjacent properties less than 200 feet away when viewed from 5 feet above grade level. Screening enclosures must be constructed of a material similar in appearance to at least one of the predominant materials used in the facades of the principal building and one of the predominant colours used in the principal building. All air conditioning compressors must be completely screened. Any rooftop equipment generating off-site noise must also be buffered or otherwise attenuated to direct unavoidable noise upward when adjacent to residential or institutional zoning districts.

Building Projections

(4) All building projections that remain visible from abutting public streets after the screening required by subsection (3) above, including but not limited to chimneys, flues, vents, gutters, and down spouts, must match the colour of the surface from which they project, the building's trim colour, or be constructed of materials such as brick or stone that match materials used on the building.

Additional Standards for Large Commercial Retail Buildings

(5) In addition to meeting the standards in subsections (1) through (4) above, single-storey retail buildings containing 65,000 square feet or more of gross floor area in which one user or tenant occupies more than 75 percent of the gross floor area, must meet the following additional standards:

Façade Articulation

(a) each façade greater than 100 feet in length, measured horizontally, must incorporate wall plane projections or recesses having a depth of at least 2 feet, and extending at least 20 percent of the length of the façade. No uninterrupted length of any façade may exceed 100 horizontal feet;

(b) at least one of the wall plane projections or recesses required by clause (a) above must repeat horizontally at an interval of no more than 30 feet.

Façade Design

(c) each building façade must have a repeating pattern that includes no less than three instances of at least one of the following:

(i) colour change;

(ii) texture change;

(iii) material module change; or

(iv) expression of an architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset, reveal, or projecting rib.

Pedestrian Oriented Design Features

(d) ground-floor façades that face public streets must have arcades, display windows, entry areas, awnings, or other such features along no less than 60 percent of their horizontal length. (See Illustration 27.)

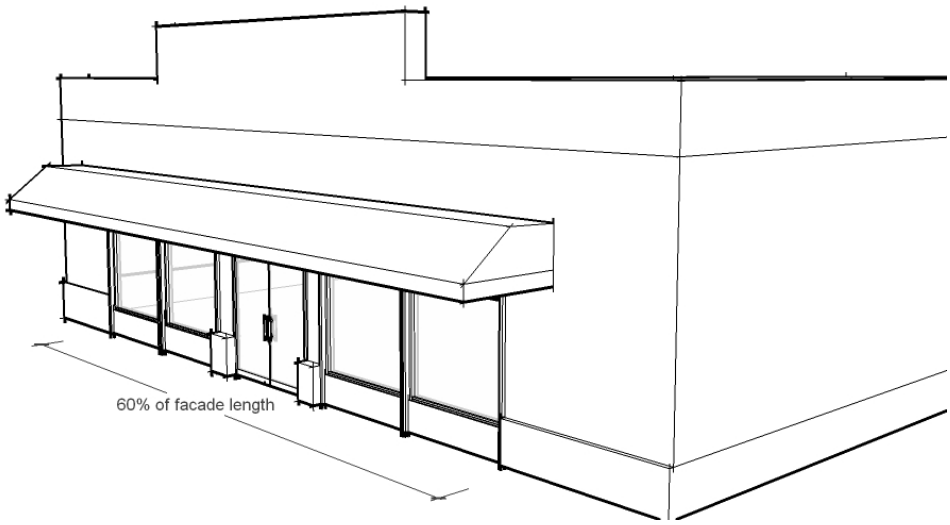


Illustration 27: Example of Pedestrian Oriented Design Features

Pedestrian and Bicycle Access

(e) each commercial or institutional development containing more than 100,000 square feet of gross floor area, whether in a single or multiple phases, and whether in a single or multiple principal buildings, must comply with the following standards, where applicable:

Paths and Pathways

(i) where applicable, pedestrian and bicycle paths and pathways must be developed where indicated in any plan adopted by the City Council and must be designed and developed to adopted City of Winnipeg Public Works Department standards;

Pedestrian Connections

(ii) all principal entrances of principal buildings must have direct access (i.e. access without having to cross a public street) to a sidewalk, walkway, path or pathway that leads to a public street. Each such sidewalk, walkway, path or pathway must be a minimum of 5 feet wide; and

Bicycle Access

(iii) bicycle access routes must be provided between public bicycle lanes, paths or pathways and on-site bicycle parking areas. Sites should be designed to avoid or minimize all conflicting bicycle/motor vehicle and bicycle/pedestrian movements. All bicycle paths and pathways

connecting to the City's path and pathway system must comply with adopted City width standards.

Multi-Building Developments

(6) Commercial or institutional developments containing more than one principal building on a single lot or parcel must include an unobstructed walkway or pathway providing access between the principal buildings for persons with disabilities. The walkway or pathway must be at least 5 feet wide.

Industrial Development

209. Each principal building or development in which a majority of the gross floor area is occupied by uses categorized in Table 4-1 as "industrial" uses must comply with the following standards, unless the provisions of section 210, *Mixed Use Development*, apply.

Façade Articulation

(1) Each industrial principal building must meet at least one of the following three standards, with the choice of the standard to be at the option of the owner:

Wall Plane Horizontal Articulation Option

(a) each facade greater than 100 feet in length abutting a street, measured horizontally, must incorporate architectural features such as wall plane projections, recesses, or other building material treatments and textures that visually interrupt the wall plane. No uninterrupted length of any facade may exceed 100 horizontal feet.

Vertical Articulation Option (for Buildings Taller than 30 Feet)

(b) each principal building greater than 30 feet in height must have a change in cladding material or surface plane. No single cladding material or surface plane (as applicable) may extend for an uninterrupted vertical distance of more than 30 feet;

Parapet Variation Option

(c) all facades visible from a public street must include a parapet that varies in height by at least 2 feet for each 60 lineal feet of façade length. (See Illustration 28.)

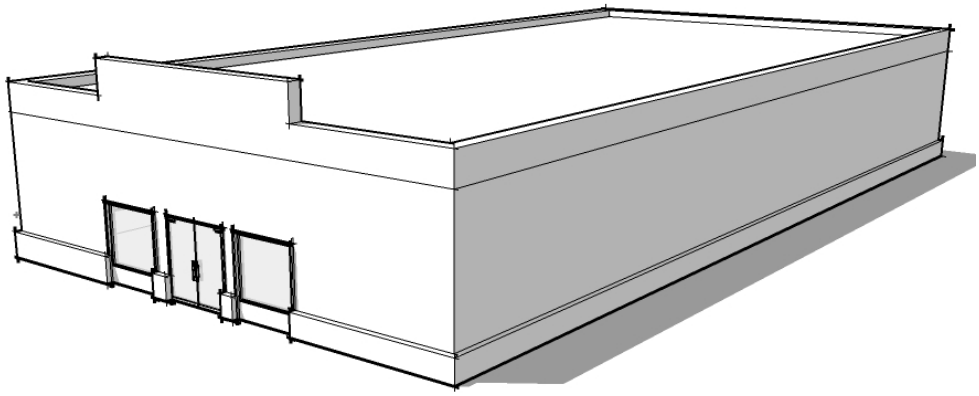


Illustration 28: Example of Parapet Variation Option

Entryway Design

(2) Each principal building must have clearly defined, highly visible main entrances for occupants and/or patrons with features designed to emphasize the importance of the entrance, including at least one of the following elements, with the choice of the element to be at the option of the owner:

(a) a canopy or portico;

(b) a roof overhang;

(c) a horizontal recess or projection;

(d) an arcade or arch;

(e) a peaked roof form;

(f) an outside patio;

(g) a display window;

(h) architectural tilework or moldings integrated into the building design;

(i) integrated planters or wing walls that incorporate landscaped areas or seating areas; or

(j) a similar architectural feature not found on the remainder of that building façade.

Mixed Use Development

210. In a mixed use development, each principal building must comply with the standards of sections 207, 208, or 209, as applicable, unless the applicant chooses to request alternative design treatment pursuant to subsections (2) or (3) below.

(1) If a mixed use development contains a single principal building containing a mix of (a) principal multi-family uses and (b) principal uses categorized in Table 4-1 as "commercial

sales and service" uses or "cultural and entertainment" uses, the owner may choose to comply with either the standards of section 207 or the standards of section 208.

(2) If mixed use development contains a single principal building containing a mix of (i) principal uses categorized in Table 4-1 as "commercial sales and service" uses or "cultural and entertainment" uses, and (ii) principal uses categorized in Table 4-1, as "industrial" uses, the owner may choose to comply with either the requirements of section 208 or the requirements of section 209.

(3) Regardless of which option is selected under clauses 212 (1) A, B, or C above, all development subject to the large commercial retail design standards in subsection 208(5) above must comply with all standards applicable to such development.

Planned Development Overlay Districts

211. All development in a PDO-1 or PDO-2 zoning district is subject to design standards set forth in the by-laws creating the districts in which they are located, and is not subject to the design standards in sections 206 through 210, unless the by-laws creating the districts reference some or all of the requirements in those subsections and indicate that they apply to development in the PDO-1 or PDO-2 district.

ALTERNATIVE EQUIVALENT COMPLIANCE

212. In lieu of compliance with the specific requirements of sections 188 through 193, *Landscaping and Buffering*, sections 194 through 198, *Fencing and Screening*, sections 199 through 204, *Lighting* and sections 205 through 211, *Design Standards,* above, an owner may propose to the Director an alternative equivalent approach to compliance consistent with the intent of those sections. An alternative equivalent compliance plan is designed to provide flexibility in order to respond to unique site conditions or abutting or surrounding uses, and must not result in reductions in the amount or quality of landscaping, buffering, fencing, screening, lighting, or design provided. The Director may approve a proposal under this section only if the Director determines that the following criteria have been met:

(1) The proposed alternative design achieves the intent of the subject standard to the same or better degree than the subject standard;

(2) The proposed alternative design achieves the goals and objectives of *Plan Winnipeg*, relevant secondary plans, and this By-law to the same or better degree than the subject standard;

(3) The proposed alternative design results in benefits to the community that are equivalent to or better than compliance with the subject design standard; and

(4) The proposed alternative design imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of sections 188 through 211.

DONE AND PASSED, in Council assembled, this day of , 2007.

_____
Mayor

_____
City Clerk

Approved as to content:

_____
Director of Planning, Property and Development

Certified as to form:

_____
for City Solicitor/Manager of Legal Services

SCHEDULE A

LIST OF ADOPTED SECONDARY PLANS

1. The following secondary plans have been adopted by City Council and are in effect. Conformance with such plans must be considered in all development decisions in the subject areas:

    (1) Airport Vicinity Protection Area Secondary Plan;

    (2) Wilkes South Secondary Plan;

    (3) North Henderson Highway Secondary Plan;

    (4) Henderson Highway Corridor Secondary Plan;

    (5) Kil-cona Park Area (West) Secondary Plan;

    (6) North St. Boniface Secondary Plan;

    (7) St. Vital Perimeter South Secondary Plan;

    (8) Airport Area West Secondary Plan;

    (9) South St Boniface Area Structure Plan;

    (10) Transcona Yards Industrial Neighbourhood Secondary Plan;

    (11) Osborne Village Neighbourhood Plan; and

    (12) Waverley West Area Structure Plan

    (13) Waverley West Northeast Neighbourhood Area Structure Plan

SCHEDULE B

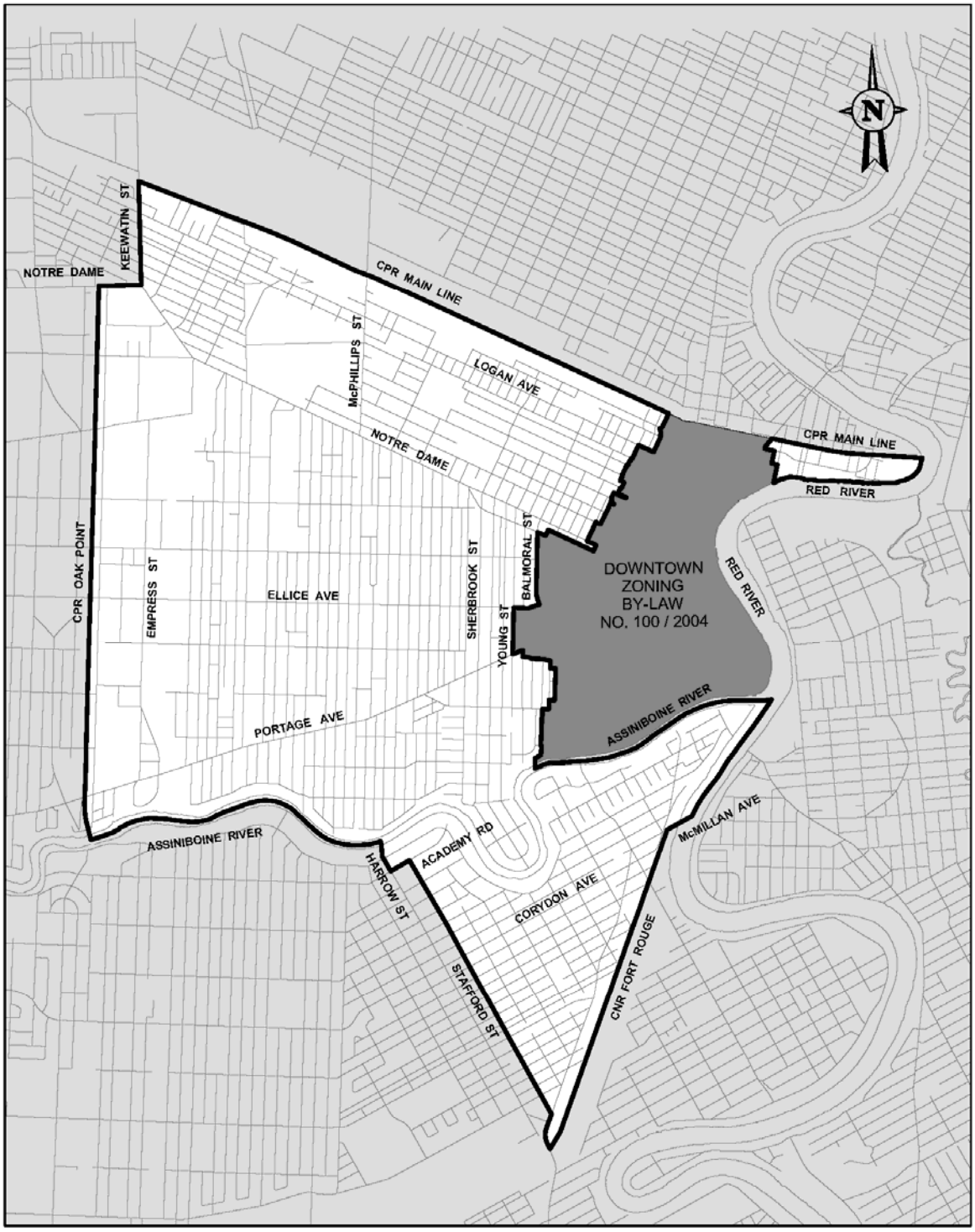
ZONING MAPS

1. The location and boundaries of the zoning districts established in section 50, *Districts Established*, are shown on the Zoning Maps in this Schedule.

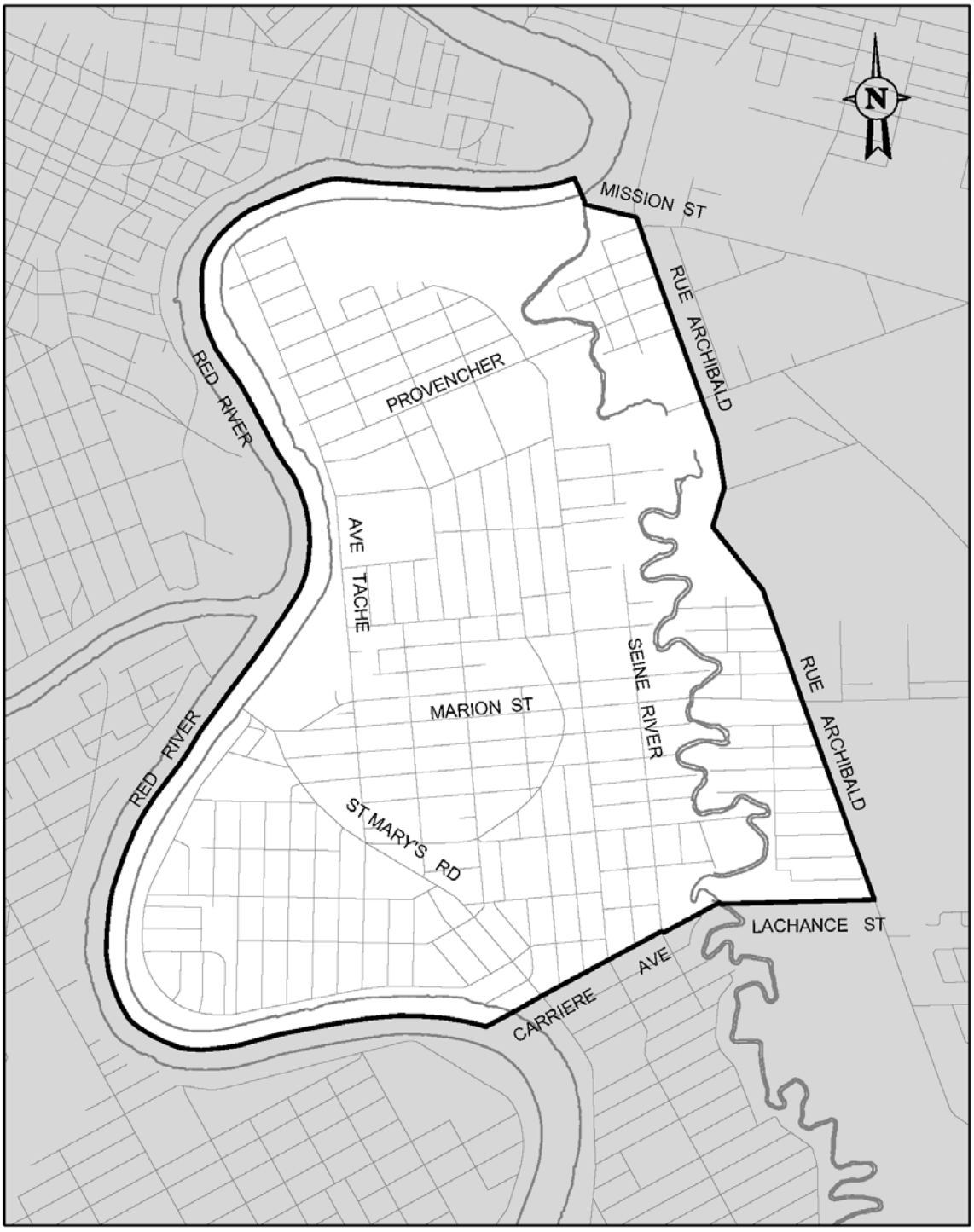
SCHEDULE C

URBAN INFILL AREAS MAPS

1. While newer portions of the city have been divided or can be divided into parcels that are of adequate size and shape to accommodate the general standards of this By-law related to required on-site parking and landscaping, some older portions of the city have been divided into parcels that are too small or shallow to accommodate such parking and landscaping. In order to promote infill redevelopment in older portions of the city, the City of Winnipeg hereby provides for the establishment of Urban Infill Areas. Urban Infill standards described in Part 5, Development and Design Standards, of this By-law apply to commercial and institutional and manufacturing zone districts located within that area designated on the Urban Infill Areas Maps below.



URBAN INFILL AREA MAP 1



URBAN INFILL AREA MAP 2

SCHEDULE D

AIRPORT VICINITY PROTECTION AREA PLANNED DEVELOPMENT OVERLAY 1 (PDO-1 AIRPORT VICINITY)

Purpose

1. The Airport Vicinity Protection Area planned development overlay district is intended to minimize exposure of residential and other sensitive land uses to aircraft and their potential impacts, including noise, to minimize risks to public safety from aircraft accidents, and to discourage traffic congestion and incompatible land uses proximate to, and within, airport influence areas. In addition, the District is intended to ensure that the 24-hour operation of Winnipeg's airport continues to contribute to the economic vitality of the city and the region by avoiding or mitigating potential land use conflicts.

Applicability

2. The PDO–1 Airport Vicinity Protection Area overlay district is shown on the attached map (the Map).

Development Standards

3. In the PDO–1 Airport Vicinity overlay zoning district, the following zoning rules apply:

Area I of Overlay District

(1) Within that part of the AVP Area overlay district shown as Area I on the Map:

(a) no new residential development is permitted (subject to statutory non-conforming rights and any Variance Order related thereto) except replacement of existing dwellings, if destroyed or demolished, with new dwellings which in the case of multiple-family dwellings must not exceed the original number of dwelling units; and

(b) minor residential infilling may be approved as a conditional use under The City of Winnipeg Charter in areas of established residential development.

Area II of Overlay District

(2) Within that part of the AVP Area overlay district shown as Area II on the Map, new single-family dwellings are permitted subject to all required amendments of or approvals under applicable land use controls.

Area II of Overlay District Not Fronting on Portage Avenue

(3) Within lots that are in that part of the AVP Area shown as Area II on the Map but are not fronting on Portage Avenue, and subject to all required amendments of or approvals under applicable land use controls:

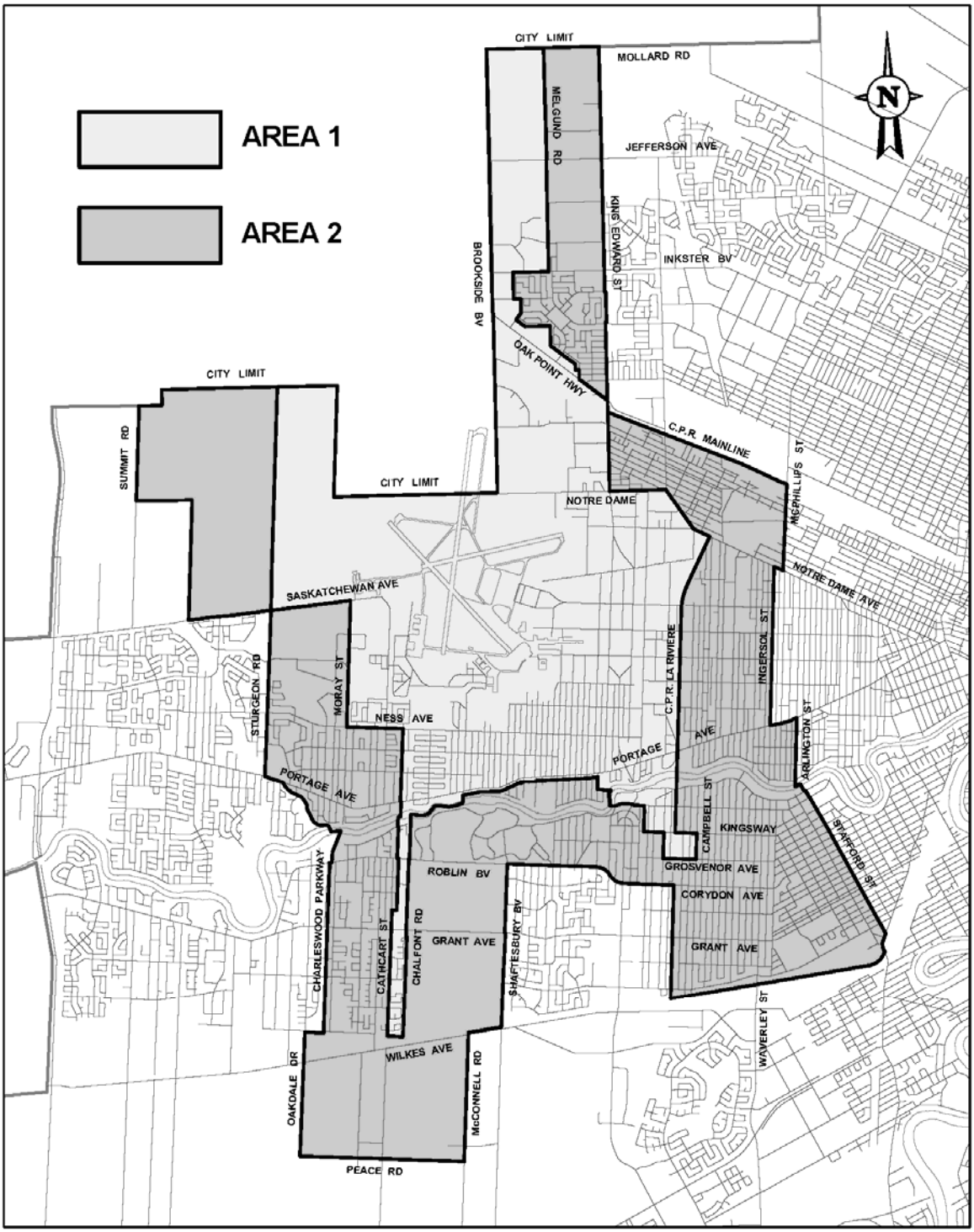
(a) existing multiple-family dwellings may, if destroyed or demolished, be replaced with multiple-family dwellings but not exceeding the original number of dwelling units; and

(b) new multiple-family dwellings may be constructed not exceeding a density of 85 units per hectare (35 units per acre) inclusive of any dwelling units referred to in clause 3(a) above of that portion of lots falling within Area II, excluding any part

of that area designated Floodway, and new multiple-family dwellings in excess of that density may be approved as conditional uses under *The City of Winnipeg Charter*.

All Areas Within Overlay District

(4) Within the AVP Area all new single-family and multiple-family dwellings including replacement and infill dwellings must comply with the construction standards set out in the *Airport Vicinity Acoustic Insulation By-law*.



AIRPORT VICINITY PROTECTION AREA
PLANNED DEVELOPMENT OVERLAY MAP

SCHEDULE E

BOULEVARD PROVENCHER PLANNED DEVELOPMENT OVERLAY 1 (PDO-1 BOULEVARD PROVENCHER)

Purpose

1. The purpose of this overlay is to encourage the protection of Provencher Boulevard with its cultural and historic significance to the French community as the neighbourhood main street for St. Boniface.

Applicability

2. This overlay shall apply to the lands fronting Boulevard Provencher, between avenue Tache and rue Langevin, as shown on the attached map (the Map).

Permitted Use Restrictions

3. Notwithstanding other provisions of this By-law, permitted, conditional, accessory and temporary uses are modified from those permitted in the underlying zoning district as follows:

   (1) No more than 2 amusement devices may be permitted on any property;

   (2) No drive-in or drive through – principal or accessory;

   (3) No car washes.

Dimensional Standards

4. Development in the Boulevard Provencher overlay district must comply with the maximum building height and required yard standards below. In the event of a conflict between these provisions and any provisions applicable in the underlying zoning district, these standards apply. Except as modified by the following standards, all standards of the Zoning By-law continue to apply in the PDO1-Boulevard Provencher overlay district.

Maximum Building Height

(1) The maximum height of any building or structure, or an enlargement of any building or structure, must not exceed:

   (a) 30 feet on the south side of Provencher Boulevard;

   (b) 80 feet on the north side of Provencher Boulevard.

Required Yards

(2) The following yard requirements apply to all properties within the overlay district:

   (a) minimum 50 feet between the street right-of-way and any parking area;

   (b) maximum 15 feet between the street right-of-way and the front building façade; and

   (c) no required side or rear yard.

Design Review

5. (1) Subject to subsections (2), (3) and (4) within the District, all development, redevelopment, expansion, demolition, or exterior alteration visible from public rights-of-way is subject to urban design review and must be approved by the Director prior to commencement. Urban design approval as set out herein is required whether or not the proposal requires a building permit, development permit, Variance Order, Conditional Use Order, or other approval.

(2) Notwithstanding subsection (1), temporary structures (for events not exceeding 14 days) do not require urban design review and approval.

(3) In addition to the requirements in subsection (1), urban design approval is required for development within public roads, public lanes, public walkways, and public rights-of-way.

(4) Notwithstanding subsection (1), interior building elements will be considered in urban design review only when their arrangement impacts on exterior pedestrian circulation and safety aspects.

Urban Design Considerations

6. (1) Review of development, redevelopment, expansion, demolition, or exterior alteration proposals is primarily intended to ensure the thoughtful integration of such proposals into their local context and consistency with the standards articulated in *Plan Winnipeg*. For the purposes of this by-law, urban design review will focus on the quality of the public environment and be predicated on the understanding that the quality of that environment is formed as a result of many independent creative decisions.

(2) In making a decision concerning the approval or denial of approval of proposed development and redevelopment in the Boulevard Provencher overlay district pursuant to subsection 4(1), the Director must consider the extent to which the proposed development or redevelopment is consistent with the guidelines set out in this section and by the Standing Policy Committee on Property and Development pursuant to section 6 in respect of the following Key Considerations.

(a) building placement;

(b) façade treatment & building entrances;

(c) driveways & building services; and

(d) signs.

(3) In addition to serving as the basis for the Director's decision-making, the guidelines set out in this section:

(a) are provided to assist property owners, design professionals, administrators, decision-makers, advisory committee members, and other parties involved in preparing, reviewing, or approving new developments, redevelopments, expansions, and exterior alterations;

(b) provide a bridge between current policy desires and any detailed urban design guidelines, standards, or criteria that may be generated and which would then supplant the Key Considerations;

(c) are not intended to stifle or discourage creativity; instead, they provide a framework within which to exercise creative design approaches.

Building Placement Considerations

(4) The following guidelines are to be used in evaluating the placement of buildings:

(a) in general, buildings are expected to provide no or minimal yards to public road rights-of-way (front and corner side yards);

(b) building setbacks for Active Uses (e.g. sidewalk cafés, newsstands, retailer displays) can be accommodated;

(c) building setbacks to hotel, public & institutional, and cultural & entertainment uses can be accommodated;

(d) where residential uses are located at street level, building setbacks are encouraged (front and corner side yards);

(e) where a consistent building alignment exists along a block, buildings are expected to respect this alignment (front and corner side yards);

(f) shape, size and alignment of buildings and spaces should reflect the existing horizontal and vertical rhythm and urban form;

(g) new buildings or additions should acknowledge existing buildings in height and form;

(h) the form and appearance of a building should consider views along the Boulevard to landmark buildings such as the St. Boniface Cathedral, Hotel de Ville, and vistas such as the Esplanade Riel;

(i) landscaped spaces, streetscapes and architectural qualities of the Boulevard should be respected, including the preservation of Boulevard trees; and

(j) development should respect adjacent heritage buildings.

Façade Treatment and Building Entrance Considerations

(5) The following guidelines are to be used in evaluating the treatment of front facades and building entrances:

(a) open and inviting building facades are encouraged at street level and 2nd storey, in order to enhance the convenience, comfort, and enjoyment of pedestrian experiences and enhance interactions between the public realm and business operations on private property;

(b) long, undifferentiated blank walls located at street level and along public roads are discouraged; instead, they should be enhanced by combinations of transparent windows (not reflective or spandrel), window displays, active uses, vertical architectural features (e.g. columns, bays, fenestration, pilasters), and contrasting building materials/textures/colours/ shades;

(c) opaque window signs, storage of materials blocking windows, permanently closed blinds, and other measures or operations that hamper transparent street level pedestrian/business interactions are discouraged;

(d) direct access to retailers, service providers, and customer service areas from street level is encouraged;

(e) multiple front entrances from street level to large developments are encouraged;

(f) measures to enhance visibility and accessibility of building front entrances (e.g. setbacks or projections from building wall, architectural features, contrasting materials, ornamentation) are encouraged.

(g) principal entrances to buildings should be on Provencher.

(h) doorways should replicate the existing rhythm of entrances on the Boulevard

(i) new buildings should use similarly sized and shaped windows and doors, creating a consistent rhythm.

Driveways & Building Service Considerations

(6) The following guidelines are to be used in evaluating the treatment of driveways and building services:

(a) in order to encourage an uninterrupted pedestrian boulevard, numbers and dimensions of motor vehicle driveways, private approaches, and other intrusions into the boulevard should be minimized;

(b) access to off street parking facilities, delivery loading spaces, refuse storage areas, and other building services is encouraged to be via public lane (or from secondary street, when public lane is not available);

(c) off street parking facilities, delivery loading spaces, refuse storage areas, and other building services are encouraged to be located internal to buildings;

(d) off street parking facilities, delivery loading spaces, refuse storage areas, and other building services located adjacent to public roads and residential uses are encouraged to be screened via landscaping, fencing, building wing walls, or combinations, ensuring pedestrian access and motor vehicle sight lines are maintained;

(e) off street parking facilities, delivery loading spaces, refuse storage areas, and other building services located between building walls and boulevard Provencher are discouraged.

Signs

(7) The following guidelines are to be used in evaluating signs:

(a) signs are expected to: enhance visibility; be helpful in identifying a building or use; have legible, clear, ordered copy/logo/symbol; be visible (primarily to pedestrians, secondarily to motorists); not obscure neighbouring signs; not limit individual tenant opportunities at multiple-tenant sites;

(b) signs are expected to enable orientation and to be helpful in finding a building or use, from a distance or up close;

(c) signs must not negatively impact personal safety or motor vehicle safety—located and anchored safely and out of the way of pedestrians; not obscuring or mimicking traffic signs/signals;

(d) signs are expected to respect historic areas and important sites; protect valued views and vistas; and complement other notable features;

(e) all signage must be attached to a building;

(f) signs should be lit by external sources and not internally; and

(g) signage should be bilingual and feature at least the same size and quantity of lettering in French and English.

Urban Design Review Process

7. (1) The Standing Policy Committee on Property and Development may approve urban design guidelines, standards or criteria, not inconsistent with the guidelines set out in this section, which are to be considered by the Director in urban design review of development proposals.

(2) The Standing Policy Committee on Property and Development may appoint an advisory committee (or committees) for the purpose of providing recommendations to the Director regarding (i) urban design guidelines, standards, or criteria, and/or (ii) whether or not to grant urban design approval for a particular development, redevelopment, expansion, demolition, or exterior alteration. The advisory committee may establish its own procedures, subject to approval by the Standing Policy Committee on Property and Development.

(3) The Director may not deny an urban design review application without first giving the applicant notice of the date, time, and location of a meeting to hear representation from the applicant concerning the application.



BOULEVARD PROVENCHER PLANNED DEVELOPMENT OVERLAY MAP

SCHEDULE F

WARMAN ROAD PLANNED DEVELOPMENT OVERLAY 1 (PDO-1 WARMAN ROAD)

Purpose

1. The purpose of this overlay is to protect designated industrial facilities from potential adverse impacts from surrounding properties located within 1000 feet of that industrial facility, as shown on the attached map (the Protected Site)

Applicability

2. The PDO-1 Warman Road overlay district is shown on the attached map (the Map).

Permitted Use Restrictions

3. Notwithstanding other provisions of this By-law, permitted, conditional, accessory and temporary uses are modified from those permitted in the underlying zoning district as follows:

    (1) All the following Permitted (P) uses for the underlying zoning district in Table 4.1, are Conditional (C) uses for lands within this overlay district, unless the Director approves a waiver of this requirement pursuant to subsection (2) below.

        (a) Personal Service Uses Not Listed Separately in Table 4.1

        (b) Light Manufacturing, General

        (c) Heavy Manufacturing, General

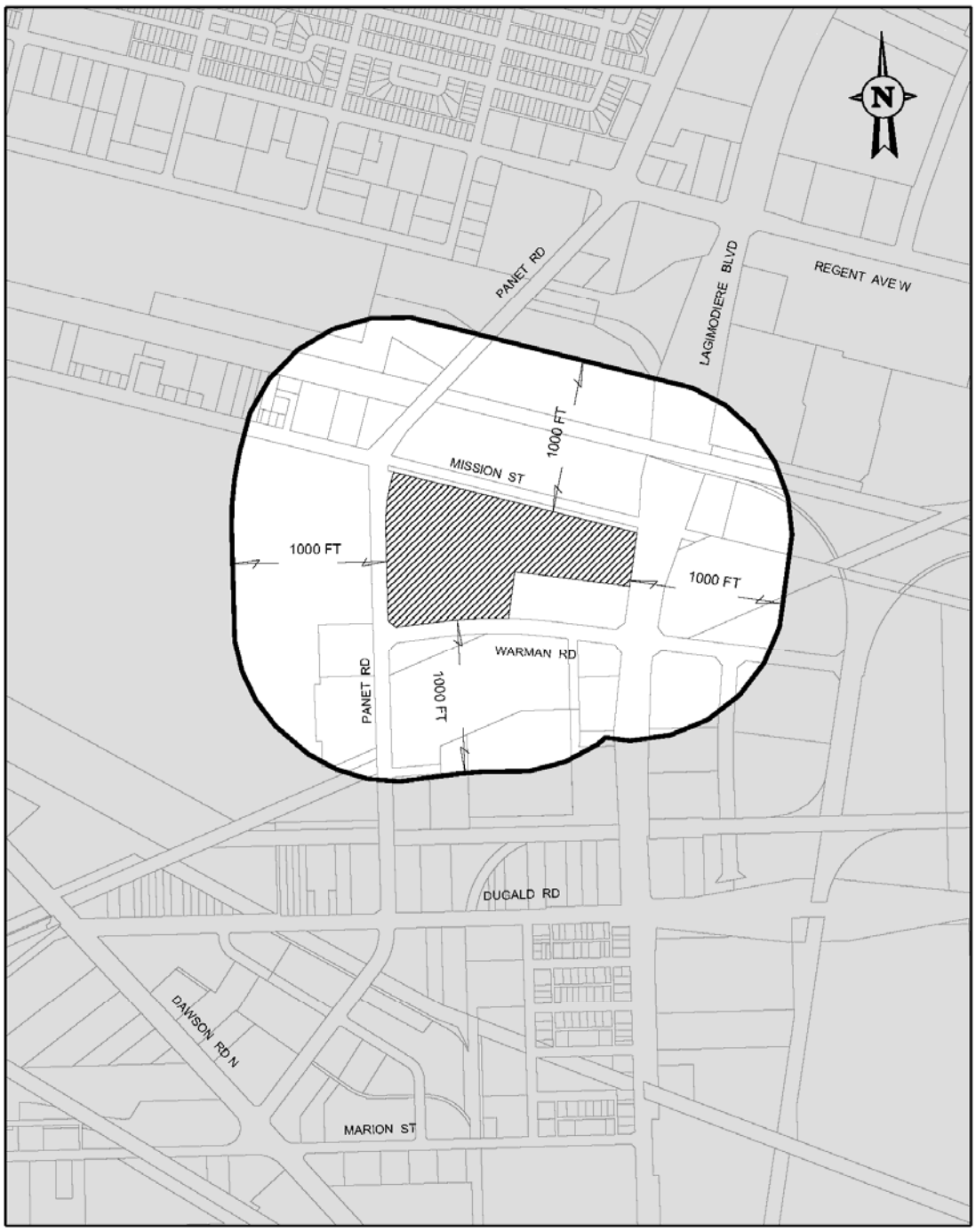
        (d) Mining and Extraction

        (e) Garbage Incineration and Reduction

        (f) Recycling Plant, Enclosed

        (g) Waste Transfer Station

    (2) The Director may waive the requirement for conditional use approval of those uses listed in subsection (1) above if the use is listed as a Permitted (P) use in the underlying zoning district and the Director determines that the use, as proposed, would have no adverse impacts on air quality that may affect the Protected Site.



WARMAN ROAD - PLANNED DEVELOPMENT OVERLAY MAP

SCHEDULE G

NEIGHBOURHOOD MAIN STREETS PLANNED DEVELOPMENT OVERLAY 1 (PDO-1 NEIGHBOURHOOD MAIN STREETS)

Purpose

1. The Neighbourhood Main Streets overlay district is intended to protect the scale and character of the pedestrian-oriented, neighbourhood-scale commercial areas in older areas of the city, to prevent the proliferation of certain uses that will erode the scale, character, or walkability of those areas, and to protect the surrounding neighbourhoods from adverse impacts of active commercial uses in close proximity to residential areas,

Applicability

2. The Neighbourhood Main Streets overlay district includes several non-contiguous areas of the city, all of which are shown on the attached map (the Map).

Permitted Use Restrictions

3. Notwithstanding other provisions of this By-law, within the Neighbourhood Main Streets overlay district the following uses shall be prohibited and are not allowed as permitted, conditional, accessory, or temporary uses:

    (1) Advertising sign

    (2) Amusement enterprise, outdoor

    (3) Auto/light truck/motorcycle, repair and service

    (4) Car wash

    (5) Drive-in or drive-through

    (6) Fleet services

    (7) Kennel

    (8) Pawnshop

    (9) Supermarket

4. Notwithstanding other portions of this By-law, within the Neighbourhood Main Streets overlay district the following uses may be approved only as conditional uses:

    (1) Auto/light truck/motorcycle, sales and rental

    (2) Drinking establishment

    (3) Fuel sales

    (4) Hotel or motel

Use Specific Standards

5. Notwithstanding other portions of this By-law, within the Neighbourhood Main Streets overlay district the following uses are limited to the specified amount of gross floor area per building:

    (1) Amusement enterprise, indoor: 2,500 square feet

    (2) Medical/dental/optical/counselling clinic: 5,000 square feet

    (3) Restaurant: 2,500 square feet

    (4) Retail sales (unless otherwise listed): 5,000 square feet

    (5) Studio, radio/TV/motion picture broadcast and production: 5,000 square feet

    (6) Personal services (unless otherwise listed): 5,000 square feet



NEIGHBOURHOOD MAIN STREETS
PLANNED DEVELOPMENT OVERLAY MAP

SCHEDULE H

ADDITIONAL YARD REQUIREMENTS FOR LOTS ADJACENT TO STORM WATER RETENTION BASINS

1. For ease of reference, the special yards and alignments required under various zoning by-laws enacted by the City subsequent to January 1, 1972, and referenced at 156, *Lots Adjacent to Storm Water Retention Basins*, are as set out, hereinafter, on pages H-2 through H-6, both inclusive.

2. The special yards and alignments set out in various zoning and subdivision agreements entered into between the City and the owners of the lands rezoned and/or subdivided pursuant to rezoning and subdivision plan approval process are not affected by the enactment of this By-law and shall continue to apply to those lands until those agreements are terminated by the parties.

Amber Trail – Brenner Bay

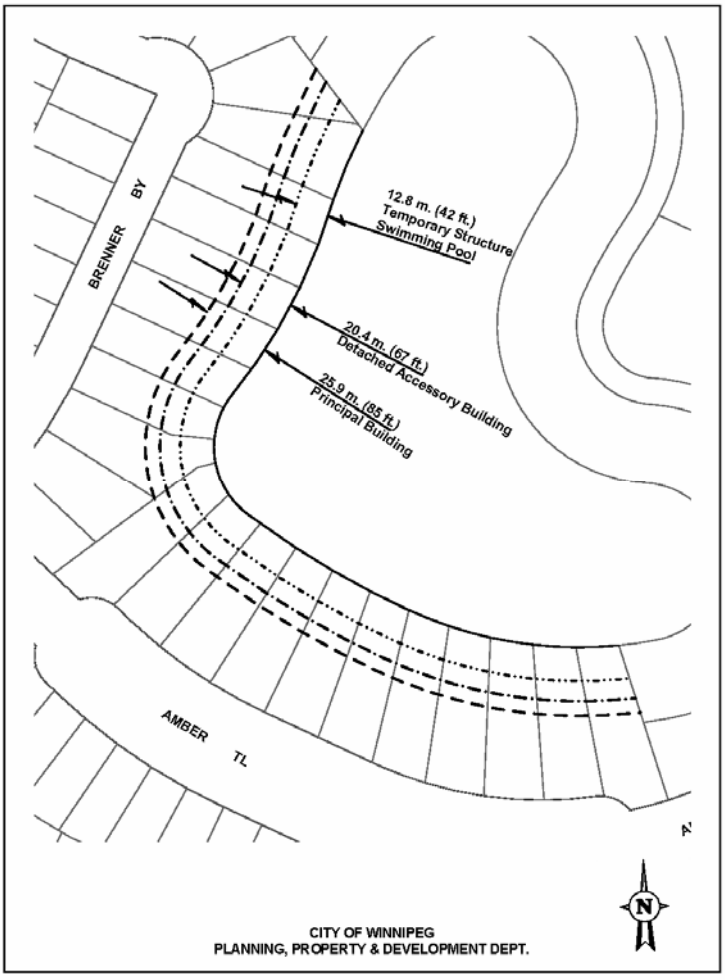
3. Lots 4 to 12 and 14 to 24, Block 6, which lots and blocks are shown on the plan below, have a rear lot line abutting the boundary of public lands containing a storm retention lake and accordingly there shall be provided and maintained on each of those lots the following special rear yard, namely:

   (1) A minimum of 85 feet measured from that rear lot line to any principal building; and

   (2) A minimum of 67 feet measured from that rear lot line to any detached accessory building; and

   (3) A minimum of 42 feet measured from that rear lot line to any temporary structure or swimming pool not enclosed within a building.

4. These special rear yards shall be applied to said lots as shown on the map below (By-law 144/89).



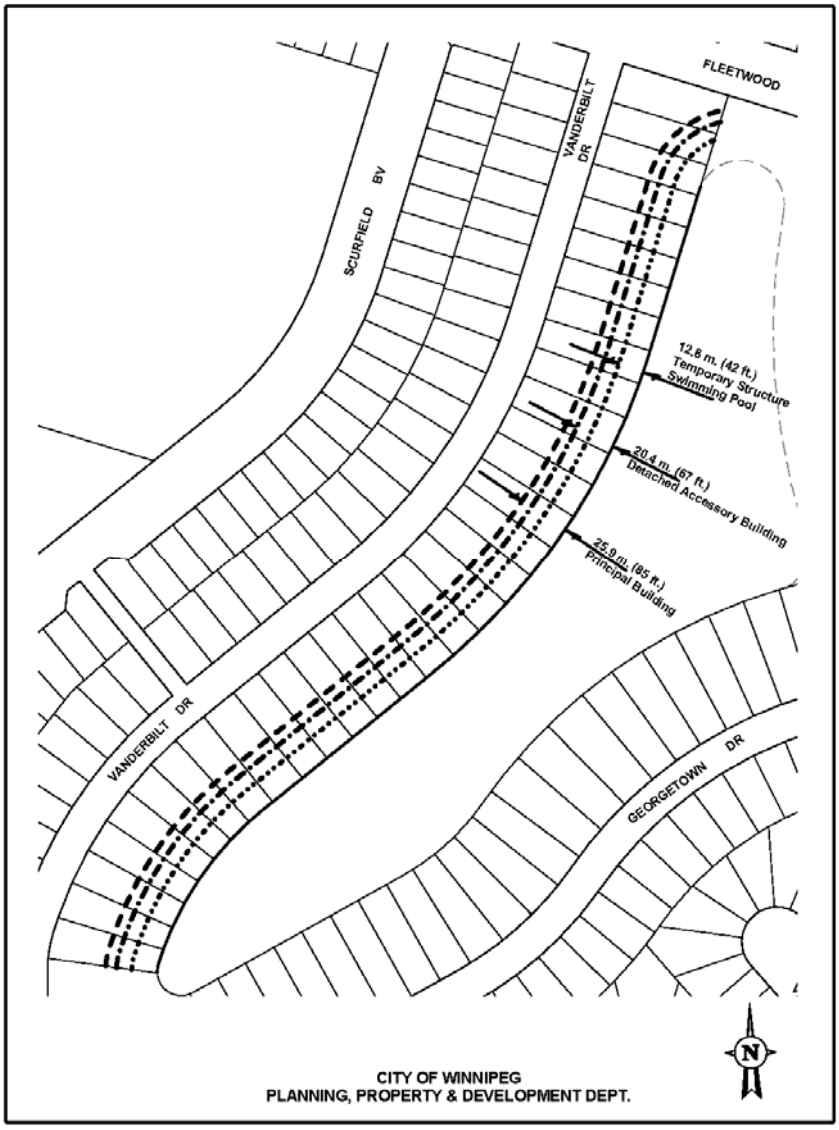
Whyte Ridge, Phase Three – Vanderbilt Drive

5. Lots backing onto the stormwater retention lake adjoining Vanderbilt Drive shall provide and maintain the following rear yards as shown on the plan below:

   (1) Minimum 85 feet to any principal building;

   (2) Minimum 67 feet to any detached accessory building;

   (3) Minimum 42 feet to any temporary structure not enclosed within a building.



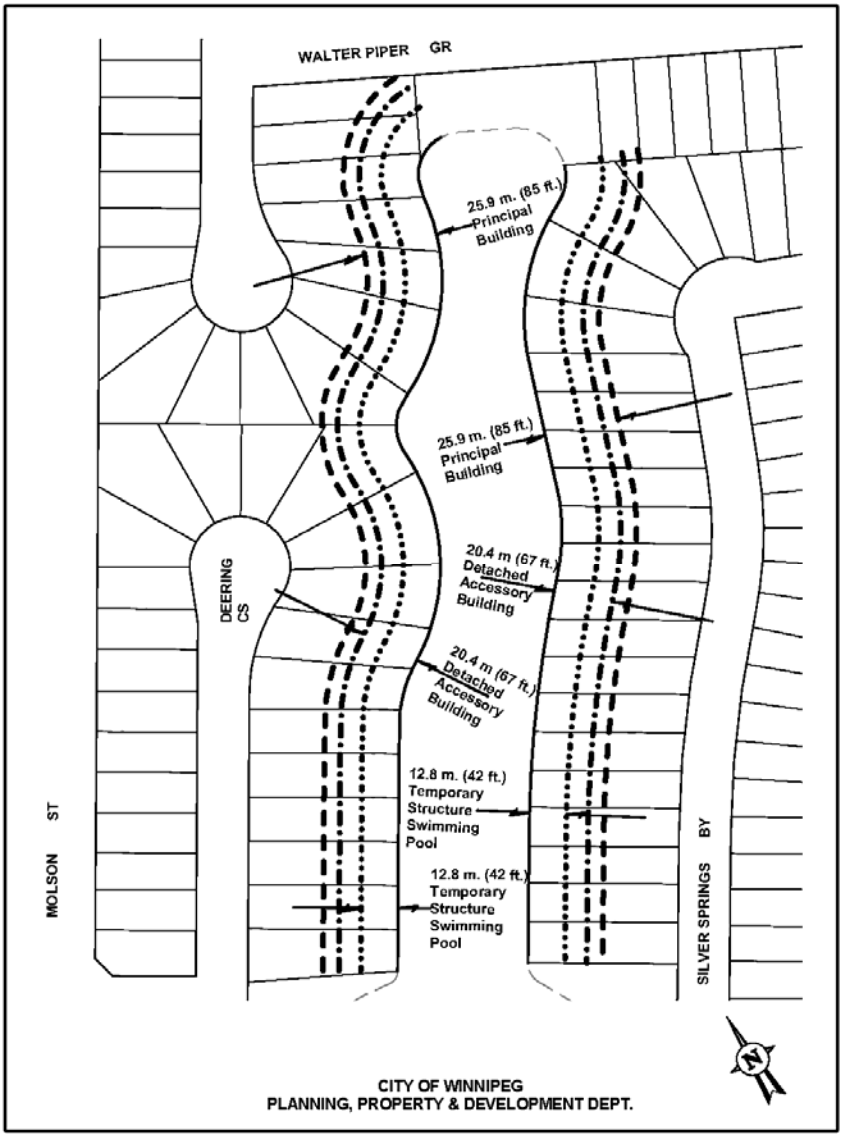
Silver Spring Subdivision

6. Lots backing onto the stormwater retention lake adjoining Deering Close, Walter Piper Grove and Silver Spring Bay shall provide and maintain the following rear yards as shown on the plan below:

(1) Minimum 85 feet to any principal building;

(2) Minimum 67 feet to any detached accessory building;

(3) Minimum 42 feet to any temporary structure or swimming pool not enclosed within a building.



Beachside Bay Subdivision

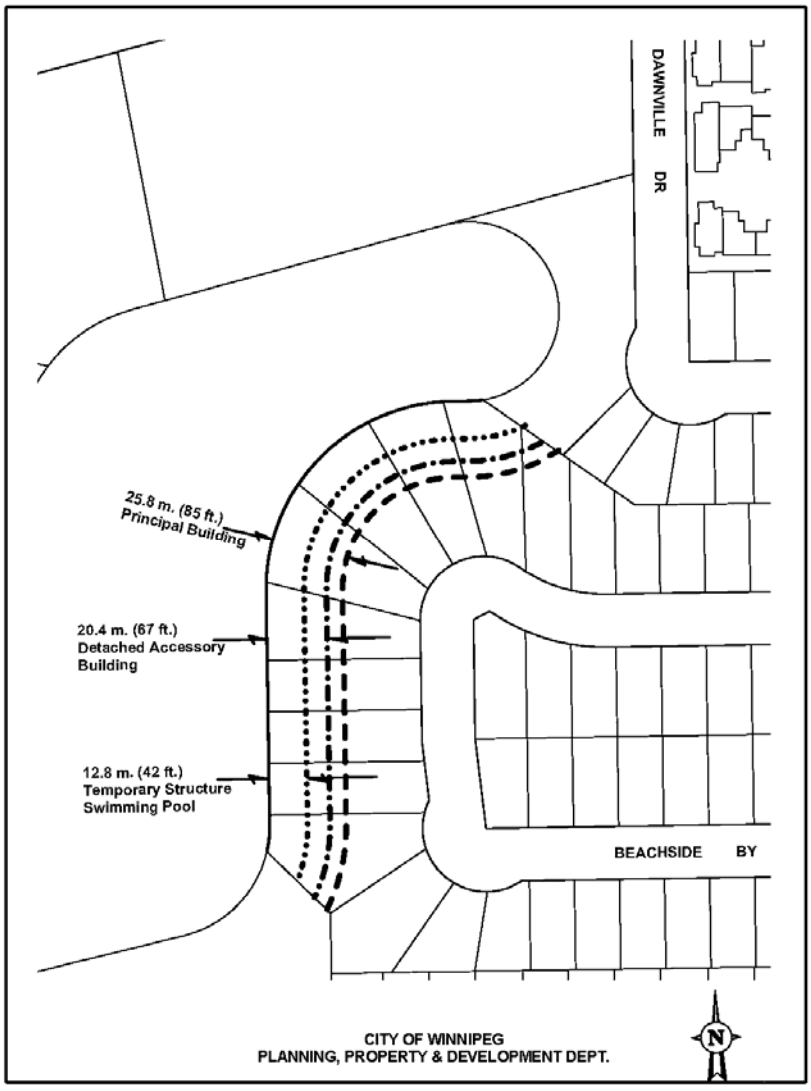
7. Any lot directly adjoining the stormwater retention lake shall provide the following rear yards:

   (1) Minimum 85 feet to any principal building;

   (2) Minimum 67 feet to any detached accessory building;

   (3) Minimum 42 feet to any temporary structure or swimming pool not enclosed within a building.

   (By-law 5465/90)



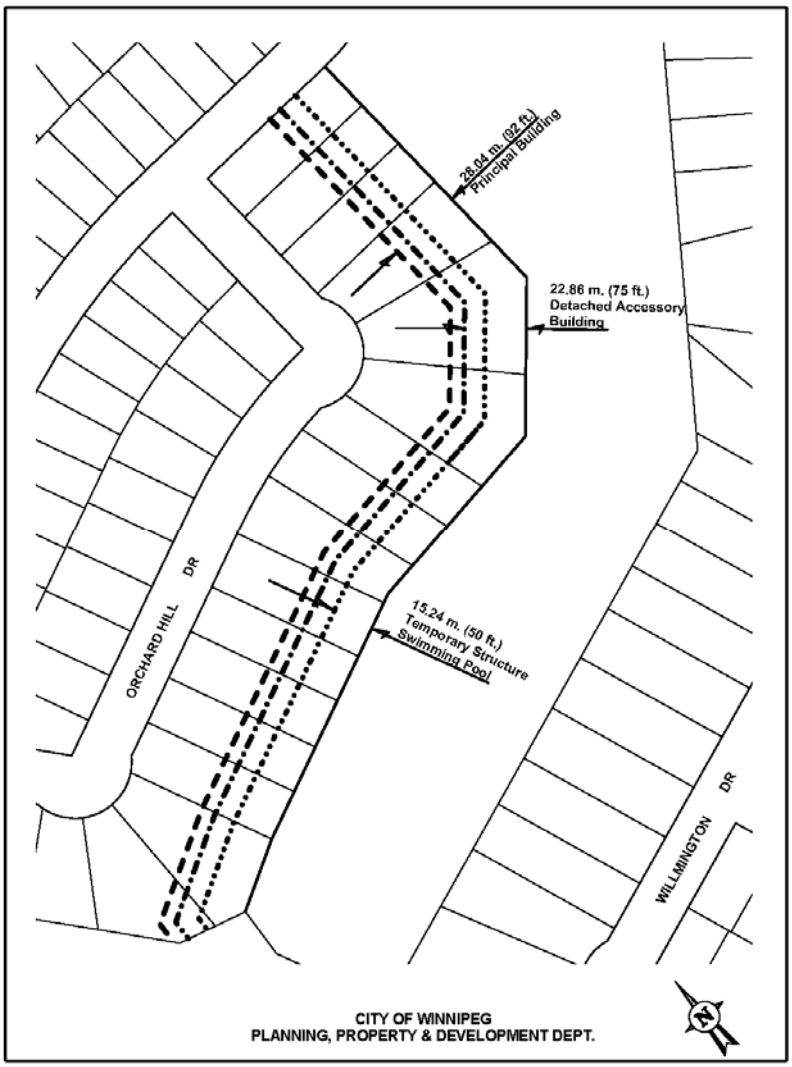
Royalwood Subdivision

8. Lots backing onto the stormwater retention lake on land located on the South side of the South leg of Orchard Hill Drive shall provide and maintain the following rear yards as shown on the plan below:

   (1) Minimum 92 feet to any principal building;

   (2) Minimum 75 feet to any detached accessory building;

   (3) Minimum 50 feet to any temporary structure or swimming pool not enclosed within a building.



SCHEDULE I

SPECIAL YARDS

1. Notwithstanding any other provision of this By-law all owners of lots within the areas identified in the first three columns of the table set out below must provide and maintain minimum yards, free from all improvements other than fences and landscaping in accordance with the requirements set out in the remaining three columns of the tables below.

STREET (A)			FRONT YARD	REAR YARD	SIDE YARD
Aberdeen Avenue	north side	from lane West of Main Street to Charles Street	30 ft		
	north side	lane East of Fife Street to Fife Street	25 ft		
Academy Road	both sides	Cambridge Street to Wellington Crescent	7 ft		
	north side	Harrow Street to Wellington Crescent	40 ft		
	north side	Cambridge Street to Guelph Street	50 ft		
	north side	Guelph Street to Harrow Street	40 ft		
	south side	Cambridge Street to Harrow Street	65 ft		
Admiral Avenue	both sides	Fife Street to the lane East of Fife Street	25 ft		25 ft
Agassiz Drive	both side	D'Arcy Drive North to the end of the Drive	30 ft		
Aikins Street	east side	from lane North of Margaret Street to Seaforth Avenue	29 ft		
	west side	from lane North of Southall Drive to the North limit of Lot 1, Block 7, Plan 10,766	28 ft		
Airlies Street	both sides	Mountain Avenue to Inkster Boulevard	25 ft		
	both sides	Carruthers Avenue to Kingsbury Avenue	25 ft		
Alumni Place	south side	Lots 6 to 10, Block 7, Plan 11,867, By-law 1619/77	30 ft		
Amber Trail		(see Plan)			
Anderson Avenue	north side	Main Street to O'Meara Street	30 ft		
	south side	Main Street to Fowler Street	30 ft		
Armour Crescent	both sides	off Harris Boulevard	30 ft		
Armstrong Avenue	north side	Salter Street to Sly Drive	30 ft		
	south side	Newton Avenue to Salter Street	30 ft		
	south side	Main Street to Aikins Street	18 ft		
	south side	Ord Street to Main Street	30 ft		
	south side	Scotia Street to Ord Street	25 ft		
Arrowwood Drive	north and south		30 ft		
Ash Street	both sides	Wellington Crescent to Grant Avenue	30 ft		

STREET (A)			FRONT YARD	REAR YARD	SIDE YARD
Ashbury Bay	both sides		30 ft		
Ashcroft Point	both sides	East from Glendale Boulevard, Lots 1/16, Plan 3,615	35 ft		
Assiniboine Avenue	both sides	Bedson Street to St. Charles Golf Course	25 ft		
Assiniboine Crescent	both sides	Woodbridge Road to Moray Street	30 ft		
	south side	Moray Street to Portage Avenue	35 ft		
Aster Avenue	both sides	Daffodil Street to Crocus Street	30 ft		
Avonherst Street	west side	Harvard Avenue to Yale Avenue	60 ft		

STREET (B)			FRONT YARD	REAR YARD	SIDE YARD
Baffin Crescent	both sides	off Whytewold Road	27 ft		
Ballard Crescent	both sides		30 ft		
Beachside Bay		(see Plan)			
Beaver Street	both sides	North from Buffalo Place, By-law 418/73	20 ft		
Beaverbend Crescent	both sides	off Whytewold Road	27 ft		
Beeston Drive		Lots 12/25, Block 2, Plan 10,766	30 ft		
Belvidere Street	both sides	Portage Avenue to Ness Avenue	26 ft		
Bishop Grandin Boulevard		(see Plan)			
Bluebell Avenue	both sides	Daffodil Street to Sinclair Street	30 ft		
Borebank Street	east side	Academy Road to Grant Avenue	30 ft		
	west side	Wellington Crescent to Grant Avenue	30 ft		
Boyd Avenue	both sides	lane East of Fife Street to Fife Street	25 ft		25 ft
Brazier Street	west side	North of Leighton Avenue, Parcel 2, Plan 8972	30 ft		
Bredin Drive	both sides	Lots 1 to 29 inclusive, Plan 4,606	30 ft		
Brenner Bay		(see Plan)			
Broadway*	south side	Colony to Balmoral: Lot 1, Plan 20 Lots 1 & 2, Plan 726;	7 ft		7 ft
	south side	Balmoral to Sherbrook	7 ft		
	north side	Colony to Good			7 ft
	north side	Good to Sherbrook	7 ft		
	south side	Sherbrook to Maryland (Lots 37 & 38, Plan 49)	14 ft		
	south side	Maryland to Honeyman (Lots 15 to 21, Plan 435)	20 ft		
Brock Street	both sides	Wellington Crescent to Grant Avenue	30 ft		
Bronx Avenue	both sides	Brazier Street to Roch Street	25 ft		

STREET (B)			FRONT YARD	REAR YARD	SIDE YARD
Bruce Avenue	both sides	Strathmillan Street to Olive Street	27 ft		
Brunswick Street	west side	McLeod Avenue to North limit Lot 26, Plan 7913 *special yard to be planted with grass and shrubs and maintained as a landscaped area*	40 ft		
Buffalo Place	both sides	Waverley Street to Hydro Transmission Line, By-law 418/73	20 ft		
Burrin Avenue	both sides	Aikens Street to Salter Street	28 ft		
	both sides	Andrews Street to McKenzie Street	30 ft		
	north side	Salter Street to Andrews Street	38 ft		
	south side	Salter Street to Andrews Street	30 ft		
	south side	lane East of Main Street to Aikens Street	25 ft		
	south side	Scotia Street to Main Street	25 ft		
Burrows Avenue	north and east sides	C.P.R. right-of-way, Plan 371, to Keewatin Street	50 ft		
	north side	Aikens Street to Salter Street	12 ft		
	south side	C.P.R. right-of-way to McPhillips Street	18.5 ft		
	south side	Artillery Street to Battery Street	18.5 ft		
	south side	Salter Street to Powers Street	11 ft		
Buttercup Avenue	both sides	Viola Street to Airlies Street	30 ft		
Buxton Road	both sides	Holly Avenue to Dowker Avenue	30 ft		

STREET (C)			FRONT YARD	REAR YARD	SIDE YARD
Calrossie Blvd	both sides	Pembina Highway to Riverside Drive	30 ft		
Cambridge Street	east side	Academy Road to Dromore Avenue, By-law 4477/86	40 ft		
	west side	Grosvenor Avenue to Corydon Avenue	30 ft		
	west side	Academy Road to Grosvenor Avenue	35 ft		
	west side	Wellington Crescent to Academy Road	30 ft		
Cameron Street	west side	Talbot Avenue to Beach Avenue	22.5 ft		
	both sides	Kingsway to Grant Avenue	30 ft		
Campbell Street	both sides	Wellington Crescent to Academy Road	30 ft		
Canna Boulevard	both sides	Viola Street to McPhillips Street	30 ft		
Carmen Avenue	south side	Henderson Highway to Beatrice Street	25 ft		
Carnarvan Road	both sides	off Whytewold Road	27 ft		
Carpathia Road	both sides	Frank Street to Corydon Avenue	30 ft		
	west side	South from Corydon Avenue	30 ft		
Carruthers Avenue	both sides	C.P.R. right-of-way to Cottingham Street	30 ft		

STREET (C)			FRONT YARD	REAR YARD	SIDE YARD
Cathedral Avenue	north side	lane West of Main Street to Charles Street	35 ft		
	south side	lane West of Main Street to Charles Street	30 ft		
Cedar Glen Road		special rear yard, By-law 5330/89, (see Plan)			
Chamberlain Avenue	both sides	lane East of Fife Street to Fife Street	25 ft		
Chancellor Drive	both sides	Lots 11 to 20, Block 7, and Lots 24 - 38, Block 2, all in Plan 11,867; By-law 1619/77		45 ft	
Chataway Boulevard	both sides	Nanton Boulevard to Assiniboine Drive	50 ft		
Chelsea Avenue	both sides	Brazier Street to Roch Street	25 ft		
	both sides	Watt Street to Golspie Street	25 ft		
	south side	Roch Street to Watt Street	25 ft		
Cherryhill Road	both sides	Sinclair Street to Daffodil Street	30 ft		
Chevrier Boulevard	both sides	West from C.N.R. Lettellier Subdivision, By-law 418/73	20 ft		
Church Avenue	both sides	Fife Street to Keewatin Street	50 ft		
	both sides	lane East of Fife Street to Fife Street	25 ft		25 ft
	north side	Salter Street to Powers Street	30 ft		
	north side	lane West of McGregor Street to McKenzie Street	25 ft		
	south side	Main Street to Emslie Street, Lots 51/54, Plan 1257	30 ft		
Clarence Avenue	both sides	Hydro Transmission Line to Waverley Street, By-law 418/73	20 ft		
Colish Drive	both sides	Pearce Avenue to Cottingham Street	30 ft		
College Avenue	both sides	lane East of Fife Street to Fife Street	25 ft		25 ft
	south side	Main Street to Charles Street	13 ft		
Conway Street	both sides	Assiniboine River to Ness Avenue	30 ft		
Coralberry Avenue	both sides	from Arrowwood Drive to end	30 ft		
Cordova Street	both sides	Wellington Crescent to Grant Avenue	30 ft		
Corydon Avenue*	south side	Pembina to Osborne			7 ft
	both sides	Pembina to Nassau East public lane	7 ft		
	both sides	Nassau East public lane to Nassau West public lane			7 ft
	both sides	Nassau West public lane to Stafford	7 ft		
Crocus Street	both sides	Cherryhill Road to Dahlia Avenue	30 ft		
Crowson Bay	both sides	South off of Dowker Avenue	30 ft		

STREET (D)			FRONT YARD	REAR YARD	SIDE YARD

STREET (D)			FRONT YARD	REAR YARD	SIDE YARD
D'Arcy Drive	west side	see Plan 7003	45 ft		
Daffodil Street	both sides	Dahlia Avenue to Teakwood Avenue	30 ft		
Dafoe Boulevard	north side	McPhillips Street to Cottingham Street	30 ft		
Dahlia Avenue	both sides	C.P.R. right-of-way to the lane West of Daffodil Street	30 ft		
Dallas Road	both sides	off Whytewold Road	27 ft		
Davidson Street	both sides	Portage Avenue to Lodge Avenue	30 ft		
	both sides	Lodge Avenue to Ness Avenue	27 ft		
Deer Lodge Place	both sides	Lots 1/7, Plan 1148, and Lots 4/23, Plan 1108; of Plan 21806	35 ft		
	both sides	Lots 8/19 and 29/44, Plan 1,148	26 ft		
Deering Close		(see Plan)			
Donalda Avenue	both sides	Henderson Highway to Roch Street	40 ft		
Dorchester Avenue	north side	Guelph Street to Rockwood Street	30 ft		
	south side	Harrow Street to Wilton Street	35 ft		
Douglas Park Road	both sides	Lots 4/34, Plan 3503	50 ft		
Dowker Avenue	both sides	Pembina Highway to Lyon Street	45 ft		
Dromore Avenue	north side	Cambridge Street to Harrow Street, By-law 4477/86	45 ft		
	south side	Cambridge Street to Harrow Street, By-law 4477/86	40 ft		
Dublin Avenue	both sides	Sherwin Road to St. James Street	20 ft		
Duffield Street	both sides	Portage Avenue to Ness Avenue	30 ft		
Dugald Road	both sides	From the East limit of the proposed North/South corridor alignment (West of Atwood Street) to the City East limit	35 ft	35 ft	35 ft
Dunrobin Avenue	north side	Henderson Highway to Raleigh Street	28 ft		
	south side	Henderson Highway to Raleigh Street	35 ft		
Dunvegan Street	west side	Rossmere Crescent to Mossdale Avenue	30 ft		

STREET (E)			FRONT YARD	REAR YARD	SIDE YARD
Ellice Avenue	both sides	Ferry Road to St. James Street	20 ft		
Elm Street	both sides	Wellington Crescent to Grant Avenue	30 ft		
Enniskillen Avenue	north side	Aikins Street to Salter Street	25 ft		
	south side	Powers Street to McGregor Street	25 ft		
	south side	West of Main Street, Lots 1/5, Block 1, Plan 4574	30 ft		
	south side	Aikins Street to Salter Street	30 ft		

STREET (F)			FRONT YARD	REAR YARD	SIDE YARD

STREET (F)			FRONT YARD	REAR YARD	SIDE YARD
Fennel Street	both sides	Porcupine Avenue to Buffalo Place, By-law 418/73	20 ft		
Fife Street	east side	Huron Avenue to Aberdeen Avenue	25 ft		25 ft
	east side	North limit of Block 2, Plan 6,464 to Huron Avenue	50 ft		
	west side	North limit of Pcl. 1, Plan 7743 to Boyd Avenue	50 ft		
Fleet Avenue	north side	Harrow Street to Cambridge Street	15 ft		
Fleetwood Road		special yards for Greater Winnipeg Gas Co. easement; special corner side yard, By-law 5330/89 (see Plan)			
Fletcher Crescent	both sides	Pembina Highway to Dowker Avenue	30 ft		
Forest Park Drive	both sides	Airlies Street to Grandcrest Street	30 ft		
Forrest Avenue	both sides	Andrews Street to McGregor Street	30 ft		
	both sides	Main Street to Salter Street	15 ft		
Frank Street	both sides	Fulham Avenue to Willow Avenue	30 ft		
French Street	both sides	Gregoire Avenue to Chevrier Boulevard and North from Chevrier, By-law 418/73	20 ft		
Fulham Avenue	both sides	Wellington Crescent to Lockwood Street	30 ft		
Fulton Street	both sides	North of Morden Avenue, By-law 418/73	20 ft		

STREET (G)			FRONT YARD	REAR YARD	SIDE YARD
Gamble Place	both sides	Waverley Street to Hamelin Street, By-law 418/73	20 ft		
Gateway Road	east side	North limit of Lot 19, Plan 7,913 to McLeod Avenue *special yard to be planted with grass and shrubs and maintained as a landscaped area*	40 ft		
Gilia Drive	both sides	Verbena Street to Canna Boulevard	30 ft		
Glencairn Road	west side	abutting Manitoba Hydro right-of-way (Pt. R.L. 35, Pt. Pcl. "B," Plan 3853 (see Plan)		50 ft	
Glendale Boulevard	both sides	Assiniboine Avenue to Wooddale Drive	35 ft		
Glengarry Drive	both sides	Agassiz Drive to D'Arcy Drive	30 ft		
Government Avenue	both sides	Besant Street to Louelda Street	25 ft		
Grandcrest Street	both sides	Lincrest Drive to Hartford Avenue	30 ft		
Greene Avenue	north side	Kildonan Drive to Golspie Street	22 ft		
Greensboro Bay	south side	Lots 19 to 34, Block 8, Plan 11,867, By-law 1619/77	30 ft	45 ft	
Gregoire Avenue	both sides	Hervo Street to C.N.R. right-of-way, By-law 418/73	20 ft		
Griton Boulevard	both sides	Nanton Boulevard to Assiniboine Drive	50 ft		

STREET (G)			FRONT YARD	REAR YARD	SIDE YARD
	west side	Tuxedo Boulevard to Nanton Avenue	35 ft		
Grosvenor Avenue	both sides	Wilton Street to Rockwood Street	30 ft		
	both sides	Guelph Street to Wilton Street	35 ft		
	north side	Rockwood Street to Cambridge Street	35 ft		
	south side	Rockwood Street to Cambridge Street	30 ft		
Guelph Street	both sides	Academy Road to Dromore Avenue, By-law 4477/86	40 ft		
Guildford Street	both sides	Portage Avenue to Ness Avenue	30 ft		

STREET (H)			FRONT YARD	REAR YARD	SIDE YARD
Hamelin Street	both sides	Sony Place to Chevrier Boulevard, By-law 418/73	20 ft		
Hanna Street	both sides	Templeton Avenue to Cork Avenue	30 ft		
Hansart Boulevard	both sides	Corydon Avenue to Assiniboine Drive	50 ft		
Harcourt Street	both sides	Portage Avenue to Ness Avenue	30 ft		
Harris Boulevard	both sides	Portage Avenue to Assiniboine Avenue	30 ft		
Harrow Street	east side	Kingsway to public lane immediately North of Grosvenor Avenue	30 ft		
	west side	Dromore Avenue to Kingsway, By-law 4477/86	32 ft		
	west side	Academy Road to Dromore Avenue, By-law 4477/86	40 ft		
Hartford Avenue	both sides	C.P.R. right-of-way to Sinclair Street	30 ft		
Harvard Avenue	both sides	Harrow Street to Ruskin Row	60 ft		
	both sides	Cambridge Street to Harrow Street, By-law 4477/86	40 ft		
Harvard Avenue West	both sides	Hoka Street to Day Street	25 ft		
Hazeldell Avenue	north side	Kildonan Drive to Woodvale Street	28 ft		
	north side	Woodvale Street to Henderson Highway	33 ft		
	south side	Kildonan Drive to Golspie Street	33 ft		
Helmsdale Avenue	both sides		35 ft		
Henderson Highway	east side	North of Leighton Avenue, Lot 10, Plan 6651 and Parcel A, Plan 6677 *The building alignment shall be a straight line drawn from a point on the North limit of Lot 10, 32 feet distant Easterly from the East limit of Henderson Highway to a point on the South limit of Parcel A, Plan 6,677, distant Easterly thereon from the East limit of Henderson Highway.*			
Hervo Street	both sides	Chevrier Boulevard to Gregoire Avenue	20 ft		

STREET (H)			FRONT YARD	REAR YARD	SIDE YARD
Hoka Street	both sides	Yale Avenue West to Kildare Avenue West	25 ft		
Hoskin Avenue	both sides	Gateway Road to Grey Street	25 ft		
Hull Avenue	both sides	off St. James Street	20 ft		
Huron Avenue	north side	West limit of Block 20, Plan 6,082 to Fife Street	50 ft		
	south side	West limit of Block 19, Plan 6,082 to Fife Street	25 ft		25 ft

STREET (I)			FRONT YARD	REAR YARD	SIDE YARD
Inkster Boulevard	north side	East limit of Block 2, Plan 6,464 to Keewatin Street	75 ft	75 ft	75 ft
	south side	East limit of Block 1, Plan 6,464 to Keewatin Street	75 ft	75 ft	75 ft
Irene Street	both sides	South from McGillivray, By-law 418/73	20 ft		
Iris Street	both sides	Buttercup Avenue to McPhillips Street	30 ft		
Isabel Street*	west side	Notre Dame to Notre Dame North public lane			14 ft
	west side	Notre Dame North public lane to McDermot (Pt. Lot 93, Plan 17); Lots 1 - 4, Plan 17	14 ft		14 ft
	west side	McDermot to Bannatyne	14 ft		
	west side	Bannatyne to William (Lot 10, Plan 493); Lots 11 - 13, Plan 16, Block J	14 ft		14 ft
	west side	William to William North public lane			14 ft
	west side	Elgin to Ross (Lot 144, Plan 432);	Note: side varies: 12.5 ft at North property line to 0 ft at a point 49.7 feet South along the East property line		
		Lot 37, Plan 432			14 ft
	west side	Ross to Pacific	14 ft		

NOTE: * Refer to Streets and Transportation By-laws.

STREET (J)			FRONT YARD	REAR YARD	SIDE YARD
Jefferson Avenue	both sides	C.P.R. right-of-way to McPhillips Street	30 ft		
Jessie Avenue	south side	Guelph Street to Wilton Street	34 ft		
	south side	Harrow Street to Guelph Street	30 ft		

STREET (K)			FRONT YARD	REAR YARD	SIDE YARD
Keenleyside Street	both sides	Beach Avenue to Kent Road	25 ft		
	both sides	from the lane North of Nairn Avenue to McCalman Avenue	23 ft		
Keewatin Street	east side	Burrows Avenue to Carruthers Avenue	50 ft		
		(see Plan)			

STREET (K)			FRONT YARD	REAR YARD	SIDE YARD
Kenaston Boulevard	east side	immediately South of Wilkes Avenue	50 ft		
	east side	Willow Avenue to Carpathia Road	30 ft		
	west side	Wellington Crescent to Fulham Avenue	30 ft		
Kenneth Street	both sides	South off of Dowker Avenue	30 ft		
Kent Road	both sides	Chalmers Avenue to Keenleyside Street	25 ft		
Kildonan Drive	both sides	from Henderson Highway, Lots 4 to 6, and 11 to 14 inclusive, of Plan 4,638	35 ft		
	west side	from Helmsdale Avenue to the North limit of River Lot 66	50 ft		
Kilkenny Drive	both sides	Patricia Avenue to Kings Drive	45 ft		
Kimberly Avenue	north side	Gateway Road to Molson Street	35 ft		
	north side	West limit to Gateway Road	35 ft		
	south side	West limit to Golspie Street	25 ft		
	south side	Transmission Line (Plan 2,793) to Molson Street	25 ft		
Kimwood Bay	both sides		30 ft	30 ft	
Kingsway	both sides	Cambridge Street to Harrow Street, By-law 4477/86	40 ft		
	north side	Lots 1 to 10, Block 25, Plan 822, Stafford Street to Wellington Crescent	40 ft		
	north side	Lots 11 to 16, Block 25, Plan 8,222, Stafford Street to Wellington Crescent	60 ft		
	south side	Harrow Street to Ruskin Row	40 ft		

STREET (L)			FRONT YARD	REAR YARD	SIDE YARD
Lagimodiere Blvd		(see Plan)			
Lake Albrin Bay	west side	Lots 7 to 13, Block 1, Plan 13,154, By-law 1619/77		45 ft	
Lake Grove Bay	north side	Lots 1 to 20, Block 2, Plan 13,300, By-law 1619/77		45 ft	
Lake Street	west side	Portage Avenue to Assiniboine Crescent	30 ft		
Lake Village Road	north side	Lots 3 & 4, Block 5, Plan 13323; Lots 1 to 12, Plan 13635; Lots 1 to 18, Block 1, Plan 13323; By-law 1619/77		45 ft	
Lakedale Place	west side	Lots 15 to 26, Block 20, Plan 12784; Lots 1 & 2, Block 1, Plan 13154; By-law 1619/77		45 ft	
Lanark Street	east side	from North limit to Lot 32, Block 8, Plan 1558, to Grant Avenue	30 ft		
	east side	Academy Road to Kingsway	30 ft		
	west side	Wellington Crescent South to Academy Road	30 ft		
Larsen Avenue	both sides	Henderson Highway to East limit	18 ft		

STREET (L)			FRONT YARD	REAR YARD	SIDE YARD
Leighton Avenue	north side	Kildonan Drive to Watt Street	30 ft		
Leila Avenue	north side	Aikins Street to lane East of Salter Street	25 ft		
	north side	lane East of Salter Street to McGregor Street	29 ft		
Library Place	both sides	South of Portage Avenue	40 ft		
Lincrest Road	both sides	Kingsbury Avenue to Sinclair Street	30 ft		
Lindhurst Avenue	both sides	Gateway Road to Grey Street	25 ft		
Lindsay Street	both sides	Wellington Crescent to Grosvenor Avenue	30 ft		
	west side	Grosvenor Avenue to Grant Avenue	30 ft		
Linwood Street	both sides	Portage Avenue to Silver Avenue	30 ft		
Lockwood Street	both sides	Willow Avenue to Corydon Avenue	30 ft		
	east side	Academy Road to Kingsway	30 ft		
Lodge Avenue	both sides	Ronald Street to Davidson Street	27 ft		
Lottie Street	both sides	North of Porcupine Avenue, By-law 418/73	20 ft		
Lyle Street	both sides	Portage Avenue to Silver Avenue	26 ft		
Lyon Street	both sides	Dowker Avenue to Oakenwald Avenue	30 ft		

STREET (M)			FRONT YARD	REAR YARD	SIDE YARD
Machray Avenue	both sides	St. Cross Street to the lane East of Main Street	30 ft		
	both sides	lane East of Fife Street to Fife Street	25 ft		25 ft
Macklin Avenue	both sides	McCurdy Street to Payne Street	30 ft		
Magnolia Street	both sides	South of Talbot Avenue	25 ft		
Manahan Avenue	both sides	West from French Street, By-law 418/73	20 ft		
Mandeville Street	both sides	Portage Avenue to Ness Avenue	26 ft		
Manhattan Avenue	north side	Wagner Street to Kent Road	25 ft		
	south side	Grey Street to Kent Road	25 ft		
Margaret Avenue	south side	Salter Street to Southall Drive	30 ft		
Marigold Bay	both sides		30 ft		
Maryland Street*	west side	South of Woodrow Place (Lots 10 - 12, Plan 2221)	20 ft		
	west side	Wolseley to Knappen	20 ft		
	west side	North of Knappen (Lots 17 - 20)	20 ft		
	east side	Wolseley to Westminster: Lot 1, Plan 49 Lots 2 - 8, Plan 49 Lot 11, Plan 27	20 ft		20 ft 20 ft

STREET (M)			FRONT YARD	REAR YARD	SIDE YARD
	east side	Westminster to Sara: Lot 12, Plan 426 Lots 15 - 22, Plan 426 Lot 25, Plan 426	 30 ft		 30 ft 30 ft
	east side	Sara to Broadway (Lots 29 - 36, Plan 49)	15 ft		
Matheson Avenue	both sides	Scotia Street to Main Street	25 ft		
	north side	Parr Street to Arlington Street	25 ft		
	south side	Parr Street to C.P.R. right-of-way, Plan 379	30 ft		
McAdam Avenue	north side	C.P.R. right-of-way, Plan 379, to Sinclair Street	30 ft		
	north side	McGregor Street to Arlington Street	25 ft		
	south side	Parr Street to Arlington Street	25 ft		
	south side	C.P.R. right-of-way, Plan 379, to Sinclair Street	30 ft		
McCurdy Street	both sides	Mellis Avenue to Richardson Avenue	30 ft		
McGregor Street	east side	Anderson Avenue to Church Avenue	12 ft		
McLeod Avenue	north side	Gateway Road to Brunswick Street *the special yard to be planted with grass and shrubs and maintained as a landscaped area*	40 ft		
	south side	Henderson Highway to Raleigh Street	30 ft		
McMillan Avenue	north side	Harrow Street to Wilton Street, Rockwood Street to Cambridge Street	30 ft		
	south side	Wilton Street to Cambridge Street	30 ft		
Melbourne Avenue	north side		18 ft		
Mellis Avenue	both sides	Airlies Street to Cottingham Street	30 ft		
Merriwood Drive	both sides	Sinclair Street to Airlies Street	30 ft		
Milner Street	both sides	Church Avenue to Inkster Boulevard	50 ft		
Moir Avenue	north side	Dunvegan Street to Rossmere Crescent	30 ft		
	south side	Dunvegan Street to Rossmere Crescent	50 ft		
Moncton Avenue	both sides	Gateway Road to Battershill Street	25 ft		
Montcalm Crescent	both sides	Hartford Avenue to Vanier Drive	30 ft		
Montrose Street	both sides	Academy Road to Grant Avenue	30 ft		
	east side	Wellington Crescent to Academy Road	35 ft		
	west side	Wellington Crescent to Academy Road	30 ft		
Moorgate Street	both sides	Portage Avenue to Ness Avenue	35 ft		
Moray Street	both sides	Assiniboine Crescent to Ness Avenue	35 ft		
Morden Avenue	both sides	West from Waverley Street, By-law 418/73	20 ft		
Morrison Street	both sides	Arrowwood Drive to Buttercup Avenue	30 ft		

STREET (M)			FRONT YARD	REAR YARD	SIDE YARD
Mossdale Avenue	both sides	Kildonan Drive to Henderson Highway	30 ft		
Mount Baker Drive		(see Plan)			
Mount Royal Crescent	south side	off Portage Avenue	30 ft		
Mountain Avenue	both sides	lane East of Fife Street to Fife Street	25 ft		25 ft
Mulvey Avenue	south side	Harrow Street to Cambridge Street	15 ft		
Munroe Avenue	north side	Henderson Highway to Gateway Road	40 ft		
	north side	Besant Street to Molson Street	25 ft		
	south side	Henderson Highway to Grey Street	25 ft		
Murdock Road	both sides		35 ft	35 ft	35 ft

NOTE: * Refer to Streets and Transportation By-laws.

STREET (N)			FRONT YARD	REAR YARD	SIDE YARD
Nairn Avenue (B/L 6880/96 - 96 09 25)	north side	Kent Road to Stapleton Street	25 ft		
	north side	Foster Street to Chester Street	25 ft		
	north side	Kent Road to Stapleton Street	25 ft		
	south side	from Watt Street to Panet Road *the special yard to be maintained as a landscaped area* for buildings, structures and the parking of vehicles other than those described below. For the parking of automobiles and trucks of not more than one (1) ton (907 kg) carrying capacity	66 ft 25 ft		
Neil Avenue	both sides	Henderson Highway to Raleigh Street	35 ft		
Newton Avenue	north side	Ord Street to Main Street	25 ft		
Niagara Street	both sides	Wellington Crescent to Grant Avenue	30 ft		
Nolana Street	both sides	Buttercup Avenue to Arrowwood Drive	30 ft		
Notre Dame Ave	south side		20 ft		
Nottingham Avenue	both sides	Gateway Road to Grey Street	25 ft		

STREET (O)			FRONT YARD	REAR YARD	SIDE YARD
Oak Street	both sides	Wellington Crescent to Grant Avenue	30 ft		
Oakdean Boulevard	both sides	Portage Avenue to Assiniboine Avenue	35 ft		
Oakenwald Avenue	both sides	Pembina Highway to North Drive	30 ft		
Oakview Avenue	both sides	Kildonan Drive to Golspie Street	33 ft		
Osborne Street*	west side	Between Broadway and Mostyn	15 ft		
	east side	Between River and Stradbrook: Lot 154, Plan 102; Lots 152 – 144, Plan 102; Pt. Lot 111, Plan 207	 14 ft		 14 ft 14 ft

STREET (O)			FRONT YARD	REAR YARD	SIDE YARD
	east side	Between Stradbrook and Wardlaw (Lot 2, Plan 208);	Note: Front varies from 0 ft at North lot line to 7 ft at South lot line		
		Lots 3 & 4, Plan 208	7 ft		
	both sides	Wardlaw to McMillan	7 ft		
	west side	Corydon to Rosedale	7 ft		
	west side	Rosedale to Jubilee (Lot 17, Plan 925)	7 ft		
	east side	Jessie to Mulvey (Lot 1 & Pt. Lots 2-5, Plan 208)	7 ft		
	east side	Lot 5, Plan 2939			7 ft
	east side	Mulvey to Ashland;	7 ft		
	east side	Ashland to Balfour (Lot 6 & Pt. Lot 5)	7 ft		
Osgoode Place		Lots 9, 10 & 11, Block 2, Plan 11867, By-law 1619/77		45 ft	
Otter Street	both sides	Porcupine Avenue to Buffalo Place, By-law 418/73	20 ft		
Overdale Street	both sides	Portage Avenue to Ness Avenue	35 ft		
Oxford Street	both sides	Grosvenor Avenue to Grant Avenue	30 ft		
	east side	Wellington Crescent to Academy Road	45 ft		
	east side	Academy Road to Grosvenor Avenue	40 ft		
	west side	Wellington Crescent to Academy Road	40 ft		
	west side	Academy Road to Kingsway	35 ft		
	west side	Kingsway to Grosvenor	30 ft		

STREET (P)			FRONT YARD	REAR YARD	SIDE YARD
Park Boulevard East	east side	Grant Avenue to Mountbatten Avenue	50 ft		
Park Boulevard West	west side	Bard Avenue to Mountbatten Avenue	50 ft		
Payne Street	both sides	Dafoe Boulevard to Richardson Street	30 ft		
Pearce Avenue	both sides	Cottingham Street to Airlies Street	30 ft		
Pembina Highway	both sides	from North limit of River Lot 16, Parish of St. Vital, South to the municipal boundary *minimum distance from Pembina Highway lot line for any building shall be 40 feet*			
	both sides	from North limit of River Lot 22, Parish of St. Vital, South to the municipal boundary, By-law 2899/85 *minimum distance to the Pembina Highway lot line for any sign shall be 20 feet*			
Peony Street	both sides	Verbena Street to Viola Street	30 ft		
Perth Street	north side	lane West of Main Street to Salter Street	25 ft		
	north side	Powers Street to Andrews Street	25 ft		

STREET (P)			FRONT YARD	REAR YARD	SIDE YARD
	south side	lane West of Main Street to Aikins Street	35 ft		
	south side	Aikins Street to Salter Street	30 ft		
Plymouth Street	both sides	Church Avenue to Burrows Avenue	30 ft		
Portwood Road		special yards for Greater Winnipeg Gas Co. easement (see Plan)			
Powell Avenue	both sides	King Edward Street to Madison Street	20 ft		
Primrose Crescent	both sides		30 ft		
Prince Rupert Avenue	north side	Gateway Road to London Street	25 ft		
	south side	Gateway Road to Grey Street and Besant Street to Louelda Street	25 ft		

STREET (Q)			FRONT YARD	REAR YARD	SIDE YARD
Queenston Street	both sides	Wellington Crescent to Grant Avenue	30 ft		
Quincy Bay		Lots 6 to 21, Block 9, Plan 11867; By-law 1619/77		45 ft	

STREET (R)			FRONT YARD	REAR YARD	SIDE YARD
Redview Drive		(see Plan)			
Redwood Avenue	both sides	lane East of Fife Street to Fife Street	25 ft		25 ft
Regent Avenue	both sides	Lagimodiere Boulevard to Pandora Avenue the special yard to be maintained as a landscaped area for buildings and parking	25 ft		
Renfrew Street	both sides	Wellington Crescent to Grosvenor Avenue	30 ft		
Richardson Avenue	both sides	McCurdy Street to McPhillips Street	30 ft		
Riley Street	both sides	Dowker Avenue to Buxton Road	30 ft		
Riverside Drive	east side	Somerset Avenue to Byng Place	50 ft		
	east side	South to Byng Place	30 ft		
	west side	South to Somerset Avenue	30 ft		
Riverton Avenue	north side	Stadacona Street to Allan Street	25 ft		
Riverwood Avenue	both sides	Pembina Highway to Netley Avenue	30 ft		
Roch Street	west side	South of McLeod Avenue, Lots 1-8, Block 3, Plan 7362	30 ft		
Rockman Street	both sides	South of Somerville Avenue to C.N.R. right-of-way, By-law 418/73	20 ft		
Ronald Street	both sides	Portage Avenue to Bruce Avenue	30 ft		
Roosevelt Place	both sides	Bredin Drive to Henderson Highway	30 ft		
Roseglen Crescent		special rear yard, By-law 5330/89 (see Plan)			
Rosemount Avenue	both sides	East off Waverley Street, By-law 418/73	20 ft		

STREET (R)			FRONT YARD	REAR YARD	SIDE YARD
Rosseau Avenue	both sides	Plessis Road to Madeline Street	25 ft		
Rossmere Crescent	both sides	Kildonan Drive to Mossdale Avenue	30 ft		
Royal Avenue	both sides	Andrews Street to McGregor Street	30 ft		
Royal Crescent	both sides		30 ft		
Royal Oak Drive		special rear yard, By-law 5330/89 (see Plan)			
Rupertsland Avenue	both sides	Main Street to McGregor Street	30 ft		
Rupertsland Boulevard	north side	Jones Street to Main Street	30 ft		
	south side	Jones Street to Main Street	25 ft		
Ruskin Row	east side	Kingsway to South limit of Lot 11, Plan 700, North of Grosvenor Avenue	60 ft		
	west side	Kingsway to public lane immediately North of Grosvenor Avenue	60 ft		
Ruttan Bay	both sides	South off of Oakenwald Avenue	30 ft		

STREET (S)			FRONT YARD	REAR YARD	SIDE YARD
Salem Place		Lots 20, 21 & 22, Block 2, Plan 11867, By-law 1619/77		45 ft	
Salvia Bay	both sides		30 ft		
Sandra Bay	both sides	North off of Crane Avenue	30 ft		
Sargent Avenue	both sides	St. James Street to Ferry Road	20 ft		
Saskatchewan Avenue	both sides	St. James Street to Ferry Road	20 ft		
Scotswood Drive		Lots 1, 2, 3, 4, 5 & 6, By-law 3899/85 (see Plan)	see map		
Scurfield Drive		special yards for Greater Winnipeg Gas Co. easement (see Plan)			
Seel Avenue	both sides	Waverley Street to Hydro Transmission Line, By-law 418/73	20 ft		
Semple Avenue	both sides	Andrews Street to McGregor Street	30 ft		
	north side	Scotia Street to Main Street	30 ft		
	north side	Powers Street to Andrews Street	25 ft		
Seven Oaks Avenue	north side	Jones Street to Main Street	25 ft		
	north side	Aikins Street to Salter Street	30 ft		
	south side	Scotia Street to Main Street	25 ft		
Sharpe Boulevard	both sides	Portage Avenue to Ness Avenue	40 ft		
Sheppard Street	both sides	Redwood Avenue to the North limit of River Lot 3, Parish of Kildonan	50 ft		50 ft
Sherwin Road	both sides	Notre Dame Avenue to Saskatchewan Avenue	20 ft		
Silver Spring Bay		(see Plan)			

STREET (S)			FRONT YARD	REAR YARD	SIDE YARD
Sinclair Street	both sides	Carruthers Avenue to Kingsbury Avenue	30 ft		
Sly Drive	both sides	Weinberg Road to Templeton Avenue	35 ft		
Smithfield Avenue	north side	Salter Street to McGregor Street	30 ft		
	north side	Mac Street to Jones Street	25 ft		
	north side	lane West of Main Street to Aikins Street	30 ft		
	north side	Aikins Street to Salter Street	25 ft		
	south side	Scotia Street to Jones Street	30 ft		
	south side	lane West of Main Street to McGregor Street	30 ft		
Somerset Avenue	both sides	Pembina Highway to Red River	30 ft		
Sony Place	both sides	Hamelin Street to Irene Street, By-law 418/73	20 ft		
South Drive	both sides	Crane Avenue to North Drive (lots between South Drive and Red River)	75 ft		
	both sides	Crane Avenue to Crescent Drive	40 ft		
	both sides	Crane Avenue to Collins Street, side opposite that above	50 ft		
	both sides	Wildwood development, West of Collins Street	40 ft		
Southall Drive	north side	Aikins Street to South limit of Lot 1, Block 2, Plan 8811	35 ft		
Southall Drive	south side	Aikins Street to West limit of Lot 1, Block 4, Plan 8437	30 ft		
Southwood Avenue	both sides	Pembina Highway to General Steele School grounds	30 ft		
St. Cross Street	east side	from the North limit of St. John's Park to the lane South of Cathedral Avenue	30 ft		
	west side	from the North limit of Lot 134, Plan 1,257, to Machray Avenue	30 ft		
St. James Street	west side	Portage Avenue to Notre Dame Avenue	20 ft		
St. John's Avenue	north side	Main Street to Fowler Street	30 ft		
St. Matthews Avenue	both sides	St. James Street to Ferry Road	20 ft		
Stafford Street	both sides	Academy Road to Hector Avenue	7 ft		
Stapleton Street	west side	McCalman Avenue to Nairn Avenue	25 ft		
Stevenson Road	both sides	Sherwin Road to Cambden Street	20 ft		
Strathmillan Road	both sides	Portage Avenue to Lodge Avenue	30 ft		
	both sides	Lodge Avenue to Ness Avenue	27 ft		
Sunnyside Boulevard	both sides	Assiniboine Avenue to Emo Avenue	35 ft		
Swan Lake Bay		Lots 1 to 12, Block 6, Plan 13154, By-law 1619/77		45 ft	

STREET (S)			FRONT YARD	REAR YARD	SIDE YARD
Sweetwood Bay	both sides		30 ft		
Sydney Avenue	south side	Watt Street to East limit	25 ft		

STREET (T)			FRONT YARD	REAR YARD	SIDE YARD
Tait Avenue	north side	Scotia Street to lane West of Jones Street	25 ft		
	south side	Scotia Street to Jones Street	25 ft		
	south side	Jones Street to lane West of Jones Street	30 ft		
Talbot Avenue	north side	Keenlyside Street to Panet Road	25 ft		
	north side	Cameron Street to Kent Road	25 ft		
	south side	Kent Road to McCalman Avenue	25 ft		
Templeton Avenue	north side	Salter Street to C.P.R. right-of-way, Plan 379	30 ft		
	south side	lane West of Tanner Street to Hanna Street	30 ft		
Thatcher Drive	both sides	from University Crescent North to the end of Crescent	30 ft		
Thompson Drive	both sides	Assiniboine Crescent to Ness Avenue	30 ft		
Trent Avenue	south side	Henderson Highway to Brazier Street	25 ft		
Trottier Bay	both sides	off Chevrier Boulevard, By-law 418/73	20 ft		5 ft 20 ft
Troy Avenue	both sides	lane East of Five Street to Fife Street	25 ft		25 ft

STREET (U)			FRONT YARD	REAR YARD	SIDE YARD
University Crescent	east side	from Thatcher Drive to Pembina Highway	30 ft		

STREET (V)			FRONT YARD	REAR YARD	SIDE YARD
Vanderbilt Drive		(see Plan)			
Vanier Drive	both sides	Jefferson Avenue to Montcalm Crescent	30 ft		30 ft
Verbena Street	both sides	Kingsbury Avenue to Arrowwood Drive	30 ft		
Vernon Road	both sides	Portage Avenue to Lodge Avenue	40 ft		
Victoria Avenue	north side	Brewster Street to Madeline Street	25 ft		
Viola Street	both sides	Arrowwood Drive to Gilia Drive	30 ft		

STREET (W)			FRONT YARD	REAR YARD	SIDE YARD
Wallasey Street	both sides	Portage Avenue to Ness Avenue	30 ft		
Waller Avenue	both sides	at South end of Irene Street, By-law 418/73	20 ft		
Walter Piper Grove		(see Plan)			
Waterloo Street	both sides	Wellington Crescent to Grant Avenue	30 ft		

STREET (W)			FRONT YARD	REAR YARD	SIDE YARD
Waverley Street	both sides	Taylor Avenue to C.N.R. Rivers Subdivision, By-law 4262/86	50 ft		
	both sides	Kingsway to Grant Avenue	30 ft		
	east side	Wellington Crescent to Kingsway	45 ft		
	west side	Wellington Crescent to Academy Road	40 ft		
	west side	Academy Road to Kingsway	35 ft		
Wedgewood Drive	both sides	University Crescent to Thatcher Drive	30 ft		
Weinberg Road	both sides	East limit of Lot 15, Block 13, Plan 8,437 to Sly Drive	30 ft		
Wellington Avenue	both sides	St. James Street to Ferry Road	20 ft		
Wellington Crescent	north side	Harrow Street to Academy Road	80 ft		
	north side	Cambridge Street to Kenaston Boulevard	60 ft		
	south side	between Cambridge Street and Harrow Street, By-law 4477/86	60 ft		
	south side	Harrow Street to Academy Road	60 ft		
	south side	Cambridge Street to Academy Road	45 ft		
	south side	Academy Road to Fulham Avenue	30 ft		
	west side	Lots 17, 18, 19, Block 25, and Lots 4, 5, 6, Block 26, Plan 822, immediately North and South of Kingsway	66 ft		
	west side	from North limit of Lot 7, Block 26, Plan 822, to South limit of Lot 9, Plan 700, between Kingsway and Grosvenor Avenue	100 ft		
Whittier Avenue	north side	Hoka Street to Madeline Street	25 ft		
Whytewold Road	both sides	Portage Avenue to Silver Avenue	40 ft		
Wicklow Place	both sides	South off of Dowker Avenue	30 ft		
Wildwood Park		Plan 4565	50 ft		
Wilkes Avenue	south side	from Kenaston Boulevard to C.P.R. La Riviere Subdivision	50 ft		
Willow Avenue	north side	Frank Street to Doncaster Street	30 ft		
Willson Avenue	both sides	Waverley Street to Hydro Transmission Line, By-law 418/73	20 ft		
Wilton Street	both sides	between Academy Road and Dromore Street, By-law 4477/86	40 ft		
Winchester Street	both sides	Portage Avenue to Silver Avenue	35 ft		
Windermere Avenue	both sides	Pembina Highway to Beaumont Street	30 ft		
Windham Road	both sides	Assiniboine Crescent to Portage Avenue	30 ft		
Winterton Avenue	both sides	Brazier Street to Roch Street	25 ft		
Woodbridge Road	both sides	Ashcroft Point to Portage Avenue	30 ft		
Woodcrest Drive	both sides		30 ft		

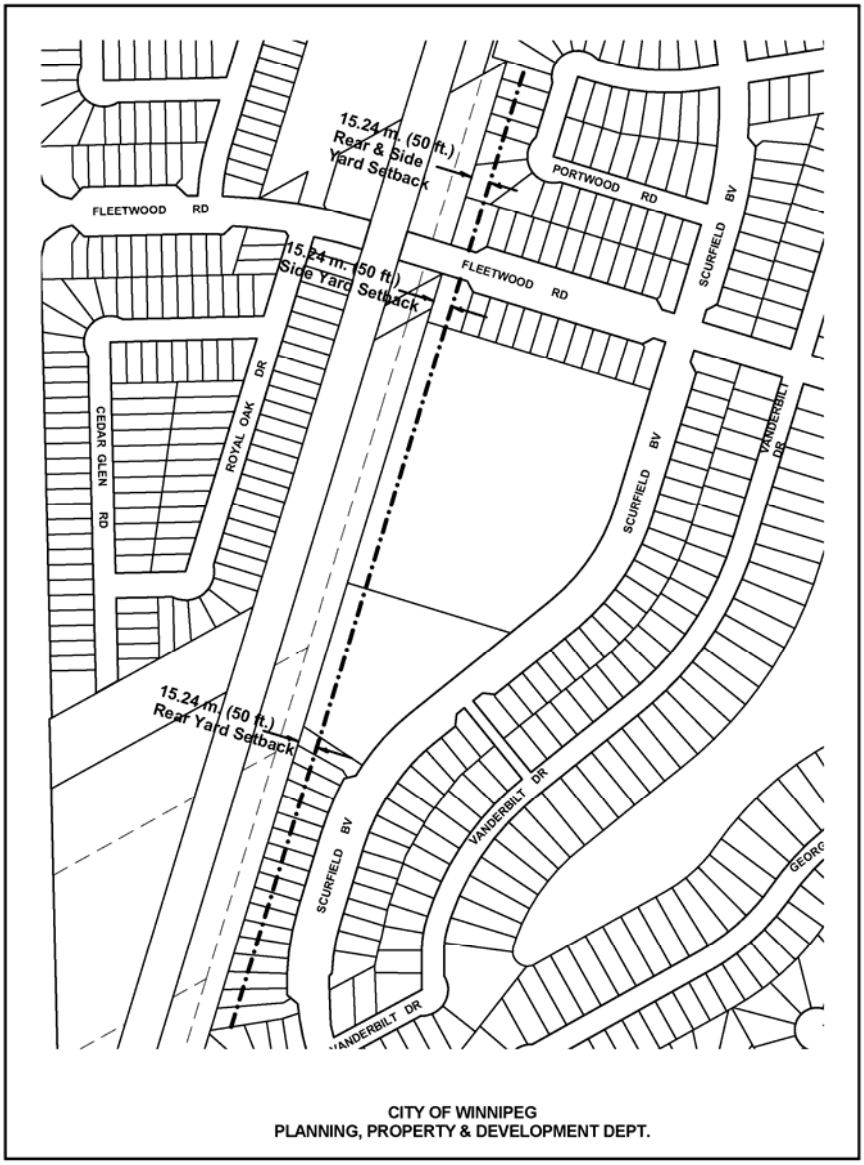
STREET (W)			FRONT YARD	REAR YARD	SIDE YARD
Woodhaven Boulevard	both sides	Assiniboine Avenue to Portage Avenue	35 ft		
Woodhaven Crescent	both sides	off Woodhaven Boulevard	35 ft		
Woodlawn Street	both sides	Portage Avenue to Ness Avenue	26 ft		
Woodvale Street	east side	Mossdale Avenue to Rossmere Crescent	40 ft		

STREET (Y)			FRONT YARD	REAR YARD	SIDE YARD
Yale Avenue	both sides	Harrow Street to Ruskin Row	60 ft		
	both sides	between Cambridge Street and Harrow Street, By-law 4477/86	40 ft		
Yale Avenue West	both sides	Brewster Street to Madeline Street	25 ft		

SCHEDULE J

LOTS ADJACENT TO GREATER WINNIPEG GAS EASEMENT

1. The owners of lots abutting the Greater Winnipeg Gas Company easement, identified in the map set out below, must provide a minimum rear yard or side yard for lots on that portion of Scurfield Boulevard, Fleetwood Road, and Portwood Road from the Winnipeg Gas Company easement to habitable buildings as shown on the Plan below:



SCHEDULE K

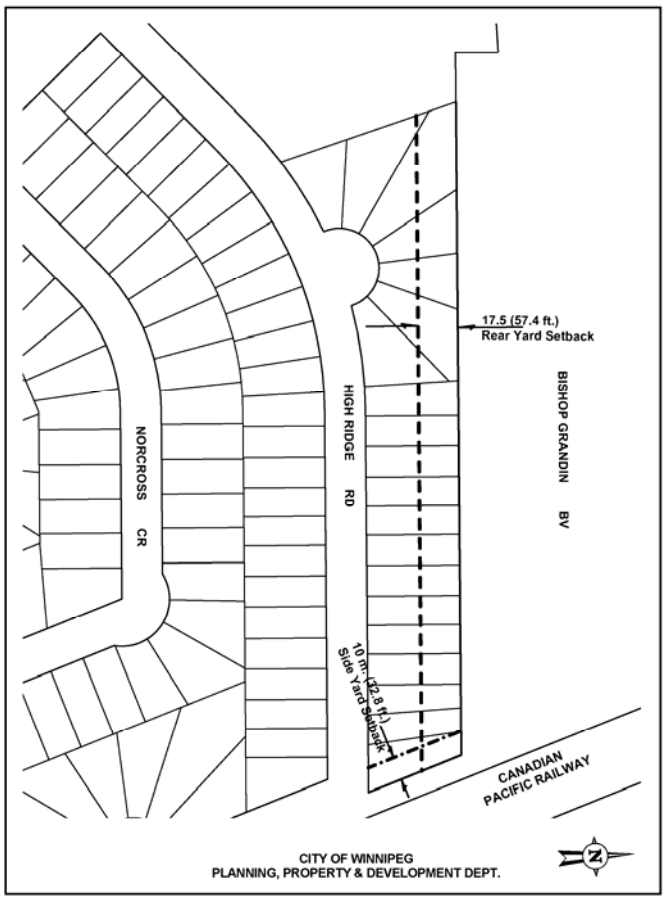
ADDITIONAL AREA-SPECIFIC YARD REQUIREMENTS

1. For ease of reference, the special yards and alignments required under various zoning by-laws referenced at section 159, *Additional Area-Specific Yard Requirements*, are as set out on pages K-1 through K-10.

2. The special yards and alignments set out in various zoning and subdivision agreements entered into between the City and the owners of the lands rezoned and/or subdivided pursuant to rezoning and subdivision plan approval process are not affected by the enactment of this By-law and shall continue to apply to those lands until those agreements are terminated by the parties.

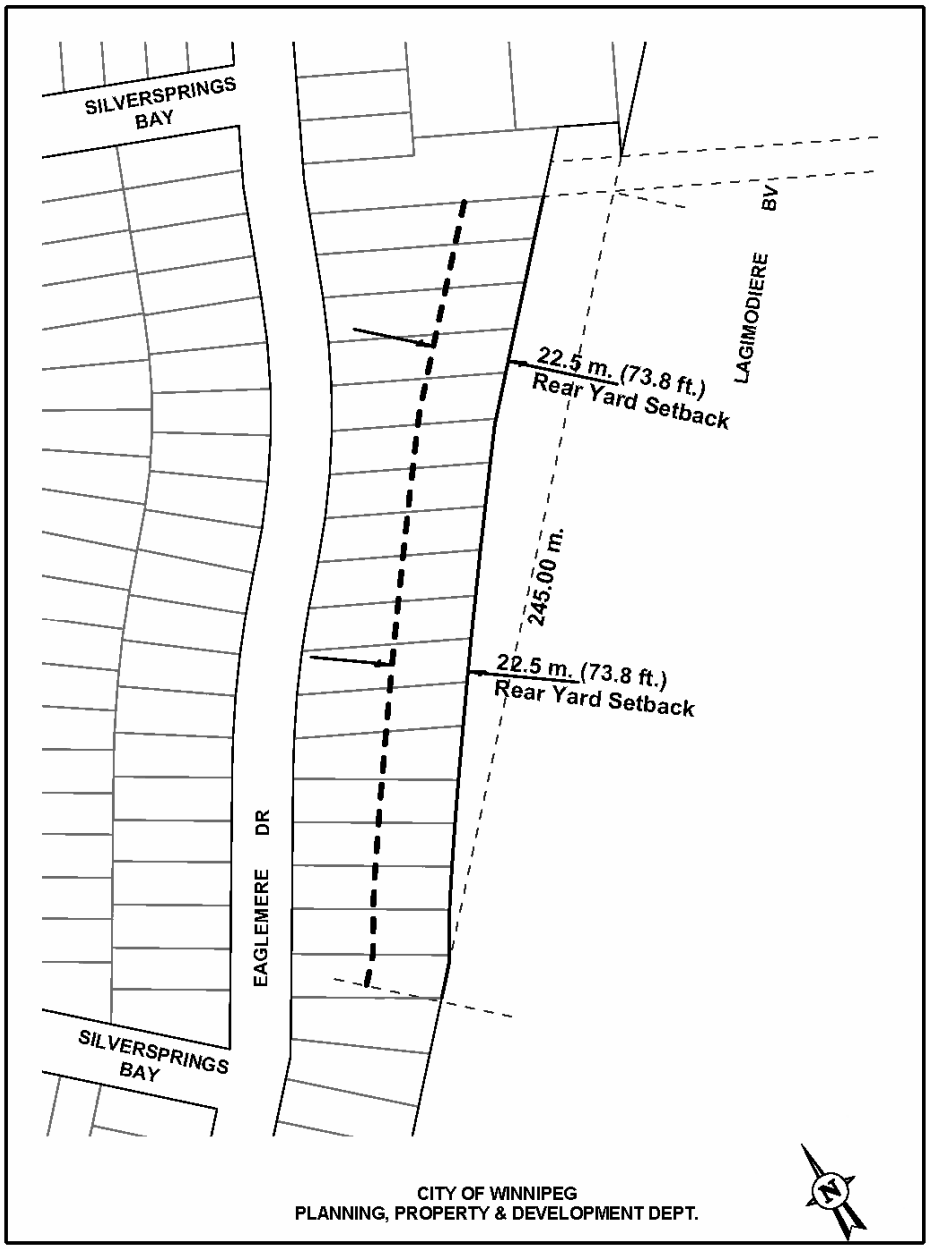
Bishop Grandin Boulevard

3. The owners of lots adjacent to Bishop Grandin Boulevard and the West limit of the C.P.R. Emerson right-of-way, shall provide and maintain thereon a 57.4 foot rear yard and a 32.8 foot side yard as shown on the Plan below:



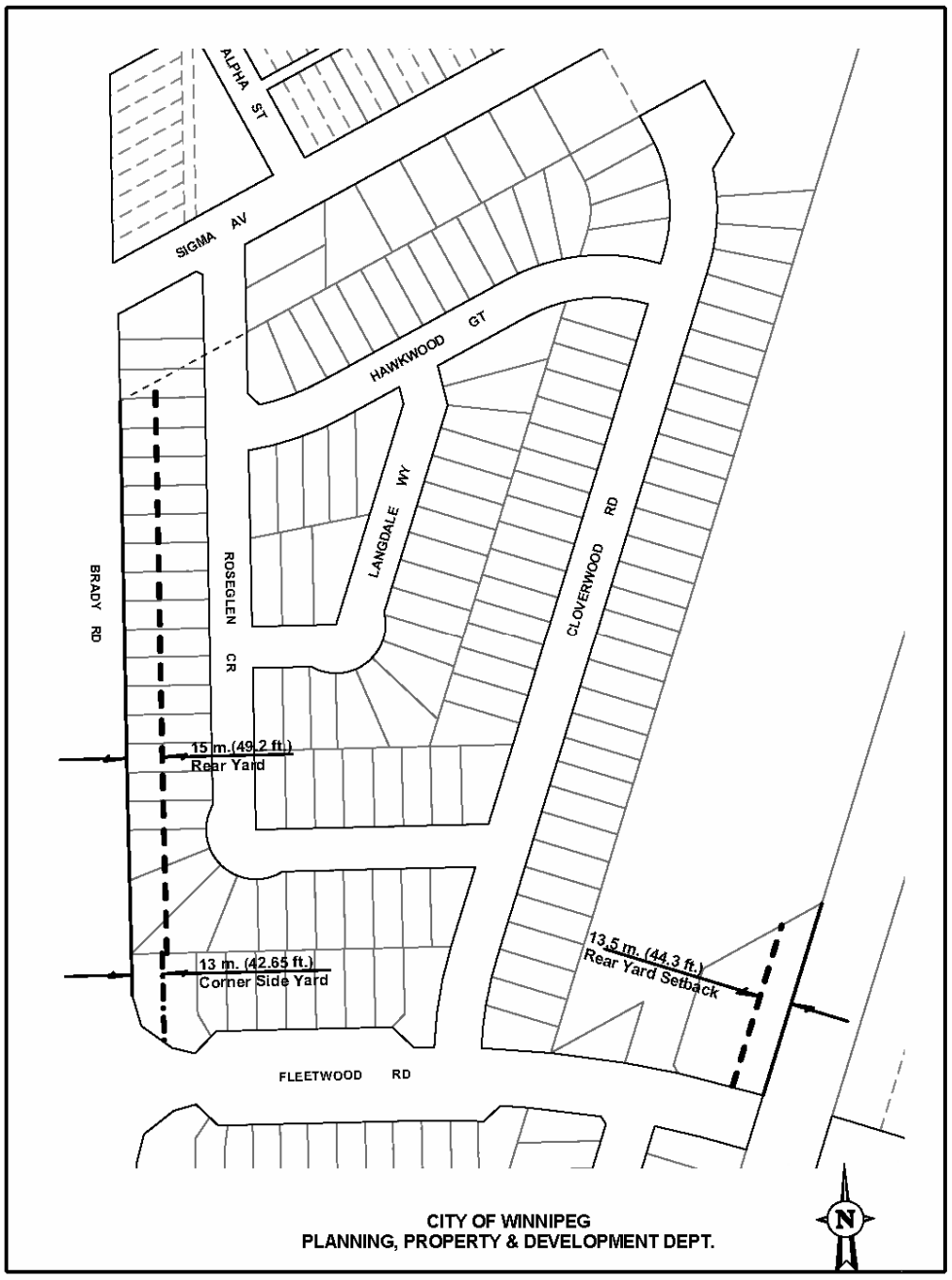
Lagimodiere Boulevard Adjacent to Eaglemere Drive

4. A minimum rear yard of 73.8 feet shall be provided for lots on that portion of Lagimodiere Boulevard as shown on the Plan below:



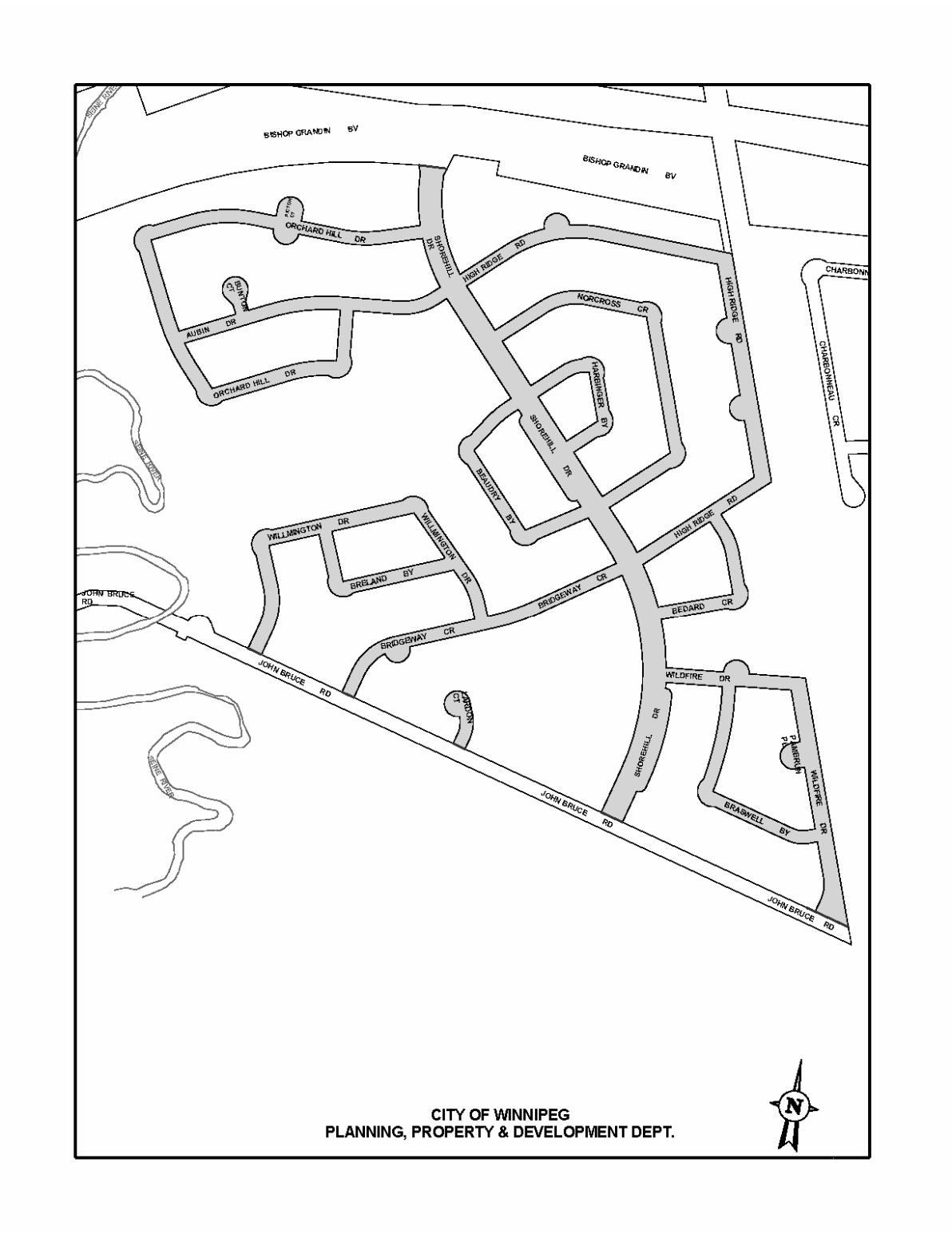
Fleetwood Road, Cedar Glen Road, Roseglen Crescent and Royal Oak Drive

5. The special corner side yards and the special rear yards indicated on the Plan shown below shall apply for said lots:



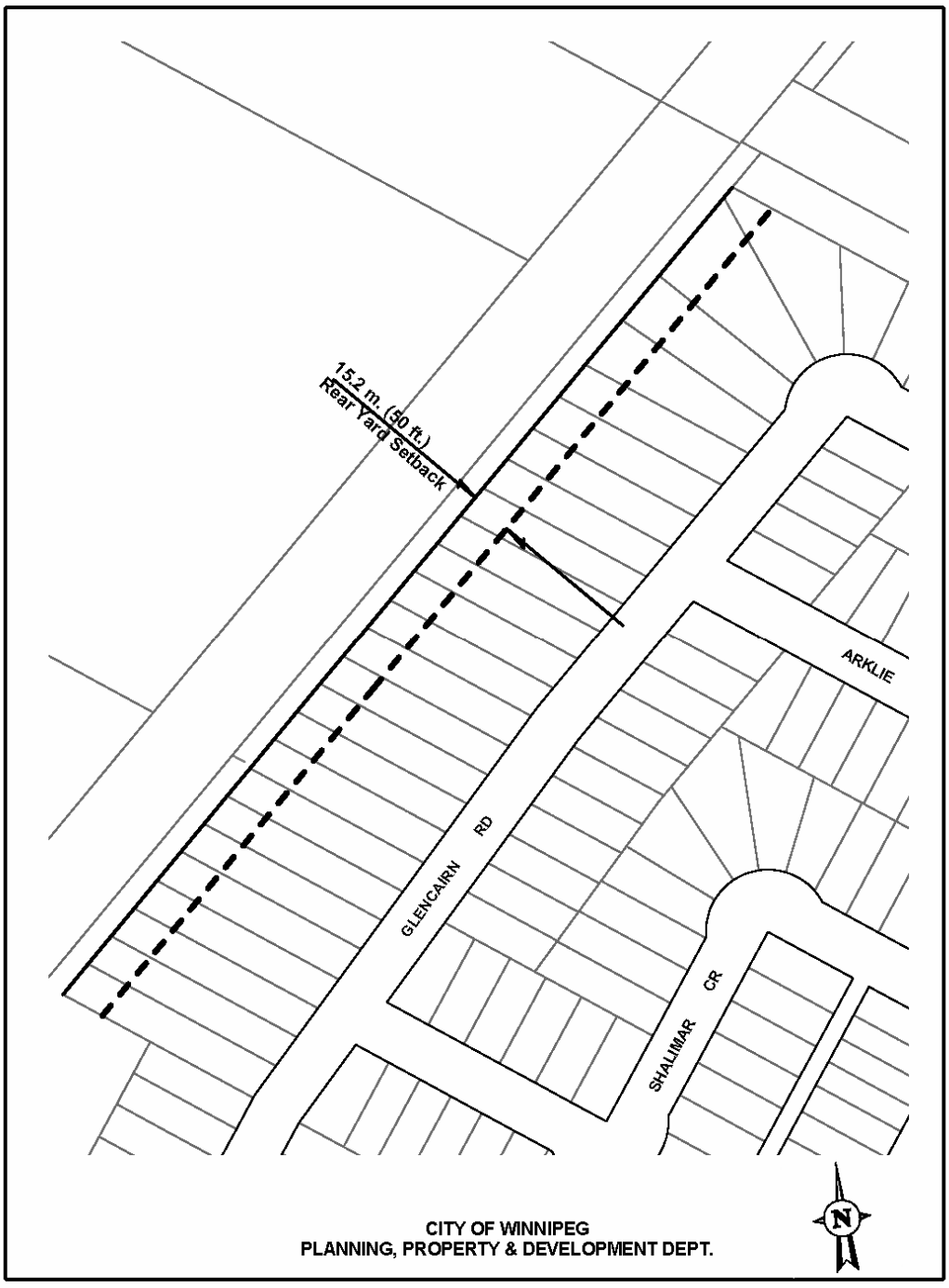
Properties Between Bishop Grandin Boulevard and John Bruce Road

6. Notwithstanding anything elsewhere contained within this By-law, the front yard for all lots fronting on the streets shown shaded on the Plan below shall be 20 feet (By-law 6230/93):



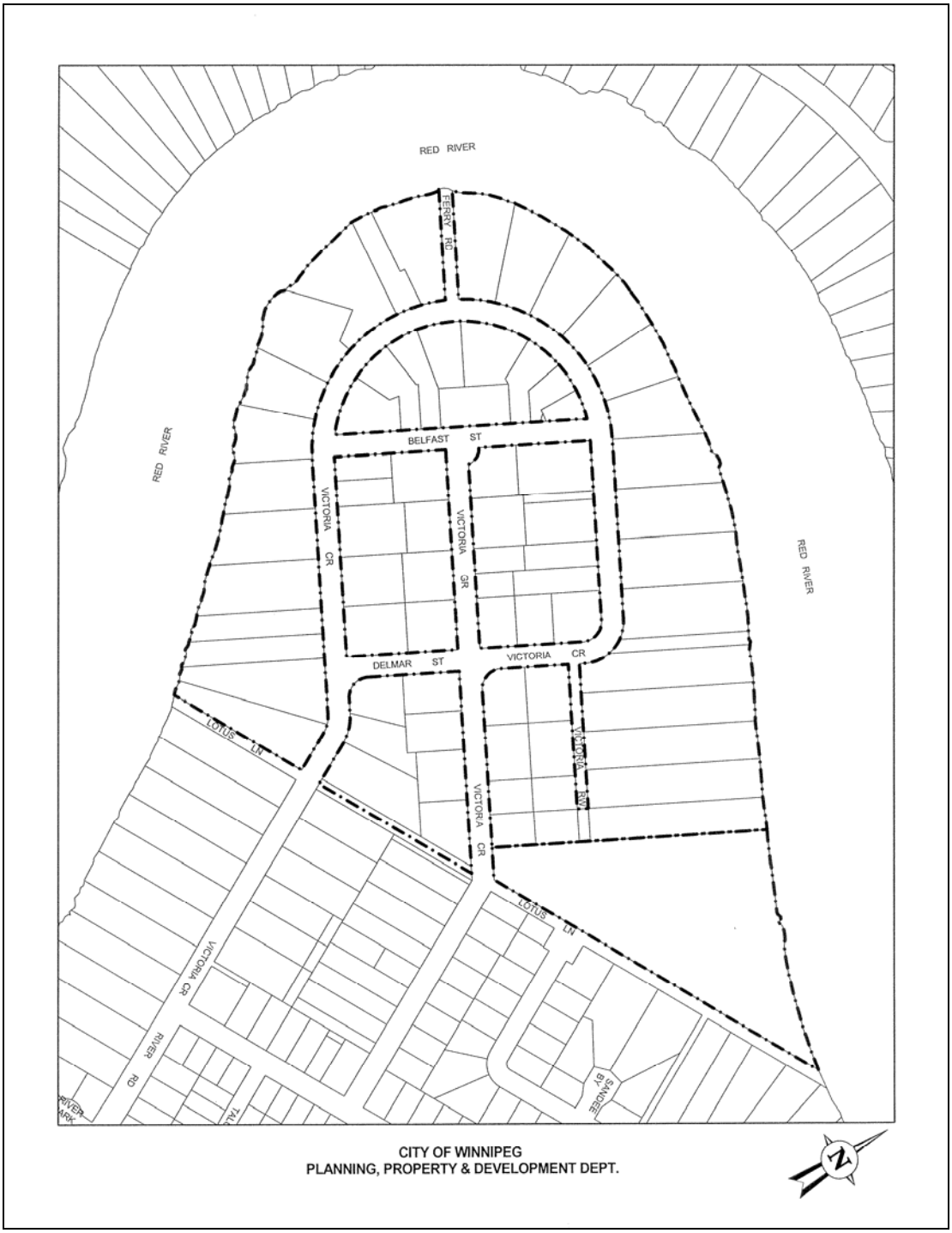
Glencairn Road

7. Yards shall be as shown in the Plan below:



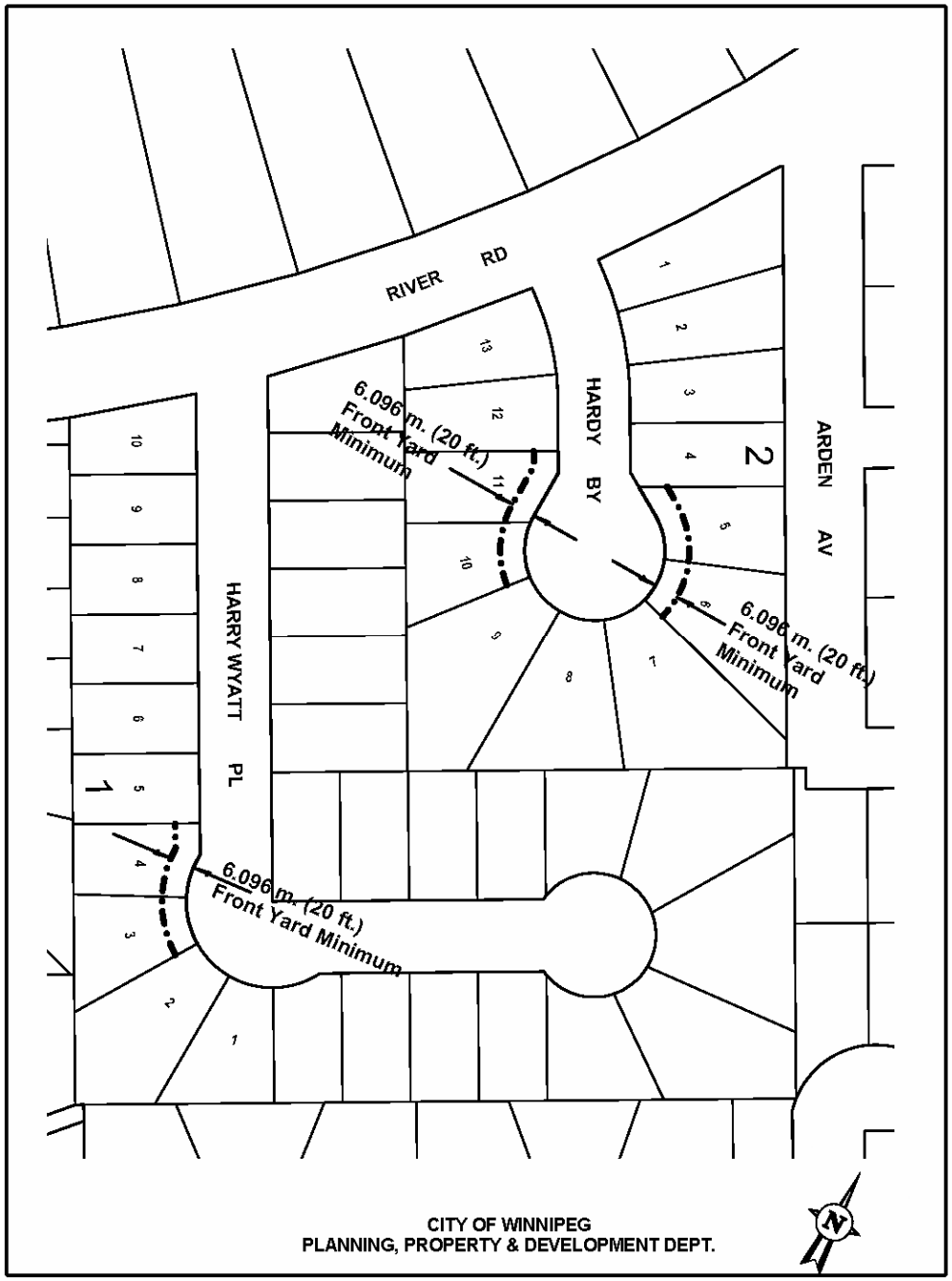
Victoria Crescent Area

8. In the Victoria Crescent Area shown on the Plan below, the minimum front yard shall be 50 feet and the minimum lot width shall be 100 feet:



River Road Area

9. On Lots 3 and 4, Block 1, and Lots 5, 6, 10 and 11, Block 2, as shown in the Plan below, the minimum front yard shall be 20 feet:



Roman Catholic Mission Property

10. In the case of Lot 3, Block 3, which lot is shown on a Plan of Survey of Part of Lots 260, 261 and 275 of the Roman Catholic Mission Property, registered in the Winnipeg Land Titles Office as Plan 7,551, the required side yard shall be 8.6 feet.

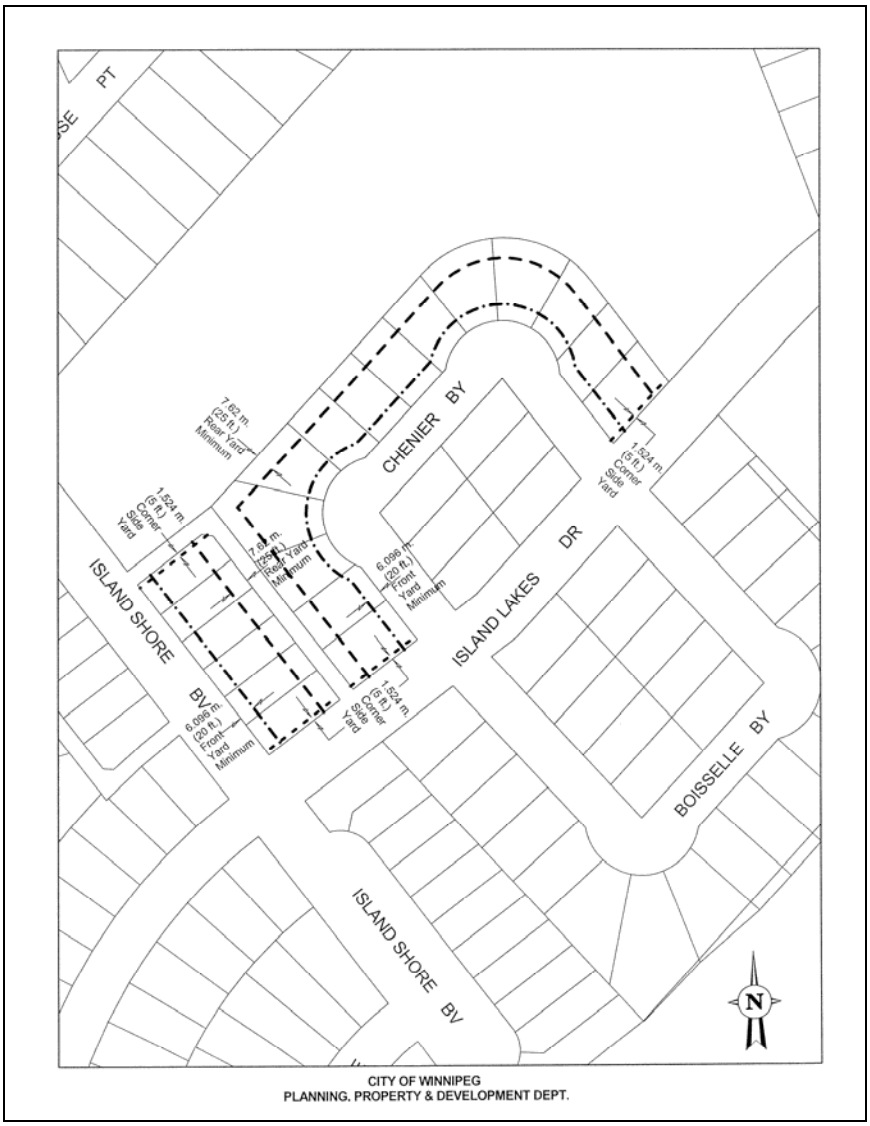
11. On the lands shown on the Plan below, the following yards shall be provided and maintained:

    (1) Front yard - 20 feet,

    (2) Rear yard - 25 feet,

    (3) Interior side yard - 4 feet,

    (4) Corner side yard - 5 feet.

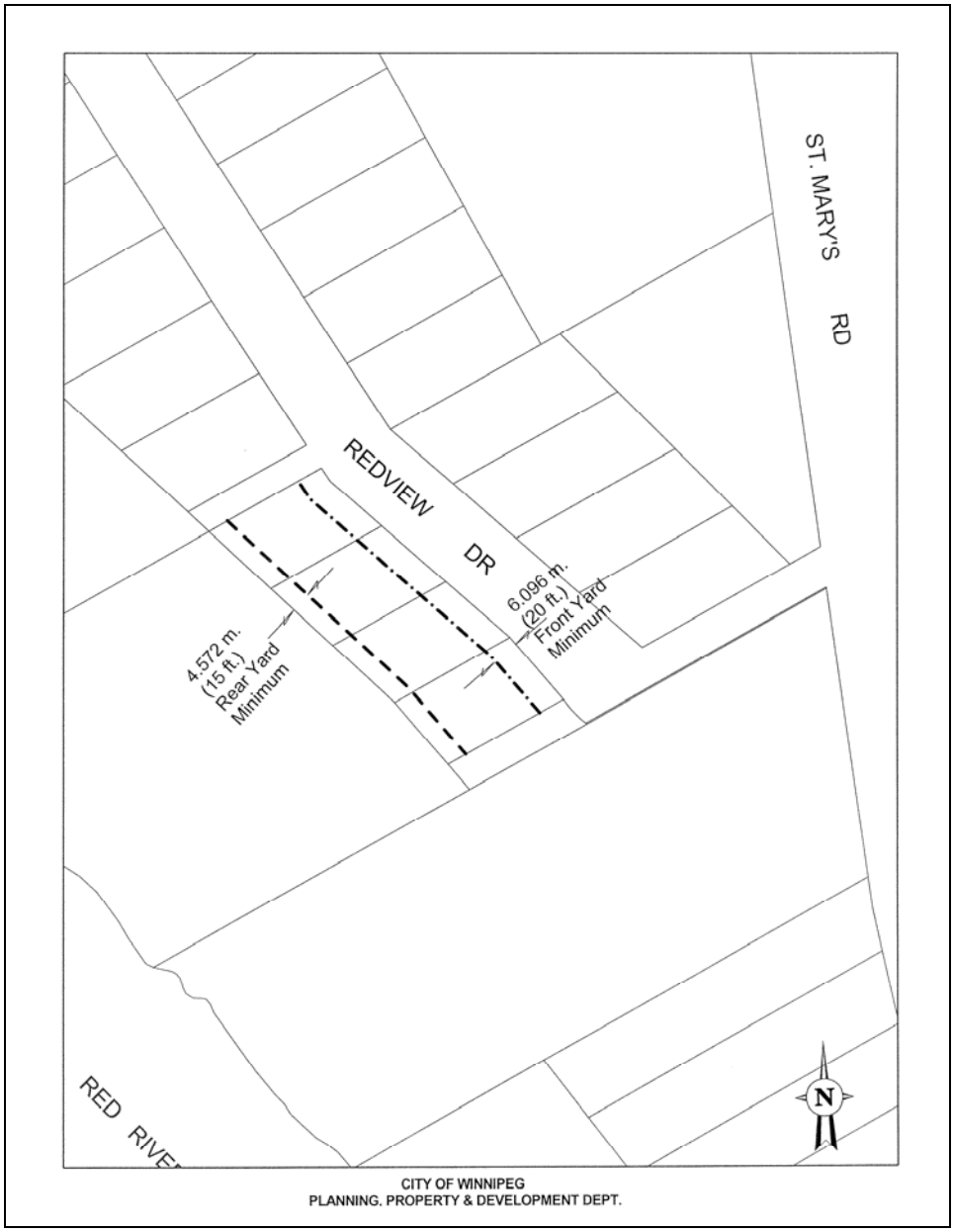


Redview Drive

12. On lots 1 to 4, on the West side of Redview Drive,as shown on the Plan below, the following yards shall be provided and maintained (By-law 4912/88):

    (1) Front yard - 20 feet,

    (2) Rear yard - 15 feet,



Warde Avenue

13. In the following areas on Warde Avenue, as shown on the Plan below, the following yards shall be provided and maintained:

(1) On the north side of Warde Avenue, between Dakota Street and west limit Lot 2, Block 8, Plan 25943, not less than 16 metres to any one-family dwelling;

(2) On the south side of Warde Avenue, between Dakota Street and St. Anne's Road, not less than 16 metres to any one-family dwelling:

(3) On the east side of Dakota Street, between south-west limit Lot 8, Block 1, Plan 25945 and north limit Lot 3, Block 12, Plan 25943 not less than 16 metres to any one-family dwelling;

(4) On the west side of St. Anne's Road, between Warde Avenue and north limit Lot 4, Block 28, Plan 25943 not less than 16 metres to any one-family dwelling.

