THE CITY OF WINNIPEG

BY-LAW NO. 11/2022

A By-law of THE CITY OF WINNIPEG to repeal and amend various by-laws in order to ensure conformity with the Airport Vicinity Protection Area Regulation, M.R. 66/2021

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

OurWinnipeg amended

1 OurWinnipeg Plan By-law No. 67/2010 is amended by:

(a) Replacing Figure 01a: Winnipeg's Urban Structure with the figure attached as Appendix "A" to this By-law;

(b) Deleting the following portion of Section 01-1b

- *Adhere to the Airport Vicinity Development Plan (ADVP) and periodically review the plan in cooperation with relevant stakeholders.*
- *In order to maintain compatible land use relationships, regulate land use and building regulations for all those neighbourhoods or portions thereof significantly affected by airport related noise through:*
  - *The Airport Vicinity Development Plan by-law 6378/94*
  - *Airport Vicinity Protection Area Planned Development Overlay*

and replacing it with

- *In order to maintain compatible land use relationships, regulate land use and building regulations for all those neighbourhoods or portions thereof significantly affected by airport related noise in conformity with the Airport Vicinity Protection Area Regulation, M.R. 66/2021 and any successor to that regulation.*

Winnipeg Zoning By-law amended

2 The Winnipeg Zoning By-law No. 200/2006 is amended by:

(a) Replacing the table references to Amending By-law No. and Passed by Council in Section 3(5) of Schedule B with the by-law number associated with this amending by-law and the date upon which this amending by-law is passed by Council.

(b) Replacing Schedule D to the Winnipeg Zoning By-law with the following:

Purpose

1. *The Airport Vicinity Protection Area planned development overlay district is intended to minimize exposure of residential and other sensitive land uses to aircraft and their potential impacts in accordance with the Airport Vicinity Protection Area Regulation, M.R. 66/2021.*

Applicability

2. *(1) The Airport Vicinity Protection Area planned development overlay is applicable in accordance with the PDO-1 Airport Vicinity Protection Area overlay district map shown below (the "Map").*

   (2) For greater certainty, where a parcel of land is shown on the Map as being located partly in Area 1 and partly in Area 2, or partly in Area 2 and partly in an area outside the Airport Vicinity Protection Area, the entire parcel is deemed to be located in the area in which the majority of the parcel is located.

Development Standards within Area 1

3. *(1) Subject to subsections (2), (3), and (4), where the majority or entirety of a parcel of land is located within Area 1, no single-family or multiple-family residential dwellings may be constructed on that parcel.*

   (2) New single-family residential dwellings may be constructed within Area 1 in order to replace existing single-family residential dwellings.

   (3) New multiple-family residential dwellings may be constructed within Area 1 in order to replace existing multiple-family residential dwellings, provided that the number of dwelling units in each replacement dwelling does not exceed the number of dwelling units in the dwelling being replaced.

   (4) New infill single-family residential dwellings may be constructed in Area 1 if:

      a. the dwelling is located on a lot that was created as the result of the subdivision of an existing residential lot into no more than two lots; and

      b. the newly created lot is located on a street where a full range of municipal services are already provided.

Density Limits for Area 2 Lots Not Fronting on Portage Avenue

4. *Where the majority or entirety of a parcel of land is located within Area 2, and that parcel does not front on Portage Avenue:*

a. *Existing multiple-family dwellings may, if destroyed or demolished, be replaced provided that the number of dwelling units in each replacement dwelling does not exceed the number of dwelling units in the dwelling being replaced.*

b. *New multiple-family dwellings may be constructed to a density limit not exceeding 85 units per hectare (35 units per acre), excluding any part of that area designated Floodway, and new multiple-family dwellings in excess of that density may be approved as conditional uses under* The City of Winnipeg Charter.

All Areas within Overlay District

5. *Within all areas of the PDO-1 Airport Vicinity Protection Area, all new single-family or multiple-family residential dwellings must be designed and constructed in compliance with the noise mitigation standards set out in the Airport Vicinity Protection Area Regulation, M.R. 66/2021.*

Conflict with Regulation

6. *In the case of any conflict between this By-law and the Airport Vicinity Protection Area Regulation, M.R. 66/2021 or any successor to that regulation, including a conflict between the Map and any map of the Airport Vicinity Protection Area set out in the regulation, that regulation will prevail to the extent of the conflict.*

(c) Replacing the Airport Vicinity Protection Area Planned Development Overlay Map with the figure attached as Appendix "B" to this By-law.

Complete Communities Direction Strategy By-law amended

3 The Complete Communities Direction Strategy By-law No. 68/2010 is amended by:

(a) Replacing Figure 02a: Winnipeg's Urban Structure with the figure attached as Appendix "C" to this By-law;

(b) Deleting the following portion of Section 03-2c

Promote development within the Polo Park Regional Centre consistent with the Airport Vicinity Protection Area Planned Development Overlay.

and replacing it with

Promote development within the Polo Park Regional Centre in a manner consistent with the AVPA Regulation.

(c) Amending Section 09 by:

(i) Deleting the following

Over the years, policies, plans and regulations have been developed in consultation with the WAA and the community to protect airport operations while allowing minimal intrusions.

and replacing it with

On August 12, 2021, the Airport Vicinity Protection Area Regulation, M.R. 66/2021 came into force. This regulation requires the City to enforce policies that aim to balance these competing interests within a prescribed area surrounding the JAR International Airport (the "AVPA"). All residential developments in the AVPA are required to conform to this regulation.

(ii) Replacing Figure 09a: Airport Area with the figure attached as Appendix "D" to this By-law;

(iii) Deleting the following from Direction 1

Adhere to the Airport Vicinity Development Plan (AVDP) and periodically review the plan in cooperation with relevant stakeholders.

In order to maintain compatible land use relationships, regulate land use and building regulations for all those neighbourhoods or portions thereof significantly affected by airport related noise through:

- *The Airport Vicinity Development Plan by-law 6378/94*
- *Airport Vicinity Protection Area Planned Development Overlay*

and replacing it with

In order to maintain compatible land use relationships, regulate land use and building regulations for all those neighbourhoods or portions thereof significantly affected by airport related noise in conformity with the AVPA Regulation.

(d) Amend the Glossary by deleting the definitions for "Airport Vicinity Development Plan (AVDP)" and "Airport Vicinity Protection Area Planned Development Area," and adding the following definition for "AVPA Regulation:"

AVPA Regulation
Means the Airport Vicinity Protection Area Regulation, M.R. 66/2021, or any successor to that regulation enacted pursuant to section 269(1) of the City of Winnipeg Charter Act.

DONE AND PASSED this 27th day of January, 2022.

Mayor

City Clerk

Approved as to content:

Director of Planning, Property & Development

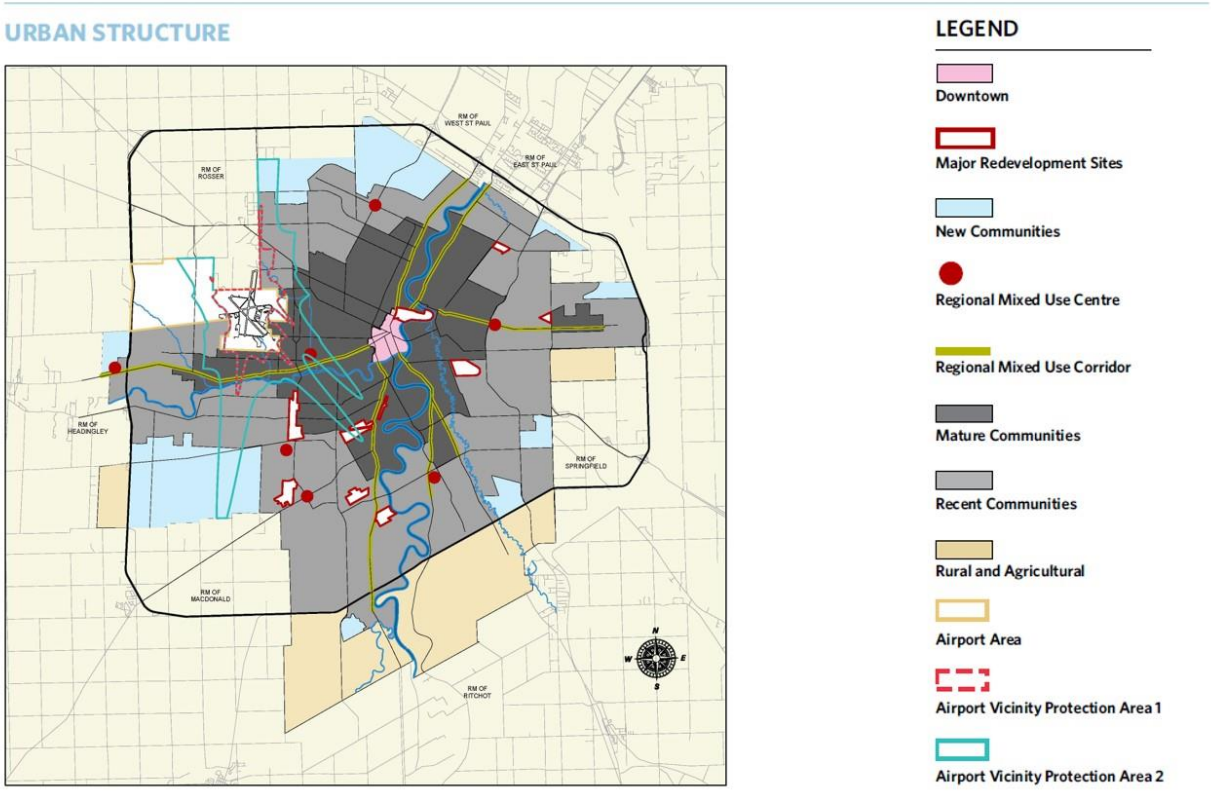
Approved as to content:

Director of Legal Services
and City Solicitor

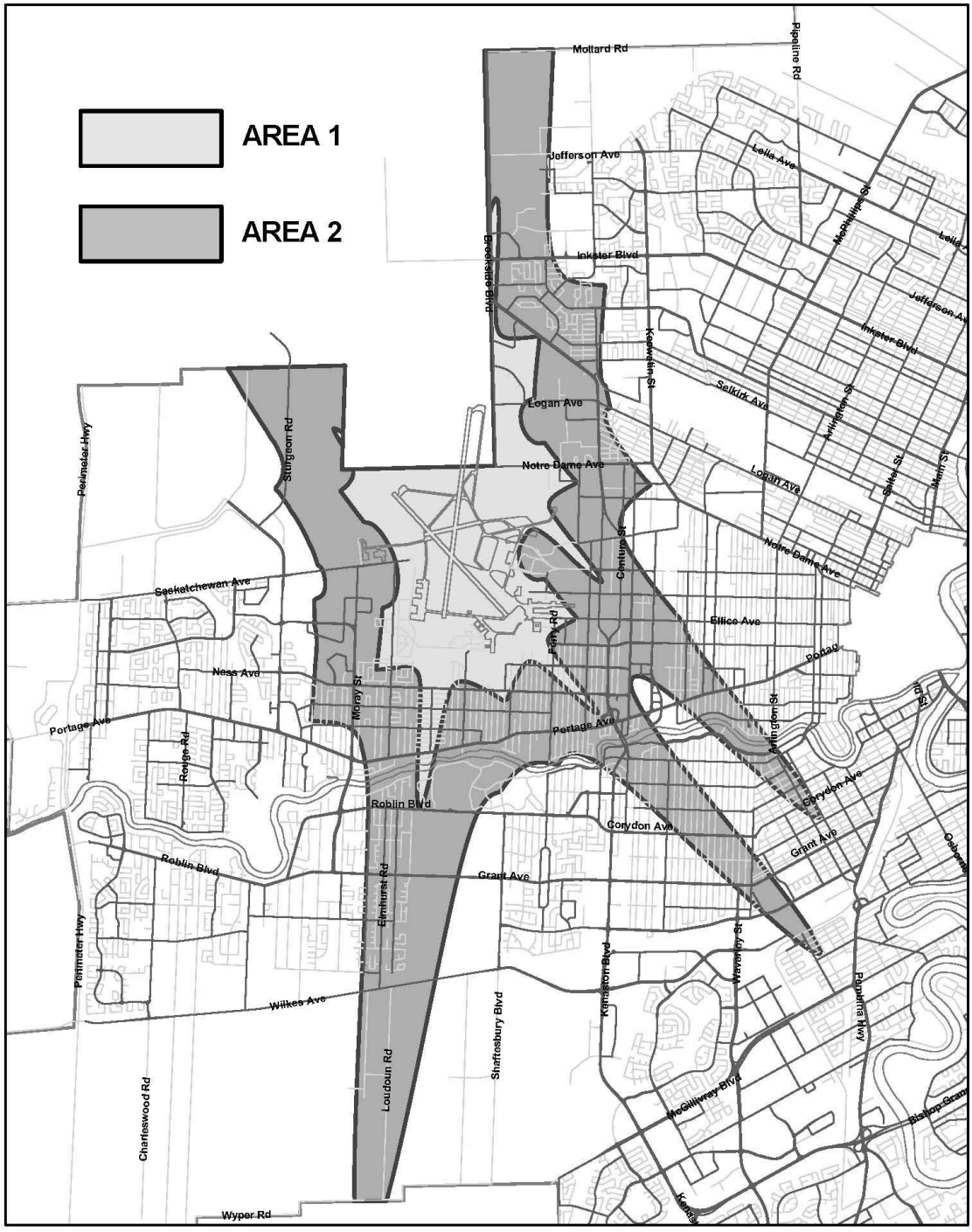
Legally reviewed and certified as to form:

for Director of Legal Services
and City Solicitor

APPENDIX "A"
Figure 01a: Winnipeg's Urban Structure

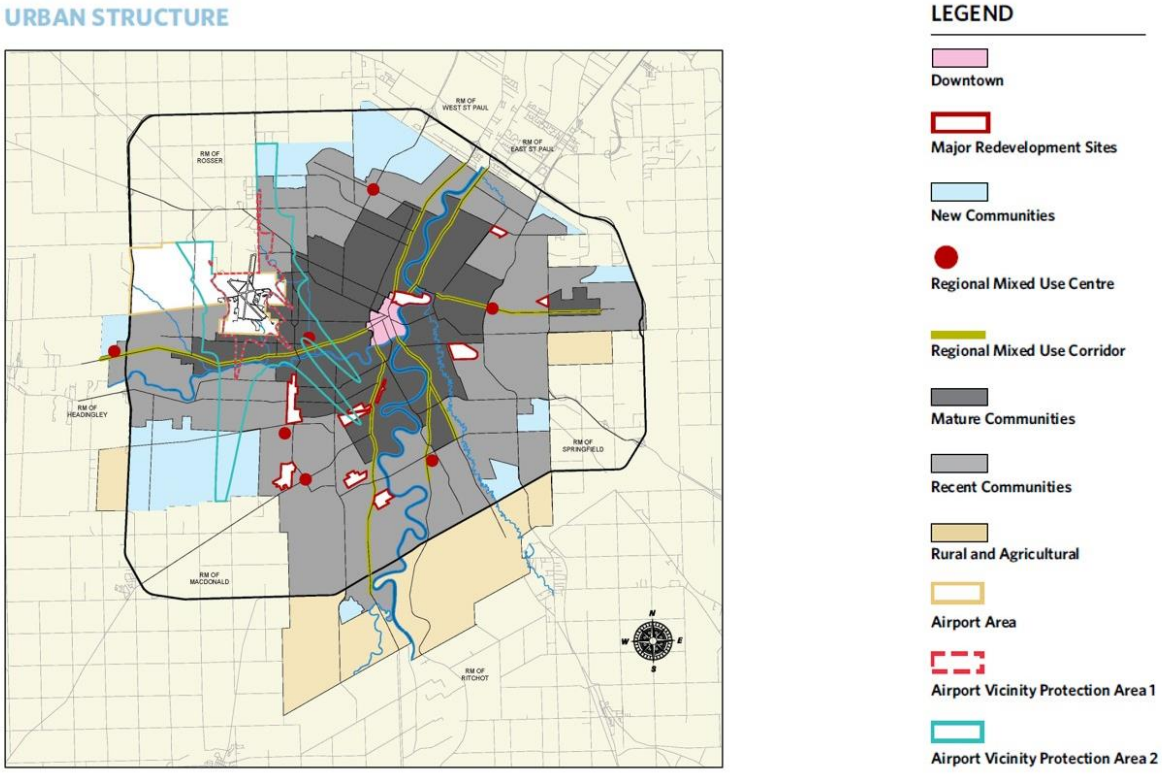


APPENDIX "B"
Airport Vicinity Protection Area Planned Development Overlay Map



AIRPORT VICINITY PROTECTION AREA
PLANNED DEVELOPMENT OVERLAY MAP

APPENDIX "C"
Figure 02a: Winnipeg's Urban Structure



APPENDIX "D"
Figure 09a: Airport Area

AIRPORT AREA



LEGEND

Airport Area

Airport Vicinity Protection Area 1

Airport Vicinity Protection Area 2

figure 09a

Complete Communities > Airport Area