Appendix A – Draft Amending By-law

THE CITY OF WINNIPEG

BY-LAW NO. /2021

A By-law of THE CITY OF WINNIPEG to amend the Downtown Winnipeg Zoning By-law and the Winnipeg Zoning By-law to facilitate urban agriculture.

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

PART 1
DOWNTOWN WINNIPEG ZONING BY-LAW

Downtown Winnipeg Zoning By-law

1 The Downtown Winnipeg Zoning By-law No. 100/2004 is amended by this Part.

Subsection 200(5) amended

2 Subsection 200(5) is amended

(a) in clause (h), by adding "*outdoor urban agriculture*" after "*outdoor recreation facilities and trails,*"; and

(b) in clause (i), by adding "*indoor urban agriculture*" after "*small-scale and low-impact manufacturing uses,*".

Subsection 310(2) amended

3 Subsection 310(2) is amended

(a) by adding the following to the PARK & PARK-RELATED Use Categories and Uses table:

Outdoor Urban Agriculture	P
Community Garden	P

(b) by adding the following to the LIGHT INDUSTRIAL Use Categories and Uses table:

Indoor Urban Agriculture	P*

* Conditional if property is located at grade

Subsection 410(2) amended

4 Subsection 410(2) is amended

(a) by adding the following to the PARK & PARK-RELATED Use Categories and Uses table:

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Outdoor Urban Agriculture	P
Community Garden	P

(b) by adding the following to the LIGHT INDUSTRIAL Use Categories and Uses table:

Indoor Urban Agriculture	P*

* Conditional if property is located at grade or if floor area exceeds 5,000 square feet

Subsection 510(2) amended

5 Subsection 510(2) is amended

(a) by adding the following to the PARK & PARK-RELATED Use Categories and Uses table:

Outdoor Urban Agriculture	P
Community Garden	P

(b) by adding the following to the LIGHT INDUSTRIAL Use Categories and Uses table:

Indoor Urban Agriculture	-

Subsection 610(2) amended

6 Subsection 610(2) is amended

(a) by adding the following to the PARK & PARK-RELATED Use Categories and Uses table:

Outdoor Urban Agriculture	P
Community Garden	P

(b) by adding the following to the LIGHT INDUSTRIAL Use Categories and Uses table:

Indoor Urban Agriculture	C

Subsection 700(2) amended

7 Subsection 700(2) is amended by adding the following definitions in alphabetical order:

"Community Gardens"
Means a public use of land for the cultivation of fruits, flowers, vegetables or ornamental plants by more than one person or household.

"Urban Agriculture, Outdoor"

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Means the outdoor cultivation of plants for human consumption or use in accordance with applicable municipal, provincial and federal regulations, and includes the sale, storage, processing and packaging of plants harvested on-site.

"Urban Agriculture, Indoor"
Means the cultivation of plants or animal products entirely within an enclosed building in accordance with applicable municipal, provincial and federal regulations, and includes the sale, storage, processing, packaging and composting of plants grown on site.

PART 2
WINNIPEG ZONING BY-LAW

Winnipeg Zoning By-law amended
8 The Winnipeg Zoning By-law No. 200/2006 is amended by this Part.

Section 48 amended
9 Section 48 is amended by adding the following definitions in alphabetical order:

"urban agriculture, outdoor" *means the outdoor cultivation of plants for human consumption or use in accordance with applicable municipal, provincial and federal regulations, and includes the sale, storage, processing and packaging of plants harvested on-site.*

"urban agriculture, indoor" *means the cultivation of plants or animal products entirely within an enclosed building in accordance with applicable municipal, provincial and federal regulations, and includes the sale, storage, processing, packaging and composting of products harvested on site, but does not include animal or poultry husbandry or agricultural grazing or feeding..*

Section 60 amended
10 Section 60 is amended by adding "indoor and outdoor urban agriculture" after the word "viticulture" in the "agricultural uses" use category description.

Section 62 amended

11 Section 62 is amended by adding the following to the Agricultural use category in Table 4-1, in alphabetical order:

Table 4-1: Principal Use Table

P=Permitted | C=Conditional | *=Use Specific Standard Applies in this Zoning District

Zoning District Use Category/ Type	A	PR1	PR2	PR3	RR 5	RR 2	R 1	R 2	RM F	RMU	RMH	TO D	C 1	C 2	C 3	C 4	CMU	EI	MMU	M1	M2	M3	Use Specific Standards (Section)
Agricultural																							
Urban Agriculture, outdoor	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	C*	C*	63
Urban Agriculture, indoor	C		C*	C*	C*									C*	P*	P*	C*	P	P	P	P	P	63

Sections 104.1 and 104.2 added
11 The following is added immediately following section 104:

Agricultural Uses

Urban Agriculture, Outdoor

104.1 Outdoor Urban Agriculture uses must comply with the following use specific standards:

(1) Only the following items may be cultivated, harvested, kept, sorted, cleaned and packaged as part of outdoor urban agriculture, for human consumption or use:

(a) fruits;

(b) vegetables;

(c) flowers;

(d) fibre;

(e) seeds;

(f) nuts;

(g) seedlings;

(h) herbs;

(i) honey;

(j) fungi; and

(k) plant cuttings.

(2) Items must be cultivated, harvested, kept, sorted, cleaned, and packaged on site according to all applicable health and governmental regulations.

(3) Any person using pesticides must use them in accordance with the regulations set out in the Pest Control Products Act.

(4) All accessory structures, including greenhouses, must comply with all standards applicable to the zoning district in which the accessory structure is located.

(5) The outside storage of mechanical equipment or any related equipment or materials, including fuel, is not permitted in residential or commercial zoning districts.

(6) Outdoor processing, other than washing and packaging, of goods produced on-site is not permitted in R1 and R2 zoning districts.

(7) Accessory on-site sales related to the Urban Agriculture, Outdoor use, including "u-pick" style operations,

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(a) is a permitted use only within PR2, PR3, C1, C2, C3, C4, CMU, EI, MMU, M1, M2, and M3 zoning districts; and

(b) must comply with all applicable Provincial regulations.

Agricultural Uses

Urban Agriculture, Indoor

104.2 In Commercial, Institutional and Manufacturing zoning districts, the floor area dedicated to the cultivation, harvesting, storage, processing, and packaging of plant and/or animal products must comply with the Maximum Floor Area Ratio of the applicable zoning district.

Table 5-7 amended

12 Table 5-7 is amended by adding the following under "Landscaping and Site Features", in alphabetical order:

Growing areas for Urban Agriculture, Outdoor	Permitted	Permitted

DONE AND PASSED this day of , 2021.

Mayor

City Clerk

Approved as to content:

Director of Planning, Property and Development

Legally reviewed and certified as to form:

for Director of Legal Services
and City Solicitor

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