DRAFT BY-LAW

THE CITY OF WINNIPEG

BY-LAW NO. 34/2014

A By-law of The City of Winnipeg to amend Downtown Winnipeg Zoning By-law No. 100/2004 to (i) align it with *OurWinnipeg Plan By-law No. 67/2010* and *Complete Communities Direction Strategy By-law No. 68/2010*; (ii) pass new regulations for digital signs; and (iii) correct errors and omissions.

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

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

(1) in subsection 100(2):

(a) by striking out "Plan Winnipeg downtown policies and the vision articulated in *CentrePlan*" *and substituting "*downtown policies in *OurWinnipeg* and the *Complete Communities Direction Strategy". .*

(2) in subsection 110(2):

*(a) by striking out "*Plan Winnipeg" *and substituting "OurWinnipeg*".

(3) in subsection 110(3):

(a) by striking out "Development Fees By-law" *and substituting "Planning, Development and Building Fees By-Law*".

(4) in subsection 110(11):

(a) by striking out "Development Fees By-law." *and substituting "Planning, Development and Building Fees By-Law*".

(5) in subsection 110(12):

(a) by adding the following after clause (j):

(k) a professionally prepared and dimensioned lot grading plan;

(6) in subsection 200(4):

(a) by striking out "Plan Winnipeg, *CentrePlan*" *and substituting "OurWinnipeg*, the *Complete Communities Direction Strategy". .*

(7) in subsection 200(8):

(a) by repealing clause (c).

(8) in subsection 200(10):

*(a) by striking out "*provided a valid license has been issued under The City of Winnipeg License By-law*" and substituting "*provided a special event permit has been issued*".*

(9) in subsection 210(1):

*(a) by striking out "*Plan Winnipeg, CentrePlan*" and substituting "*OurWinnipeg, the Complete Communities Direction Strategy*".*

(10) in subsection 210(6):

*(a) by striking out "*4-storeys*" in both places where it occurs and substituting "*50 feet".

(11) in subsection 210(10):

*(a) by striking out "*4-storeys*" and substituting "*50 feet in height".

(12) in clause 210(11)(h):

*(a) by striking out "*t foot*" and substituting "*5 foot".

(13) in subsection 220(3):

(a) in clause (a), by adding ", projection*" after "*marquee*";*

*(b) in clause (b), by striking out "*pylon*";*

(c) by adding the following after clause (b):

Any sign forms may be digital unless indicated otherwise in the sign regulation tables in Parts 3, 4, 5 and 6.

(14) by adding the following after subsection 220(3):

220(3.1) Digital signs must adhere to the following operational standards:
(a) must not exceed a brightness level of 0.3 foot-candles above ambient light conditions;
(b) must utilize automatic dimming;
(c) must not use any stroboscopic or high intensity flash effect; and
(d) any other conditions of approval set out through Urban Design Review.

220(3.2) Digital signs are prohibited on any building on the Conservation List or Inventory List pursuant to the *Historical Buildings By-Law No. 1474/77*.

(15) in subsection 220(5):

*(a) by striking out "*sign*" wherever it occurs and substituting "*control device".

(16) in clause 220(9)(e):

*(a) by adding "*installed during construction activity on site,*" after "*construction signs,*";*

*(b) by striking out "*80 square feet*" and substituting "*200 square feet".

(17) in clause 220(9)(h):

*(a) by adding "*covering less than 50% of the area of a glazed surface (calculated between mullions)*" after "*window signs*".*

(18) by adding the following after subsection 220(11):

220(12) Sign volume will be calculated per frontage foot separately for each facade of the building. The per-frontage allocation cannot be combined between facades, and can only be transferred from one facade of a building to a facade without frontage.

(19) in subsection 230(3):

*(a) in clause (a), by adding "*and proportions*" after "*dimensions*";*

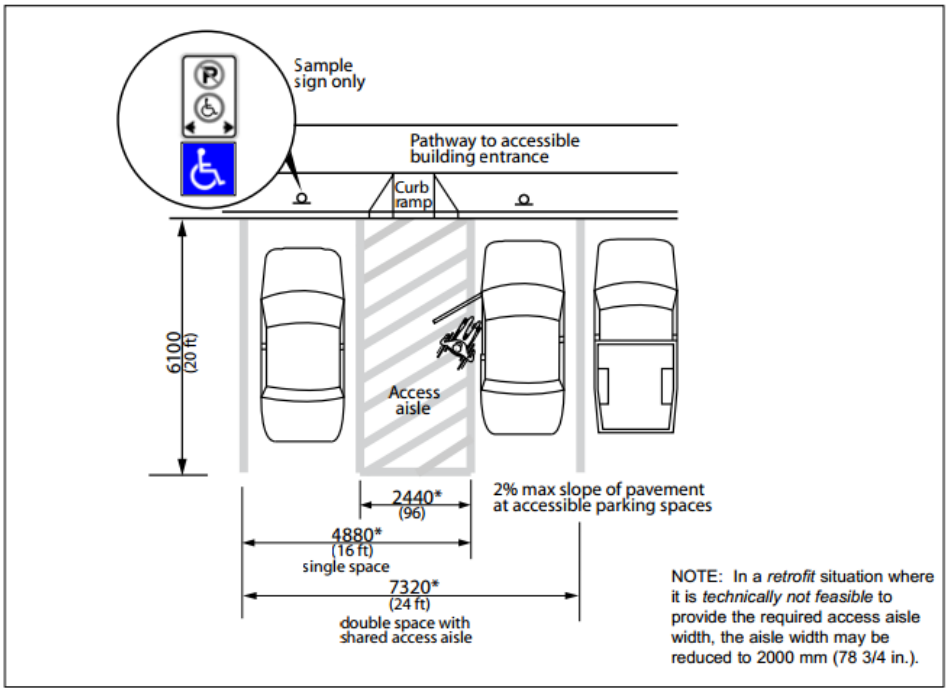
(b) In clause (a), by striking out the table and substituting the following:

<table>
<tr><td colspan="4">Aisles and Driveways minimum dimensions</td></tr>
<tr><td>One-way aisle</td><td>Two-way aisle</td><td colspan="2">Driveway</td></tr>
<tr><td>0 to 45 degree angle:
12 feet wide;</td><td rowspan="3">20 feet wide</td><td colspan="2" rowspan="3">12 feet wide (may be shared with loading driveway)</td></tr>
<tr><td>46 to 60 degree angle:
18 feet wide;</td></tr>
<tr><td>61 to 90 degree angle:
20 feet wide</td></tr>
<tr><td colspan="4">Parking Space minimum dimensions</td></tr>
<tr><td>Standard space</td><td>Accessible space*</td><td>Van accessible space*</td><td>Small car space**</td></tr>
<tr><td>8 feet wide; 18 feet long;
160 square feet in area;
7 feet high</td><td>10 feet wide;
20 feet long;

7 feet high</td><td>8+8 feet wide***;
20 feet long;

9 feet high</td><td>8 feet wide; 14 feet long;
128 square feet in area;
7 feet high</td></tr>
</table>

Minimum number of accessible and van accessible parking spaces based on number of standard spaces		
Standard spaces	Accessible spaces*	Van accessible spaces*
2-25	1	0
26-50	3	1
51-75	4	1
76-100	5	2
101-150	6	2
151-200	7	2
201-300	8	2
301-400	9	3
401-500	10	3
501-1000	2% of total	4
* - must include signage reserving the space for use by persons with disabilities ** - not exceeding 30% of total number of parking spaces provided *** - 8 foot wide space with an adjacent 8 foot wide wheelchair loading and maneuvering space that may be shared with an adjacent van accessible space as illustrated below		



(c) by adding the following after clause (b)(i):

(ii) offstreet parking facilities must provide a universally accessible route from any accessible parking space to an accessible building entrance or public sidewalk.

(d) by striking out subclauses (d)(i) and (ii) and substituting the following:

(i) screening of parking facilities must be provided where parking spaces are adjacent to public road frontages (excluding lanes), or where such facilities abut residential uses at grade;
(ii) screening must be comprised of a minimum 2.5 foot high building wall, fence of brick or decorative metal construction, or a combination of fencing and landscaping.

(e) by repealing clause (e);

(f) by striking out subclauses (f)(i) and (ii) and substituting the following:

(i) site lighting shall be designed and installed 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;
(ii) wall-mounted lights must have fully shielded luminaires to direct all light downward;
(iii) no owner may install or maintain a light source that is directed outward toward property boundaries or adjacent rights-of-way;
(iv) lighting must be directed downward except for low-voltage architectural, landscape and decorative lighting;
(v) 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;
(vi) the maximum permitted height of light fixtures is 35 feet.

(g) by adding the following after clause (f):

(g) landscaping:
(i) a landscaping plan must be submitted but may be combined with other required application materials if compliance with this section can be clearly demonstrated in the combined materials;
(ii) plant material must be able to withstand local climatic conditions, 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” and if located within 20 feet of a public street, must be of a salt-tolerant species;
(iii) deciduous trees shall be of minimum 2½ inch caliper, and of species that normally have lower branches at least 6 feet above grade at maturity;
(iv) planting medium for all trees shall be a minimum of 450 cubic feet in volume and 30 inches in depth;

(vi) all shrubs shall be minimum 2 gallon container size, and of species that can remain healthy when trimmed so as to maintain a height of not more than 30 inches at maturity;
(vii) surface parking areas adjacent to a public street must contain a minimum of one deciduous tree for each 20 feet of linear street frontage; 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;
(viii) installation of required landscaping and buffering is required before the parking area is open for use unless climate or weather conditions make installation impractical; 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;
(ix) 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;
(x) 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;
(xi) the owner must maintain each required landscape or buffer area with adequate drainage in order to provide appropriate conditions for plant growth and 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;
(xii) the owner must maintain all landscaping to avoid encroachment onto pedestrian walkways and to maintain a minimum clear distance of 9 feet above all pedestrian walkways.

(20) in subsection 250(1):

*(a) by adding "*including signs and murals," *after "*exterior alteration*".*

(21) in clause 250(7)(b):

*(a) by striking out "*15 storeys*" and substituting "*150 feet"

*(b) by striking out "*10 storeys*" and substituting "*100 feet".

(22) in subsection 250(8):

*(a) by striking out "*Plan Winnipeg*" and substituting "*OurWinnipeg*,* the *Complete Communities Direction Strategy*,"

(23) in subclause 250(10)(a)(i):

*(a) by striking out "*building*" and substituting "*buildings";

*(b) by striking out "*no*".*

(24) in subclause 250(10)(b)(i):

*(a) by striking out "*interations*" and substituting* "interactions*".*

(25) in clause 250(10)(d):

(a) by adding the following after subclause (iv):

(v) signs are expected to be of a high quality, well integrated with the character of the building or site; other forms such as fascia-mounted banners would be considered for temporary signage only, primarily for events, for new developments or redevelopments.

(26) by adding the following after clause 250(10)(d):

(e) Vacant Land:

(i) demolition without plans for new development may be approved provided the vacant lot will be compatible with the area and will not create pressures for surface parking on the site;

(ii) if demolition is approved, the site must be improved in accordance with the conditions of Urban Design Review immediately following demolition;

(iii) minimum improvements should include the site being leveled and sodded, any private approaches removed, with the curb and sidewalk restored, and fencing installed as necessary to prevent vehicular access.

(27) in subsection 310(2), under RESIDENTIAL AND RESIDENTIAL RELATED*:*

*(a) by striking out "*or if adjacent to*" and substituting* "abutting*";*

*(b) by striking out "*Broadway".

(28) in subsection 310(2), under RESTRICTED*:*

*(a) for X-rated store, by striking out the designation "*P*" and substituting "*C";

*(b) by striking out "*Massage" *and substituting "*Body rub".

(29) in subsection 310(2), under ACCESSORY*:*

*(a) by striking out "*Parking, to all uses offstreet at-grade not exceeding greater of 10 parking spaces or 40% of lot area, to all uses offstreet above-or below-grade, no restrictions" *and substituting "*Parking offstreet at-grade*, to all uses"*;*

*(b) by adding the following row below "*Parking offstreet at-grade*, to all uses":

Parking off street above/below grade, to all uses	A

(c) by adding the following row at the bottom:

* - conditional if abutting Main Street, Portage Avenue or Graham Avenue, or if exceeding 10% of lot area, when visible from the street

(30) in subsection 320(2):

(a) by striking out the table and substituting the following:

MULTIPLE-USE SECTOR	GENERAL	PORTAGE AVENUE MAIN STREET PROPERTIES	BROADWAY PROPERTIES
Building Height Minimum‡	25 feet	35 feet	35 feet
Building Height Maximum****	Not applicable	Not applicable	Not applicable
Floor Area Ratio Maximum	12	15	12
Front, Side, Corner Side Yards‡	Not applicable	Not applicable	12 feet front and corner side yard minimum***
Residential Uses Interior Side Yards Minimum*‡	10-50 feet in height: 10 feet	10-50 feet in height: 10 feet	10-50 feet in height: 10 feet
	above 50 feet in height: 20 feet	above 50 feet in height: 20 feet	above 50 feet in height: 20 feet
Residential Uses Rear Yards Minimum‡**	20 feet	20 feet	20 feet

* - no interior side yard is required when no doors, windows, or other openings are provided in the wall facing the adjacent property and in the adjacent property wall (see section 210)

** - for up to 50 feet in building height, 20 foot minimum rear yard may be calculated from the building wall to the mid-point of the public road or lane (see section 210)

*** - front yard is not required for canopies; front yard is not required for exterior stairs, podiums,

or seating areas less than 4 feet in height or signs less than 10 feet in height. **** - building heights may be limited by 'Building Height Control Area: Legislative Core – Winnipeg' Public Works Act restrictions [see subsection 210(13)] ‡ - not applicable to all or part of an existing structure converting to a residential use

(31) in clause 330(2)(a):

(a) by striking out the table and substituting the following:

USE IDENTIFICATION TYPE		**BASIC**	**PORTAGE AVENUE AND MAIN STREET PROPERTIES**	**BROADWAY PROPERTIES**
Total Sign Volume		4 square feet per frontage foot	5 square feet per frontage foot	2 square feet per frontage foot
Sign Form	Attached	All	All	All, except digital signs
	Free-standing	podium, ground-oriented	podium, ground-oriented	podium, ground-oriented, except digital signs
Sign Size Maximum		Not applicable	Not applicable	Not applicable
Sign Structure Height Maximum, Free-standing		4 feet	4 feet	4 feet
Sign Location Attached		Below 25 feet in height	Below 25 feet in height	Below 25 feet in height

(32) in clause 330(2)(b):

(a) by striking out the table and substituting the following:

BUILDING IDENTIFICATION TYPE		**BASIC**	**PORTAGE AVENUE AND MAIN STREET PROPERTIES**	**BROADWAY PROPERTIES**
Total Sign Volume		2% of building wall*	2% of building wall*	2% of building wall*
Sign Form	Attached	All, except digital signs	All, except digital signs	Fascia, projecting, marquee, except digital signs
	Free-standing	podium, ground-oriented, except digital signs	Podium, ground-oriented, except digital signs	podium, ground-oriented, except digital signs
Sign Size Maximum		Not applicable	Not applicable	Not applicable
Sign Structure Height Maximum, Free-standing		4 feet	4 feet	4 feet
Sign Location	Attached	1 sign per building wall maximum**	Not applicable	1 sign per building wall maximum**
	Free-standing	1 sign per public road frontage maximum	1 sign per public road frontage maximum	1 sign per public road frontage maximum

* - 64 square foot maximum sign size, when 2% of building wall calculation results in less than 64 square feet ** - does not apply to those signs located below 25 feet in height

(33) in clause 330(2)(c):

(a) by striking out the table and substituting the following:

EVENT TYPE*		BASIC	PORTAGE AVENUE AND MAIN STREET PROPERTIES	BROADWAY PROPERTIES
Total Sign Volume		Not applicable	Not applicable	Not applicable
Sign Form	Attached	Fascia, projecting, marquee, projection	Fascia, projecting, marquee, projection	Fascia, projecting, marquee, except digital signs
	Free-standing	podium, ground-oriented,	podium, ground-oriented,	podium, ground-oriented, except digital signs
Sign Size Maximum		128 square feet	128 square feet	64 square feet
Sign Structure Height Maximum, Free-standing		4 feet	4 feet	4 feet
Sign Location	Attached	Below 25 feet in height	Not applicable	Below 25 feet in height
	Free-standing	1 sign per public road frontage maximum	2 signs per public road frontage maximum	1 sign per public road frontage maximum
* - can only be established in conjunction with "Cultural & Entertainment" uses				

(34) in clause 330(2)(d):

*(a) beside "*Sign Location*", by striking out all the wording to the right of "*Attached*" and the horizontal dividing line and substituting "*Below 25 feet in height*".*

(35) in clause 330(2)(e):

*(a) beside "Sign Location", by striking out all the wording to the right of "*Attached*" and the horizontal dividing line and substituting "*Below 25 feet in height*".*

(36) in section 400:

*(a) by striking out "*separation o uses-in these diverse areas*" and substituting "*separation of uses in these diverse areas*".*

(37) in subsection 410(2), under RESIDENTIAL AND RESIDENTIAL RELATED*:*

*(a) by striking out "*or if adjacent to the following public Roads. Main Street, Osborne Street, Memorial Boulevard, Broadway*" and substituting "*abutting Main Street*".*

(38) in subsection 410(2), under COMMERCIAL SALES & SERVICE*:*

*(a) for Restaurant, by striking out the designation "*P*"* and substituting *"*P***"*;

(b) by adding at the bottom of the table "*** - conditional if not directly accessible from public sidewalk or if exceeding 10,000 square feet of floor area*".*

(39) in subsection 410(2), under RESTRICTED*:*

*(a) by striking out "*Massage" *and substituting "*Body rub".

(40) in subsection 410(2), under ACCESSORY*:*

*(a) by striking out "*Parking, to all uses offstreet at-grade not exceeding greater of 10 parking spaces or 40% of lot area*, to all uses offstreet above-or below-grade, no restrictions" *and substituting "*Parking offstreet at-grade*, to all uses"*;*

*(b) by adding the following row below "*Parking offstreet at-grade*, to all uses":

Parking off street above/below grade, to all uses	A

*(c) by adding the following row below "*Micro-brewery/winery/distillery, to Restaurant":

Outdoor drinking and dining, to Drinking Establishment	A**

*(d) by striking out "** - Not exceeding lesser of 10 parking spaces or 20% of lot area in Exchange District National Historic Site" *and substituting* "* - conditional if abutting Main Street, or if exceeding 10% of lot area, when visible from the street
** - conditional if exceeding 1000 square feet in area*".*

(41) in subsection 420(2):

(a) by striking out the table and substituting the following:

CHARACTER SECTOR	GENERAL	WAREHOUSE PROPERTIES	MAIN STREET LOMBARD AVE. PROPERTIES	WATER AVENUE PROPERTIES
Building Height Minimum‡	25 feet	25 feet	35 feet	25 feet
Building Height Maximum****	100 feet	100 feet	150 feet	Not applicable
Floor Area Ratio Maximum	n/a	n/a	n/a	12

Front, Side, Corner Side Yards‡	Not applicable	5 foot front and corner side maximum***	5 foot front and corner side maximum***	Not applicable
Residential Uses Interior Side Yards Minimum*‡	10-50 feet in height: 10 feet	10-50 feet in height: 10 feet	10-50 feet in height: 10 feet	10-50 feet in height: 10 feet
	above 50 feet in height: 20 feet	above 50 feet in height: 20 feet	above 50 feet in height: 20 feet	above 50 feet in height: 20 feet
Residential Uses Rear Yards Minimum‡**	20 feet	20 feet	20 feet	20 feet

* - no interior side yard is required when no doors, windows, or other openings are provided in the wall facing the adjacent property and in the adjacent property wall (see section 210)

** - for up to 50 feet in building height, 20 foot minimum rear yard may be calculated from the building wall to the mid-point of an existing public road or lane (see section 210)

*** - applies to minimum 50% of building wall length

**** - building heights may be limited by 'Building Height Control Area: Legislative Core - Winnipeg' Public Works Act restrictions [see subsection 210(13)]

‡ - not applicable to all or part of an existing structure converting to a residential use

(42) in clause 430(2)(a):

(a) by striking out the table and substituting the following:

USE IDENTIFICATION TYPE		**WAREHOUSE**	**LEGISLATURE**	**THE FORKS**
Total Sign Volume		3 square feet per frontage foot	3 square feet per frontage foot	3 square feet per frontage foot*
Sign Form	Attached	All, except digital signs	All, except digital signs	All, except digital signs
	Free-standing	Not applicable	Podium, ground-oriented, except digital signs	Podium, ground-oriented, except digital signs
Sign Size Maximum		Not applicable	Not applicable	Not applicable
Sign Structure Height Maximum, Free-standing		Not applicable	4 feet	4 feet
Sign Location, Attached		Below 25 feet in height	Below 25 feet in height	Below 25 feet in height

* - where property does not have frontage on a public road, 300 square foot total per building

(43) in clause 430(2)(b):

(a) by striking out the table and substituting the following:

BUILDING IDENTIFICATION TYPE		WAREHOUSE	LEGISLATURE	THE FORKS
Total Sign Volume		2% of building wall*	2% of building wall*	2% of building wall*
Sign Form	Attached	All	All	All
	Free-standing	Roof, except digital signs	Podium, ground-oriented, except digital signs	Podium, ground-oriented, except digital signs
Sign Size Maximum		Not applicable	Not applicable	Not applicable
Sign Structure Height Maximum, Free-standing		10 feet above parapet	4 feet	4 feet
Sign Location	Attached	1 sign per building wall maximum**	1 sign per building wall maximum**	1 sign per building wall maximum**
	Free-standing	1 sign per public road frontage maximum	1 sign per public road frontage maximum	1 sign per public road frontage maximum***
* - 48 square foot maximum sign size, when 2% of building wall calculation results in less than 48 square feet ** - does not apply to those signs located below 25 feet in height *** - where property does not have frontage on public road, 2 signs per building maximum				

(44) in clause 430(2)(c):

(a) by striking out the table and substituting the following:

EVENT TYPE*		WAREHOUSE	LEGISLATURE	THE FORKS
Total Sign Volume		Not applicable	Not applicable	Not applicable
Sign Form	**Attached**	Fascia, projecting, marquee, projection	Fascia, projecting, marquee, projection	Fascia, projecting, marquee, projection
	Free-standing	Podium, ground-oriented	Podium, ground-oriented	Podium, ground-oriented
Sign Size Maximum		64 square feet	64 square feet	96 square feet
Sign Structure Height Maximum Free-standing		4 feet	4 feet	4 feet
Sign Location	**Attached**	Below 25 feet in height	Below 25 feet in height	Below 25 feet in height
	Free-Standing	1 sign per public road frontage maximum	1 sign per public road frontage maximum	1 sign per public road frontage maximum**
* - can only be established in conjunction with "Cultural & Entertainment" uses ** - where property does not have frontage on a public road, 2 signs per building maximum				

(45) in clause 430(2)(d):

*(a) in the right-hand table heading, by striking out "*AVNUE*" and substituting "*AVENUE*".*

*(b) beside "*Sign Location*", under both "BASIC" and "WATER AVENUE AND PIONEER AVENUE PROPERTIES", by striking out all the wording to the right of "Attached" and the horizontal dividing line and substituting "*Below 25 feet in height*".*

(46) in clause 430(2)(e):

*(a) beside "*Sign Location*", by striking out all the wording to the right of "Attached" and the horizontal dividing line and substituting "*Below 25 feet in height*".*

(47) in subsection 510(2), under RESTRICTED*:*

*(a) by striking out "*Massage*" and substituting "*Body rub".

(48) in subsection 510(2), under ACCESSORY*:*

*(a) by striking out "*Parking, to all uses offstreet at-grade not exceeding greater of 10 parking spaces or 40% of lot area*, to all uses offstreet above-or below-grade, no restrictions" *and substituting "*Parking offstreet at-grade*, to all uses"*;*

*(b) by adding the following row below "*Parking offstreet at-grade*, to all uses":

Parking off street above/below grade, to all uses	A

*(a) by striking out "*not exceeding lesser of 10 parking spaces or 20% of lot area in Exchange District National Historic Site" *and substituting "*conditional if exceeding 10% of lot area, when visible from the street"

(49) in subsection 520(1):

*(a) in the last sentence, by adding "*and selected streets in the South Broadway area*" after "*Waterfront area*".*

(50) in subsection 520(2):

(a) by striking out the table and substituting the following:

DOWNTOWN LIVING SECTOR	GENERAL	WATERFRONT DRIVE PROPERTIES	SOUTH BROADWAY SUB-SECTOR -see map below
Building Height Minimum‡	25 feet	25 feet	25 feet
Building Height Maximum****	Not applicable	100 feet	60 feet‡‡
Floor Area Ratio Maximum	8	Not applicable	Not applicable
Front Side, Corner Side Yards‡	Not applicable	5 foot front and corner side maximum***	Not applicable
Residential Uses Interior Side Yards Minimum*‡	10-50 feet in height: 10 feet	10-50 feet in height: 10 feet	10-50 feet in height: : 10 feet
	above 50 feet in height: 20 feet	above 50 feet in height: 20 feet	above 50 feet in height: 20 feet
Residential Uses Rear yards Minimum‡**	20 feet	20 feet	20 feet

* - no interior side yard is required when no doors, windows, or other openings are provided in the wall facing the adjacent property and in the adjacent property wall (see section 210)

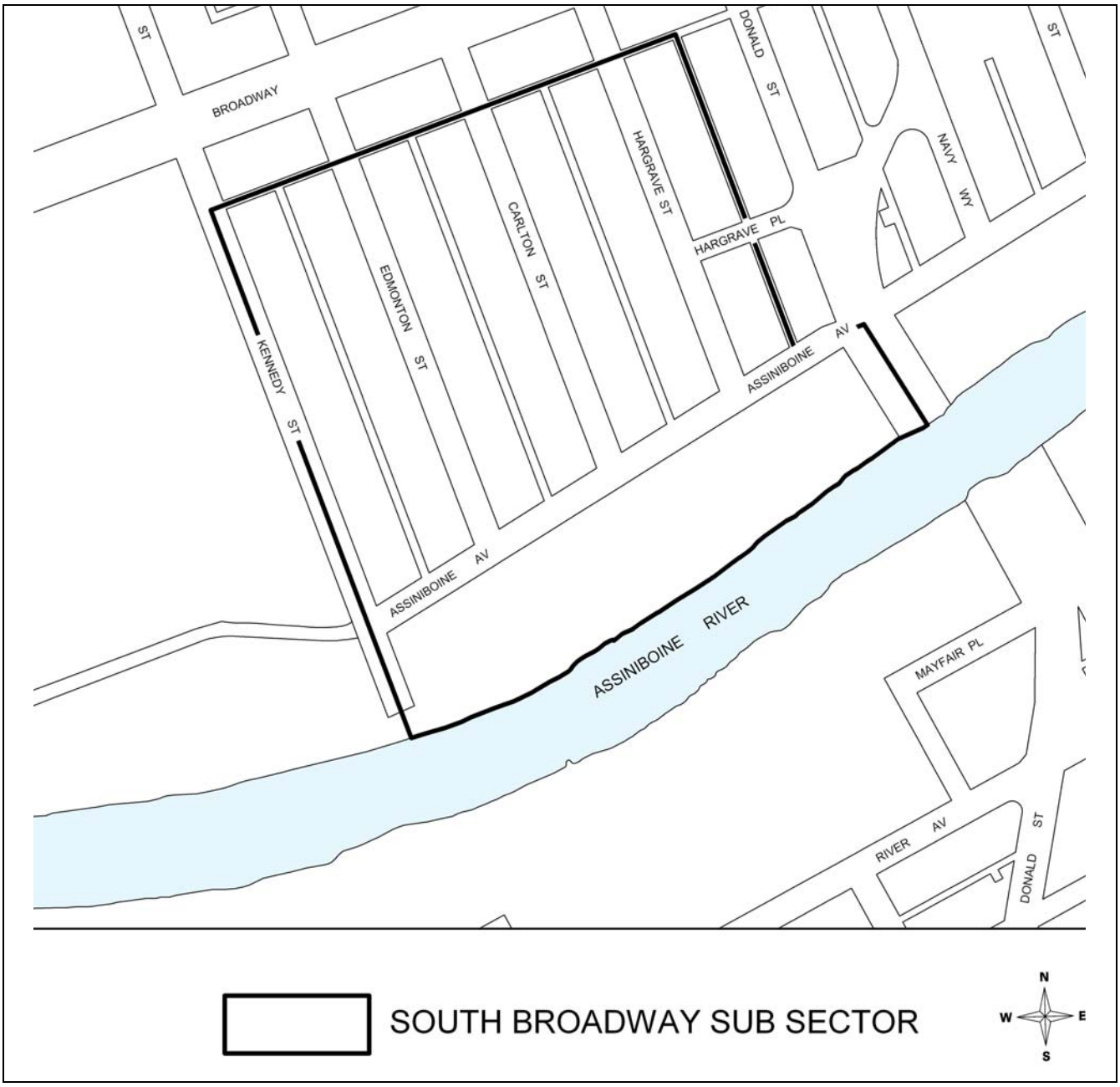
** - for up to 50 feet in building height, 20 foot minimum rear yard may be calculated from the building wall to the mid-point of an existing public road or lane (see section 210)

*** - applies to minimum 50% of building wall length

**** - building heights may be limited by 'Building Height Control Area: Legislative Core – Winnipeg' Public Works Act restrictions [see subsection 210(13)]

‡ - not applicable to all or part of an existing structure converting to a residential use

‡‡ - 100 feet on corner lots


ST
BROADWAY
DONALD ST
ST
NAVY WY
HARGRAVE ST
HARGRAVE PL
CARLTON ST
EDMONTON ST
KENNEDY ST
ASSINIBOINE AV
ASSINIBOINE AV
ASSINIBOINE RIVER
MAYFAIR PL
RIVER AV
DONALD ST
SOUTH BROADWAY SUB SECTOR
N
W
E
S

(51) in clause 530(2)(a):

(a) by striking out the table and substituting the following:

USE IDENTIFICATION TYPE		BASIC	WATERFRONT DRIVE
Total Sign Volume		2 square feet per frontage foot	3 square feet per frontage foot
Sign Form	Attached	All, except digital signs	All, except digital signs
	Free-standing	Podium, ground-oriented, except digital signs	Podium, ground-oriented, except digital signs
Sign Size Maximum		32 square feet	Not applicable
Sign Structure Height Maximum, Free-standing		4 feet	4 feet
Sign Location, Attached		Below 25 feet in height	Below 25 feet in height

(52) in clause 530(2)(b):

(a) by striking out the table and substituting the following:

BUILDING IDENTIFICATION TYPE		BASIC	WATERFRONT DRIVE
Total Sign Volume		1.5% of building wall*	2% of building wall**
Sign Form	Attached	Fascia, awning, canopy, except digital signs	All, except digital signs
	Free-standing	Podium, ground-oriented, except digital signs	Podium, ground-oriented, except digital signs
Sign Size Maximum		Not applicable	Not applicable
Sign Structure Height Maximum, Free-standing		4 feet	4 feet
Sign Location	Attached	1 sign per building wall maximum***	1 sign per building wall maximum***
	Free-standing	1 sign per public road frontage maximum	1 sign per public road frontage maximum

* - 48 square foot maximum sign size, when 1.5% of building wall calculation results in less than 48 square feet

** - 48 square foot maximum sign size, when 2% of building wall calculation results in less than 48 square feet

*** - does not apply to those signs located below 25 feet in height

(53) in clause 530(2)(c):

(a) by striking out the table and substituting the following:

EVENT TYPE*		BASIC	WATERFRONT DRIVE
Total Sign Volume		Not applicable	Not applicable
Sign Form	Attached	Fascia, projecting, marquee, except digital signs	Fascia, projecting, marquee, except digital signs
	Free-standing	Podium, ground-oriented, except digital signs	Podium, ground-oriented, except digital signs
Sign Size Maximum		48 square feet	64 square feet

Sign Structure Height Maximum, Free-standing		4 feet	4 feet
Sign Location	Attached	Below 25 feet in height	Below 25 feet in height
	Free-standing	1 sign per property maximum	1 sign per public road frontage maximum
* - can only be established in conjunction with "Cultural & Entertainment" uses			

(54) in clause 530(2)(d):

*(a) beside "*Sign Location*", by striking out all the wording to the right of "*Attached*" and the horizontal dividing line and substituting "*Below 25 feet in height".

(55) in clause 530(2)(e):

*(a) beside "*Sign Location*", by striking out all the wording to the right of "*Attached*" and the horizontal dividing line and substituting "*Below 25 feet in height".

(56) in subsection 610(2), under RESTRICTED*:*

*(a) by striking out "*Massage" *and substituting "*Body rub".

(57) in subsection 610(2), under ACCESSORY*:*

*(a) by striking out "*Parking, to all uses offstreet at-grade not exceeding greater of 10 parking spaces or 40% of lot area, to all uses offstreet above-or below-grade, no restrictions" *and substituting "*Parking offstreet at-grade*, to all uses"*;*

*(b) by adding the following row below "*Parking offstreet at-grade*, to all uses":

Parking off street above/below grade, to all uses	A

(c) by adding the following row at the bottom:

* - conditional if exceeding 10% of lot area, when visible from the street

(58) in subsection 620(2):

*(a) by striking out "*4 storey*" and substituting "*50 feet".

(59) in clause 630(2)(a):

*(a) by adding "*except <u>digital signs</u>*" after "*All"*;*

*(b) beside "*Sign Location, Attached"*, by striking out all the wording under "*BASIC*" and substituting "*Below 25 feet in height".

(60) in clause 630(2)(b):

(a) by striking out the table and substituting the following:

BUILDING IDENTIFICATION TYPE		BASIC
Total Sign Volume		1.5% of building wall*
Sign Form	Attached	Fascia, awning, canopy, except digital signs
	Free-standing	Podium, ground-oriented, except digital signs
Sign Size Maximum		Not applicable
Sign Structure Height Maximum, Free-standing		4 feet
Sign Location	Attached	1 sign per building wall maximum**
	Free-standing	Not applicable
* - 48 square foot maximum sign size, when 1.5% of building wall calculation results in less than 48 square feet ** - does not apply to those signs located below 25 feet in height		

(61) in clause 630(2)(c):

(a) by striking out the table and substituting the following:

EVENT TYPE*		BASIC
Total Sign Volume		Not applicable
Sign Form	Attached	Fascia, projecting, marquee, except digital signs
	Free-standing	Podium, ground-oriented, except digital signs
Sign Size Maximum		48 square feet
Sign Structure Height Maximum, Free-standing		4 feet
Sign Location	Attached	Below 25 feet in height
	Free-standing	1 sign per property Maximum
* - can only be established in conjunction with "Cultural & Entertainment" uses		

(62) in clause 630(2)(d):

*(a) beside "*Sign Location*", by striking out all the wording to the right of "*Attached*" and the horizontal dividing line and substituting "*Below 25 feet in height*".*

(63) in clause 630(2)(e):

*(a) beside "*Sign Location*", by striking out all the wording to the right of "*Attached*" and the horizontal dividing line and substituting "*Below 25 feet in height*".*

(64) in subsection 700(2):

*(a) by striking out the definition of "*CentrePlan*" and substituting "*CentrePlan is the City's Downtown plan. It articulates the long-term vision for the downtown, together with strategies intended to see the vision realized over the long-term. It is to be read in conjunction with the OurDowntown section of the Complete Communities Direction Strategy."

*(b) by adding the following definition after the definition "*CentrePlan*":*

"Complete Communities Direction Strategy"
Means the city-wide secondary plan and companion document to OurWinnipeg, adopted by Council.

*(c) in the definition "*foot*", by striking out "*03.4080*" and substituting "*0.3048*";*

*(d) by adding the following definitions after the definition "*lot width*":*

"mural"
Means a graphic or message of a non-commercial nature. Includes vinyl building wraps, banners, paintings, and images in windows that cover over 50% of a glazed surface (measured between mullions).

"OurWinnipeg"
Means the development plan adopted by Council in accordance with The City of Winnipeg Charter.

*(e) by repealing the definition "*Plan Winnipeg*";*

*(f) by adding the following definition after the definition "*temporary building*":*

"universally accessible route"
Means a continuous path of travel not exceeding 5% longitudinal slope or 4% cross slope, unobstructed by vertical or overhanging elements.

(65) in subsection 700(3):

*(a) by striking out the definition of "*adult entertainment*" and substituting "*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, or an "x-rated store".

*(b) by striking out the definition of "*amusement establishment, indoor*" and substituting "*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*."*

*(c) by striking out the definition of "*banquet hall*" and substituting "*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."

*(d) by adding the following definition after the definition "*banquet hall*":*

"body rub parlour"

Means a body rub parlour as defined in the *Doing Business in Winnipeg By-Law.*

*(e) by striking out the definition of "*dance hall*" and substituting "*Means any building, room or portion of a building which is used for dancing and to which an admission is charged or at which any fee or monetary contribution is received from persons in attendance but does not include
(a) a "school"
(b) a "community/recreation centre/primarily participant" where the only dances permitted or conducted in that building relate to the activities of the school or the community centre or are for a charitable object; or
(c) space where dancing is permitted within a "restaurant", "hotel", "banquet hall" or "studio for artists/dancers/designers/musicians/photographers*".*

*(f) by striking out the definition of "*dating & escort service*" and substituting "*Means an escort agency as defined in *The Doing Business in Winnipeg By-Law.*"

*(g) in the definition "*hostel*", by striking out "City of Winnipeg License By-Law" and substituting "Doing Business in Winnipeg By-Law."*

(h) by repealing the definition "massage parlour";

*(i) by striking out the definition of "*x-rated store*" and substituting "*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.*"*

(66) in subsection 700(4):

*(a) by adding the following definition after the definition "*copy area*":*

"digital sign"
Means a sign with changeable or animated copy displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light emitting diode displays, or any other electronic technology, and may be incorporated within any of the Sign Forms described below.

*(b) by striking out the definition of "*event sign*" and substituting "*Means a sign that promotes an event scheduled for a venue located on the same property or promotes informational or cultural content associated with a cultural or entertainment entity on the same property. May include third-party sponsor's content constituting no more than 10% of display time or copy area. Event signs are associated with "Cultural & Entertainment" use category only.*"*

*(c) in the definition "*ground-oriented sign*", by striking out "*10 feet" *and substituting "*4 feet";

*(d) by adding the following definition after the definition "*projecting sign*":*

"projection sign"
Means a sign image or message in light on a building surface created by a projector on the same property or an adjacent property. May be static or animated.

(e) by repealing the definition "pylon sign".

DONE AND PASSED this day of , 2014.

Mayor

City Clerk

Approved as to planning details:

for Director of Planning, Property and Development

Approved as to form:

for Director of Legal Services and City Solicitor