THE CITY OF WINNIPEG

BY-LAW NO. 49/2010

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

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

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

(1) in section 48:

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

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

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

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

Communication Facility

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

(3) in section 62:

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

(b) in Table 4-2: Accessory Use Table*, by striking out Use Category* "wireless communication, building-mounted tower" *and all corresponding entries in that row.*

(4) by repealing sections 99 and 100.

(5) by adding the following after section 131:

131.1 This Part does not apply to communication facilities.

(6) in section 161, Table 5-9: General Accessory Parking Requirements*, under* Parking Category 0*, by striking out* "Wireless communication, building-mounted tower" *and* "Wireless communication, freestanding tower"*.*

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

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

Communication Facility

200(11) A communication facility is a permitted use in all sectors if it complies with the Communication Facility Protocol adopted by Council.

(2) in subsection 310(2), under Transportation, Utility, & Communications, by striking out "Wireless communications tower" and the corresponding entry in that row.

(3) in subsection 410(2), under Transportation, Utility, & Communications*, by striking out* "Wireless communications tower" *and the corresponding entry in that row.*

(4) in subsection 510(2), under Transportation, Utility, & Communications*, by striking out* "Wireless communications tower" *and the corresponding entry in that row.*

(5) in subsection 610(2), under Transportation, Utility, & Communications*, by striking out* "Wireless communications tower" *and the corresponding entry in that row.*

(6) in subsection 700(3):

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

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

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

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

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

DONE AND PASSED this day of , 2010.

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Mayor

_____
City Clerk

Approved as to planning details:

_____ _____
for Director of Planning, Property and Development

Approved as to form:

_____
James Carter
for Director of Legal Services and City Solicitor