Minute No. 209
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 7, 2017

Item No. 3 Correction of an Error in Winnipeg Zoning By-law No. 200/2006 Associated with Dimensional Standards Updated under DAZ 214/2016

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development Committee and adopted the following:

1. That an amendment to the Winnipeg Zoning By-law No. 200/2006 (draft amending by-law is attached as Attachment "A") be enacted to correct an error in dimensional standards Table 5-4.

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 7, 2017

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 15, 2017, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 7, 2017, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: Correction of an error in Winnipeg Zoning By-law No. 200/2006 associated with dimensional standards updated under DAZ 214/2016

Critical Path: Standing Policy Committee on Property and Development, Heritage, and Downtown Development – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	J. Kiernan	n/a	D. McNeil

EXECUTIVE SUMMARY

The Winnipeg Public Service recommends that Council enact an amendment as a correction to the Winnipeg Zoning By-law. The error relates to the indication of minimum and maximum dimensional standards for “RMF” and “RMU” zoning districts. The issue is primarily one of formatting, and no changes to entitlements would result from either the error or its correction.

RECOMMENDATIONS

1) That Council enact an amendment to the Winnipeg Zoning By-law No. 200/2006 (draft amending by-law is attached as Attachment “A”) to correct an error in dimensional standards Table 5-4.

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

This report addresses the correction of a formatting error created in the incorporation of the Transit-Oriented Development Zoning District via DAZ 214/2016 under amending By-law No. 135/2016.

A correction to the Winnipeg Zoning By-law requires final approval by Council, but is not subject to a public hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations are concurred in, the revised dimensional standards Table 5-4 from Attachment "A" will be incorporated into the Winnipeg Zoning By-law, which will properly reflect the dimensional standards for residential mixed use and multi-family zoning districts as they were prior to the enactment of amending By-law No. 135/2016.

HISTORY/DISCUSSION

December 14, 2016, Council enacted By-law No. 135/2016, which amended the Winnipeg Zoning By-law to introduce the Transit-Oriented Development (TOD) Zoning District. Upon consolidation of the changes and use of the updated Winnipeg Zoning By-law, a formatting error was identified.

Because TOD emphasizes buildings up to the sidewalk with minimal setbacks, the dimensional standards table needed to be reformatted to include both minimum yard setbacks and maximum yard setbacks. Similarly, minimum and maximum building heights were incorporated for TOD. In two of the columns the minimum and maximum values were reversed. In another column, only one value is shown. See image below.

As an error, the formatting issue is not deemed to impact entitlements. Since File No. DAZ 214/2016 did not advertise changes to "RMF" and "RMU" zoning standards, it is not possible to incorporate changes to those standards.

TABLE 5-4: Dimensional Standards for Multi-Family Districts – *(to be replaced)*

Zoning District and Designation	Minimum Lot Area (Sq. Ft.)	Minimum Lot Area Per Dwelling Unit (Sq. Ft.)	Minimum/ Maximum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Interior Side Yard (Ft.)	Minimum/ Maximum Corner Side Yard (Ft.)	Principal Building Separation (Ft.) [note a]	Minimum/ Maximum Building Height (Ft.)
Multi-Family Residential Structures								
RMF-S	9,000	1,250	20 / NA	25	4	0 / 5	8	NA / 35
RMF-M	9,000	800	25 / NA	25	8 **[note b]**	0 / 20	8	NA / 60
RMF-L	20,000	400	25 / NA	25	8 **[note b]**	0 / 20	8	NA / 150
RMU	9,000	500	20 / NA	25	5 **[note b]**	0 / 20	8	NA / 100
TOD	NA	200	NA / 10 [note c]	25	5 **[note b]**	NA / 10 [note c]	8	30 / 200
Single-family residential structures must meet the requirements of the R1-M zoning district								
Two-family residential structures must meet the requirements of the R2 zoning district								
Principal Non-Residential Structures								
RMF-S, RMF-M, RMF-L	20,000	NA	0 / 25	25	8	0 / 20	NA	35
RMU	9,000	NA	0 / 20	25	5	0 / 20	NA	39
TOD	NA	NA	NA / 10	25	0	NA / 10	NA	30 / 200

Cells highlighted where minimums/maximums are reversed or not identified

FINANCIAL IMPACT

Financial Impact Statement **Date:** January 5, 2017

Project Name:

Correction of an error in Winnipeg Zoning By-law No. 200/2006 associated with dimensional standards updated under DAZ 214/2016

COMMENTS:

There are no financial implications associated with this report.

"Original Signed By"
Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

The Legal Services Department was consulted as to legal issues.

OURWINNIPEG POLICY ALIGNMENT

N/A

SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning
Prepared by: Kurtis Kowalke, Senior Planner
Date: January 4, 2017
File No:

Attachments:

1. Attachment “A” – Amending By-law

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By-law No. /2016

ATTACHMENT "A" – Amending By-law



E&O Amending
By-law - Winnipeg Zo