SCHEDULE M

added _____/2010

DOWNTOWN TRANSCONA PLANNED DEVELOPMENT OVERLAY 1 (PDO-1 DOWNTOWN TRANSCONA)

Purpose

1. To protect and enhance the character of Downtown Transcona as the city centre of Transcona.

Applicability

2. PDO-1 Downtown Transcona overlay district is shown on the attached map and identified as PDO-1 Downtown Transcona Principal Overlay Map (Map 1).

Development Standards

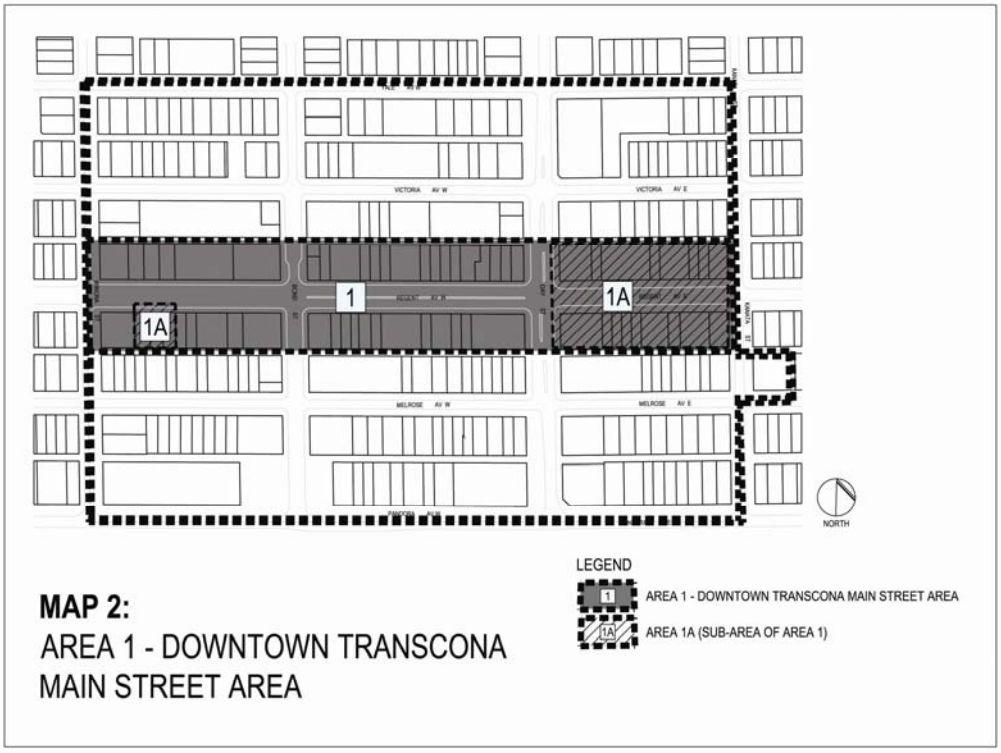
3. Except to the extent modified by the standards in this overlay, all standards of this By-law apply within the boundaries specified in the Principal Overlay Map (Map 1).

Area 1

4. **Downtown Transcona Main Street Area**

Applicability

(1)The Downtown Transcona Main Street Area is shown as Area 1 and Area 1A on Map 2.



Intent

(2) To promote and enhance Transcona's historic main street by:

(a) Encouraging the intensification of commercial businesses with a neighbourhood focus that positively contributes to the community;

(b) Ensuring that all development conforms with the urban form and character of the area; and,

(c) Creating a vital and safe pedestrian environment on Regent Avenue.

Permitted Use Regulations

(3) Notwithstanding other provisions of this By-law, in the Downtown Transcona Main Street Area, the following uses are prohibited and are not allowed as permitted, conditional, accessory, or temporary uses.

(a) Advertising sign;

(b) Auto / light truck / motorcycle, sales and rental;

(c) Auto parts and supplies, sales;

(d) Car wash;

(e) Cheque-cashing facility;

(f) Drive-in or drive-through;

(g) Fuel sales;

(h) Pawnshop; and

(i) X-rated store.

(4) Notwithstanding other provisions in this By-law, in the Downtown Transcona Main Street Area, the following uses may be approved only as conditional uses, where they are otherwise permitted.

(a) Auto / light truck / motorcycle, repair and service; and

(b) Drinking establishments.

(5) Notwithstanding other provisions of this By-law, in Area 1A on Map 2 in the Downtown Transcona Main Street Area, the following uses are permitted, subject to use specific standards:

(a) Dwelling, live-work;

(b) Dwelling, multi-family; and

(c) Dwelling, single-family, detached.

Use Specific Standards

(6) Notwithstanding other provisions in this By-law, in the Downtown Transcona Main Street Area, the following uses are limited to the specified maximum amount of gross floor area:

(a) Drinking establishment: 1,000 square feet

(b) Retail sales: 25,000 square feet

(7) Notwithstanding other provisions of this By-law, the following uses may only be established on any floor higher than the ground floor of any building:

(a) Dwelling, live-work;

(b) Dwelling, multi-family; and

(c) Dwelling, single-family, detached.

Development and Design Standards

Dimensional Standards

(8) Notwithstanding other provisions of this By-law, in the Downtown Transcona Main Street Area, development must comply with the dimensional standards listed in this subsection.

Height of Buildings

(a) If a proposed building will exceed 35 feet in height, the portion of the building exceeding 35 feet must be set back from the front property line a distance equal to or greater than 10 feet.

(b) In a proposed development, if an applicant proposes a building on the south side of Regent Avenue that will exceed 25 feet in height, the applicant must submit a solar impact study. The Downtown Transcona Design Guidelines provide additional detail on the required content of the study.

Additional Yard Requirements

(c) Subject to clause (d), all buildings must have a front yard of 0 feet.

(d) For the purpose of accommodating an otherwise approved public space, plaza, outdoor dining/drinking area or other pedestrian amenity, up to 50 percent of the length of the ground floor façade of any building, to a maximum length of 25 feet, may have a front yard of greater than 0 feet. The maximum depth of the front yard is 10 feet.

Development Standards for Parking and Loading

(9) Accessory surface parking areas abutting Regent Avenue are prohibited.

(10) Any accessory parking, loading and service area must be located behind a building.

Signs

(11) The following sign types are not permitted:

(a) Electronic message centre sign;

(b) Flashing, animated, scintillating, or rotating sign;

(c) Free-standing sign;

(d) Mobile sign; and

(e) Roof sign.

Landscaping and Buffering

(12) If a service area or a surface parking lot abuts a public street, the owner must screen the perimeter of the service area or surface parking lot from public view with an ornamental Downtown Transcona screen fence, as depicted in Illustration 2, and shrubs (maximum mature height of 2' 6") planted one every 2 feet on centre in a 3 foot wide planting bed which extends the length of the fence and has planting soil 18 inches deep and mulch 4 inches deep.

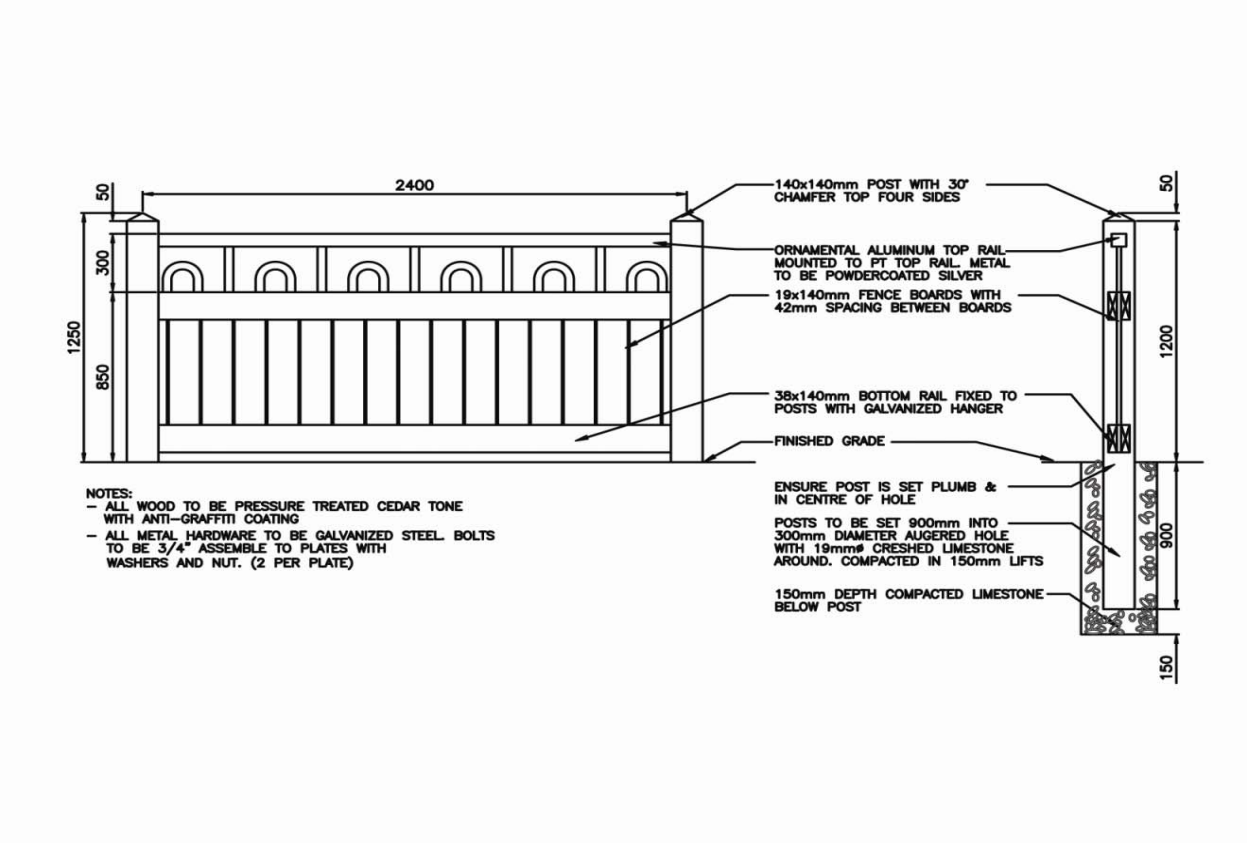


Illustration 2: Downtown Transcona Screen Fence

Design Standards

(13) Development must comply with the design standards in this subsection.

Entryway Design and Location

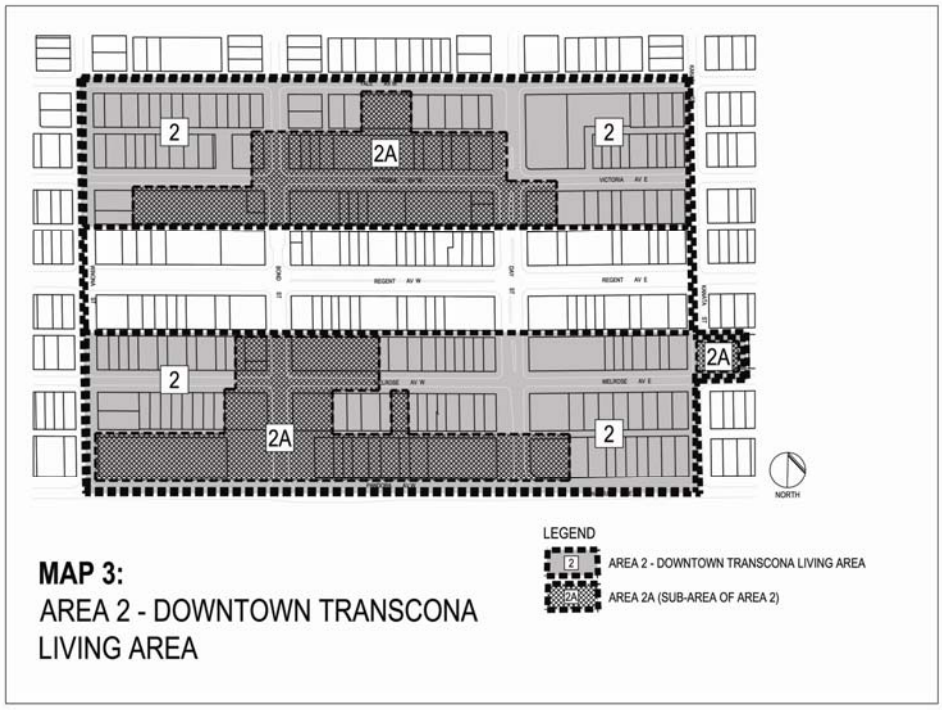
(a) The main public entrance of every building must face Regent Avenue and be directly accessible from the public sidewalk.

Area 2

5. **Downtown Transcona Living Area**

Applicability

(1) The Downtown Transcona Living Area is shown as Area 2 and Area 2A on Map 3.



Intent

(2) To facilitate and guide development of the neighbourhood immediately surrounding the Downtown Transcona Main Street Area, contributing to the vibrancy and viability of Downtown Transcona by:

(a) Maintaining the residential diversity and encouraging the intensification of residential uses compatible with adjacent properties;

(b) Ensuring that all development conforms with the urban form and character of the area, and;

(c) Creating a vital and safe pedestrian environment.

Permitted Use Regulations

(3) Notwithstanding other provisions in this By-law, in the Downtown Transcona Living Area, the following uses are prohibited and are not allowed as permitted, conditional, accessory, or temporary uses:

(a) Advertising sign;

(b) Auto / light truck / motorcycle, sales and rental;

(c) Auto parts and supplies, sales;

(d) Cheque-cashing facility;

(e) Drive-in or drive-through;

(f) Fuel sales;

(g) Pawnshop; and

(h) X-rated store.

(4) Notwithstanding other provisions of this By-law, Industrial, Commercial Sales and Service, and Private Motor Vehicle Related uses are prohibited and are not allowed as permitted, conditional, accessory or temporary uses, except in the areas shown as Area 2A on Map 3.

(5) Notwithstanding other provisions in this By-law, in the Downtown Transcona Living Area, the following uses may be approved only as conditional uses, where they are otherwise permitted:

(a) Auto / light truck / motorcycle, repair and service;

(b) Car wash; and

(c) Drinking establishments.

Use Specific Standards

(6) Notwithstanding other provisions in this By-law, in the Downtown Transcona Living Area, the following uses are limited to the specified maximum amount of gross floor area:

(a) Drinking establishment: 1,000 square feet

(b) Office: 2,500 square feet

(c) Personal services: 2,500 square feet

(d) Restaurant: 2,500 square feet

(e) Retail sales: 2,500 square feet

Development Design Standards

Dimensional Standards

(7) Notwithstanding other provisions of this By-law, in the Downtown Transcona Living Area, all development, except single-family dwellings, must comply with the dimensional standards listed in this subsection.

Height of Buildings

(a) The height of any building or structure or enlargement of any building or structure must not exceed 80 feet.

Development Standards for Parking and Loading

(8) Any accessory parking, loading and service area for Commercial Sales and Service and Private Motor Vehicle Related uses must be located behind a building.

(9) Any accessory parking, loading and service area for uses other than Commercial Sales and Service and Private Motor Vehicle Related must be located behind or beside a building.

Signs

(10) The following sign types are not permitted:

(a) Electronic message centre sign;

(b) Flashing, animated, scintillating, or rotating sign;

(c) Free-standing sign greater than six (6) feet in height;

(d) Mobile sign; and

(e) Roof sign.

Landscaping and Buffering

(11) If a service area or a surface parking lot abuts a public street, the owner must screen the perimeter of the service area or surface parking lot from public view with landscaping as set out in this subsection.

(a) Subject to (b), the owner of a development must install a minimum of four (4) shrubs every 10 feet and one shade tree every 25 feet in accordance with the following standards:

(i) Shrubs and trees to be located in planting beds;

(ii) Minimum planting bed width of 6’0”;

(iii) Shrubs to be clustered with a maximum spacing between shrubs of 2’0”; and,

(iv) Minimum planting soil depth 18 inches for shrubs, 3 ft. for trees, with minimum 11.12 cu. yards of soil per tree.

(b) The owner of a commercial development is not required to comply with (a) but must screen the development from public view with an ornamental Downtown Transcona screen fence, as depicted in Illustration 2, and shrubs (maximum mature height of 2’ 6”) planted one every 2 feet on centre in a 3 foot wide planting bed which extends the length of the fence and has planting soil 18 inches deep and mulch 4 inches deep.

Design Standards

(12) Development must comply with the design standards in this subsection.

Entryway Design and Location

(a) The main public entrance of every building must face the front street and be directly accessible from the public sidewalk.

Additional Design Standards

6.This section applies to all areas of the PDO-1 Downtown Transcona overlay district.

Design Review

(1) Except as otherwise provided in this section, all development, redevelopment, expansion, demolition, signage or exterior alteration visible from public rights-of-way is subject to urban design review and must be approved by the East Kildonan-Transcona Community Committee or the Director, as provided in this section, prior to commencement.

(2) The East Kildonan-Transcona Community Committee shall make decisions on:

(a) all urban design review applications in Area 1 (Downtown Transcona Main Street Area); and

(b) urban design review applications for new construction, expansion, or signage in Area 2 (Downtown Transcona Living Area).

(3) The Director shall make decisions on all other urban design review applications in Area 2 (Downtown Transcona Living Area).

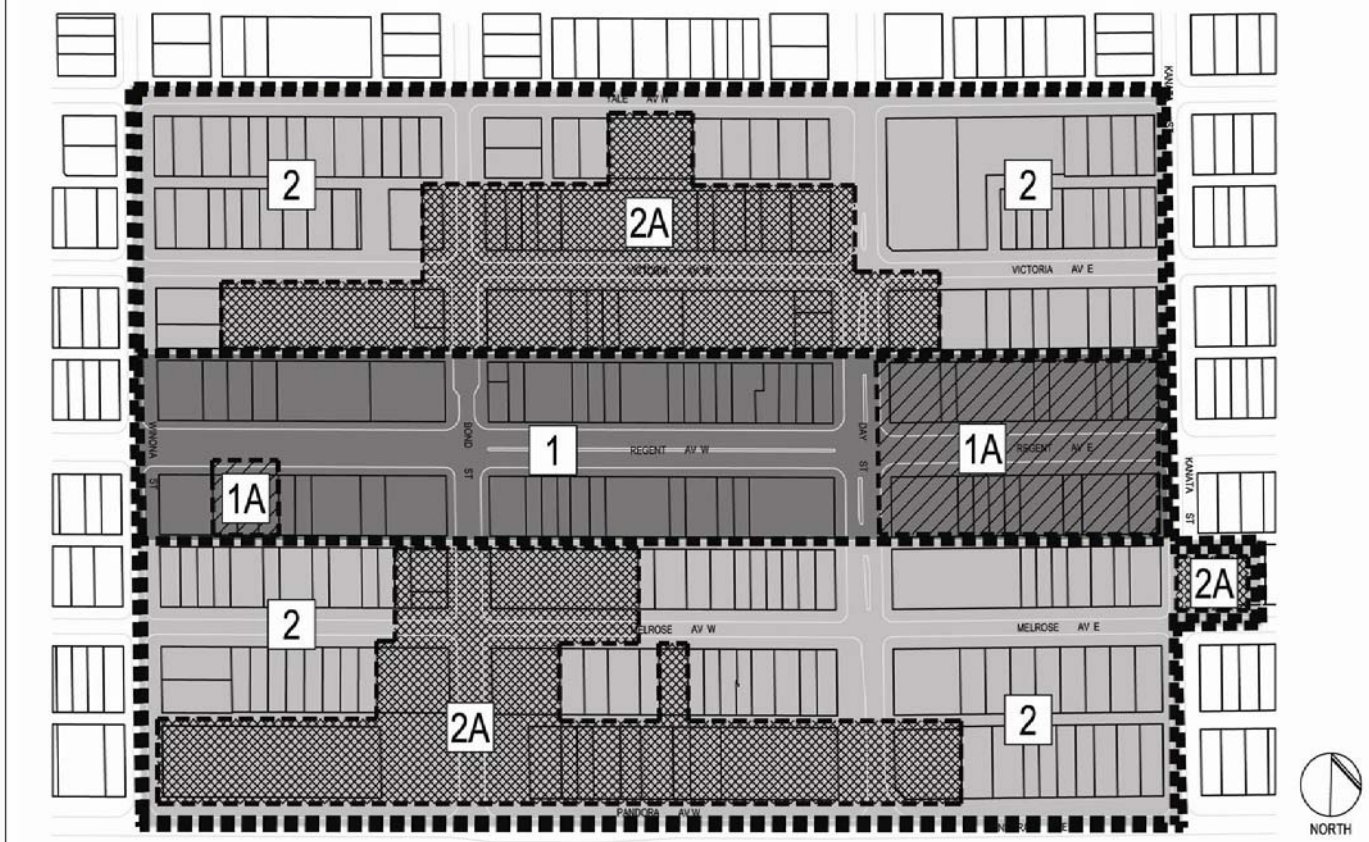
(4) The Standing Policy Committee on Property and Development may approve urban design guidelines, standards or criteria, not inconsistent with the requirements in this section.

(5) In making decisions on urban design review applications, the East Kildonan-Transcona Community Committee and Director must consider any requirements in this section and any urban design guidelines, standards or criteria approved by the Standing Policy Committee on Property and Development.

(6) The East Kildonan-Transcona Community Committee or Director may not deny approval of 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. If the applicant has not been so notified within 45 days of the urban design application being submitted in full, the applicant may submit a letter requesting such notification to the Standing Policy Committee on Property and Development. Upon receiving such letter, the Standing Policy Committee on Property and Development shall instruct the East Kildonan-Transcona Community Committee or the Director to approve or deny the urban design application within a specified period of time.

(7) An applicant may, in accordance with *The City of Winnipeg Charter*, appeal a decision by the East Kildonan-Transcona Community Committee to deny approval of an urban design review application, to the Standing Policy Committee on Property and Development.

(8) This section does not apply to single-family dwellings and two-family dwellings.



MAP 1:
PRINCIPAL OVERLAY MAP

LEGEND

- 1 — AREA 1 - DOWNTOWN TRANSCONA MAIN STREET AREA
- 1A — AREA 1A (SUB-AREA OF AREA 1)
- 2 — AREA 2 - DOWNTOWN TRANSCONA LIVING AREA
- 2A — AREA 2A (SUB-AREA OF AREA 2)

By-law No. 118/2010