THE CITY OF WINNIPEG

BY-LAW NO. 121/2008

A By-law of The City of Winnipeg to amend Winnipeg Zoning By-law No. 200/2006 to correct errors and omissions.

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

Winnipeg Zoning By-law amended

1 *This by-law amends the Winnipeg Zoning By-law No. 200/2006.*

Part 2: Definitions amended

2 *Part 2: Definitions is amended*

(1) in section 48:

*(a) in the definition "*abut or abutting", *by striking out* "or boundary with it"*;*

*(b) in the definition "*assisted living facility*" by striking out* "are" *and substituting* "may be"*;*

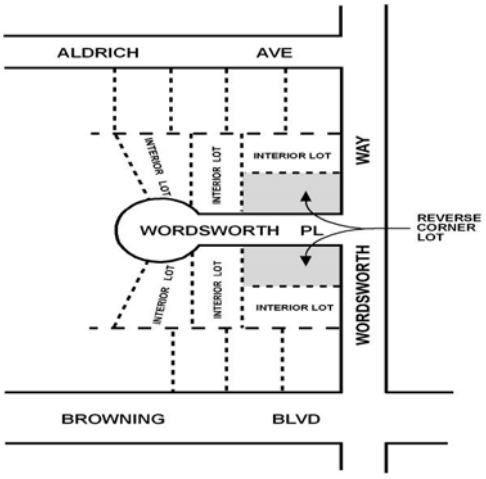
(c) in the definition "auto/light truck/motorcycle, sales and rental" *by striking out* "10,000" *and substituting* "15,000"*;*

(d) in the definition "elementary or junior high school", *by adding* "and may include a day care centre" *after* "levels"*;*

(e) in the definition "heavy equipment sales, service and rental", *by striking out* "10,000" *and substituting* "15,000"*;*

(f) by striking out the definition "light truck"*;*

(g) in the definition "lot, zoning", *by adding the following to* Illustration 7: Lot Types*:*



(h) *in the definition* "medical, dental, optical, or counselling clinic"*:*

(i) *by striking out* “or”*;*

(ii) *by adding* “or laboratory” *after* “clinic”*;*

(iii) *by striking out* “, and accessory laboratory facilities”*;*

(i) *in the definition* "senior high school"*, by adding* “and may include a day care centre” *after* “level”*;*

(j) *in the definition* "signs, electronic message centre sign"*, by striking out* “centre” *and substituting* “board”*;*

(k) *in the definition* "signs, window sign"*, by striking out* “or near”.

Part 4: Use Regulations amended

3 *Part 4: Use Regulations is amended*

(1) *in section 62:*

(a) *in* Table 4-1: Principal Use Table*, under* Use Category/Type "Cultural and Entertainment, Recreation and Entertainment, Indoor, Hall rental"*, by striking out* “P” *in the* PR2 *column and substituting* “C”*;*

(b) *in* Table 4-2: Accessory Use Table *under* Use Category/Type "Social service facility"*, by adding* “C” *in the* R2 *column;*

(2) *in section 81, by striking out* “each”;

(3) *in section 103, by adding* “and” *after* “M1,” *and by striking out* “and MP”*;*

(4) *in section 114:*

(a) *by repealing subsection 10;*

(b) *in clause (12)(c), by striking out* “4” *and substituting* “8”*;*

(5) *in clause 115(5)(c), by striking out* “8” *and substituting* “12”*;*

(6) *in section 117, by repealing subsection (3).*

Part 5: Development and Design Standards amended

4 *Part 5: Development and Design Standards is amended*

(1) *in section 132, by adding the following after subsection (4):*

(5) Unless a temporary permit is obtained, no accessory structure shall be permitted on any zoning lot without the existence of the principal building to which it is accessory, or without the existence of the principal use where no principal building is required.

(2) *in section 135, by striking out* "No" *and substituting* "no"*;*

(3) *in section 137,* Table 5-2: Dimensional Standards *for the* RR5, RR2, R1, R2 *and* RMH *Zoning Districts:*

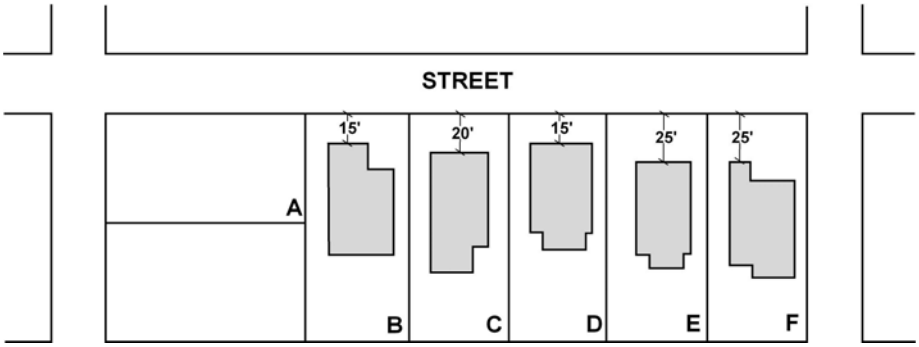
(a) *under* Zoning District and Designation "Principal Residential Structure", RR5*, by striking out* "100" *in the* Minimum Front Yard (Ft.) *column and substituting* "25"*;*

(b) *under* Zoning District and Designation "Principal Non-Residential Structure"*, in each of the* RR5, RR2 *and* R1, R2 *rows, by striking out* "30" *in the* Maximum Height of Bldg. (Ft.) *column and substituting* "35"*;*

(c) *in* Note b*, by striking out* "a factor of the non-compliance of a lot of record" *and substituting* "less than 40 feet"*;*

(4) *in section 139:*

(a) *by striking out the illustration and substituting the following:*



(b) *in the caption for* Illustration 11: Front Yard Building Alignments*, by striking out* "(shaded areas) and does not include porches (unshaded)"

(5) *in clause 140(2)(e), by striking out* "singe" *and substituting* "single"*;*

(6) in clause 140(3)(g), by striking out “singe” *and substituting* “single”*;*

(7) in subsection 146(1), by adding the following after clause (c):

(d) open decks 2 feet or less in height are permitted in any side yard or rear yard.

(8) in section 148:

(a) in Table 5-5: Dimensional Standards for Commercial and Institutional Zoning Districts*:*

(i) in Note b*, by striking out the first sentence and substituting the following:*

Where a side or rear lot line in a commercial or institutional zoning district abuts a side or rear lot line of an R1 or R2 zoning district, a yard of 10 feet must be provided along the side or rear lot line in the commercial or institutional zoning district.

(ii) in Note d*, by striking out the first sentence and substituting the following:*

Principal buildings must be located 125 feet from the zoning district boundary of any residential zoning district, and 50 feet from any other zoning district boundary.

(b) in the caption for Illustration 16: Maximum Front Yard in C1 District*, by striking out* “Cwithin” *and substituting* “C within”*;*

(9) in section 152, Table 5-6: Dimensional Standards for Manufacturing Zoning Districts*, by striking out the MP row, including the words and figures in all columns in that row;*

(10) in section 159, in Table 5-7: Permitted Projections*:*

(a) under Building Elements, "Incidental building architectural features, All Other"*, by adding* "For yards less than 4 feet, eaves may project 4 inches per foot" *after* "Maximum depth = 5 feet" *in the* Rear Yard *column;*

(b) under Landscaping and Site Features, "Open parking or loading area, and queuing spaces"*, by striking out all other column entries and substituting the following:*

Open parking or loading area, and queuing spaces	PR1, PR2, PR3, RMF, RMU, C1, C2, C3, CMU, EI, MMU, M1, M2, M3	Not Permitted	Not permitted	Permitted
	C4	Permitted		

(11) in subsection 160(1), by striking out “districts” *and substituting* “district”*;*

(12) in section 161, Table 5-9: General Accessory Parking Requirements*, under* Parking Category 24*, by striking out* “172(2)” *and substituting* “171(2)” *and by striking out* “172(3)” *and substituting* “171(3)” *in the* Parking Spaces Required *column;*

(13) in section 172, Table 5-12: Minimum Required Parking Space Dimensions*:*

(a) in the column heading "Minimum Parking Driveway Width (Ft.)”*, by striking out* “Driveway” *and substituting* “Aisle”*;*

(b) in Note a*, by striking out* “or parking driveway”;

(14) in subsection 172(8):

(a) in clause (a), by adding the following after subclause (ii):

(ii.1) a recreational vehicle; and

(b) in subclause (a)(iv), by striking out “183” *and substituting* “188”*;*

(c) in clauses (b) and (c), by adding “in the front yard” *after* “driveway”.

(15) in section 173, Table 5-13: Minimum Accessory On-Site Loading Space Requirements*:*

(a) under Use "Auditorium/Concert hall/theatre/cinema, Funeral chapel or mortuary, Hospital, Sports or entertainment arena/stadium, indoor"*, in the* Number of Loading Spaces Required *column, by striking out* “100,000” *wherever it occurs and substituting* “200,000” *;*

(b) under "Uses not elsewhere classified and primarily concerned with the handling of goods"*, in the* Floor Area *and* Number of Loading Spaces Required *columns, by striking out* “~~3~~”, “~~7~~” *and* “~~8~~” *wherever they occur.*

(16) in section 174, Table 5-14: Required Loading Space Dimensions*, in the column* "Minimum Length (Feet) [note a]"*:*

(a) in the second row under "Uses"*, by striking out* “50” *and substituting* “33”*;*

(b) in the third row under "Uses"*, by striking out* “33” *and substituting* “50”*;*

(17) in clause 182(2)(d), by striking out “controlled intersection*” and substituting* “an intersection with traffic signals”*;*

(18) in subsection 182(7), by striking out “8.5” *and substituting* “9”*;*

(19) *in section 183,* Table 5-15: District-Specific Sign Regulations*, in the fourth row of the column* "District"*, by striking out* ", MP"*;*

(20) *in clause 184(6)(a), by striking out* "8" *and substituting* "13"*;*

(21) *in clause 185(4)(b), by striking out* "color" *and substituting* "colour"*;*

(22) *in subsection 190(8), by adding* "or adjacent to" *after* "abutting"*;*

(23) *in section 195,* Table 5-17: Maximum Height in all Voluntary or Required Yards*:*

(a) *in the column heading* "Commercial and Institutional (feet) [Notes a, c]"*, by adding* ", e" *after* "c"*;*

(b) *in the column heading* "Manufacturing (feet) [Note c]"*, by adding* ", e" *after* "c"*;*

(c) *by adding the following after* Note d*:*

e. Fences required for buffering under section 190 are not subject to this height requirement.

(24) *in section 197:*

(a) *in subsection (1), by adding* "or is adjacent to" *after* "abuts"*;*

(b) *in clause (2)(d), by adding* ";" *after* "yard"*;*

(c) *in subsection (2), by adding the following after subsection (d):*

(e) All garbage enclosures must be fully enclosed by a wood barrier fence that is at least 6 inches above the top of the garbage container.

Schedule B: Zoning Maps amended

5 *Schedule B: Zoning Maps is amended as follows:*

(1) *The lands designated on the plans in Appendix "A" are hereby zoned as shown on those plans, the zoning districts and zoning district boundaries are hereby located as shown on those plans, and the Zoning Maps shall hereafter be read and construed as shown on those plans.*

(2) The following is added after section 1:

ZONING MAP AMENDMENTS

2. The Zoning Maps are hereby amended as set forth in the following subsections.

Schedule C: Urban Infill Areas Maps amended

6 *In Schedule C: Urban Infill Areas Maps, section 1 is amended by striking out the last sentence and substituting the following:*

The Urban Infill standards in Part 5: Development and Design Standards apply to Residential Multi-family, Commercial and Institutional, and Manufacturing districts in the light-coloured areas on the Urban Infill Area Maps below.

Schedule G: Neighbourhood Main Streets Planned Development Overlay 1 (PDO-1 Neighbourhood Main Streets) amended

7 *Schedule G: Neighbourhood Main Streets Planned Development Overlay 1 (PDO-1 Neighbourhood Main Streets) is amended by repealing the* Neighbourhood Main Streets Planned Development Overlay Map *and substituting the map in Appendix "B".*

Schedule H: Additional Yard Requirements for Lots Adjacent to Storm Water Retention Basins amended

8 *Schedule H: Additional Yard Requirements for Lots Adjacent to Storm Water Retention Basins is amended*

(1) in section 1, by striking out "156" *and substituting* "section 155"*;*

(2) in section 4, by striking out "144/89" *and substituting* "No. 5144/89"*.*

Schedule I: Special Yards amended

9 *The table in section 1 of Schedule I: Special Yards is amended*

(1) in the twelfth row under "Street (G)"*, by striking out* "Griton" *and substituting* "Girton"*;*

(2) by reordering the rows under "Street (G)" *in alphabetical order by street name.*

Schedule J: Lots Adjacent to Greater Winnipeg Gas Easement amended

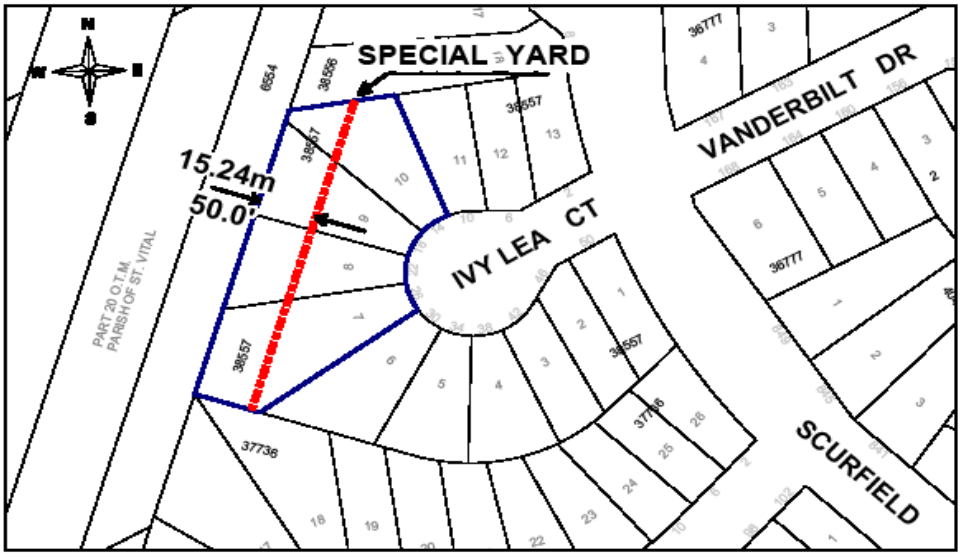
10 *Schedule J: Lots Adjacent to Greater Winnipeg Gas Easement is amended*

(1) by adding the following heading before section 1:

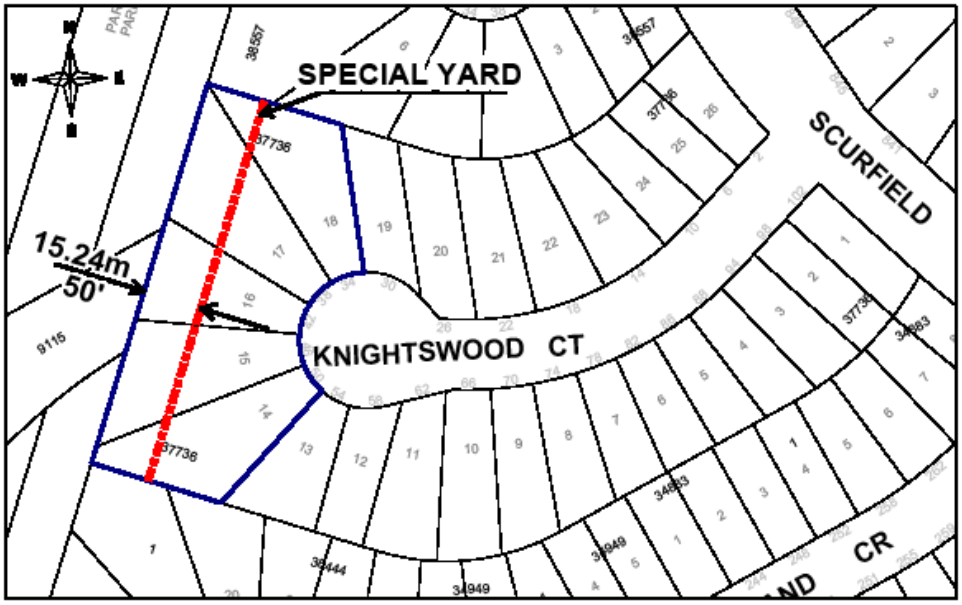
Whyte Ridge Subdivision

(2) by adding the following after section 1:

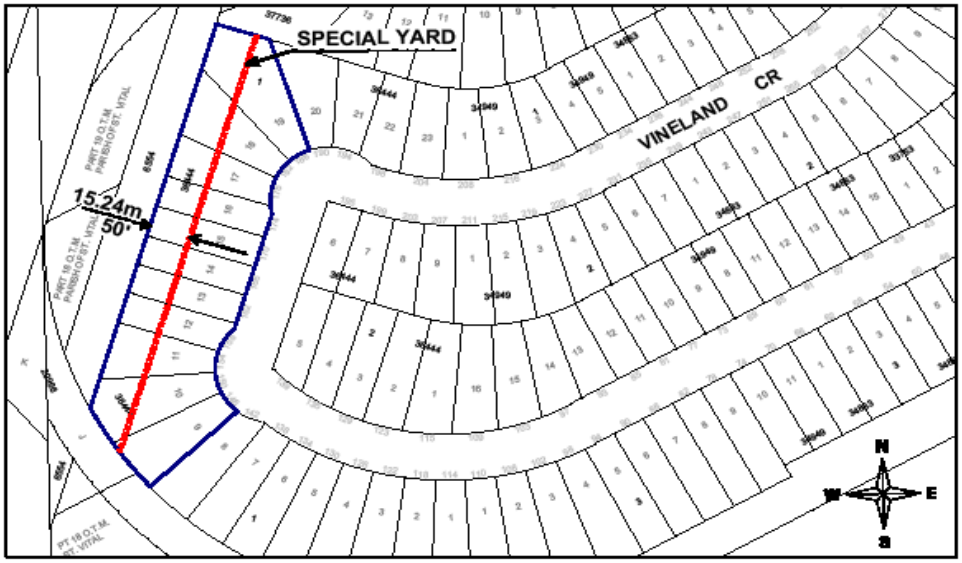
2. A minimum rear yard or side yard shall be provided for lots on that portion of Ivy Lea Court from the Centra Gas Easement to habitable buildings as shown on the plan below (By-law No. 7592/2000).



3. A minimum rear yard or side yard shall be provided for lots on Knightswood Court abutting the Centra Gas Easement as shown on the plan below, such that a 50.0 foot (15.24 metre) setback is maintained from the east limit of the Easement to any habitable building on the land (By-law No. 7479/99).



4. A minimum rear yard or side yard shall be provided for lots on that portion of Vineland Crescent from the Centra Gas Easement to habitable buildings as shown on the plan below (By-law No. 7033/97).



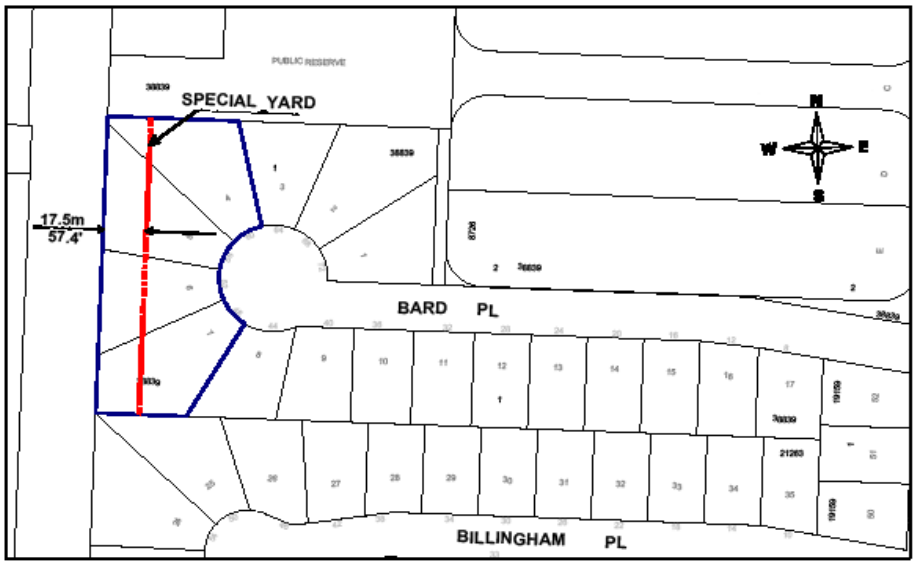
Schedule K: Additional Area-Specific Yard Requirements amended

11 *Schedule K: Additional Area-Specific Yard Requirements is amended*

(1) by adding the following after section 13:

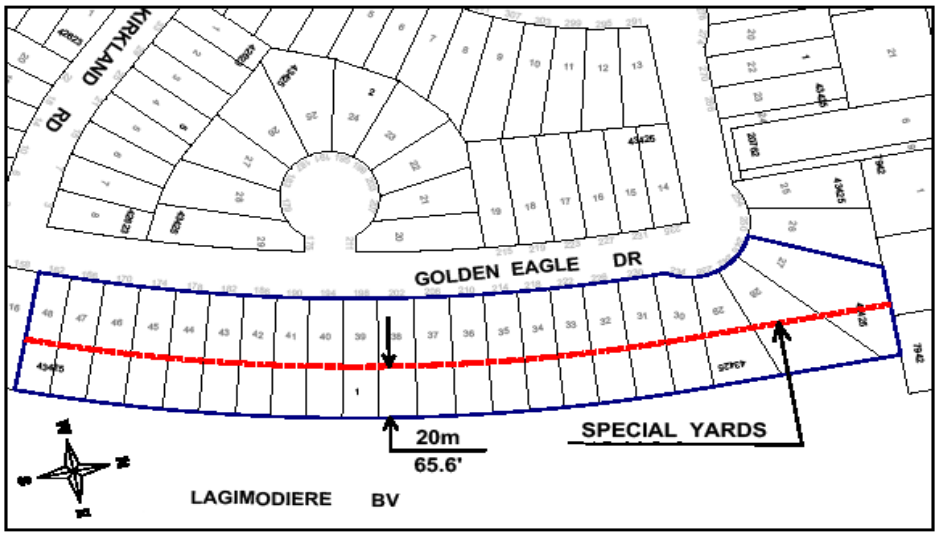
Bard Place

14. Dwellings along the east side of Shaftesbury Boulevard shall provide a minimum rear yard setback of 17.5 metres (57.4 feet) to the principal dwellings as shown on the plan below (By-law No. 7665/2000).

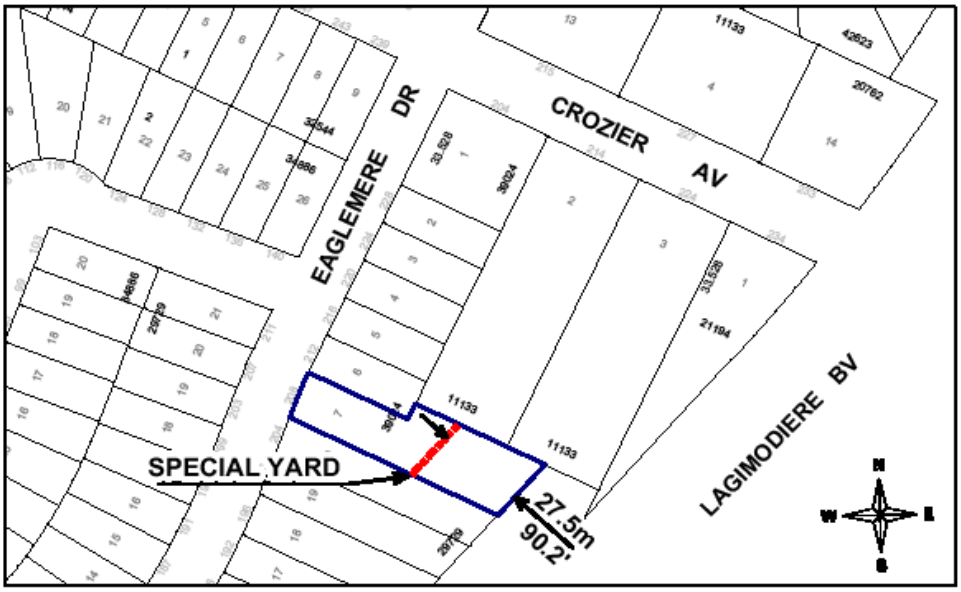


Eaglemere Subdivision - Residential Lots Abutting Lagimodiere Boulevard

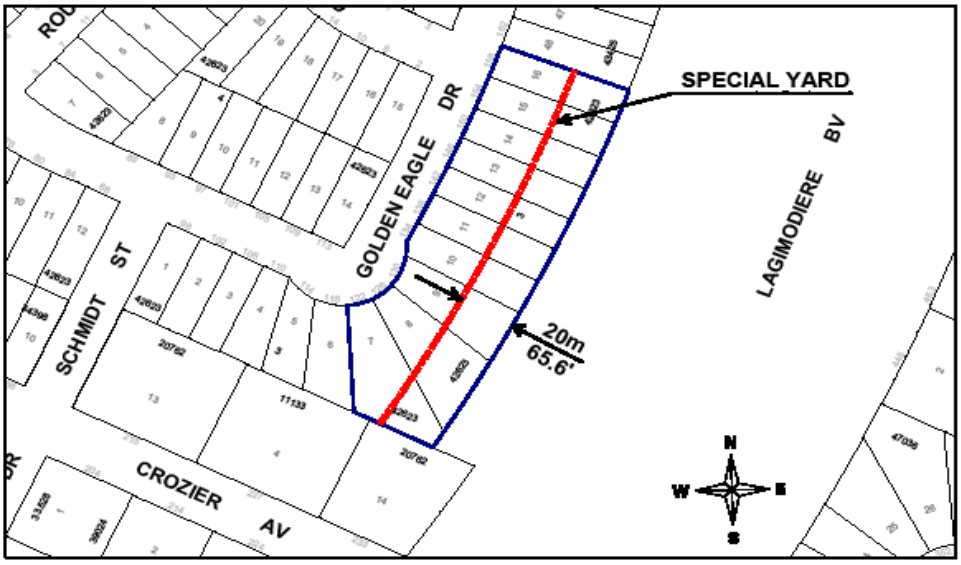
15. Residential development along Lagimodiere Boulevard shall provide a minimum rear yard of 65.6 feet (20 metres) to principal dwellings as shown on the plan below (By-law Nos. 88/2004 and 97/2004).



16. Proposed Lot 7 (Eaglemere Drive), shall provide a minimum rear yard of 27.5 metres (90 feet) to habitable structures as shown on the plan below (By-law No. 7663/2000).



17. Residential development along Lagimodiere Boulevard shall provide a minimum rear yard of 65.6 feet (20 metres) to principal dwellings as shown on the plan below (By-law No. 133/2003).



Residential Lots Abutting De Vries Avenue

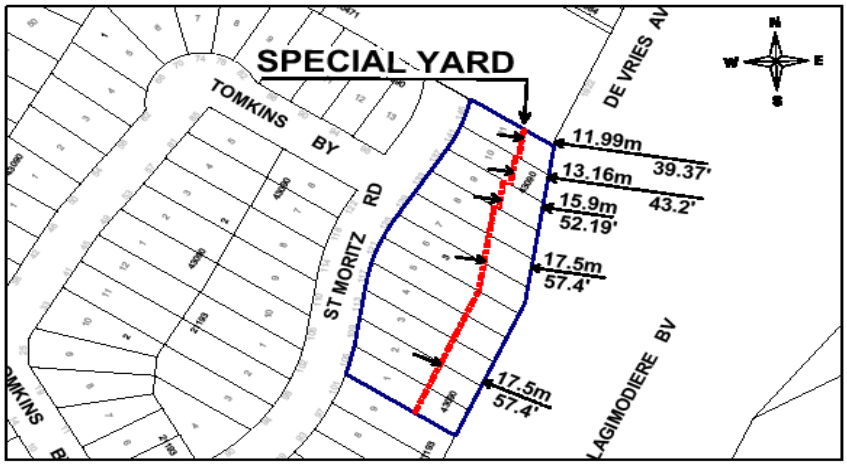
18. Residential development along De Vries Avenue shall provide the following:

(a) a minimum rear yard of 17.5 metres (57.4 feet) to principal dwellings on Lots 1-8, Block 3

(b) a minimum rear yard of 15.90 metres (52.19 feet) to the principal dwelling on Lot 9, Block 3

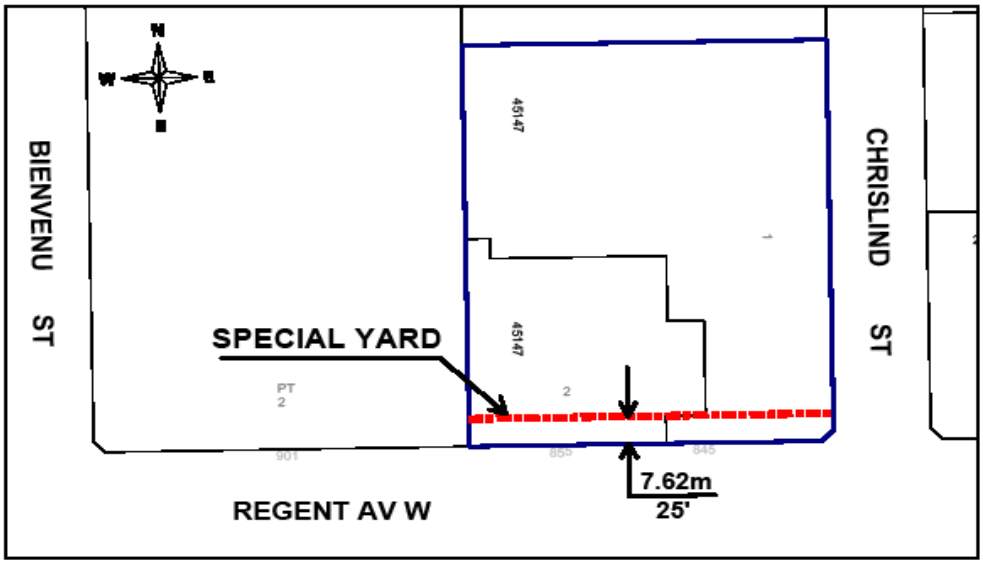
(c) a minimum rear yard of 13.16 metres (43.2 feet) to the principal dwelling on Lot 11, Block 3; as shown on the plan below.

(d) a minimum rear yard of 11.99 metres (39.37 feet) to the principal dwelling on Lot 11, Block 3, as shown on the plan below (By-law No. 93/2004).



Land Located at 841/851 Regent Avenue West

19. The minimum front yard setback shall be 7.62m (25 feet) as shown on the plan below (By-law No. 168/2004).



Lands Located South of Lee Boulevard, East of Waverley Street

20. There shall be:

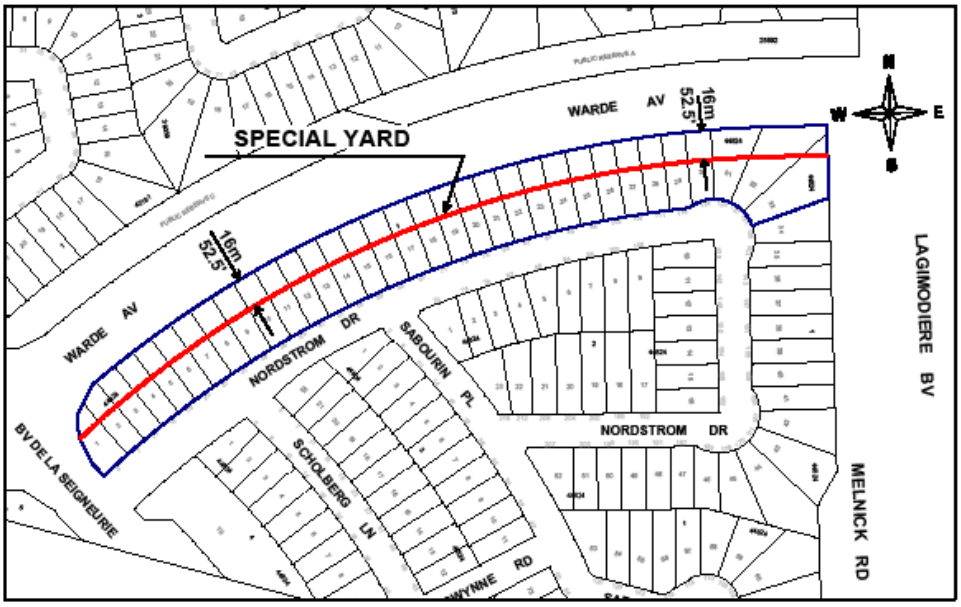
(a) a minimum rear yard setback of 16.5m on lots with rearage on Waverley Street to any habitable rooms as shown on the plan below.

(b) a minimum side yard setback of 12.0m to the proposed residence on Lot 1, Block 1, to any habitable room as shown on the plan below (By-law No. 9/2005).



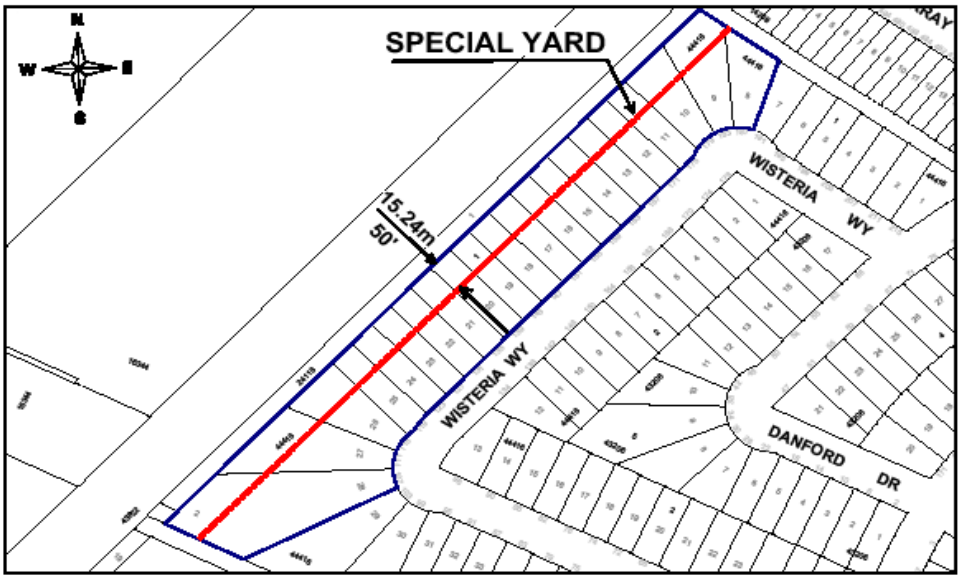
Lands Located South of Warde Avenue

21. Lots backing onto Warde Avenue are to be established with a minimum depth to provide a minimum rear yard setback of 16.0 m as shown on the plan below (By-law No. 48/2005).



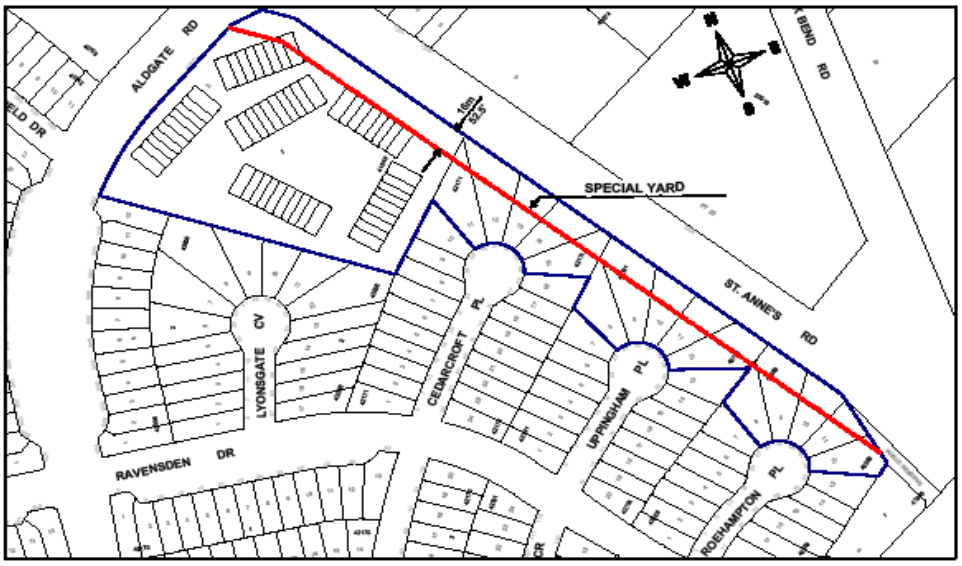
Land Located South of Murray Avenue, West of Main Street

22. Lots with rearage on the Winnipeg Beach Rail Right-of-way shall provide a minimum 50 foot (15.24 metre) setback between the rear property line and any habitable rooms of principal buildings as shown on the plan below (By-law No. 7938/2001).



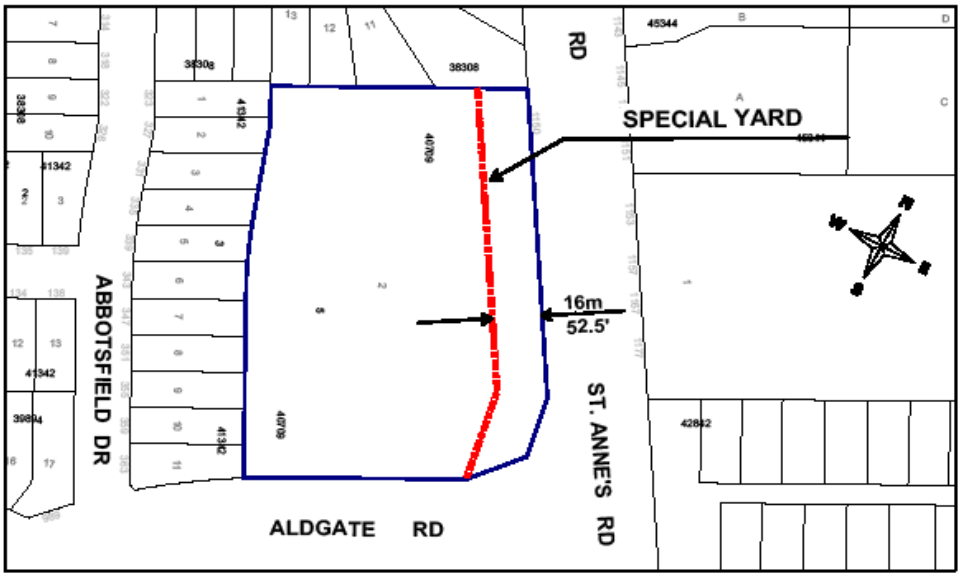
Residential Development Abutting St. Anne's Road

23. Residential development abutting St. Anne's Road shall provide a minimum setback of 16 m to St. Anne's Road as shown on the plan below (By-law No. 83/2003).



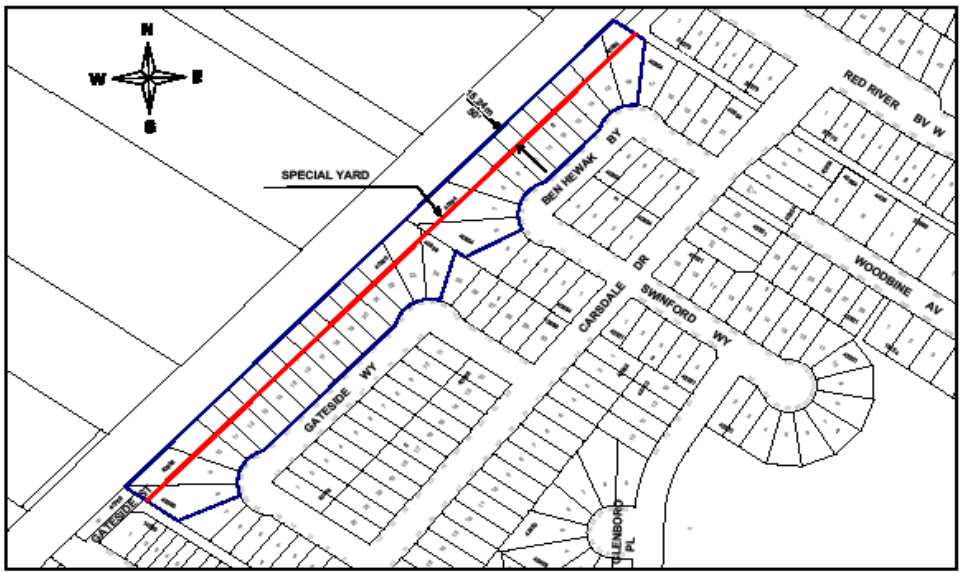
Land Located on the West Side of St. Anne's Road

24. There shall be a minimum setback of 16 metres established for all residential lots abutting St. Anne's Road as shown on the plan below (By-law No. 8023/2002).



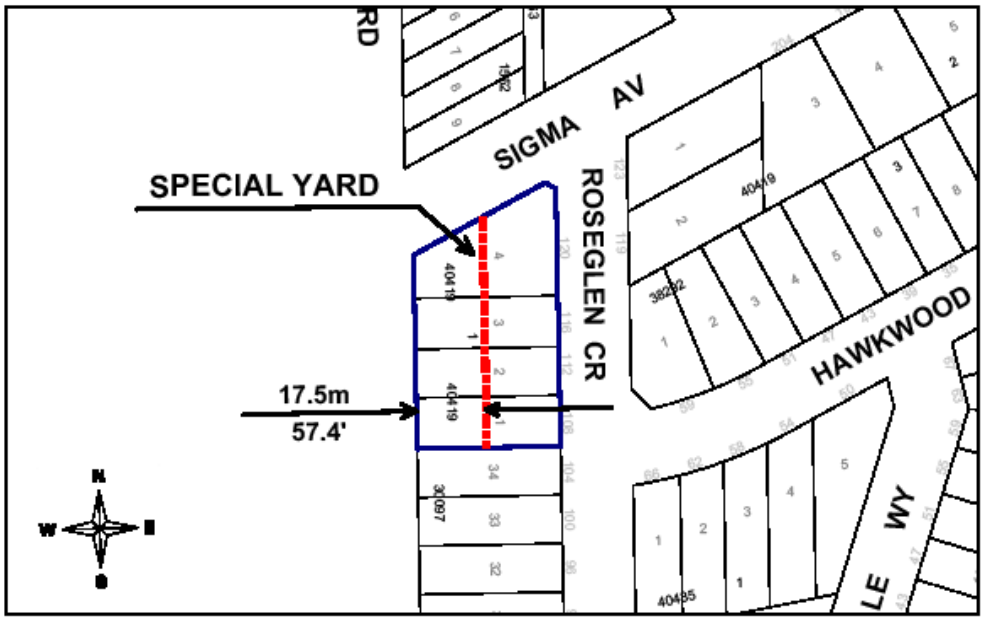
Lands Located North of Murray Avenue, West of Main Street

25. Lots with rearage on the Winnipeg Beach Rail Right-of-way shall provide a minimum 50 foot (15.24 metre) setback between the rear property line and any habitable rooms of principal buildings as shown on the plan below (By-law No. 7937/2001).



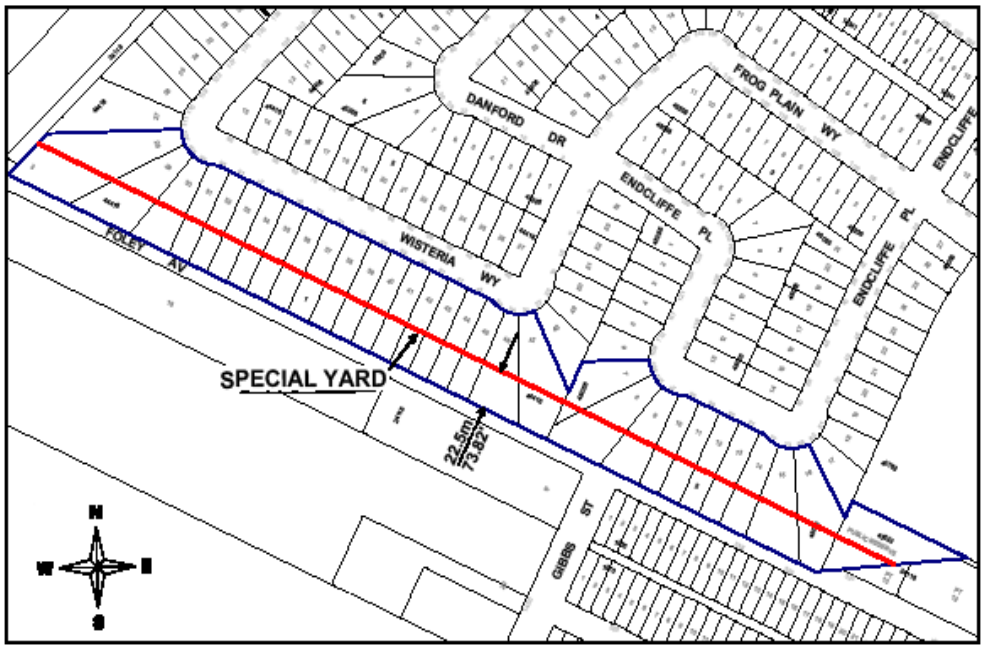
Sigma Avenue

26. The lots abutting the east side of Brady Road shall provide a minimum rear yard setback of 17.5 metres (57.4 feet) to principal dwelling for lots as shown on the plan below (By-law No. 7892/2001).



Lands Located on the North Side of Foley Avenue

27. Lots with rearage on Foley Avenue (future extension of Chief Peguis Trail – Kildonan Corridor) shall provide a minimum rear yard of 22.5 metres as shown on the plan below (By-law No. 125/2004).



DONE AND PASSED this day of , 2008.

Mayor

City Clerk

Approved as to planning details:

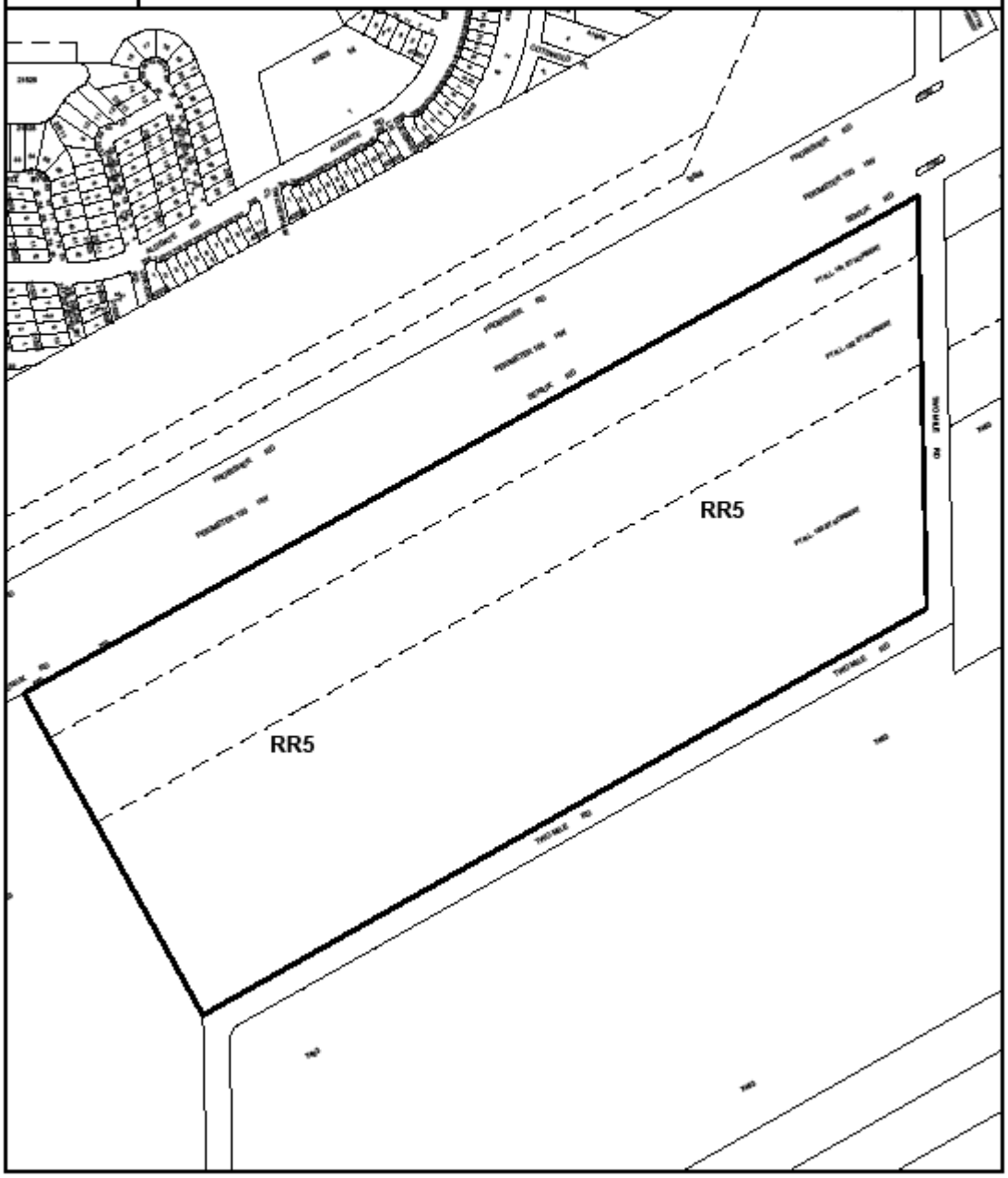
for Director of Planning, Property and Development

Approved as to form:

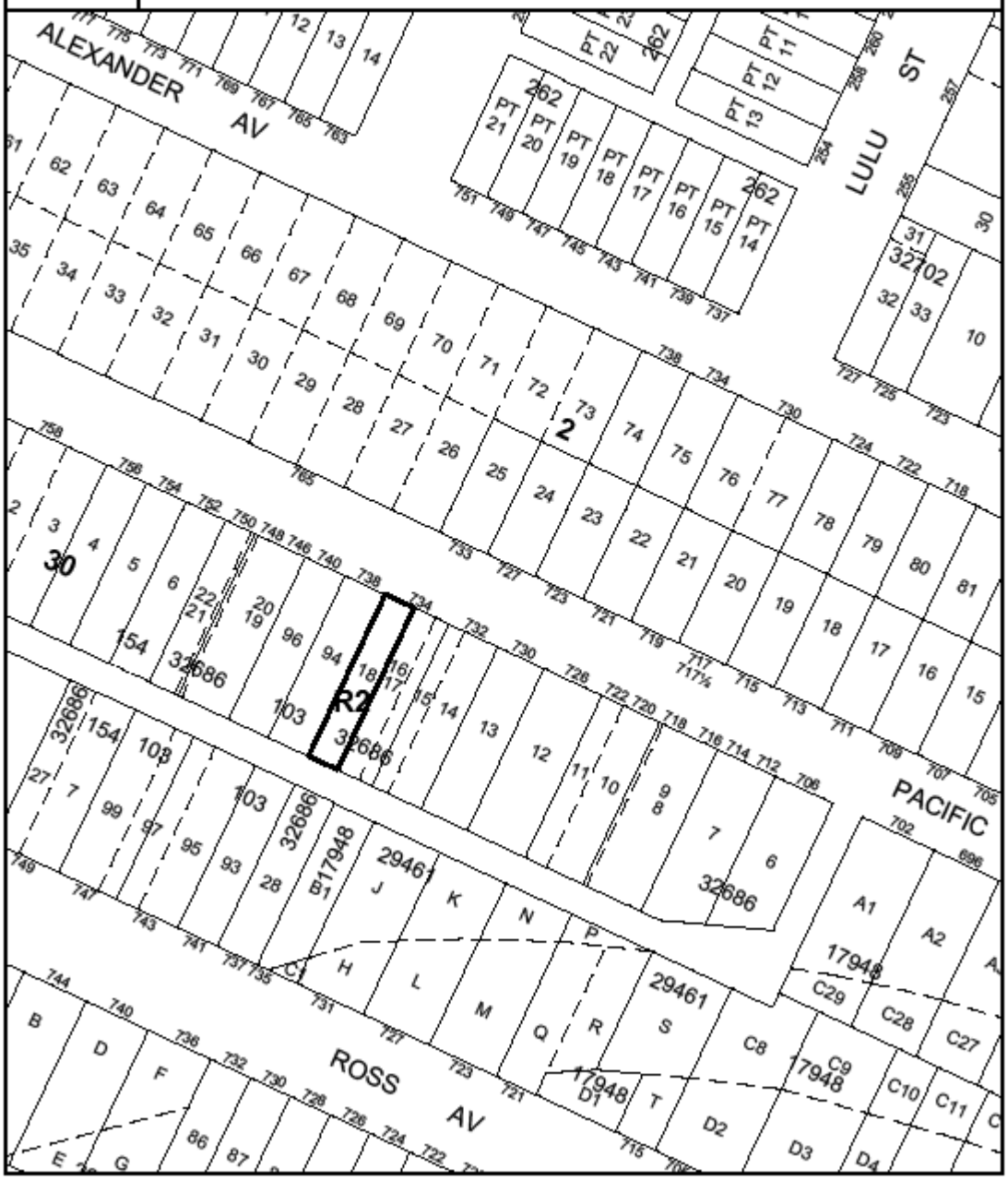
for City Solicitor/Manager of Legal Services

APPENDIX "A"

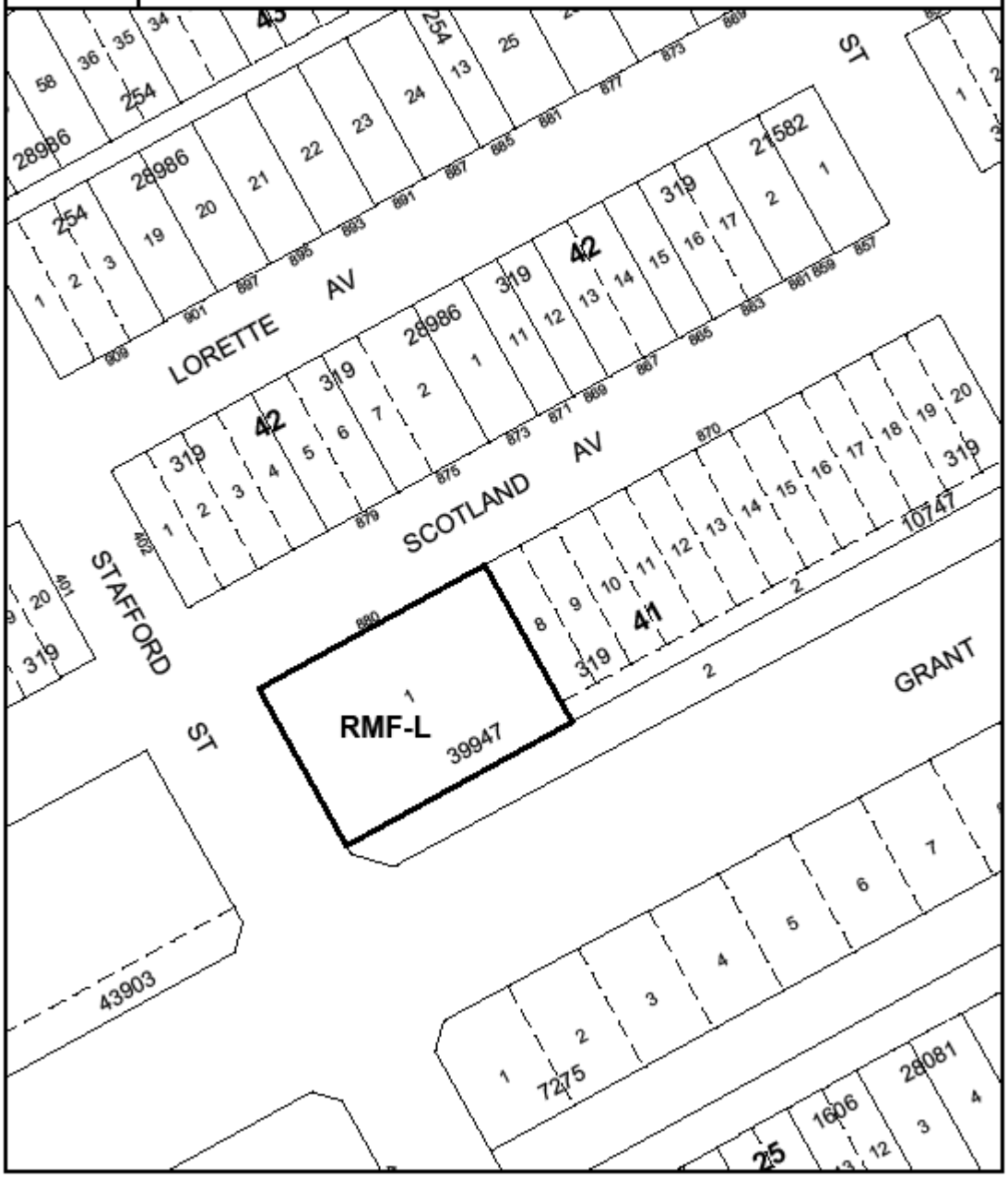
The attached By-Law amends By-Law No. 200/2006
by rezoning a portion of the land located at 660 Seniuk Rd
from an "A" AGRICULTURAL and PARKS DISTRICT to an "RR5"
RESIDENTIAL DISTRICT as shown outlined below.



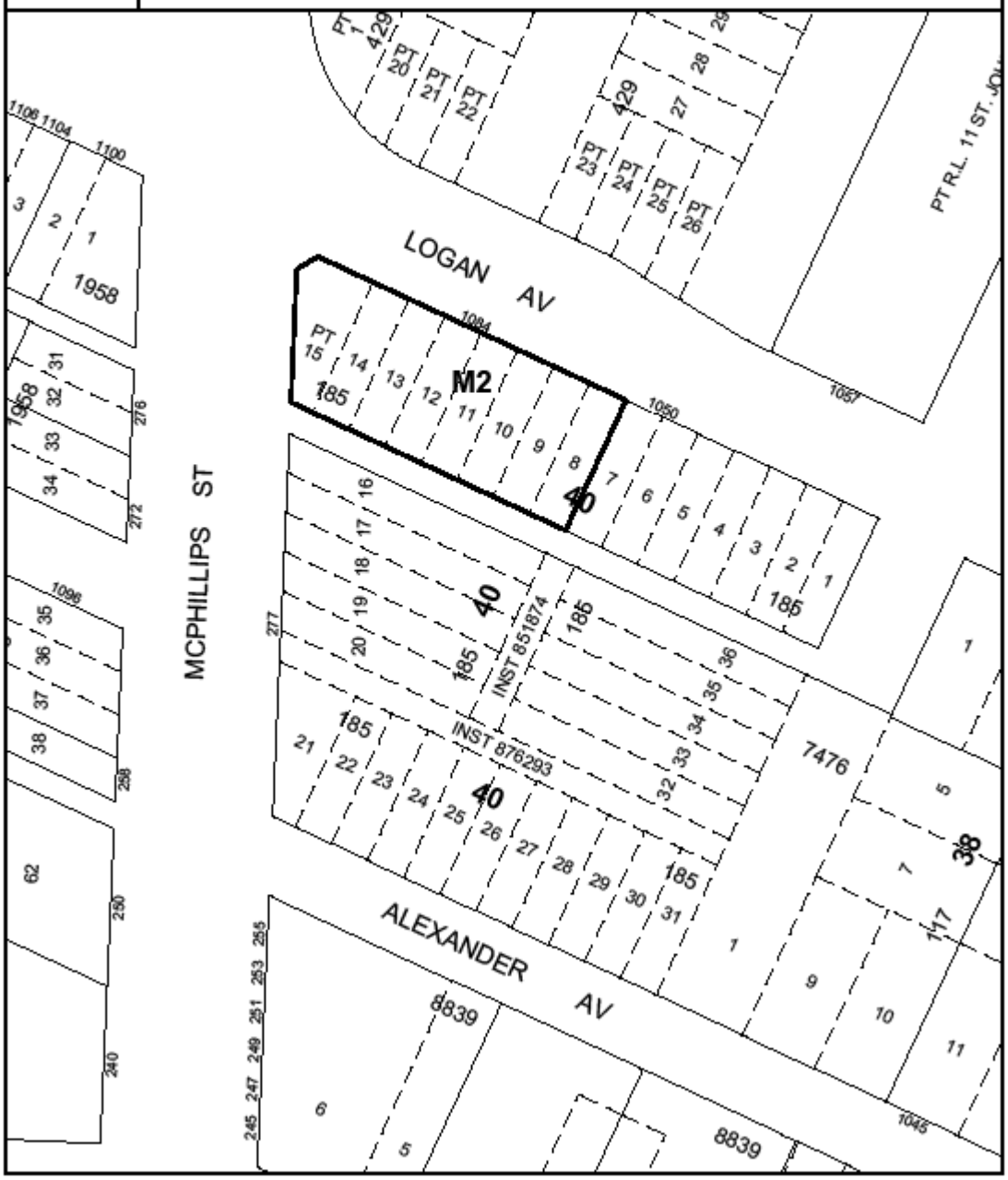
The attached By-Law amends By-Law No. 200/2006 by zoning a portion of the land located at 734 Pacific Ave as an "R2" RESIDENTIAL DISTRICT as shown outlined below.



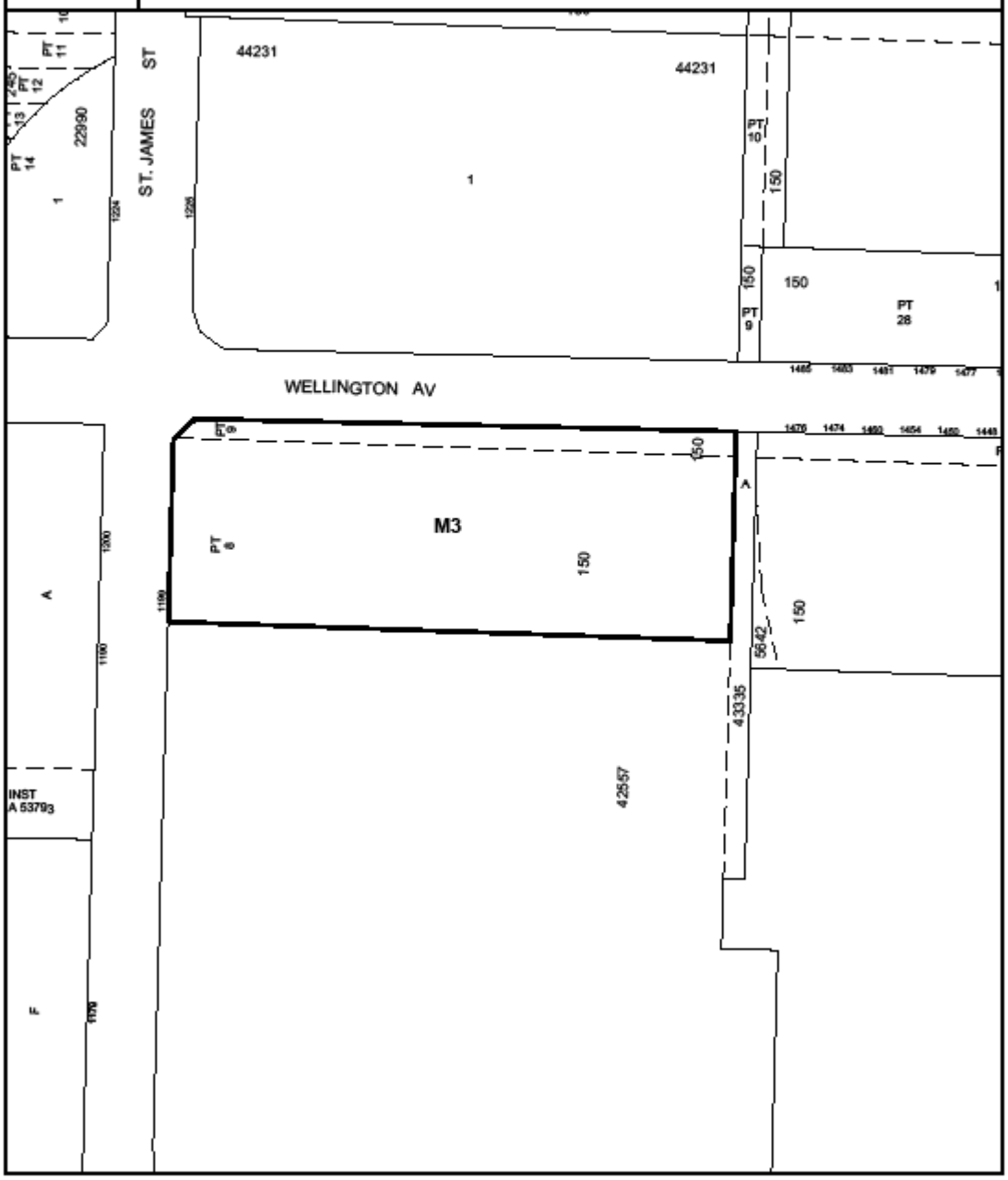
The attached By-Law amends By-Law No. 200/2006 by rezoning the land located at 880 Scotland from a "C1" COMMERCIAL and INSTITUTIONAL DISTRICT and an "RMF-M" RESIDENTIAL DISTRICT to an "RMF-L" RESIDENTIAL DISTRICT as shown outlined below.



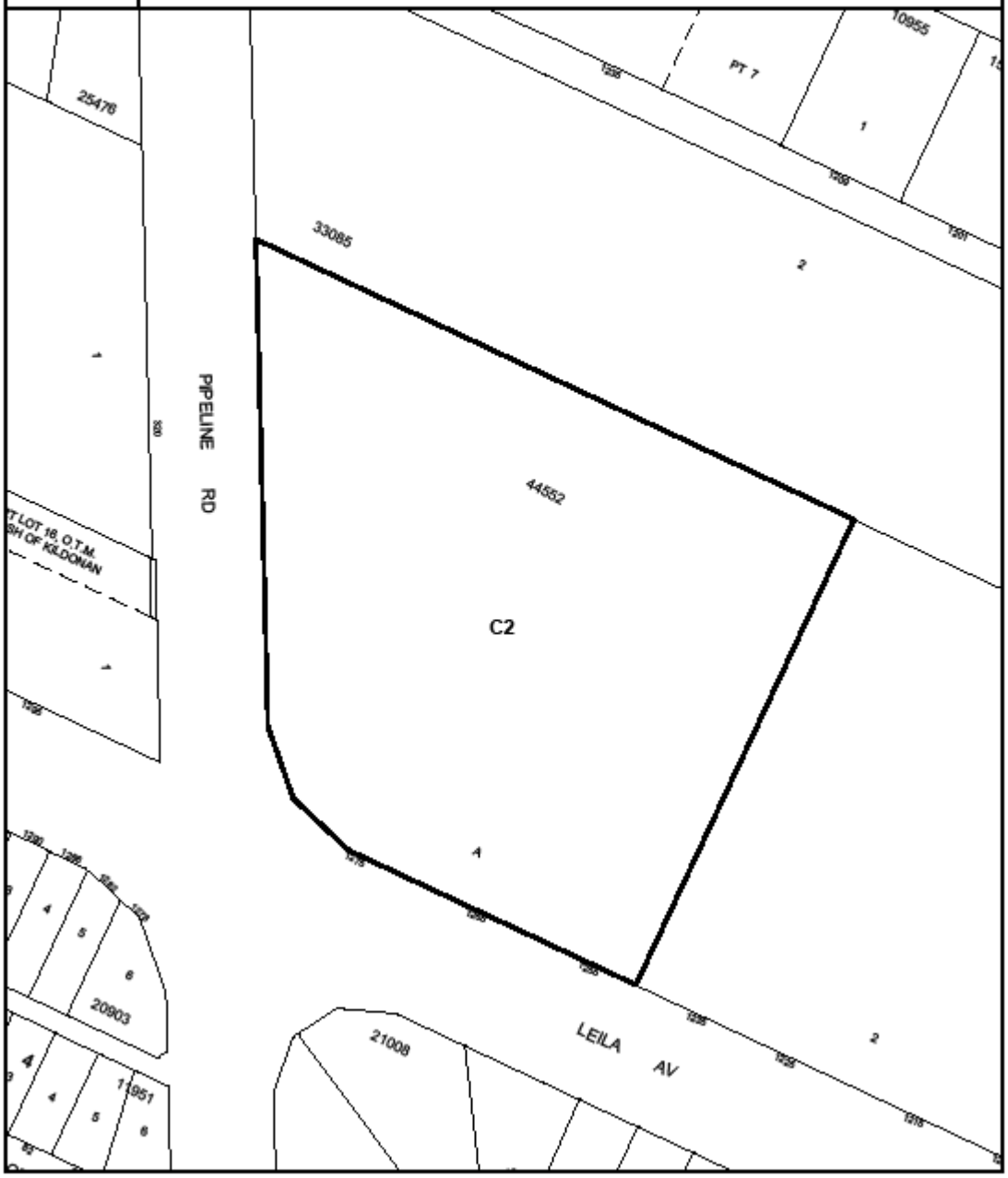
The attached By-Law amends By-Law No. 200/2006 by rezoning the land located at 1084 Logan Ave from a "C1" COMMERCIAL and INSTITUTIONAL DISTRICT to an "M2" MANUFACTURING DISTRICT as shown outlined below.

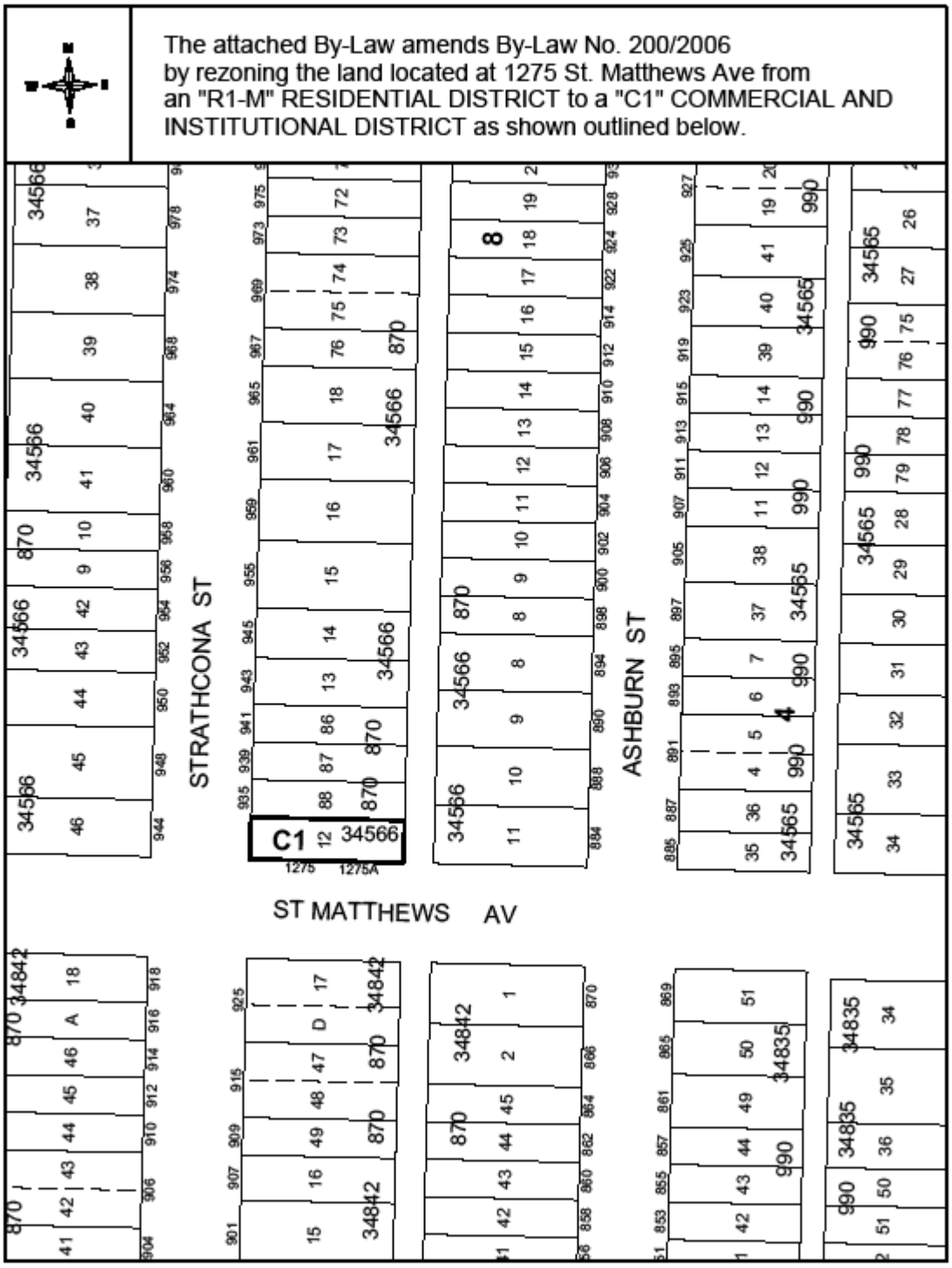


The attached By-Law amends By-Law No. 200/2006 by rezoning the land located 1199 St James St from a "C2" COMMERCIAL and INSTITUTIONAL DISTRICT to an "M3" MANUFACTURING DISTRICT as shown outlined below.

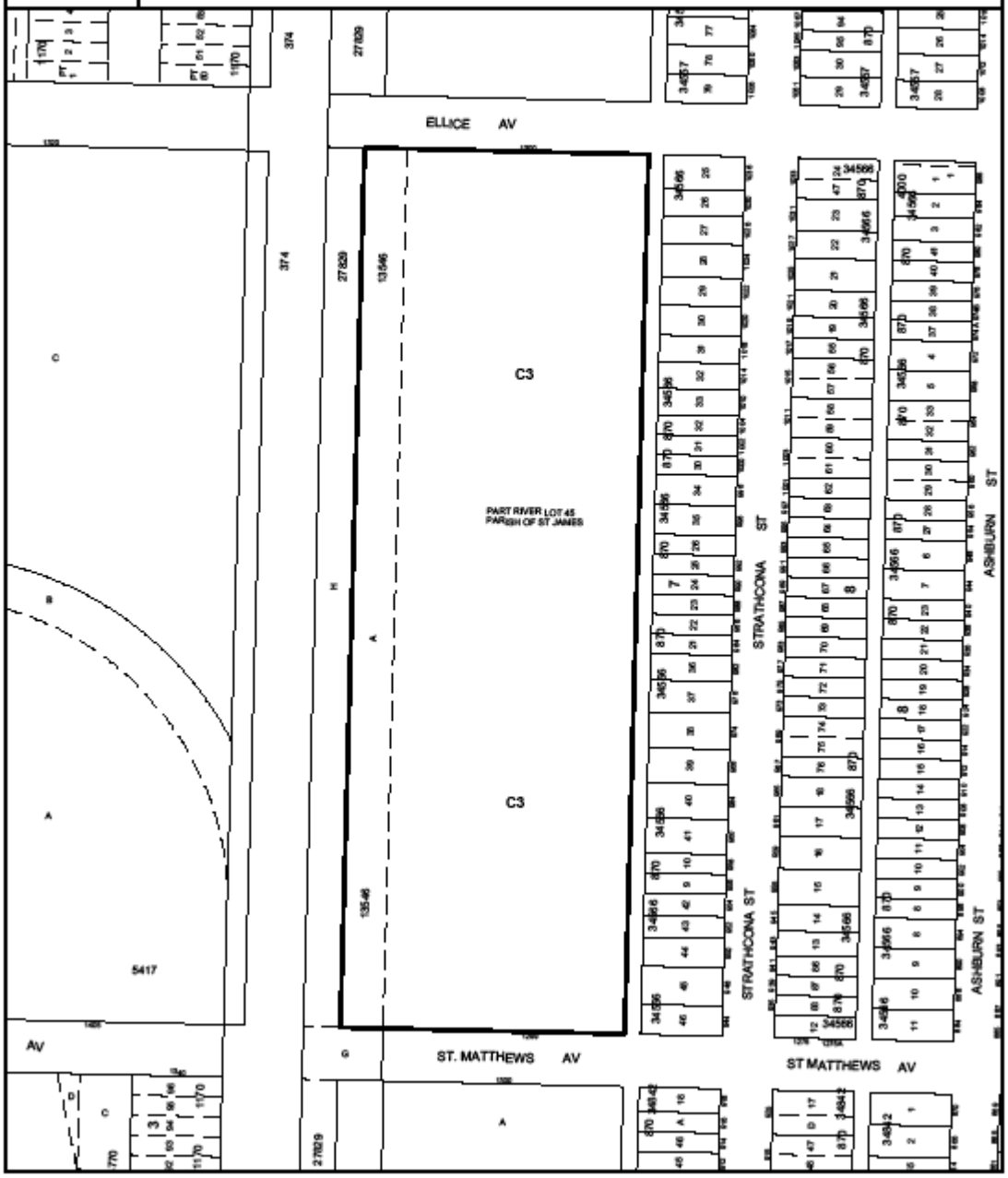


The attached By-Law amends By-Law No. 200/2006 by rezoning a portion of the land located at 1255, 1265 and 1275 Leila Ave from an "RMF-M" RESIDENTIAL DISTRICT to a "C2" COMMERCIAL and INSTITUTIONAL DISTRICT as shown outlined below.

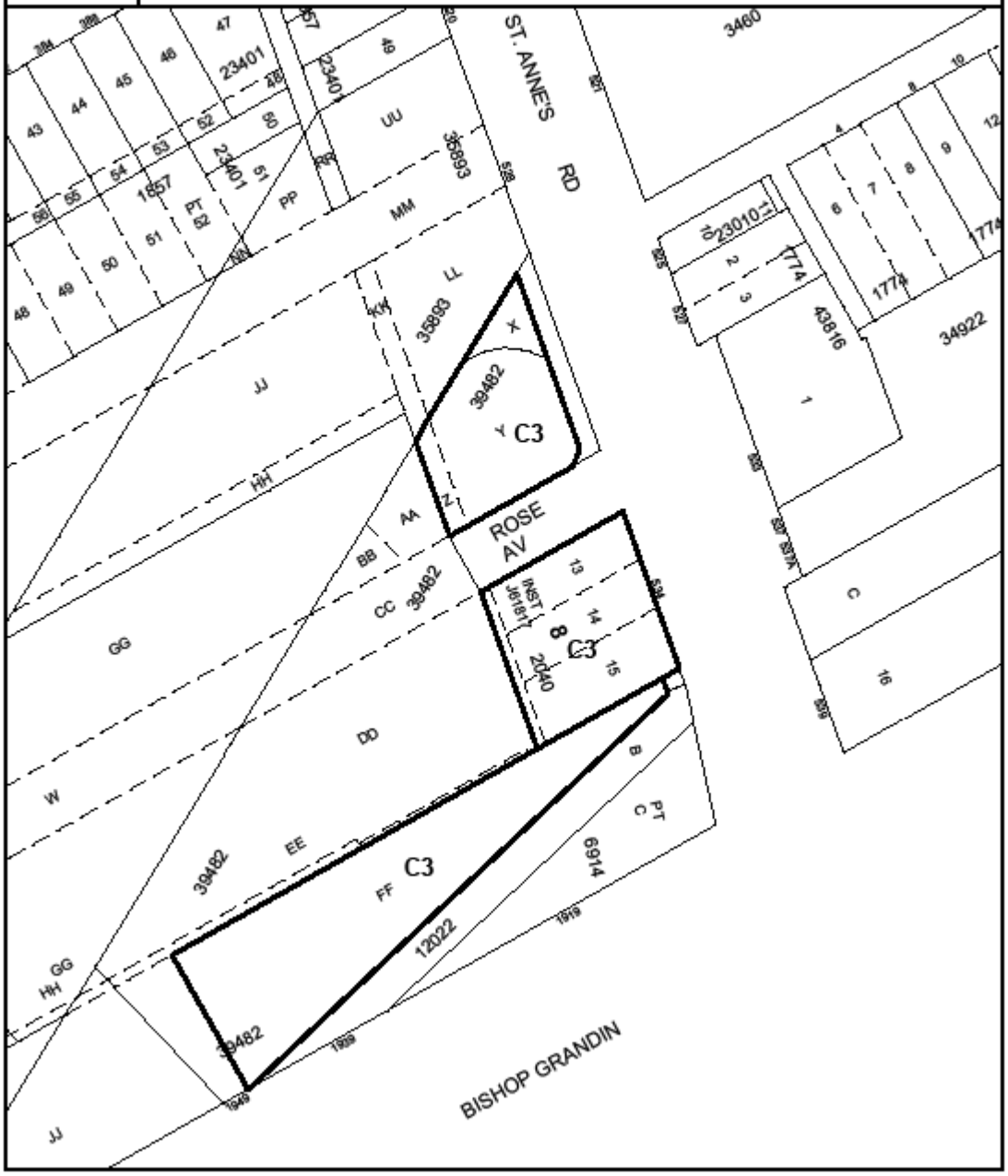


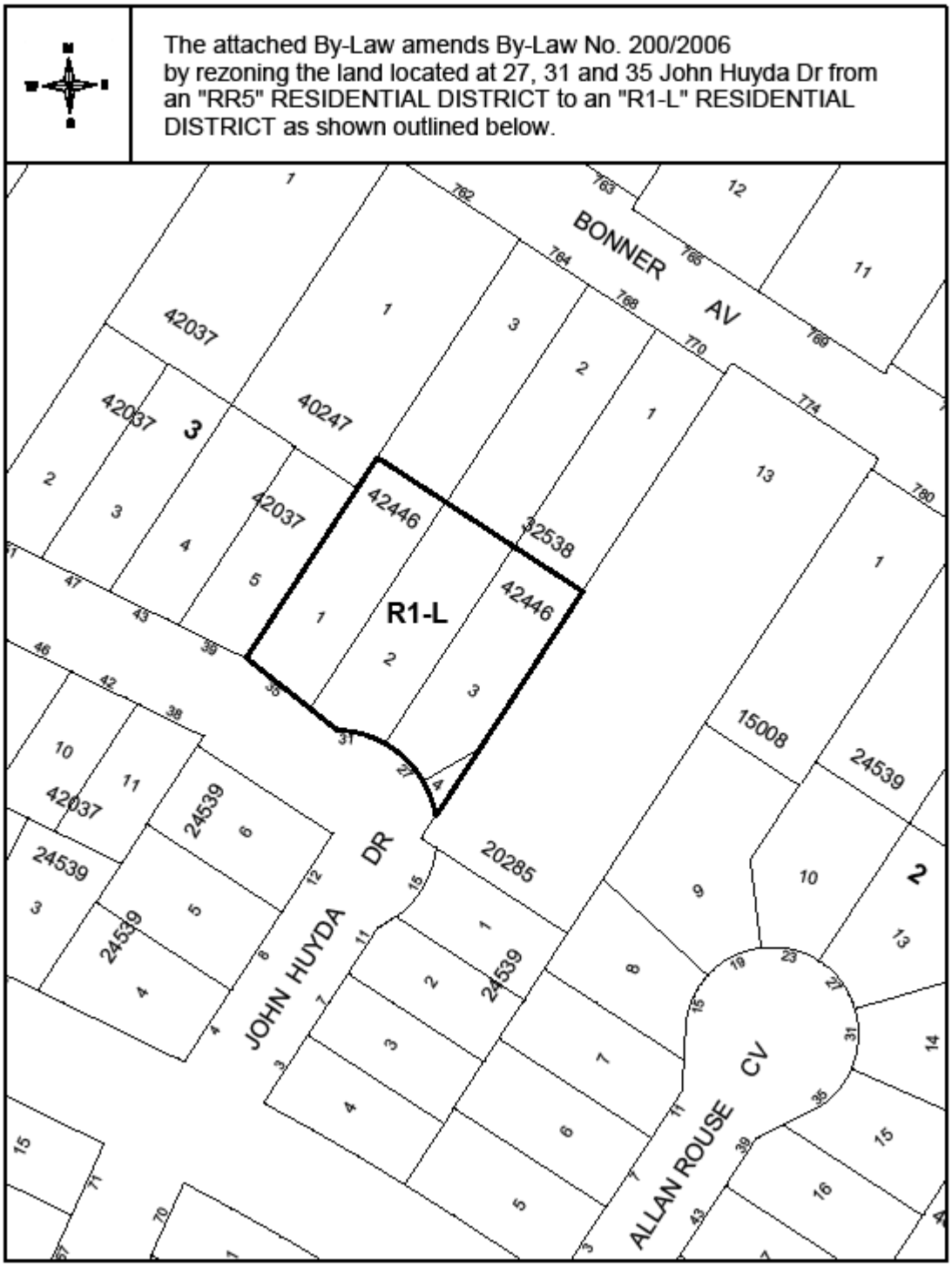

The attached By-Law amends By-Law No. 200/2006
by rezoning the land located at 1275 St. Matthews Ave from
an "R1-M" RESIDENTIAL DISTRICT to a "C1" COMMERCIAL AND
INSTITUTIONAL DISTRICT as shown outlined below.
STRATHCONA ST
ASHBURN ST
ST MATTHEWS AV
C1
1275
1275A

The attached By-Law amends By-Law No. 200/2006 by rezoning the land located at 1300 Ellice from an "M1" MANUFACTURING DISTRICT to a "C3" COMMERCIAL and INSTITUTIONAL DISTRICT as shown outlined below.

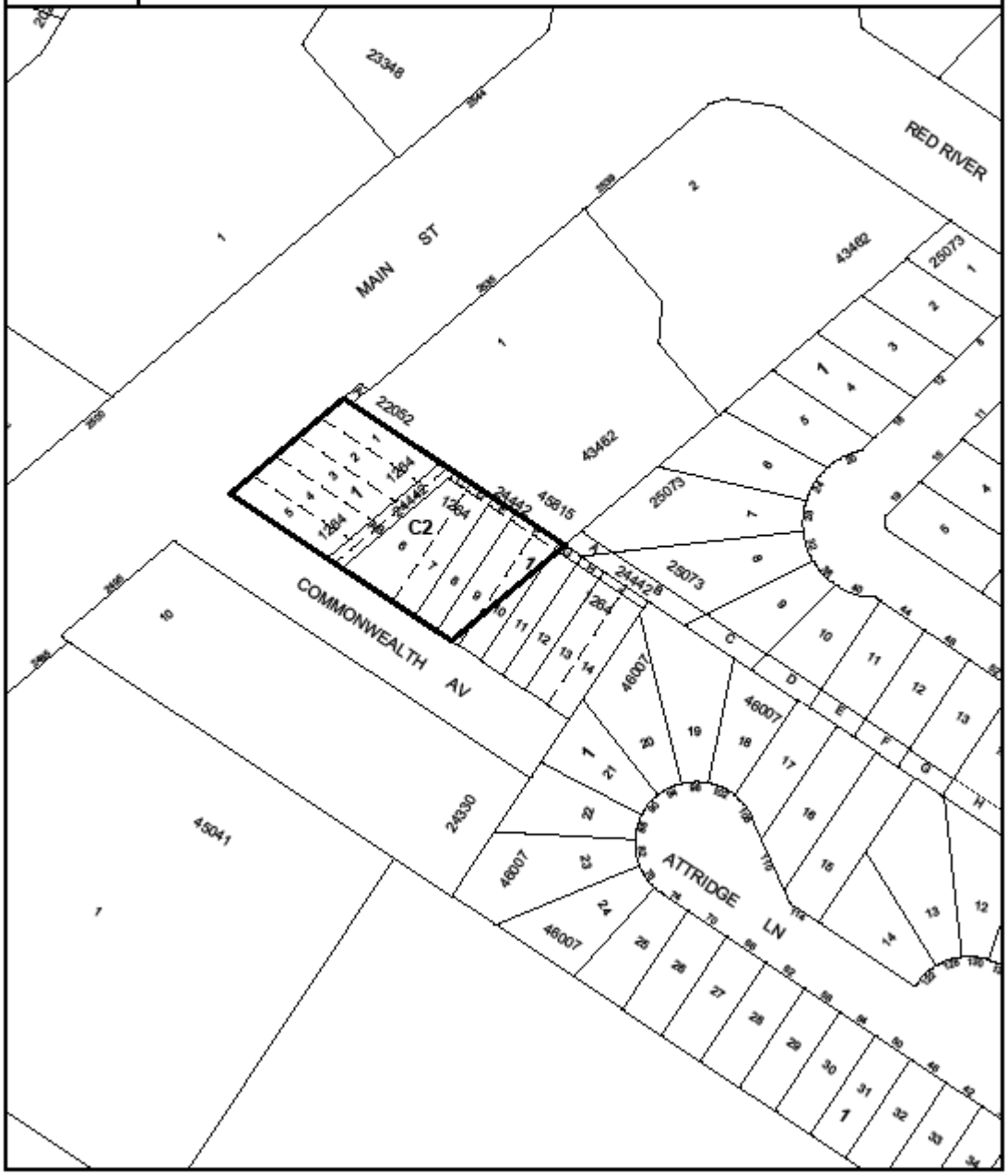


The attached By-Law amends By-Law No. 200/2006 by rezoning the land located at 534 St Anne's Rd and a portion of the land located at 1949 Bishop Grandin Blvd from a "C4" COMMERCIAL and INSTITUTIONAL DISTRICT to a "C3" COMMERCIAL and INSTITUTIONAL DISTRICT as shown outlined below.

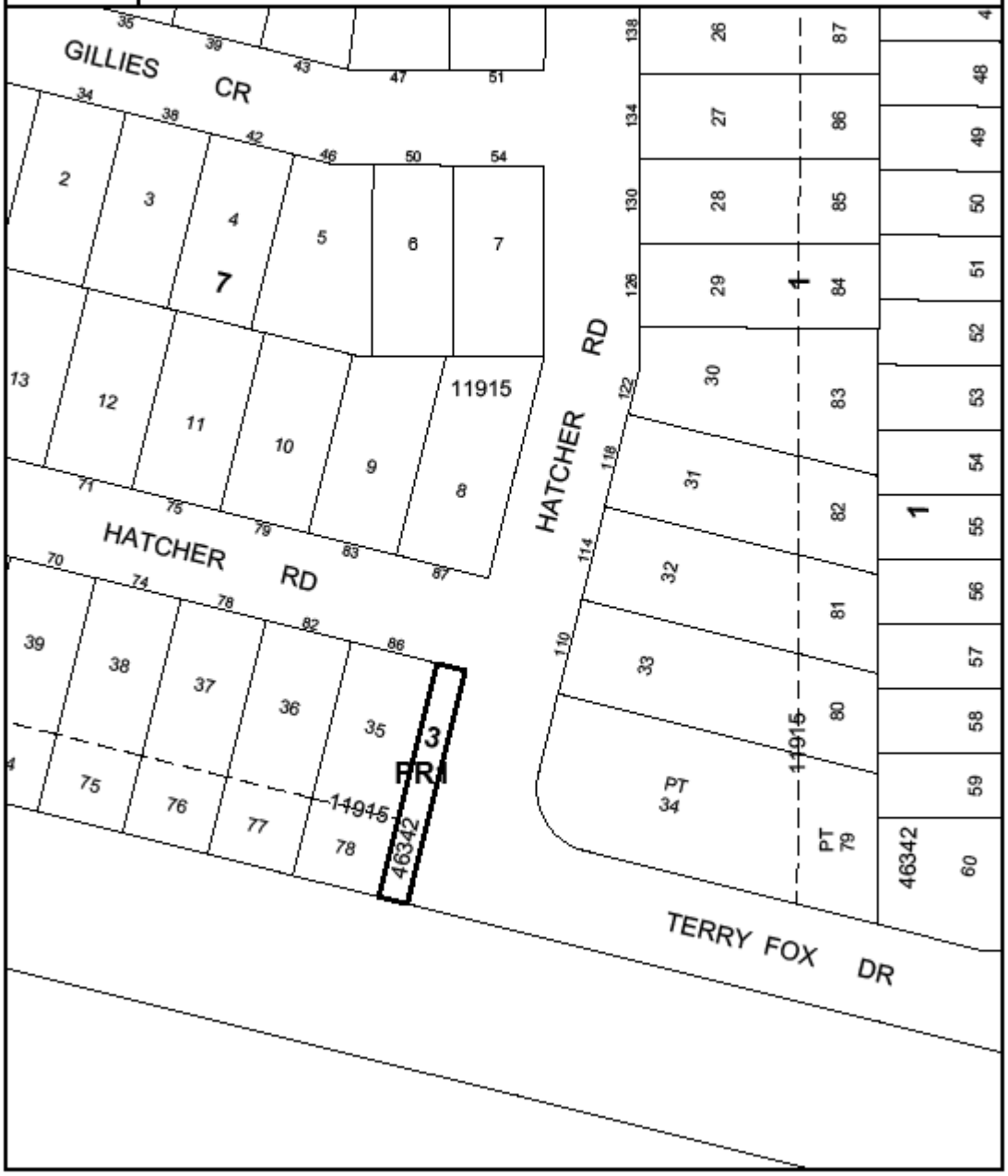



The attached By-Law amends By-Law No. 200/2006
by rezoning the land located at 27, 31 and 35 John Huyda Dr from
an "RR5" RESIDENTIAL DISTRICT to an "R1-L" RESIDENTIAL
DISTRICT as shown outlined below.
BONNER AV
JOHN HUYDA DR
ALLAN ROUSE CV
R1-L
42037
40247
42446
32538
15008
24539
20285

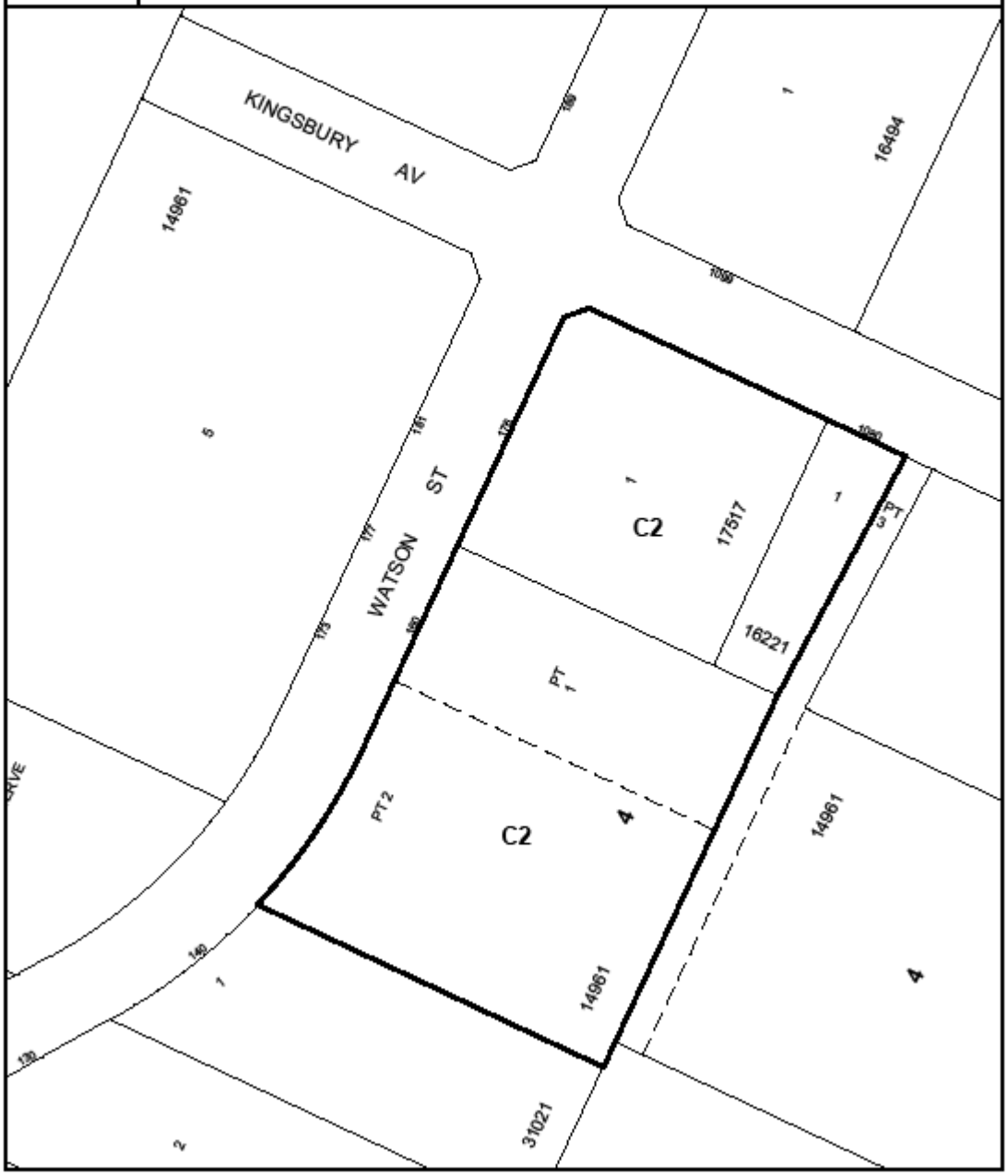
The attached By-Law amends By-Law No. 200/2006 by rezoning the land located on the north east corner of Main St and Commonwealth Ave from a "C3" COMMERCIAL and INSTITUTIONAL DISTRICT to a "C2" COMMERCIAL and INSTITUTIONAL DISTRICT as shown outlined below.



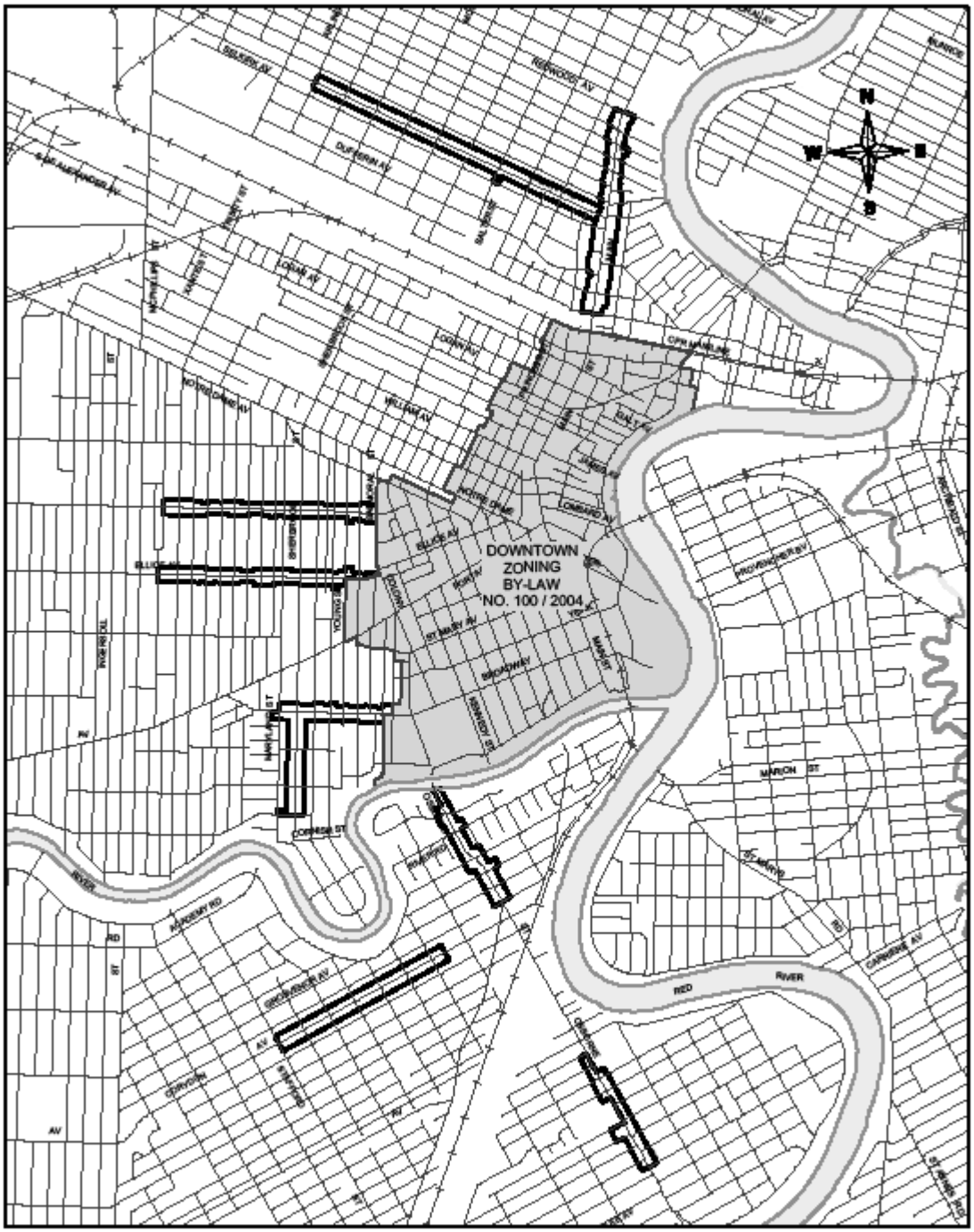
The attached By-Law amends By-Law No. 200/2006 by rezoning the land located on the south west corner of Hatcher Rd and Terry Fox Dr from an "R1-L" RESIDENTIAL DISTRICT to a "PR1" AGRICULTURAL and PARKS DISTRICT as shown outlined below.



The attached By-Law amends By-Law No. 200/2006 by rezoning the land located at 160 Watson St, 176 Watson St and 1080 Kingsbury Ave from a "C3" COMMERCIAL and INSTITUTIONAL DISTRICT to a "C2" COMMERCIAL and INSTITUTIONAL DISTRICT as shown outlined below.



APPENDIX "B"



Neighbourhood Main Streets
Planned Development Overlay Map