Agenda – Standing Policy Committee on Downtown Development, Heritage and Riverbank Management – September 21, 2015

REPORTS

Item No. 1 Downtown Zoning By-law Review 2015

WINNIPEG PUBLIC SERVICE RECOMMENDATION:

1. That Council direct the Winnipeg Public Service to make application for the omnibus set of text amendments to the Downtown Winnipeg Zoning By-law No.100/2004 (the "Downtown Zoning By-law"), in accordance with Appendix "A" attached hereto;

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

ADMINISTRATIVE REPORT

Title: ***Downtown Zoning By-law Review 2015***

Critical Path: **Standing Policy Committee on Downtown Development, Heritage and Riverbank Management → Executive Policy Committee → Council**

AUTHORIZATION

Author	Department Head	CFO	CAO/COO
B. Smith	M. Pittet	N/A	M. Jack COO

RECOMMENDATIONS

1. That Council direct the Winnipeg Public Service to make application for the omnibus set of text amendments to the Downtown Winnipeg Zoning By-law No.100/2004 (the "Downtown Zoning By-law"), in accordance with Appendix "A" attached hereto;

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

As part of the *OurWinnipeg* Implementation Plan, the Winnipeg Public Service has committed to reviewing the City's two zoning by-laws, the Winnipeg Zoning By-law No. 200/2006 and the Downtown Zoning By-law, on a regular basis to address any errors and omissions, along with issues of clarity or alignment with *OurWinnipeg* and *Complete Communities* policies.

Council has approval authority for by-law amendments.

EXECUTIVE SUMMARY

The Winnipeg Public Service proposes a short list of amendments to the Downtown Zoning By-Law, most of which are for added clarification. In some cases, the amendment will alter an interpretation to better align with the original intent and existing policy. The Winnipeg Public Service also proposes a number of changes to address errors, to align with Winnipeg Zoning By-law 200/2006 and *Complete Communities*, and to improve the functionality of the Downtown Zoning By-law.

IMPLICATIONS OF THE RECOMMENDATIONS

Following Council endorsement of the proposed Downtown Zoning By-law changes, the Winnipeg Public Service will prepare the corresponding amendments and advertise them in accordance with statutory requirements for a public hearing to be held at Standing Policy Committee on Downtown Development, Heritage and Riverbank Management.

HISTORY / DISCUSSION

In 2013, the Winnipeg Public Service brought forward a report on amendments to the Downtown Zoning By-law in light of a review of digital sign regulations across Canada and a review of alignment issues with the *Complete Communities Direction Strategy*. 15 issues were identified and a number of specific changes were recommended. The Standing Policy Committee on Downtown Development, Heritage and Riverbank Management recommended that the changes be endorsed and Council concurred with that recommendation.

In 2014, a public hearing was held on the proposed amendments to the Downtown Zoning By-law. The Standing Policy Committee on Downtown Development, Heritage and Riverbank Management supported the amendments and Council adopted the amendments on May 27, 2014.

Since the spring of 2014, the Winnipeg Public Service has continued tracking errors and issues with the Downtown Zoning By-law. The table in Appendix "A" identifies each section that is proposed to be amended. Each proposed change is categorized under one or more the following:

- **Correction** – includes spelling errors and confusing or missing wording. In some instances, issues with wording have resulted in unintended application of the regulations. As an example, at-grade accessory parking over a certain size was supposed to be subject to the conditional use process when adjacent to a public sidewalk. However, the use of the phrase "visible from the street" instead of "adjacent to a street" resulted in an unintentional exemption for enclosed parking garages.
- **Clarification** – includes opportunities to add additional text or more specific language to minimize potential confusion. Except for the accessory parking example noted above, these changes do not affect zoning entitlements or how the regulations are administered.
- **Policy Alignment** – indicates where a proposed change improves alignment with *OurWinnipeg*, *Complete Communities* or other companion policy documents.
- **Alignment with Winnipeg Zoning By-law 200/2006** – includes standards that already existing under our city-wide zoning by-law that would be equally applicable to the Downtown.
- **Functional Improvements** – includes tweaks to the regulations to achieve better results in the built product and/or a more streamlined, predictable process.

FINANCIAL IMPACT

Financial Impact Statement Date: August 13, 2015

Project Name:

Downtown Zoning By-Law Review 2015

COMMENTS:

There are no financial implications associated with the recommendations in this report.

"Original Signed By"
Cheryl Turman, CPA, CA
Acting Manager of Finance

CONSULTATION

In preparing this report there was consultation with:

- Legal Services

OURWINNIPEG POLICY ALIGNMENT

Complete Communities Direction Strategy, Section 03-1 – OurDowntown

- Changes affecting accessory parking and mixed use parking structures are supported by Section 03-1f, Direction 3:
  Support viable alternatives to Downtown surface parking as recommended through the city's Sustainable Transportation Direction Strategy *and through the development of a* Downtown Parking Strategy *(Underway) in order to:*
  - *increase economic activity in and around strategically located mixed-use parking structures;*
  - *provide a continuity of pedestrian-oriented services and amenities at street level.*
- Changes to Building Identification signs are supported by Section 03-1e, Direction 1:
  Promote exemplary urban design in Downtown development projects.
  - *Support the introduction of design elements, such as wayfinding signage, views and landmarks into development projects to distinguish and enhance character and 'sense of place.'*
- Other changes are intended to improve consistency and predictability for Downtown stakeholders with respect to development and design.

SUBMITTED BY

Department: Planning, Property, and Development
Division: Urban Planning
Prepared by: Kurtis Kowalke
Date: August 27, 2015
File No.

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Appendix:

A. Summary of Proposed Downtown Zoning By-law Amendments

APPENDIX A: Summary of Proposed Downtown Zoning By-law Amendments