

Downtown Winnipeg Zoning By-law No. 100/2004

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CONSOLIDATION UPDATE:

THE CITY OF WINNIPEG
DOWNTOWN WINNIPEG ZONING BY-LAW
NO. 100/2004

A By-law of The City of Winnipeg to control and regulate the use of real property and development in Downtown Winnipeg.

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

TITLE

1. This By-law may be cited as the "Downtown Winnipeg Zoning By-law".

CONTENTS

2. The following Parts, titled:

Part 1: Administration
Part 2: General Provisions
Part 3: Multiple-Use Sector
Part 4: Character Sector
Part 5: Downtown Living Sector
Part 6: Riverbank Sector
Part 7: Definitions
Part 8: Zoning Maps

attached hereto, are hereby adopted as the zoning by-law for the lands designated in Part 8.

EFFECTIVE DATE

3. This By-law shall come into force and effect on , 2004.

DONE AND PASSED, in Council assembled, this day of , 2004.

_____
Mayor

_____
City Clerk

Certified as to planning details:

_____
for Director of Planning, Property and Development

Certified as to form:

_____
for City Solicitor/Manager of Legal Services

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PART 1:

ADMINISTRATION

Part 1: Administration

Scope

100(1) This by-law controls and regulates the use of real property and development in the portion of the City of Winnipeg designated in Part 8, referred to as Downtown Winnipeg.

100(2) This by-law is intended to advance *Plan Winnipeg* downtown policies and the vision articulated in *CentrePlan*; in particular to support and enhance the unique and distinctive neighbourhoods, functional districts, character areas, and focal points that combine to form a diverse, vibrant downtown.

100(3) The area covered by this by-law (Downtown Winnipeg) is divided into the following sectors:
Multiple-Use Sector - Part 3;
Character Sector - Part 4;
Downtown Living Sector - Part 5;
Riverbank Sector - Part 6.

Also see the map following section 160.

100(4) Each sector set out in subsection 100(3) controls and regulates the use and development of real property on the basis of the following:
(a) Land Use;
(b) Bulk;
(c) Signs;
(d) Parking;
(e) Loading;
(f) Urban Design.

100(5) No buildings, structures, or lands may be used or occupied and no buildings, structures, or lands may be erected or altered except in compliance with this by-law.

100(6) In the interpretation and application of the zoning maps in Part 8 and the sectors set out in subsection 100(3), the following rules apply:
(a) boundaries indicated as approximately following the centre lines of public rights-of-way – including streets, lanes, and walkways – shall be construed to follow such centre lines;
(b) boundaries indictated as approximately following the centre lines of rivers, railways lines, and utility lines shall be construed to follow such centre lines;
(c) boundaries indicated as approximately following lot or holding lines on a registered plan shall be construed to follow such lot or holding lines;
(d) development proposed within public rights-of-way and rivers shall be subject to urban design review.

100(7) Whenever this by-law and any other by-law of the City of Winnipeg contain conflicting or overlapping provisions, the provision with the most restrictive or highest standard prevails.

100(8) Any existing building, structure, or use of land that was unlawful under the provisions of any zoning by-law in force on the effective date of this by-law does not become lawful solely by reason of the enactment of this by-law; and, to the extent that, and in any manner that, said unlawful use, building, or structure is in conflict with the requirements of this by-law, said use, building, or structure remains unlawful hereunder.

Development Regulations, Development Permits, and Zoning Compliance

110(1) No person may undertake a development which is subject to this by-law without first making application and obtaining a development permit for that purpose.

110(2) Where a person makes application for a development permit, the Director must issue that permit, unless the application does not conform with Plan Winnipeg, a secondary plan, zoning by-laws, or other City of Winnipeg by-laws, in which case a development permit must not be issued.

110(3) An application for a development permit must be made on a form prescribed by the Director and must be accompanied by the applicable fee, in accordance with the *Development Fees By-Law*.

110(4) A development permit expires and the right of an owner under that permit terminates if the work authorized by the permit is not commenced within six months from the date of permit issuance, or any specified extensions of that time period granted by the Director, and reasonably continued as determined by the Director without interruption thereafter.

110(5) The applicant for a development permit must supply all information requested by the Director to show compliance with this by-law (and all other relevant City of Winnipeg by-laws), including evidence of ownership and where necessary as determined by the Director a Building Location Certificate of the site showing the dimensions of the site, the position of all buildings and structures on the site, and the height of the buildings and structures.

110(6) A development permit for use of vacant land may be issued without production of a Building Location Certificate upon the applicant satisfying the Director that the proposed use is in accordance with this by-law.

110(7) A development permit for a temporary building or structure approved as such under the *Winnipeg Building By-Law* or in respect of a temporary use under this by-law expires on the date specified in the permit, or any specified extensions of the date granted by the Director.

110(8) A development permit may be revoked by the Director where there is a violation of this by-law or any other City of Winnipeg by-law in respect of the development, including, but without limiting the generality thereof, where:

(a) any division of a zoning lot that results in making the structure on the zoning lot illegal under the terms of this by-law;

(b) there is any reduction of required yards for a building or structure or any further reduction of non-conforming yards;
(c) any information supplied for the development permit is incorrect.

110(9) The Director may, upon receipt of such evidence as the Director deems necessary, issue a Zoning Compliance Certificate in respect of a zoning lot confirming any one or more of the following, as of the date of that certificate:
(a) that the described uses operated or proposed to be operated on the lot comply with the applicable zoning rules, agreements, and orders;
(b) that the development on the lot complies with all zoning regulations, agreements, and orders affecting it;
(c) that the locations of the buildings or structures on the lot comply with all zoning regulations, agreements, and orders. See Zoning Memorandum, subsection 110(11).

110(10) A request for a Zoning Memorandum must be accompanied by a Building Location Certificate confirming the location of the buildings or structures on a zoning lot.

110(11) A person requesting approval of any one or more of the following:
(a) urban design;
(b) variance;
(c) conditional use;
(d) zoning by-law amendment;
(e) zoning agreement amendment;
(f) plan of subdivision;
(g) subdivision agreement amendment;
(h) condominium plan;
(i) consent;

must complete a development application on a form prescribed by the Director, pay the applicable fee in accordance with the *Development Fees By-Law*, and supply all information requested by the Director in accordance with subsection 110(12).

110(12) The development application must be accompanied by plans drawn to scale which indicate the following:
(a) shape and dimensions of the property;
(b) size and location, including all dimensions, of existing and proposed buildings and structures on the property;
(c) distances between existing and proposed buildings and structures on the property;
(d) distances between such buildings and structures and any buildings and structures on abutting properties;
(e) elevations of existing and proposed buildings and structures, including grade level and the finished appearance of each elevation above grade level, indicating façade materials, textures, and colours;
(f) exterior illumination and lighting fixtures;
(g) size, location, orientation, lighting, and copy of all signs, including colours, lettering, and other illustration;
(h) size and location, including all dimensions, of canopies, awnings, and other projections;

(i) landscaping and other surfacing of the property, including plants, planters, walls, fences, paving, walks, parking facilities, loading facilities, driveways, and aisles;
(j) size and location of refuse storage facilities;

and any other information deemed necessary by the Director or the Standing Policy Committee on Downtown Development.

110(13) The Director may in his/her discretion waive the requirement to provide one or more of the items listed in subsection 110(12).

Duties of the Director

120(1) The Director may conduct inspections and take steps to administer and enforce this By-law or remedy a contravention of this By-law, in accordance with *The City of Winnipeg Charter*, and, for those purposes, has the powers of a "designated employee" under *The City of Winnipeg Charter*.

120(2) Without limiting the generality of subsection 120(1), in accordance with *The City of Winnipeg Charter,* the Director may issue an order to remedy a contravention of this By-law, requiring the person responsible for the contravention to remedy it.

120(3) An order issued under subsection 120(2) must be prepared and served in accordance with *The City of Winnipeg Charter*.

120(4) A recommendation or decision under this By-law must be prepared and served in accordance with *The City of Winnipeg Charter*.

120(5) Where an address for sending an order, recommendation or decision or other document under subsection 120(3) or 120(4) is required, one of the following shall be used:
(a) if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property;
(b) if the person to be served is the occupant of real property, the street address for that property; or
(c) the address for service provided by the person to be served, in an application to the City of Winnipeg under this By-law.

120(6) An appeal from an order or decision of the Director under this By-law may be made in accordance with *The City of Winnipeg Charter* to the Standing Policy Committee on Downtown Development.

120(7) The Director will determine whether a proposed use of real property is permitted, conditional, not permitted, or prohibited, on the basis of its similarity to uses specifically identified as permitted or conditional in the relevant sector Land Use table, its scale, and the stated intent of the sector.

Duties of the Property Owner

130(1) The property owner is responsible for:
(a) complying with this by-law in all respects;
(b) obtaining any required compliance certificate as set forth herein before occupying a building, structure, or parcel or land or any part thereof;

(c) following permit issuance, obtaining the written approval of the Director before proceeding with any work at variance with approved certificates.

130(2) The approval of a development application, issuance of any permit, approval of drawings and specifications, or City inspections does not relieve the property owner of the ongoing responsibility to comply with this by-law, other by-laws of the City of Winnipeg, Government of Manitoba legislation, or Government of Canada legislation.

130(3) The property owner is also responsible for obtaining all applicable permits and licenses from the appropriate authorities relating to building, lot grades, sewers, water mains, plumbing, street occupancy, electrical, and others required in connection with proposed works.

Offences and Penalties

140(1) Any property owner who by himself/herself or by his/her agent or employee, makes use of any real property, building, structure, or part thereof in a manner contrary to this by-law, the conditions of a zoning agreement, urban design approval, variance order, or conditional use order, is guilty of an offence.

140(2) Any person who, as a property owner, landlord, lessor, tenant, occupier, agent, or otherwise, has charge or control of any land, building, structure, or part thereof, allows such land, building, structure, or part thereof to be used in any manner contrary to this by-law is guilty of an offence.

140(3) An individual found guilty of an offence under this by-law is liable on summary conviction to the following penalties, which shall not exceed $10,000:
(a) for a first offence, a fine of not less than $100;
(b) for a second offence, a fine of not less than $500;
(c) for a third or subsequent offence, a fine of not less than $1,000.

140(4) A corporation found guilty of an offence under this by-law is liable on summary conviction to the following penalties, which shall not exceed $15,000:
(a) for a first offence, a fine of not less than $500;
(b) for a second offence, a fine of not less than $1,000;
(c) for a third or subsequent offence, a fine of not less than $1,500.

140(5) Notwithstanding the penalties prescribed in subsections 140(3) and 140(4), an individual may also be liable on summary conviction to imprisonment for a term not to exceed 6 months or to both imprisonment and a fine specified herein.

140(6) Where a contravention continues for more than 1 day, the person is guilty of a separate offence for each day the contravention of this by-law continues.

Non-Conformities

150(1) A building, structure, or use of land that was lawfully in existence on the date that this by-law comes into force that is not listed as a permitted or conditional use may continue to exist. If such non-conforming use is abandoned or if the building, structure, or land is not so used for more than 12 consecutive months, it may not be used except in conformity with this by-law. The presence of machinery, furniture, fixtures, or other equipment or stock-in-trade does not of itself constitute occupation

or use thereof; nor does the partial or occasional operation of such equipment or presence of stock-in-trade of itself constitute a use of any building, structure, or land. Any building, structure, or use of land authorized by a variance order, conditional use order, or both is, upon adoption of this by-law and repeal of such order or orders, deemed to comply with this by-law to the extent and for the period of time authorized by such order or orders.

150(2) Where a non-conforming use of a building, structure, or land provides no accessory loading spaces or fewer spaces than the number specified in the relevant sector regulations, the use must not be expanded or enlarged unless the number of loading spaces required for the expansion or enlargement is provided.

150(3) A building or structure that was lawfully in existence on the date that this by-law comes into force that does not comply with the bulk requirements specified in the relevant sector regulations may continue to exist, but no structural alteration may be made except as required by statute or by-law. Such non-conforming building or structure may be repaired, but if it is destroyed from any cause or damaged to an extent that, in the opinion of the Director, the cost of repairing the damage exceeds 100% of the building's or structure's assessed value on the last revised assessment roll, the building or structure must not be repaired or rebuilt except in conformity with the requirements of this by-law.

150(4) Where a building or structure does not comply with the bulk requirements specified in the relevant sector regulations, the building or structure must not be expanded or enlarged unless the expansion or enlargement complies with the relevant sector regulations.

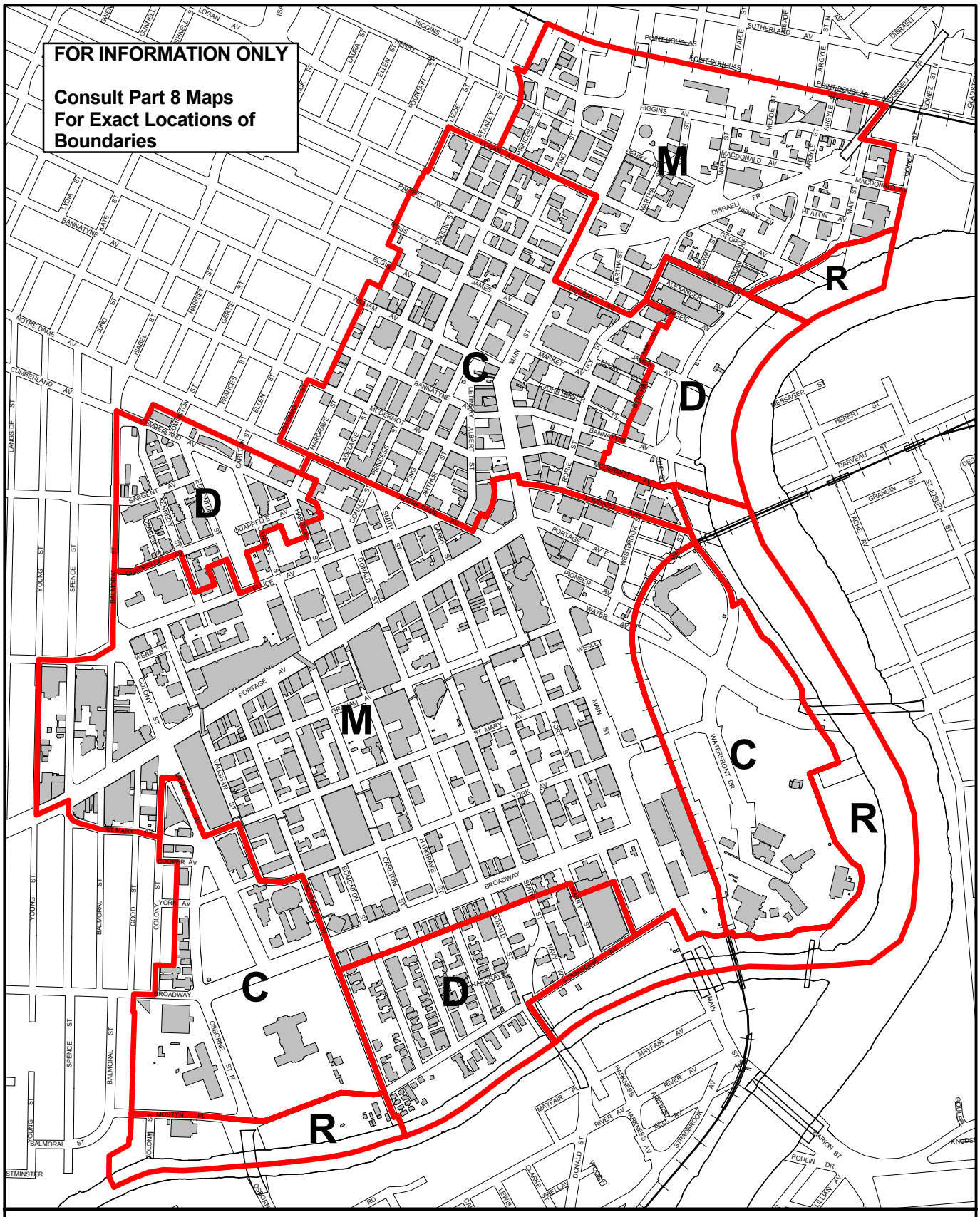
150(5) A sign that was lawfully in existence on the date that this by-law comes into force that does not comply with the sign requirements specified in the relevant sector regulations may continue to exist and be repaired, provided there is no increase in sign surface area or the degree of illumination of such sign. In addition, the copy of such sign may be changed provided such change does not constitute a change to the type of sign.

Repeal

160(1) *Downtown Winnipeg Zoning By-Law* No. 4800/88, *City of Winnipeg Zoning By-Law* No. 6400/94, and all amendments thereto (whether such amendments were made by by-law, variance order, or conditional use order) are hereby repealed in respect of the real property covered by this By-Law. The area covered by this By-law is hereby deleted from the zoning maps set out in Appendix "A" to *City of Winnipeg Zoning By-Law* No. 6400/94, but that By-law continues in force and effect in respect of all other real property to which it applies.

160(2) Notwithstanding subsection 160(1), a variance order or conditional use order that contains one or more conditions is not repealed unless the condition or conditions relate only to the duration of the order or something to occur or be done before the order will come into effect, in which case the order is repealed unless the order provides otherwise.

160(3) Where on the effective date of that repeal an owner holds an approval under those repealed provisions but has not obtained a building permit for the approved use, building or structure, that approval, and the right to obtain a building permit in accordance with that approval, continues in effect for 365 days from that repeal date but shall then expire and no building permit may thereafter be issued on the basis of that approval and those repealed provisions.



Winnipeg

SECTOR MAP

By-Law No. 100/2004

M	Multiple-Use Sector	D	Downtown Living Sector
C	Character Sector	R	Riverbank Sector

N

PART 2:

GENERAL PROVISIONS

Part 2: General Provisions

Land Use

200(1) Land Use in this by-law is regulated on the basis of Use Categories. The intent is to group uses with common functional or physical impact characteristics into broader categories. Use Categories organize a range of uses that are either permitted or conditional in Downtown Winnipeg. The uses listed under the Use Categories are inclusive, though an exhaustive list is not provided. See subsection 120(2).

200(2) In addition to this Part, which applies to all of Downtown Winnipeg, Parts 3 – 6 provide specific Land Use regulations applicable to each Downtown Winnipeg sector. The sector Land Use component identifies which uses are permitted and conditional within that sector. No new use or expansion of an existing use of land may be established contrary to the Land Use regulations of the applicable sector. Uses identified as conditional are subject to scrutiny by the City of Winnipeg to determine that the proposed uses support the sector intent statement at their proposed locations and scales. A conditional use order must be granted prior to establishing a conditional use.

200(3) The Land Use component of the sector regulations may also limit the maximum size of each use onsite or the location of certain uses within the building. For the purposes of this by-law, maximum size refers to the floor area of each individual use; it does not limit the aggregate size of a number of uses operating on a property or within a building.

Prohibited Uses

200(4) Land uses incompatible with the vision of Downtown Winnipeg articulated in *Plan Winnipeg*, *CentrePlan*, and other downtown policy are prohibited. Prohibited Uses include:

(a) those uses engaged in manufacture (other than from finished materials), including but not restricted to:
   (i) Automobile, truck, farm implements, or heavy equipment manufacture;
   (ii) Chemical, paint, petroleum manufacture or storage;
   (iii) Concrete or asphalt batching plant;
   (iv) Foundry;
   (v) Smelting;
   (vi) Wood distillation or processing.

(b) those uses reliant on heavy truck traffic (unrestricted), reliant on exterior storage of materials, or of a land-intensive nature, including but not restricted to:
   (i) Automobile, truck, farm implements, or heavy equipment storage compound;
   (ii) Cemetery;
   (iii) Freight station or haulage terminal;
   (iv) Lumber yard, including outside storage;
   (v) Public works yard, including outside storage;
   (vi) Salvage or wrecking yard.

(c) those uses that produce excessive noise, smell, dust, vibration, and other nuisances, including but not restricted to:
  (i) Animal pound or kennel;
  (ii) Crematorium;
  (iii) Exterminator;
  (iv) Food processing;
  (v) Gravel, sand, soil, or stone dealer;
  (vi) Landfill, garbage incineration, or garbage transfer station;
  (vii) Livestock feedlot;
  (viii) Sewage treatment plant;
  (ix) Stockyard, meatpacking, rendering, or slaughterhouse.

Use Categories

200(5) In accordance with subsection 200(1), uses are organized into the following Use Categories:

(a) Residential & Residential-related Uses
Residential Uses mean those primarily associated with living accommodations, including dwellings, residential care facilities, live/work, and boarding facilities. Does not include hostel or hotel.

(b) Commercial Sales & Service Uses
Sales Uses mean those primarily associated with the sale, lease, or rent of new or used goods, which includes incidental sale of services and related office. Service Uses mean those primarily associated with the sale or provision of services.

(c) Office Uses
Office Uses mean those characterized by activities conducted within an office setting, including call centre.

(d) Private Motor Vehicle-related Uses
Private Motor Vehicle-related Uses mean those primarily associated with the sale, lease, rent, repair, storage, or movement of automobiles, light trucks, and motorcycles. Also includes fuel sales and drive-in/drive-through operations.

(e) Transportation, Utility, & Communications Uses
Transportation Uses mean those primarily associated with train, bus, and boat uses. Utility Uses mean those primarily associated with providing electrical, heating, cooling, and similar utility services. Does not include public works yards, landfills, sewage treatment, and similar operations. Communications Uses mean those primarily associated with telecommunication facilities and infrastructure.

(f) Public & Institutional Uses
Public Uses mean those primarily associated with public assembly, schooling and training, and government services—other than public utilities. Institutional Uses mean those primarily associated with private and non-profit congregation, research, worship, and services.

(g) Cultural & Entertainment Uses
Cultural & Entertainment Uses mean those primarily associated with viewing of cultural materials or entertainment events.

(h) Park & Park-related Uses
Park & Park-related Uses mean those focused on natural areas, outdoor recreation facilities and trails, and community gardens and squares.

(i) Light Industrial Uses
Light Industrial Uses mean those primarily associated with the assembly or

production of goods from finished materials, small-scale and low-impact manufacturing uses, and warehousing. Operations are conducted completely within an enclosed building, with no exterior storage or exterior assembly/manufacturing. Distinct from Prohibited Uses which by their nature generate noise, odour, vibration, large truck traffic, and other functions detrimental to a vibrant, mixed-use downtown environment or those uses dependent on external storage of materials or goods.

(j) Restricted Uses
Restricted Uses are those that have been singled-out for scrutiny due to their potentially objectionable operational characteristics and their potentially deleterious effects if concentrated within a small geographic area.

(k) Accessory Uses
Accessory Uses listed in this Use Category are those that can only be established when a permitted or conditional principal land use has been established, occupied, and maintained, unless otherwise provided for in another Use Category. These uses include accessory signs, parking, loading, and refuse storage.

Home Occupations

200(6) An office facility as a Home Occupation is permitted within a lawfully established dwelling in any sector. Any office facility lawfully established as a Home Occupation hereunder must be limited to paperwork and record keeping, which may include the taking of telephone and electronic orders.

200(7) An office facility as a Home Occupation is subject to compliance with the following limitations:

(a) any work or activity conducted on the premises in connection with the Home Occupation must be conducted entirely within the dwelling;

(b) the Home Occupation must be conducted solely by one or more of the residents living in the dwelling on the premises, without the employment of any other person;

(c) the location of the Home Occupation must not exceed a maximum floor area of 400 square feet, or 35% of the gross floor area of the dwelling unit, whichever is lesser, and no Home Occupation may be established, relocated, or enlarged until the person proposing to operate it has filed with the Director a floor plan signed by such person certifying the location and area of the space to be so used, relocated, or enlarged;

(d) there must be no exterior indication of the existence or operation of the Home Occupation and, without limiting the generality of such prohibition, there must be no exterior display, no interior display visible from the outside, and no exterior storage of goods or materials associated with the Home Occupation, and the Home Occupation must not by reason of emission of odour, noise, vibration, or refuse matter be allowed to create a nuisance beyond the dwelling.

200(8) Notwithstanding subsections 200(6) and 200(7), an office facility as a Home Occupation relating to the following uses are prohibited in any sector:

(a) body painting, body rub, or similar establishment;

(b) dating bureau or similar establishment;

(c) massage or similar establishment;

(d) sensitivity awareness or similar establishment;

(e) public bath, whirlpool bath, or similar establishment;

(f) any establishment offering services or entertainment involving any entertainers, models, employees, waiters, waitresses, or other persons simulating sexual acts, exposing any area of genital organs, buttock, pubic area, or the female breast below the top of the areola, or exposing less than completely and opaquely covered genital organs, pubic area, buttock, or female breast below the top of the areola;
(g) any vehicle towing operation;
(h) any radio equipped messenger operation, taxi operation, hauling operation, moving operation, or any similar type of radio equipped operation;
(i) any use involving the use of radio transmission equipment.

200(9) A Bed & Breakfast Home Occupation in a lawfully established dwelling is conditional in the Multiple-Use, Character, and Downtown Living sectors, subject to compliance with the following limitations:
(a) any work or activity conducted on the premises in connection with the Bed & Breakfast Home Occupation must be conducted entirely within the dwelling;
(b) the Bed & Breakfast Home Occupation must be conducted solely by one or more of the residents living in the dwelling on the premises, without the employment of any other person;
(c) there must be no exterior storage of goods or materials associated with the Bed & Breakfast Home Occupation, and the Home Occupation must not by reason of emission of odour, noise, vibration, or refuse matter be allowed to create a nuisance beyond the dwelling.

Bulk

210(1) Bulk of buildings and structures is regulated in this by-law on the basis of floor area ratio, height, yards**,** and Residential Uses yards. Bulk regulations are provided in order to support, enhance, or achieve built forms and patterns articulated in *Plan Winnipeg*, *CentrePlan*, and other Council endorsed policies. No building or structure may be developed or enlarged that does not comply with the Bulk regulations established in this part and in Parts 3 - 6.

210(2) In addition to this Part, Parts 3 – 6 provide specific Bulk regulations applicable to each Downtown Winnipeg sector.

210(3) All buildings and structures must comply with the maximum floor area ratio articulated in the applicable sector. The following uses and facilities are not included in calculating maximum floor area ratio:
(a) below- or above-grade parking facilities;
(b) interior loading facilities;
(c) active uses interior tenant space located at-grade and adjacent to the public road or directly accessible from public sidewalk;
(d) uses located along the designated Weather Protected Walkway System, on the same floor as the system, and with direct access to the system.

210(4) All buildings and structures must comply with the maximum height articulated in the applicable sector. Provided they do not contain habitable space, the following structures are exempt from height limitations:
(a) rooftop mechanical structures housing elevators, stairwells, heating/ ventilation/

air conditioning equipment, water systems, fire equipment, or similar building mechanical systems;
(b) parapet walls;
(c) spires or steeples;
(d) chimneys, skylights, or flagpoles;
(e) telecommunications antennae.

210(5) All buildings and structures must comply with the minimum and maximum yards articulated in the applicable sector.

Residential Uses Yards

210(6) For all Residential Uses, a 10 foot interior side yard must be provided for the portion of the building containing such uses, to a maximum height of 4-storeys. Above 4-storeys, a 20 foot interior side yard must be provided for the portion of the building containing such uses. These yards must also be provided when a building or structure containing non-residential uses is established on a lot that abuts a lot already containing Residential Uses.

210(7) Notwithstanding subsection 210(6), no interior side yard is required when no windows, doors, or other openings (not including fire escape) are provided in the wall facing the adjacent property and in the adjacent property wall.

210(8) For all Residential Uses, unless otherwise required in the applicable sector Bulk regulations, no minimum front or corner side yards are required.

210(9) For all Residential Uses, a 20 foot rear yard must be provided; such yard need not extend below the lowest storey containing such Residential Uses. This yard must also be provided when a building or structure containing non-residential uses is established on a lot that abuts a lot already containing Residential Uses.

210(10) Notwithstanding subsection 210(9), the 20 foot rear yard for the portion of the building containing Residential Uses within the first 4-storeys may be calculated from the rear wall of the building to the mid-point of an existing public road or lane right-of-way.

210(11) Permitted projections and obstructions into required minimum Residential Uses yards include:
(a) open terraces, landings, and steps (maximum 4 foot height);
(b) open walkways and wheelchair ramps;
(c) open patios (maximum 4 foot height);
(d) wing-walls, porte cocheres, eaves (including troughs and downspouts), and awnings;
(e) open recreational equipment, including private swimming pools and tennis courts;
(f) open garbage enclosures, loading areas, and parking areas;
(g) open fire escapes (maximum 5 foot depth);
(h) alcoves and vestibules (maximum 5 foot depth);
(i) landscape features (including trees/shrubs, benches, reflection pools) and fences/hedges (maximum 4 foot height).

210(12) In addition to the specific Bulk regulations—floor area ratio, height, yards, and Residential Uses yards—each Downtown Winnipeg sector may provide supplemental Bulk guidelines. Unlike Bulk regulations, Bulk guidelines are optional but they shall be encouraged to be met in the urban design review process for all new developments, redevelopments, and expansions.

210(13) In accordance with the *Public Works Act* (section 7), properties located within the area bound by the centre line of St. Mary Avenue, Carlton Street (and the extension thereof), the Assiniboine River, and Colony Street (and the extension thereof) must comply with the restriction on building heights in the vicinity of the Legislative Building. See "Building Height Control Area: Legislative Core – Winnipeg" map in Part 8: Zoning Maps.

Signs

220(1) Signs are regulated in this by-law on the basis of sign type, form, location, and size. Sign regulations are provided in order to ensure visibility of buildings and establishments within a downtown setting, as well as to enable orientation. No sign may be developed or erected that does not comply with the Sign regulations established in this part and in Parts 3 - 6.

220(2) Sign types distinguish the type of message a sign conveys. Sign types accommodated in this by-law are as follows:
(a) Use Identification;
(b) Building Identification;
(c) Event;
(d) Directional;
(e) Parking Instruction.

220(3) Sign forms distinguish the physical form that characterizes a sign. Sign forms accommodated in this by-law are as follows:
(a) Attached: fascia, projecting, awning, canopy, marquee;
(b) Free-standing: podium, ground-oriented, pylon, roof.

220(4) In addition to this Part, Parts 3 – 6 provide specific Sign regulations applicable to each Downtown Winnipeg sector.

220(5) No sign may be established or erected that obstructs or imitates any traffic sign.

220(6) No sign may be established or erected unless it is accessory to an approved principal use (or uses).

220(7) Only signs visible from public rights-of-way and the rivers are regulated by this by-law. All such signs are subject to urban design review. See section 250, Urban Design.

220(8) Notwithstanding subsection 220(7), all new signs located within the designated Weather Protected Walkway System are subject to urban design review. Such urban design review does not apply to new sign copy or new panel within an existing sign structure or to new fascia sign forms within the designated Weather Protected Walkway System. See section 250, Urban Design.

220(9) Notwithstanding subsection 220(6), the following signs are not regulated by this by-law:

(a) any sign, signal, or device installed by, required by, or authorized by the City of Winnipeg;
(b) any sign required to be maintained by law or government order, rule, or regulation;
(c) election signs, provided they are removed no later than 7 days following the election date to which they refer;
(d) real estate signs, provided they are not illuminated and do not exceed: maximum 40 square feet, maximum 1 sign per public road frontage, and maximum height of 25 feet or building wall height;
(e) construction signs, provided they are not illuminated and do not exceed: maximum 80 square feet, maximum 1 sign per public road frontage, and maximum height of 25 feet or building wall height;
(f) temporary signs, provided they do not exceed: maximum 40 square feet, are related to civic, non-commercial health, safety, or welfare campaigns or to campaigns by educational or religious organizations, are not erected earlier than the official date of the campaign commencement, and are removed immediately following the campaign culmination;
(g) memorial stones, commemorative plaques, or cornerstones;
(h) window signs.

220(10) With the exception of those signs identified under clauses 220(9)(d) and (e), all sign types and forms may be illuminated.

220(11) Sign area will be calculated on the basis of the following:

(a) where the sign is attached, painted, or otherwise applied to the wall of a building or structure, including separate elements individually attached to such wall or bas-relief, the area of the sign is the entire area of the smallest rectangle which can be construed to encompass the extreme limits of any colour, lettering, or other illustration;
(b) where the sign is a separate structure, the area of the sign is the entire area of the structure exhibited or intended for display irrespective of the limits of any colour, lettering, or other illustration;
(c) where the sign has more than one face exhibited or intended for display, the area of the sign is the total area of all such faces exhibited or intended for display, provided that where two such faces are exactly parallel and not more than 1 foot apart, the area of the sign is the entire area of the larger of such faces.

Parking

230(1) Although parking facilities are not required to be provided in conjunction with new development or redevelopment, parking is considered a Land Use in this by-law in accordance with the following:

(a) accessory offstreet parking facilities - are those provided in conjunction with a use or uses on the property;
(b) non-accessory offstreet parking facilities – are those not provided in conjunction with a use or uses on the same property;
(c) at-grade offstreet parking facilities – are distinguished from those provided above- and below-grade.

230(2) In addition, this by-law regulates voluntarily provided parking facilities on the basis of parking development standards. No offstreet parking facility may be developed or enlarged that does not comply with the Parking regulations established in this part or in Parts 3 – 6.

230(3) Offstreet parking facilities must be developed and maintained in accordance with the following development standards:

(a) dimensions of parking spaces, aisles, and driveways:

Parking Space	**Standard space minimum** 8 foot wide X 20 foot long X 7 foot high; or, 10 foot wide X 18 foot long X 7 foot high	**Small car space* minimum** 8 foot wide X 16 foot long X 7 foot high; or, 10 foot wide X 14 foot long X 7 foot high	**Disabled space minimum** 12 foot wide X 20 foot long high X 7 foot
Parking Aisle**	**One-way minimum** 0 to 45 degree angle: 12 foot wide;	**Two-way minimum** 20 foot wide	
	46 to 60 degree angle: 18 foot wide;		
	61 to 90 degree angle: 20 foot wide		
Parking Driveway	**One-way maximum** 12 foot wide***		

* -not exceeding 30% of total number of parking spaces provided

** -where parking spaces are accessed directly from public lane, required minimum parking aisle width may be reduced by the width of the public lane

*** -parking driveway may be shared with loading driveway

(b) access and egress:

(i) access to public roads from offstreet parking facilities and egress from offstreet parking facilities must be via parking driveways.

(c) surfacing and drainage:

(i) parking spaces, aisles, and driveways must be paved in asphalt, concrete, concrete pavers, or combination;

(ii) offstreet parking facilities must be provided with a drainage system to ensure rainwater or snow melt does not collect at surface onsite, flow onto adjacent properties, or onto public sidewalks;

(d) screening:

(i) screening of parking facilities must be provided where parking spaces are provided perpendicular to public road frontages, where such facilities abut residential properties, or where such facilities parallel public road frontages for a distance exceeding 40 feet in length or width;

(ii) where parking spaces are provided perpendicular to public road frontages or where such facilities abut residential properties, parking spaces must be screened with a minimum 2.5 foot high lightproof building wall, fence, landscape hedge, or combination;

(iii) where parking facilities parallel public road frontages for a distance exceeding 40 feet in length or width, parking facilities must be screened with a minimum 2.5 foot high lightproof building wall, fence, landscape hedge, or combination;

(e) separation from public sidewalks and roads:
(i) in order to contain motor vehicles within offstreet parking facilities (except at designated entrances and exits), protect pedestrians on adjacent public sidewalks, and prevent protrusion of parked vehicles onto adjacent properties, containment measures must be provided;
(ii) containment measures must be provided where parking spaces are provided perpendicular to public road frontages or adjacent properties, in the form of minimum 2.5 foot high building wall or fence, a curb, or combination;

(f) lighting:
(i) in order to enhance safety and security, offstreet parking facilities must provide lighting;
(ii) such lighting must be directed and shielded so that it does not shine or reflect onto residential properties.

230(4) In addition to this Part, Parts 3 – 6 provide specific Parking regulations applicable to each Downtown Winnipeg sector.

230(5) Offstreet parking facilities are subject to urban design review if visible from a public right-of-way or river. See section 250, Urban Design.

Loading

240(1) Loading is considered a Land Use in this by-law in accordance with the following:
(a) accessory offstreet loading facilities – are those provided in conjunction with a use or uses on the same property;
(b) non-accessory offstreet loading facilities – are those not provided in conjunction with a use or uses on the same property, including where the offstreet loading facility is located on an adjacent property;
(c) onstreet loading facilities – are those provided on an adjacent public right-of-way; onstreet loading facilities are not considered a Land Use but may be factored into deliberations when loading space provision is the subject of a variance application.

240(2) In addition, Loading in this by-law is regulated on the basis of required loading space-to-use ratios, types of loading spaces, and loading space development standards. No use may be established that does not provide the required types of loading spaces or the numbers of loading spaces specified, and no loading space—whether required or voluntarily provided—may be developed or enlarged that does not comply with the Loading regulations established in this part or in Parts 3 – 6.

240(3) For the purposes of this by-law, loading spaces include the following types:
(a) person & service loading spaces – are those provided for visitor drop-off/ pick-up and for building service vehicles;

(b) delivery loading spaces – are those provided for materials/goods delivery vehicles.

240(4) Offstreet loading facilities must be developed and maintained in accordance with the following development standards:

(a) dimensions of loading spaces, aisles, and driveways:

Loading Space	Person & Service Space minimum	Delivery Space minimum
	8 foot wide X 20 foot long X 7 foot high; or 10 foot wide X 18 foot long X 7 foot high	12 foot wide X 20 foot long X 12 foot high
Loading Aisle	Minimum 12 foot wide	
Loading Driveway*	Maximum 20 foot wide	
* - loading driveway may be shared with parking driveway		

(b) access and egress:
  (i) access to public roads from loading facilities and egress from loading facilities to public roads must be via driveways;
  (ii) driveways may be shared to provide access to/egress from loading and parking facilities;

(c) surfacing and drainage:
  (i) loading spaces, aisles, and driveways must be paved in asphalt, concrete, concrete pavers, or combination;
  (ii) loading facilities must be provided with a drainage system to ensure rainwater or snow melt does not collect at surface onsite, flow onto adjacent properties, or flow onto or across public sidewalks;

(d) screening:
  (i) screening of loading facilities and garbage receptacle/storage areas must be provided where such facilities or areas are provided parallel or perpendicular to public road frontages, where such facilities abut residential properties;
  (ii) where loading facilities or garbage receptacle/storage areas are provided in accordance with clause (i), such facilities or areas must be screened with a minimum 5 foot high lightproof building wall, fence, or combination;

(e) separation from public sidewalks and adjacent properties:
  (i) in order to contain motor vehicles within offstreet loading facilities (except at designated entrances and exits), protect pedestrians on adjacent public sidewalks, and prevent protrusion of person & service and delivery loading vehicles onto adjacent properties, containment measures must be provided;
  (ii) containment measures, where loading spaces are provided perpendicular to public road frontages or adjacent properties, must be provided in the form of a minimum 2.5 foot high building wall or fence, a curb, or combination;

(f) lighting:
  (i) in order to enhance safety and security, loading facilities must provide lighting;
  (ii) such lighting must be directed and shielded so that it does not shine or reflect onto residential properties.

240(5) Loading facilities are required only for new building developments, expansions of existing buildings, and Substantial Adaptive Reuse developments. Where floor area must be calculated to determine the required number of loading spaces, the calculation will be based on the gross floor area of each building or structure but the calculation will not include any area used for interior parking or loading, interior aisles or driveways providing access to parking or loading facilities, or for mechanical equipment or systems.

240(6) Loading facilities are required where the following uses are established:

USE	PERSON & SERVICE LOADING SPACE MINIMUM	DELIVERY LOADING SPACE MINIMUM
Office	1 square foot to 40,000 square feet: 0 spaces;	1 square foot to 40,000 square feet: 0 spaces;
	40,001 square feet to 100,000 square feet: 1 space;	40,001 square feet to 100,000 square feet: 1 space;
	100,001 square feet and above: 1 space for every 40,000 square feet or fraction thereof	100,001 square feet and above: 1 space for every 20,000 square feet or fraction thereof
Dwelling/live-work unit/care or rehabilitation facility	1 to 50 dwelling units/live-work units/care or rehab beds: 0 spaces;	1 to 50 dwelling units/live-work units/ care or rehab beds: 0 spaces;
	51 and above: 1 space for every 100 dwelling units/live-work units/care or rehab beds or fraction thereof	51 and above: 1 space for every 100 dwelling units/live-work units/care or rehab beds or fraction thereof
Hotel	1 to 50 rooms/suites: 0 spaces;	1 to 50 rooms/suites: 1 space;
	51 and above: 1 space for every 100 rooms/suites or fraction thereof	51 and above: 1 space for every 100 rooms/suites or fraction thereof
Retail sales/personal service	1 square foot to 20,000 square feet: 0 spaces;	1 square foot to 20,000 square feet: 0 spaces;
	20,001 square feet and above: 1 space for every 40,000 square feet or fraction thereof	20,001 square feet and above: 1 space for every 20,000 square feet or fraction thereof
Restaurant/drinking establishment	0 spaces	1 square foot to 20,000 square feet: 0 spaces;
		20,001 and above: 1 space
School	1 square foot to 20,000 square feet: 0 spaces;	1 square foot to 40,000 square feet: 0 spaces;
	20,001 and above: 1 space for every 20,000 square feet or fraction thereof	40,001 and above: 1 space for every 40,000 square feet or fraction thereof
Hospital	2 spaces	1 space for every 40,000 square feet or fraction thereof

Bus depot/train station	2 spaces	1 space for every 40,000 square feet or fraction thereof
Light industrial, not including warehouse	0 spaces	1 square foot to 20,000 square feet: 0 spaces; 20,001 square feet and above: 1 space for every 40,000 square feet or fraction thereof
Warehouse	0 spaces	1 space for every 40,000 square feet or fraction thereof

240(7) In addition to this Part, Parts 3 – 6 may provide specific Loading regulations applicable to each Downtown Winnipeg sector.

240(8) Loading facilities are subject to urban design review if visible from a public right-of-way or river. See section 250, Urban Design.

Urban Design

Urban Design Review Requirements

250(1) All Downtown Winnipeg development, redevelopment, expansion, demolition, or exterior alteration visible from public rights-of-way or rivers is subject to urban design review and must be approved by the Director prior to commencement. Urban design approval is required whether or not the proposal requires a building permit, development permit, variance order, conditional use order, or other approval.

250(2) Notwithstanding subsection 250(1), temporary structures (for events not exceeding 14 days) do not require urban design review and approval.

250(3) In addition to 250(1), and in accordance with subsection 100(6), urban design approval is required for development within public roads, public lanes, public walkways, rivers, and public rights-of-way.

250(4) Notwithstanding subsection 250(1), interior building elements will be considered in urban design review when their arrangement impacts on exterior pedestrian circulation and safety aspects.

250(5) Notwithstanding subsections 100(6) and 250(1), interior building elements within the designated Weather Protected Walkway System will be subject to urban design review, unless they are installed by, required by, or authorized by the City of Winnipeg in accordance with subsection 220(9). Urban design review within the designated Weather Protected Walkway System will focus on ensuring universal access, visibility, and orientation through the walkway system are maintained. See "Designated Weather Protected Walkway System" map in Appendices.

Urban Design Application and Supporting Materials

250(6) Development application requirements are specified under Administration (section 110). To enhance urban design review, the Director may require applicants to submit additional information to illustrate the context of a proposed development.

250(7) Proposals for new buildings and additions must consider adverse wind conditions that may result from the construction of the building or addition during the initial proposal planning stages. Applications for new buildings and additions will be reviewed for wind impacts on the pedestrian environment, as part of the urban design review process. In order to assist this Wind Impact review, the Director requires the following information:

(a) for all new buildings and additions, a Wind Impact Statement (prepared by a professional engineer), which details measures undertaken to minimize the wind impacts of the proposed building or addition on the pedestrian environment;

(b) for any new buildings or additions that exceed 15 storeys in height or the height of buildings on adjacent properties by 10 storeys or more, a Wind Impact Study (prepared by a professional engineer), based on a scale model simulation analysis that includes the following information;

(i) an estimate of the distribution of wind speeds which can be anticipated to occur on a weekly and monthly basis for the entire year for all adjacent public and private pedestrian-level open spaces including public streets;

(ii) a comparison of the estimated distribution of wind speeds with acceptable wind comfort criteria, and the frequency and extent to which such criteria are exceeded;

(iii) a description of the alterations to the building or enlargement which may be expected to reduce wind speeds, and a description of any such alterations which have been analyzed along with the results of such analysis.

Urban Design Considerations

250(8) Review of development, redevelopment, expansion, demolition, or exterior alteration proposals is primarily intended to ensure the thoughtful integration of such proposals into their local context and consistency with the standards articulated in *Plan Winnipeg* and *CentrePlan*. For the purposes of this by-law, urban design review will focus on the quality of the public environment and be predicated on the understanding that the quality of that environment is formed as a result of many independent creative decisions.

250(9) The Key Considerations form the bases for urban design review in Downtown Winnipeg, as follows:

(a) they are provided to assist property owners, design professionals, administrators, decision-makers, advisory committee members, and other parties involved in preparing, reviewing, or approving new developments, redevelopments, expansions, and exterior alterations;

(b) they provide a bridge between current downtown policy desires and any detailed urban design guidelines, standards, or criteria that may be generated for specific downtown sectors (or portions thereof) and which would then supplant the Key Considerations;

(c) they are not intended to stifle or discourage creativity; instead, they provide a framework within which to exercise creative design approaches.

250(10) The Key Considerations are as follows:

(a) building placement;
(b) façade treatment & building entrances;
(c) driveways & building services;
(d) signs.

(a) Building Placement:
  (i) in general, buildings are expected to provide no or minimal setbacks to public road rights-of-way (front and corner side yards);
  (ii) building setbacks for Active Uses (e.g. sidewalk cafés, newsstands, retailer displays) can be accommodated;
  (iii) building setbacks to hotel, Public & Institutional, and Cultural & Entertainment uses can be accommodated;
  (iv) where residential uses are located at street level, building setbacks are encouraged (front and corner side yards)
  (v) where a consistent building alignment exists along a block, buildings are expected to respect this alignment (front and corner side yards);
  (vi) rear and interior side yards are not generally a concern, though in areas typified by a continuous block face (e.g. Exchange District), infill is expected to respect this form.

(b) Façade Treatment & Building Entrances:
  (i) open and inviting building facades are encouraged at street level and 2nd storey, in order to enhance the convenience, comfort, and enjoyment of pedestrian experiences and enhance interactions between the public realm and business operations on private property;
  (ii) long, undifferentiated blank walls located at street level and along public roads are discouraged; instead, they should be enhanced by combinations of transparent windows (not reflective or spandrel), window displays, Active Uses, vertical architectural features (e.g. columns, bays, fenestration, pilasters), and contrasting building materials/textures/colours/shades;
  (iii) opaque window signs, storage of materials blocking windows, permanently closed blinds, and other measures or operations that hamper transparent street level pedestrian/business interactions are discouraged;
  (iv) direct access to retailers, service providers, and customer service areas from street level is encouraged;
  (v) multiple entrances from street level to large developments are encouraged;
  (vi) measures to enhance visibility and accessibility of building entrances (e.g. setbacks or projections from building wall, architectural features, contrasting materials, ornamentation) are encouraged.

(c) Driveways & Building Services:
  (i) in order to encourage an uninterrupted pedestrian boulevard, numbers and dimensions of motor vehicle driveways, private approaches, and other intrusions into the boulevard should be minimized;
  (ii) access to offstreet parking facilities, delivery loading spaces, refuse storage areas, and other building services is encouraged to be via public lane (or from secondary street, when public lane is not available);
  (iii) offstreet parking facilities, delivery loading spaces, refuse storage areas, and other building services are encouraged to be located internal to buildings;

(iv) offstreet parking facilities, delivery loading spaces, refuse storage areas, and other building services located adjacent to public roads and residential uses are encouraged to be screened via landscaping, fencing, building wingwalls, or combinations, ensuring pedestrian access and motor vehicle sight lines are maintained;
(v) offstreet parking facilities, delivery loading spaces, refuse storage areas, and other building services located between building walls and public roads are discouraged.

(d) Signs:
(i) signs are expected to enhance visibility—helpful in identifying a building or use; legible, clear, ordered copy/logo/symbol; visible primarily to pedestrians (travelling at less than 10 km/h), secondarily to motorists (travelling at more than 50 km/h); not obscuring neighbouring signs; not limiting individual tenant opportunities at multiple-tenant sites;
(ii) signs are expected to enable orientation—helpful in finding a building or use, from a distance or up close;
(iii) signs cannot negatively impact personal safety or motor vehicle safety—located and anchored safely and out of the way of pedestrians; not obscuring or mimicking traffic signs/signals;
(iv) signs are expected to respect historic areas and important sites; protect valued views and vistas; and complement other notable downtown features.

250(11) The Standing Policy Committee on Downtown Development may approve urban design guidelines, standards or criteria, not inconsistent with the Key Considerations, which are to be considered in urban design review of development proposals.

Urban Design Review Process

250(12) The Standing Policy Committee on Downtown Development may appoint an advisory committee (or committees) for the purpose of providing recommendations to the Director regarding:
(a) whether or not to grant urban design approval for a particular development, redevelopment, expansion, demolition, or exterior alteration; and

(b) downtown urban design guidelines, standards, or criteria.

250(13) An advisory committee appointed under subsection 250(9) may establish its own procedures, subject to approval by the Standing Policy Committee on Downtown Development.

250(14) The Director may not deny an urban design review application without first giving the applicant notice of the date, time, and location of a meeting to hear representation from the applicant concerning the application. If the applicant has not been so notified within 45 days of the urban design application being submitted in full, the applicant may submit a letter requesting such notification to the Standing Policy Committee on Downtown Development. Upon receiving such letter, the Standing Policy Committee on Downtown Development shall instruct the Director to approve or deny the urban design application within a specified period of time.

PART 3:

MULTIPLE-USE SECTOR

Part 3: Multiple-Use Sector

Intent

300 This sector is intended to encourage the range of uses, sites, activities, and buildings typical to a diverse and vibrant central business district. This sector demonstrates a diversity of uses, including: office, retail, services, restaurants, entertainment opportunities, public institutions, multiple-family residential, and offstreet parking facilities. The built form is also diverse, ranging from high-rise towers at Portage & Main to more intimately-scaled buildings along Graham Avenue. Urban design review in the Multiple-Use Sector is intended to enhance pedestrian comfort and encourage high-quality built form.

Land Use

310(1) The following Land Use regulations are specific to the Multiple-Use Sector. No new use or expansion of an existing use may be established except in compliance with the following regulations and with the Land Use portion (section 200) of the General Provisions.

310(2) Use Categories:

"P" – permitted use
"C" – conditional use
"A" – accessory use
"-" – not permitted use

USE CATEGORIES AND USES	
RESIDENTIAL & RESIDENTIAL RELATED	
Dwelling	P*
Care home	P*
Neighbourhood care home	P*
Dormitory	P*
Single-room occupancy	P*
Bed & breakfast	C
Live-work unit	P**

* - conditional if located at-grade, or if adjacent to the following public roads: Main Street, Portage Avenue, Graham Avenue, Broadway

**- conditional if not directly accessible from street level or if exceeding 3000 square feet of floor area

COMMERCIAL SALES & SERVICE	
Retail sales	P
Wholesale sales	P
Personal services	P
Business support services	P
Medical/dental/optical/ counselling clinic	P
Veterinary, not including kennel	P
Bank/financial service	P
Private club, not licensed	P

COMMERCIAL SALES & SERVICE *(cont'd.)*	
Hostel	P
Hotel	P
Restaurant	P
Drinking establishment	P
Studio for artists/dancers/designers/musicians/ photographers, including production from finished materials	P
Billiard hall, primarily participant	P

OFFICE	
Office	P
Call centre	P

PRIVATE MOTOR VEHICLE-RELATED	
Auto/light truck/motorcycle rental & sales, entirely within enclosed building	P
Auto/light truck/motorcycle repair & service, entirely within enclosed building	C
Fuel sales	C
Drive-in, Drive-through	C
Parking, non-accessory offstreet at grade	C
Parking, non-accessory offstreet above/below grade	P

TRANSPORTATION, UTILITY, & COMMUNICATIONS	
Power station, electrical/heating/cooling/ communications distribution facility	P
Bus depot	C
Train station	C
Commercial marina	P
Radio/television broadcast tower	P
Wireless communications tower	P
Loading, non-accessory	C

PUBLIC & INSTITUTIONAL	
Church/religious institution	P
School	P
Daycare	P
Community/recreation centre, primarily participant	P
Courthouse	P
Jail/detention centre	P
Neighbourhood rehabilitation home	C
Emergency residential shelter	P
Library	P
Hospital, including overnight accommodations	P
Protection & emergency services	P
Research institution	P

CULTURAL & ENTERTAINMENT	
Auditorium/concert hall/theatre/cinema	P
Convention centre/exhibition hall	P
Amusement enterprise	P
Casino	P
Cultural centre	P
Gallery, primarily spectator	P
Museum	P
Sports & entertainment arena/stadium, primarily spectator	P
Studio, radio/TV/motion picture broadcast & production	P
Dance hall	P
Banquet hall	P

PARK & PARK-RELATED	
Park/plaza/square/playground, public access	P
Trail/walkway, public access	P
Boat dock, public access	P

LIGHT INDUSTRIAL Manufacture/assembly/repair/packaging of products from prepared materials, entirely within enclosed building	P
Warehouse, entirely within enclosed building	P
Printing/publishing	P
Commercial laundry/dry-cleaning plant	C
Brewery/distillery/winery	C
Commercial bakery	C
Recycling centre	C

RESTRICTED Adult entertainment	C
X-rated store	P
Dating & escort service	C
Massage parlour	C
Pawnshop	C

ACCESSORY 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	A
Loading, to all uses	A
Refuse storage, to all uses	A
Sign, to all uses	A
Home occupation, to Dwelling	A
Parish hall, to Church	A
Micro-brewery/winery/distillery, to Restaurant	A
Bakery, to Restaurant and Grocery	A
Amusement devices	A

Bulk

320(1) The following Bulk regulations and guidelines are specific to the Multiple-Use Sector. No new building or structure, or expansion of an existing structure, may be developed or enlarged within this sector that does not comply with the following regulations and the Bulk portion (section 210) of the General Provisions. Subsection 320(2) provides for basic Bulk regulations for this sector and exceptions for properties abutting Portage Avenue, Main Street, and Broadway.

320(2) Bulk regulations:

MULTIPLE-USE SECTOR	GENERAL	PORTAGE AVENUE MAIN STREET PROPERTIES	BROADWAY PROPERTIES
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*	1- to 4-storey: 10 feet	1- to 4-storey: 10 feet	1- to 4-storey: 10 feet
	5-storey and above: 20 feet	5-storey and above: 20 feet	5-storey and above: 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 of the adjacent property and in the adjacent property wall (see section 210)

** - 1-storey to 4-storey 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.

320(3) Bulk Guidelines

Signs

330(1) The following Sign regulations are specific to the Multiple-Use Sector. No new sign or sign structure and no alteration to an existing sign or sign structure may be established or erected except in accordance with the following regulations and the Signs portion (section 220) of the General Provisions. Subsection 330(2) provides for basic Sign regulations for this sector and exceptions for properties abutting Portage Avenue, Main Street, and Broadway.

330(2) Sign regulations:

(a)

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
	Free-standing pylon	podium, ground-oriented, pylon	podium, ground-oriented	podium, ground-oriented
Sign Size Maximum		Not applicable	Not applicable	Not applicable
Sign Structure Height Maximum, Free-standing		25 feet	25 feet	10 feet
Sign Location Attached		1- and 2-storey building: below parapet	1- and 2-storey building: below parapet	1- and 2-storey building: below parapet
		3-storey and above building: below 2nd storey ceiling	3-storey and above building: below 2nd storey ceiling	3-storey and above building: below 2nd storey ceiling

(b)

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	All	Fascia, projecting, marquee
	Free-standing	podium, ground-oriented, pylon	podium, ground-oriented, pylon	podium, ground-oriented
Sign Size Maximum		Not applicable	Not applicable	Not applicable
Sign Structure Height Maximum, Free-standing		25 feet	25 feet	10 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 2nd storey ceiling

(c)

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	Fascia, projecting, marquee	Fascia, projecting, marque
	Free-standing	podium, ground-oriented, pylon	podium, ground-oriented, pylon	podium, ground-oriented
Sign Size Maximum		128 square feet	128 square feet	64 square feet
Sign Structure Height Maximum, Free-standing		25 feet	25 feet	10 feet
Sign Location	Attached	1- and 2-storey building: below parapet	Not applicable	1- and 2-storey building: below parapet
		3-storey and above building: below 2nd storey ceiling	Not applicable	3-storey and above building: below 2nd storey ceiling
	Free-standing	1 sign per public road frontage maximum	2 signs along frontage maximum	1 sign along frontage maximum

* - can only be established in conjunction with “Cultural & Entertainment” and “Public & Institutional” uses, restaurants, and drinking establishments

(d)

DIRECTIONAL TYPE		BASIC
Total Sign Volume		Not applicable
Sign Form	Attached	All
	Free-standing	All
Sign Size Maximum		6 square feet per sign
Sign Structure Height Maximum, Free-standing		10 feet
Sign Location	Attached	1- and 2-storey building: below parapet
		3-storey and above building: below 2nd storey ceiling
	Free-standing	Not applicable

(e)

PARKING INSTRUCTIONS TYPE		BASIC
Total Sign Volume		Not applicable
Sign Form	Attached	All
	Free-standing	All
Sign Size Maximum		24 square feet per sign
Sign Structure Height Maximum, Free-standing		10 feet
Sign Location	Attached	1- and 2-storey building: below parapet
		3-storey and above building: below 2nd storey ceiling
	Free-standing	Not applicable

Parking

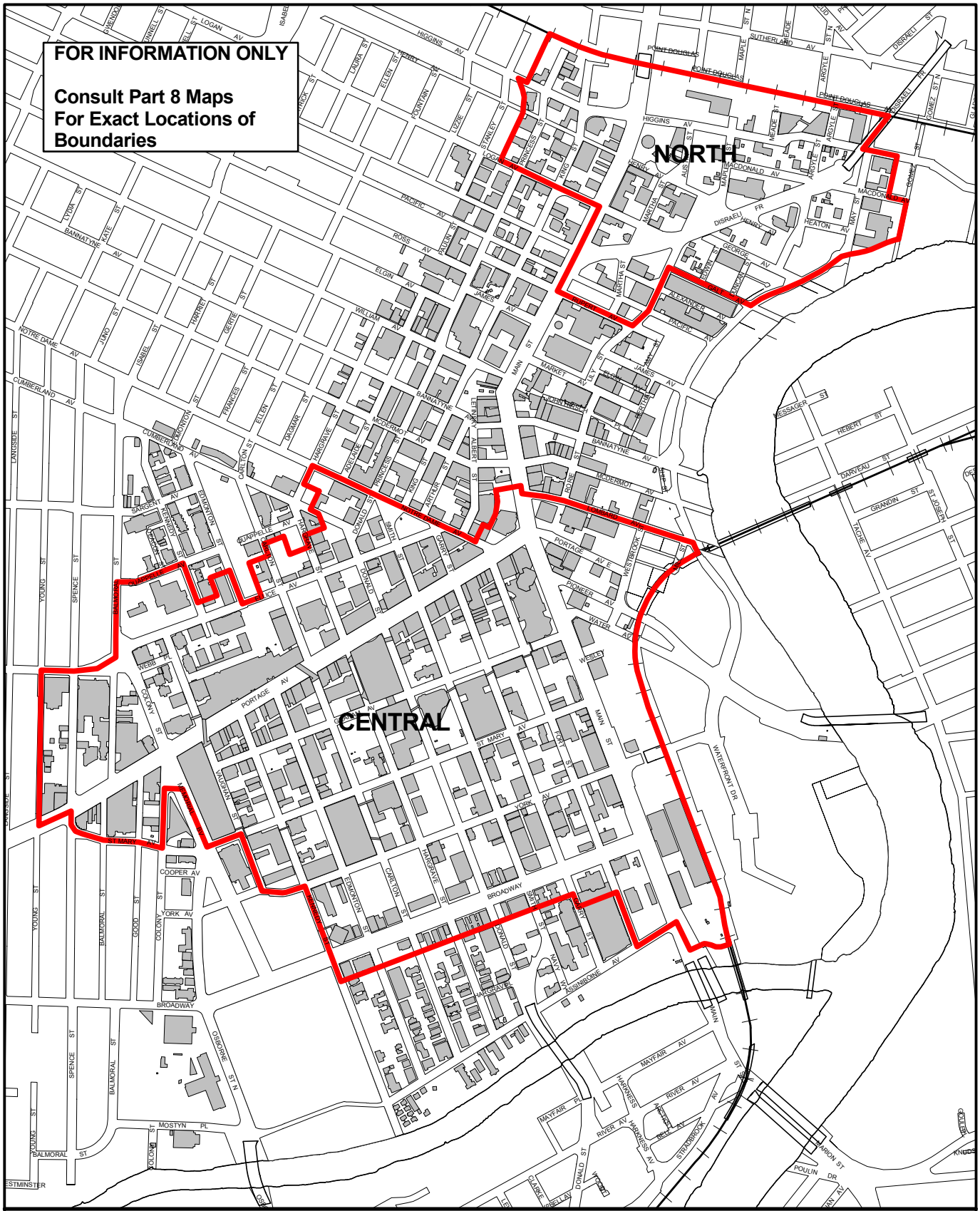
340(1) See Parking portion (section 230) of the General Provisions. In addition, refer to section 310 regarding Parking as a Land Use in the Multiple-Use Sector.

Loading

350(1) See Loading portion (section 240) of the General Provisions. In addition, refer to section 310 regarding Loading as a Land Use in the Multiple-Use Sector.

Urban Design

360(1) See Urban Design portion (section 250) of the General Provisions.



Winnipeg

MULTIPLE-USE SECTOR MAP

By-Law No. 100/2004

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PART 4:

CHARACTER SECTOR

Part 4: Character Sector

Intent

400 This sector is intended to encourage a compatible, fine-grained mix of uses—rather than a separation of uses—in these diverse areas. The built form is key in this sector, ranging from the compact massing of the Exchange District, to the monumental tyndall stone buildings near the Legislative Buildings, to the engaging variety of buildings and structures at The Forks. Urban design review in the Character Sector is intended to reinforce the valued current built forms in the Exchange District (identified in the *National Historic Site Commemorative Integrity Statement*) and near the Legislative Buildings, as well as the values expressed in *The Forks North Portage Partnership Concept Plan*, including enhanced pedestrian comfort.

Land Use

410(1) The following Land Use regulations are specific to the Character Sector. No new use or expansion of an existing use may be established except in compliance with the following regulations and with the Land Use portion (section 200) of the General Provisions.

410(2) Use Categories:

"P" – permitted use
"C" – conditional use
"A" – accessory use
"-" – not permitted use

USE CATEGORIES AND USES	
RESIDENTIAL & RESIDENTIAL-RELATED	
Dwelling	P*
Care home	P*
Neighbourhood care home	P*
Dormitory	P*
Single-room occupancy	C
Bed & breakfast	C
Live-work unit	P**

* - conditional if located at-grade, or if adjacent to the following public roads: Main Street, Osborne Street, Memorial Boulevard, Broadway
** - conditional if not directly accessible from public sidewalk or if exceeding 3000 square feet of floor area

COMMERCIAL SALES & SERVICE	
Retail sales	P*
Wholesale sales	P*
Personal service	P*
Business support service	P*
Medical/dental/optical/counselling clinic	P*
Veterinary, not including kennel	P*
Bank/financial service	P*

COMMERCIAL SALES & SERVICE *(cont'd)*	
Private club, not licensed	P*
Hostel	P*
Hotel	P*
Restaurant	P*
Drinking establishment	P**
Studio for artists/dancers/designers/musicians/ photographers, including production from finished materials	P*
Billiard hall, primarily participant	P**
* - conditional if not directly accessible from public sidewalk or if exceeding 3000 square feet of floor area ** - conditional if not directly accessible from public sidewalk or if exceeding 3000 square feet of floor area or 100 patrons	

OFFICE	
Office	P
Call centre	P*
* - conditional if located at-grade, of if adjacent to any public road	

PRIVATE MOTOR VEHICLE-RELATED	
Auto/light truck/motorcycle rental & sales, entirely within enclosed building	C
Auto/light truck/motorcycle repair & service, entirely within enclosed building	C
Fuel sales	-
Drive-in, Drive-through	-
Parking, non-accessory offstreet at grade	C
Parking, non-accessory offstreet above/below grade	P

TRANSPORTATION, UTILITY, & COMMUNICATIONS	
Power station, electrical/heating/cooling/ communications distribution facility	P
Bus depot	C
Train station	C
Commercial marina	C
Radio/television broadcast tower	C
Wireless communications tower	C
Loading, non-accessory	C

PUBLIC & INSTITUTIONAL	
Church/religious institution	P
School	P
Daycare	P
Community/recreation centre, primarily participant	P
Courthouse	P
Jail/detention centre	P
Neighbourhood rehabilitation home	C
Emergency residential shelter	C
Library	P
Hospital, including overnight	C
Protection & emergency services	C
Research institution	C

CULTURAL & ENTERTAINMENT	
Auditorium/concert hall/theatre/cinema	P
Convention centre/exhibition hall	C
Amusement enterprise	P
Casino	C
Cultural centre	P
Gallery, primarily spectator	P
Museum	P
Sports & entertainment arena/stadium, primarily spectator	C
Studio, radio/TV/motion picture broadcast & production	P
Dance hall*	P
Banquet hall*	P
* - conditional if not directly accessible from public sidewalk or if exceeding 3000 square feet of floor area or 100 patrons	

PARK & PARK-RELATED	
Park/plaza/square/playground, public access	P
Trail/walkway, public access	P
Boat dock, public access	P

LIGHT INDUSTRIAL	
Manufacture/assembly/repair/packaging of products from prepared materials, entirely within enclosed building	P
Warehouse, entirely within enclosed building	P
Printing/publishing	P
Commercial laundry/dry-cleaning plant	C
Brewery/distillery/winery	C
Commercial bakery	C
Recycling centre	C

RESTRICTED	
Adult entertainment	C
X-rated store	C
Dating & escort service	C
Massage parlour	C
Pawnshop	-

ACCESSORY	
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	A
Loading, to all uses not exceeding 20 feet wide X 30 feet long, unless entirely within building	A
Refuse storage, to all uses	A
Sign, to all uses	A
Home occupation, to Dwelling	A
Parish hall, to Church	A
Micro-brewery/winery/distillery, to Restaurant	A
Bakery, to Restaurant and Grocery	A
Amusement devices	A
* - Not exceeding lesser of 10 parking spaces or 20% of lot area in Exchange District National Historic Site	

Bulk

420(1) The following Bulk regulations and guidelines are specific to the Character Sector. No new building or structure, or expansion of an existing structure, may be developed or enlarged within this sector that does not comply with the following regulations and the Bulk portion (section 210) of the General Provisions. Subsection 420(2) provides for basic Bulk regulations for this sector and exceptions for properties within the Warehouse district and those abutting Main Street, Lombard Avenue, and Water Avenue.

420(2) Bulk regulations:

CHARACTER SECTOR	GENERAL	WAREHOUSE PROPERTIES	MAIN STREET LOMBARD AVE. PROPERTIES	WATER AVENUE PROPERTIES
Building Height Maximum	8 storey	8 storey	12 storey	Not applicable
Floor Area Ratio Maximum	8	8	12	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*	1- to 4-storey: 10 feet	1- to 4-storey: 10 feet	1- to 4-storey: 10 feet	1- to 4-storey: 10 feet
	5-storey and above: 20 feet	5-storey and above: 20 feet	5-storey and above: 20 feet	5-storey and above: 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)
** - 1-storey to 4-storey 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

420(3) Bulk Guidelines

Signs

430(1) The following Sign regulations are specific to the Character Sector. No new sign or sign structure and no alteration to an existing sign or sign structure may be established or erected except in accordance with the following regulations and the Signs portion (section 220) of the General Provisions. Subsection 430(2) provides Sign regulations for this sector, including distinctions for the Warehouse district, the Legislature precinct, and at The Forks.

430(2) Sign regulations:

(a)

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	All	All
	Free-standing	None	Podium, ground-oriented	Podium, ground-oriented, pylon
Sign Size Maximum		Not applicable	Not applicable	Not applicable
Sign Structure Height Maximum, Free-standing		Not applicable	10 feet	25 feet
Sign Location, Attached		1- and 2-storey building: below parapet	1- and 2-storey building: below parapet	1- and 2-storey building: below parapet
		3-storey and above building: below 2nd storey ceiling	3-storey and above building: below 2nd storey ceiling	3-storey and above building: below 2nd storey ceiling

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

(b)

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	Podium, ground-oriented	Podium, ground-oriented, pylon
Sign Size Maximum		Not applicable	Not applicable	Not applicable
Sign Structure Height Maximum, Free-standing		10 feet above parapet	10 feet	25 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 2nd storey ceiling
*** - where property does not have frontage on public road, 2 signs per building maximum

(c)

EVENT TYPE*		WAREHOUSE	LEGISLATURE	THE FORKS
Total Sign Volume		Not applicable	Not applicable	Not applicable
Sign Form	Attached	Fascia, projecting, marquee	Fascia, projecting, marquee	Fascia, projecting, marquee
	Free-standing	Podium, ground-oriented, pylon	Podium, ground-oriented, pylon	Podium, ground-oriented, pylon
Sign Size Maximum		64 square feet	64 square feet	96 square feet
Sign Structure Height Maximum, Free-standing		25 feet	25 feet	25 feet
Sign Location	Attached	1- and 2-storey building: below parapet	1- and 2-storey building: below parapet	1- and 2-storey building: below parapet
		3-storey and above building: below 2nd storey ceiling	3-storey and above building: below 2nd storey ceiling	3-storey and above building: below 2nd storey ceiling
	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” and “Public & Institutional” uses, restaurants, and drinking establishments

** - where property does not have frontage on a public road, 2 signs per building maximum

(d)

DIRECTIONAL TYPE		BASIC	WATER AVENUE AND PIONEER AVENUE PROPERTIES
Total Sign Volume		Not applicable	Not applicable
Sign Form	Attached	All	All
	Free-standing	All	All
Sign Size Maximum		4 square feet per sign	6 square feet per sign
Sign Structure Height Maximum, Free-standing		10 feet	10 feet
Sign Location	Attached	1- and 2-storey building: below parapet	1- and 2-storey building: below parapet
		3-storey and above building: below 2nd storey ceiling	3-storey and above building: below 2nd storey ceiling
	Free-standing	Not applicable	Not applicable

(e)

PARKING INSTRUCTIONS TYPE		**BASIC**
Total Sign Volume		Not applicable
Sign Form	Attached	All
	Free-standing	All
Sign Size Maximum		24 square feet per sign
Sign Structure Height Maximum, Free-standing		10 feet
Sign Location	Attached	1- and 2-storey building: below parapet
		3-storey and above building: below 2nd storey ceiling
	Free-standing	Not applicable

Parking

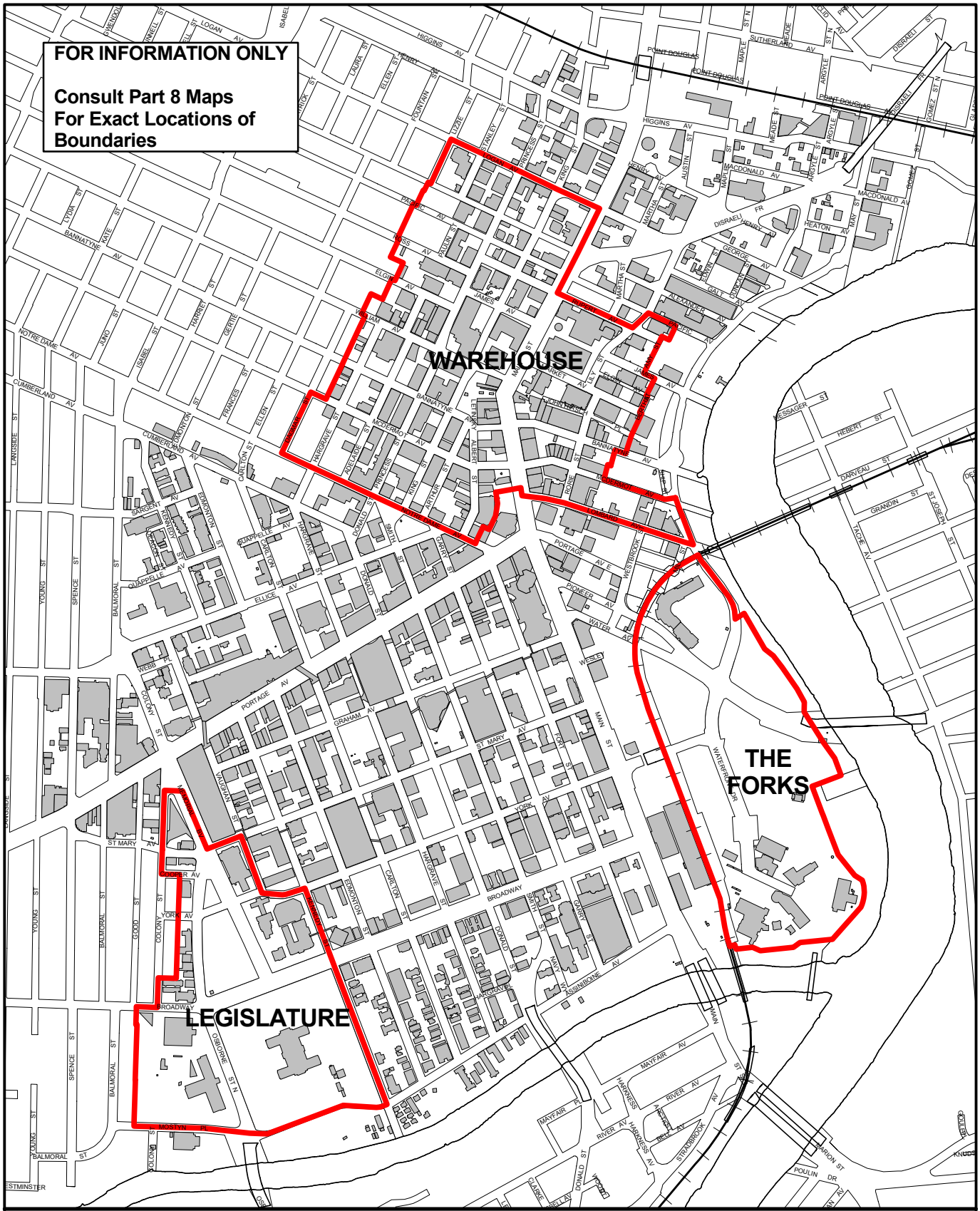
440(1) See Parking portion (section 230) of the General Provisions. In addition, refer to section 410 regarding Parking as a Land Use in the Character Sector.

Loading

450(1) See Loading portion (section 240) of the General Provisions. In addition, refer to section 410 regarding Loading as a Land Use in the Character Sector.

Urban Design

460(1) See the Urban Design portion (section 250) of the General Provisions. In addition, refer to *Exchange District National Historic Site* and *The Forks North Portage Partnership Concept Plan* maps in Appendices.



CHARACTER SECTOR MAP

By-Law No. 100/2004

PART 5:

DOWNTOWN LIVING SECTOR

Part 5: Downtown Living Sector

Intent

500 This sector is intended to enhance these primarily residential areas. Dwellings, parks, recreation opportunities, local commercial amenities, educational facilities, and complementary services are encouraged. Although mixed-use development is encouraged, predominant use of buildings in this sector is expected to be residential. The built form ranges from 2-storey century homes, to low-rise walk-up apartments, to high-rise condominiums. Urban design review in the Downtown Living Sector is intended to enhance the pedestrian environment.

Land Use

510(1) The following Land Use regulations are specific to the Downtown Living Sector. No new use or expansion of an existing use may be established except in compliance with the following regulations and with the Land Use portion (section 200) of the General Provisions.

510(2) Use Categories:

"P" – permitted use
"C" – conditional use
"A" – accessory use
"-" – not permitted use

USE CATEGORIES AND USES	
RESIDENTIAL & RESIDENTIAL-RELATED	
Dwelling	P
Care home	P
Neighbourhood care home	P
Dormitory	P
Single-room occupancy	C
Bed & breakfast	C
Live-work unit	P*
* - Conditional if not directly accessible from public sidewalk or if exceeding 3000 square feet of floor area	

COMMERCIAL SALES & SERVICE	
Retail sales	P*
Wholesale sales	C
Personal services	P*
Business support services	P*
Medical/dental/optical/counselling clinic	P*
Veterinary, not including kennel	P*
Bank/financial service	P*
Private club, not licensed	P*
Hostel	C
Hotel	C

COMMERCIAL SALES & SERVICE *(cont'd)*	
Restaurant	P*
Drinking establishment	C
Studio for artists/dancers/designers/musicians/ photographers, including production from finished materials	P*
Billiard hall, primarily participant	C
* - conditional if not directly accessible from public sidewalk or if exceeding 3000 square feet of floor area	

OFFICE	
Office	P
Call centre	C

PRIVATE MOTOR VEHICLE-RELATED	
Auto/light truck/motorcycle rental & sales, entirely within enclosed building	-
Auto/light truck/motorcycle repair & service, entirely within enclosed building	-
Fuel sales	-
Drive-in, Drive-through	-
Parking, non-accessory offstreet at grade	C
Parking, non-accessory offstreet above/below grade	P

TRANSPORTATION, UTILITY, & COMMUNICATIONS	
Power station, electrical/heating/cooling/ communications distribution facility	P
Bus depot	-
Train station	-
Commercial marina	C
Radio/television broadcast tower	C
Wireless communications tower	C
Loading, non-accessory	C

PUBLIC & INSTITUTIONAL	
Church/religious institution	P
School	P
Daycare	P
Community/recreation centre, primarily participant	P
Courthouse	C

PUBLIC & INSTITUTIONAL *(cont'd.)*	
Jail/detention centre	-
Neighbourhood rehabilitation home	C
Emergency residential shelter	C
Library	P
Hospital, including overnight	C
Protection & emergency services	C
Research institution	C

CULTURAL & ENTERTAINMENT	
Auditorium/concert hall/theatre/cinema	C
Convention centre/exhibition hall	-
Amusement enterprise	-
Casino	-
Cultural centre	C
Gallery, primarily spectator	P
Museum	P
Sports & entertainment arena/stadium, primarily spectator	-
Studio, radio/TV/motion picture broadcast & production	-
Dance hall	C
Banquet hall	C

PARK & PARK-RELATED	
Park/plaza/square/playground, public access	P
Trail/walkway, public access	P
Boat dock, public access	P

LIGHT INDUSTRIAL	
Manufacture/assembly/repair/packaging of products from prepared materials, entirely within enclosed building	-
Warehouse, entirely within enclosed building	-
Printing/publishing	C
Commercial laundry/dry-cleaning plant	-
Brewery/distillery/winery	-
Commercial bakery	-
Recycling centre	-

RESTRICTED	
Adult entertainment	-
X-rated store	-
Dating & escort service	-
Massage parlour	-
Pawnshop	-

ACCESSORY	
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	A
Loading, to all uses not exceeding 20 feet wide X 30 feet long, unless located entirely within building	A
Refuse storage, to all uses	A
Sign, to all uses	A
Home occupation, to Dwelling	A
Parish hall, to Church	A
Micro-brewery/winery/distillery, to Restaurant	A
Bakery, to Restaurant and Grocery	A
Amusement devices	A
* - Not exceeding lesser of 10 parking spaces or 20% of lot area in Exchange District National Historic Site	

Bulk

520(1) The following Bulk regulations and guidelines are specific to the Downtown Living Sector. No new building or structure, or expansion of an existing structure, may be developed or enlarged within this sector that does not comply with the following regulations and the Bulk portion (section 210) of the General Provisions. Subsection 520(2) provides for basic Bulk regulations for this sector and exceptions for properties abutting Waterfront Drive.

520(2) Bulk regulations:

DOWNTOWN LIVING SECTOR	GENERAL	WATERFRONT DRIVE PROPERTIES
Building Height Maximum	Not applicable	8 storey
Floor Area Ratio Maximum	8	8
Front, Side, Corner Side Yards	Not applicable	5 foot front and corner side maximum***
Residential Uses Interior Side Yards Minimum*	1- to 4-storey: 10 feet	1- to 4-storey: 10 feet
	5-storey and above: 20 feet	5-storey and above: 20 feet
Residential Uses Rear Yards Minimum**	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)
** - 1-storey to 4-storey 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

520(3) Bulk Guidelines

Signs

530(1) The following Sign regulations are specific to the Downtown Living Sector. No new sign or sign structure and no alteration to an existing sign or sign structure may be established or erected except in accordance with the following regulations and the Signs portion (section 220) of the General Provisions. Subsection 530(2) provides basic Sign regulations for this sector and distinctions for the Waterfront area.

530(2) Sign regulations:

(a)

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	All
	Free-standing	Podium, ground-oriented	None
Sign Size Maximum		32 square feet	Not applicable
Sign Structure Height Maximum, Free-standing		10 feet	Not applicable
Sign Location, Attached		1- and 2-storey building: below parapet	1- and 2-storey building: below parapet
		3-storey and above building: below 2nd storey ceiling	3-storey and above building: below 2nd storey ceiling

(b)

BUILDING IDENTIFICATION TYPE		BASIC	WATERFRONT DRIVE
Total Sign Volume		1.5% of building wall*	2% of building wall**
Sign Form	Attached	Fascia, awning, canopy	All
	Free-standing	Podium, ground-oriented	Roof
Sign Size Maximum		Not applicable	Not applicable
Sign Structure Height Maximum, Free-standing		10 feet	10 feet above parapet
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 2nd storey ceiling

(c)

EVENT TYPE*		**BASIC**	**WATERFRONT DRIVE**
Total Sign Volume		Not applicable	Not applicable
Sign Form	Attached	Fascia, projecting, marquee	Fascia, projecting, pylon
	Free-standing	Podium, ground-oriented	Podium, ground-oriented, pylon
Sign Size Maximum		48 square feet	64 square feet
Sign Structure Height Maximum, Free-standing		10 feet	25 feet
Sign Location	Attached	1- and 2-storey building: below parapet	1- and 2-storey building: below parapet
		3-storey and above building: below 2nd storey ceiling	3-storey and above building: below 2nd storey ceiling
	Free-standing	1 sign per property maximum	1 sign per public road frontage maximum
* - can only be established in conjunction with “Cultural & Entertainment” and “Public & Institutional” uses, restaurants, and drinking establishments			

(d)

DIRECTIONAL TYPE		**BASIC**
Total Sign Volume		Not applicable
Sign Form	Attached	All
	Free-standing	All
Sign Size Maximum		4 square feet per sign
Sign Structure Height Maximum, Free-standing		10 feet
Sign Location	Attached	1- and 2-storey building: below parapet
		3-storey and above building: below 2nd storey ceiling
	Free-standing	Not applicable

(e)

PARKING INSTRUCTIONS TYPE		BASIC
Total Sign Volume		Not applicable
Sign Form	Attached	All
	Free-standing	All
Sign Size Maximum		24 square feet per sign
Sign Structure Height Maximum, Free-standing		10 feet
Sign Location	Attached	1- and 2-storey building: below parapet
		3-storey and above building: below 2nd storey ceiling
	Free-standing	Not applicable

Parking

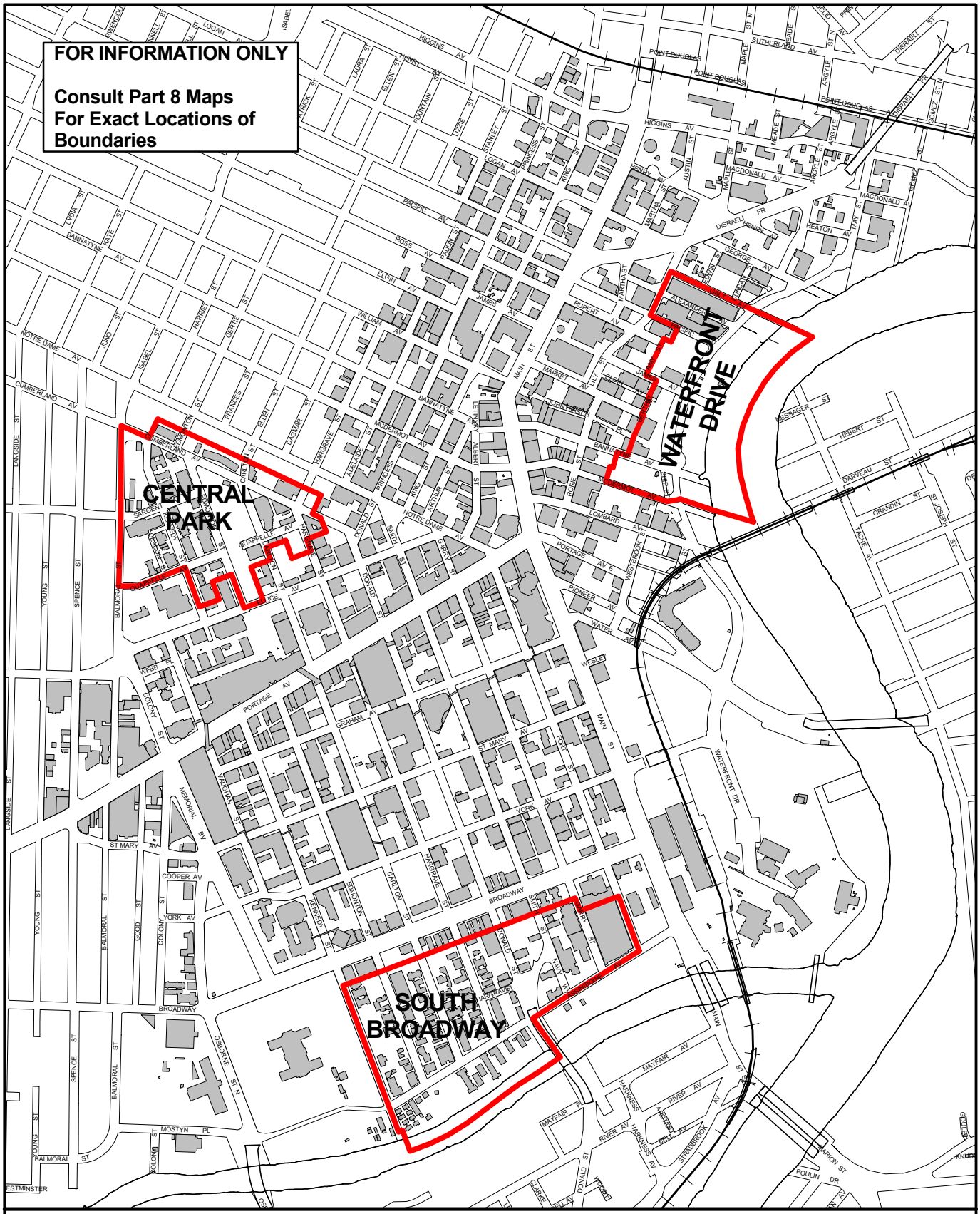
540(1) See Parking portion (section 230) of the General Provisions. In addition, refer to section 510 regarding Parking as a Land Use in the Downtown Living Sector.

Loading

550(1) See Loading portion (section 240) of the General Provisions. In addition, refer to section 510 regarding Loading as a Land Use in the Downtown Living Sector.

Urban Design

560(1) See the Urban Design portion (section 250) of the General Provisions. In addition, refer to *Exchange District National Historic Site* map in Appendices.



Winnipeg

DOWNTOWN LIVING SECTOR MAP

By-Law No. 100/2004

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PART 6:

RIVERBANK SECTOR

Part 6: Riverbank Sector

Intent

600 This sector is intended primarily for the use and enjoyment of the public. Uses supportive of and accessory to a continuous linear parkway and public gathering nodes are encouraged. In order to ensure that views and access to and from the Red and Assiniboine Rivers are enhanced, urban design review in this sector will encourage modestly-scaled buildings and structures, as well as high-quality built form.

Land Use

610(1) The following Land Use regulations are specific to the Riverbank Sector. No new use or expansion of an existing use may be established except in compliance with the following regulations and with the Land Use portion (section 200) of the General Provisions.

610(2) Use Categories:

"P" – permitted use
"C" – conditional use
"A" – accessory use
"-" – not permitted use

USE CATEGORIES AND USES	
RESIDENTIAL & RESIDENTIAL-RELATED	
Dwelling	-
Care home	-
Neighbourhood care home	-
Dormitory	-
Single-room occupancy	-
Bed & breakfast	-
Live-work unit	-

COMMERCIAL SALES & SERVICE	
Retail sales	A to Park uses
Wholesale sales	-
Personal services	A to Park uses
Business support services	-
Medical/dental/optical/counselling clinic	-
Veterinary, not including kennel	-
Bank/financial service	-
Private club, not licensed	-
Hostel	-
Hotel	-
Restaurant	A to Park uses

COMMERCIAL SALES & SERVICE *(cont'd.)*	
Drinking establishment	-
Studio for artists/dancers/designers/musicians/ photographers, including production from finished materials	A to Park uses
Billiard hall, participant	-

OFFICE	
Office	A to Park uses
Call centre	-

PRIVATE MOTOR VEHICLE-RELATED	
Auto/light truck/motorcycle rental & sales, entirely within enclosed building	-
Auto/light truck/motorcycle repair & service, entirely within enclosed building	-
Fuel sales	-
Drive-in, Drive-through	-
Parking, non-accessory offstreet at grade	-
Parking, non-accessory offstreet above/below grade	-

TRANSPORTATION, UTILITY, & COMMUNICATIONS	
Power station, electrical/heating/cooling/ communications distribution facility	-
Bus depot	-
Train station	-
Commercial marina	C
Radio/television broadcast tower	-
Wireless communications tower	-
Loading, non-accessory	-

PUBLIC & INSTITUTIONAL	
Church/religious institution	-
School	-
Daycare	-
Community/recreation centre, primarily participant	P
Courthouse	-
Jail/detention centre	-

PUBLIC & INSTITUTIONAL *(cont'd.)*	
Neighbourhood rehabilitation home	-
Emergency residential shelter	-
Library	-
Hospital, including overnight	-
Protection & emergency services	-
Research institution	-

CULTURAL & ENTERTAINMENT	
Auditorium/concert hall/theatre/cinema	C
Convention centre/exhibition hall	-
Amusement enterprise	
Casino	-
Cultural centre	-
Gallery, primarily spectator	A to Park uses
Museum	A to Park uses
Sports & entertainment arena/stadium, primarily spectator	-
Studio, radio/TV/motion picture broadcast & production	-
Dance hall	-
Banquet hall	-

PARK & PARK-RELATED	
Park/plaza/square/playground, public	P
Trail/walkway, public	P
Boat dock, public	P

LIGHT INDUSTRIAL	
Manufacture/assembly/repair/packaging of products from prepared materials, entirely within enclosed building	-
Warehouse, entirely within enclosed building	-
Printing/publishing	-
Commercial laundry/dry-cleaning plant	-
Brewery/distillery/winery	-
Commercial bakery	-
Recycling centre	-

RESTRICTED	
Adult entertainment	-
X-rated store	-
Dating & escort service	-
Massage parlour	-
Pawnshop	-
Halfway house/residential treatment centre	-

ACCESSORY	
Parking, to all uses offstreet at-grade not exceeding greater of 10 parking spaces or 40% of lot area; to all uses above- or below- grade, no restrictions	A
Loading, to all uses not exceeding 20ft wide X 30ft long, unless located entirely within building	A
Refuse storage, to all uses	A
Sign, to all uses	A
Retail sales, to Park	A
Personal services, to Park	A
Restaurant, to Park	
Studio for artists/dancers/designers/musicians/ photographers, including production from prepared materials, to Park	A
Office, to Park	A
School, to Park	A
Research institution, to Park	A
Gallery, primarily spectator, to Park	A
Museum, to Park	A
Home occupation, to Dwelling	-
Parish hall, to Church	-
Micro-brewery/winery/distillery, to Restaurant	-
Bakery, to Restaurant and Grocery	-

Bulk

620(1) The following Bulk regulations and guidelines are specific to the Riverbank Sector. No new building or structure, or expansion of an existing structure, may be developed or enlarged within this sector that does not comply with the following regulations and the Bulk portion (section 210) of the General Provisions. Subsection 620(2) provides for basic Bulk regulations for this sector.

620(2) Bulk regulations:

RIVERBANK SECTOR	BASIC
Building Height Maximum	4 storey
Floor Area Ratio Maximum	2
Front, Side, Corner Side Yards	Not applicable
Residential Uses Interior Side Yards Minimum*	1- to 4-storey: 10 feet
	5-storey and above: 20 feet
Residential Uses Rear Yards Minimum**	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)

** - 1-storey to 4-storey 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)

620(3) Bulk Guidelines

Signs

630(1) The following Sign regulations are specific to the Riverbank Sector. No new sign or sign structure and no alteration to an existing sign or sign structure may be established or erected except in accordance with the following regulations and the Signs portion (section 220) of the General Provisions. Subsection 630(2) provides basic Sign regulations for this sector.

630(2) Sign regulations:

(a)

USE IDENTIFICATION TYPE		**BASIC**
Total Sign Volume		2 square feet per frontage foot*
Sign Form	Attached	All
	Free-standing	None
Sign Size Maximum		32 square feet
Sign Structure Height Maximum, Free-standing		Not applicable
Sign Location, Attached		1- and 2-storey building: below parapet
		3-storey and above building: below 2nd storey ceiling

* - where property does not have frontage on a public road, 200 square foot total per building.

(b)

BUILDING IDENTIFICATION TYPE		**BASIC**
Total Sign Volume		1.5% of building wall*
Sign Form	Attached	Fascia, awning, canopy
	Free-standing	None
Sign Size Maximum		Not applicable
Sign Structure Height Maximum, Free-standing		Not applicable
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 2nd storey ceiling.

(c)

EVENT TYPE*		**BASIC**
Total Sign Volume		Not applicable
Sign Form	Attached	Fascia, projecting, marquee
	Free-standing	Podium, ground-oriented
Sign Size Maximum		48 square feet
Sign Structure Height Maximum, Free-standing		10 feet
Sign Location	Attached	1- and 2-storey building: below parapet
		3-storey and above building: below 2nd storey ceiling
	Free-standing	1 sign per property maximum

* - can only be established in conjunction with “Cultural & Entertainment” and “Public & Institutional” uses, restaurants, and drinking establishments

(d)

DIRECTIONAL TYPE		**BASIC**
Total Sign Volume		Not applicable
Sign Form	Attached	All
	Free-standing	All
Sign Size Maximum		4 square feet per sign
Sign Structure Height Maximum, Free-standing		10 feet
Sign Location	Attached	1- and 2-storey building: below parapet
		3-storey and above building: below 2nd storey ceiling
	Free-standing	Not applicable

(e)

PARKING INSTRUCTIONS TYPE		**BASIC**
Total Sign Volume		Not applicable
Sign Form	Attached	All
	Free-standing	All
Sign Size Maximum		24 square feet per sign
Sign Structure Height Maximum, Free-standing		10 feet
Sign Location	Attached	1- and 2-storey building: below parapet
		3-storey and above building: below 2nd storey ceiling
	Free-standing	Not applicable

Parking

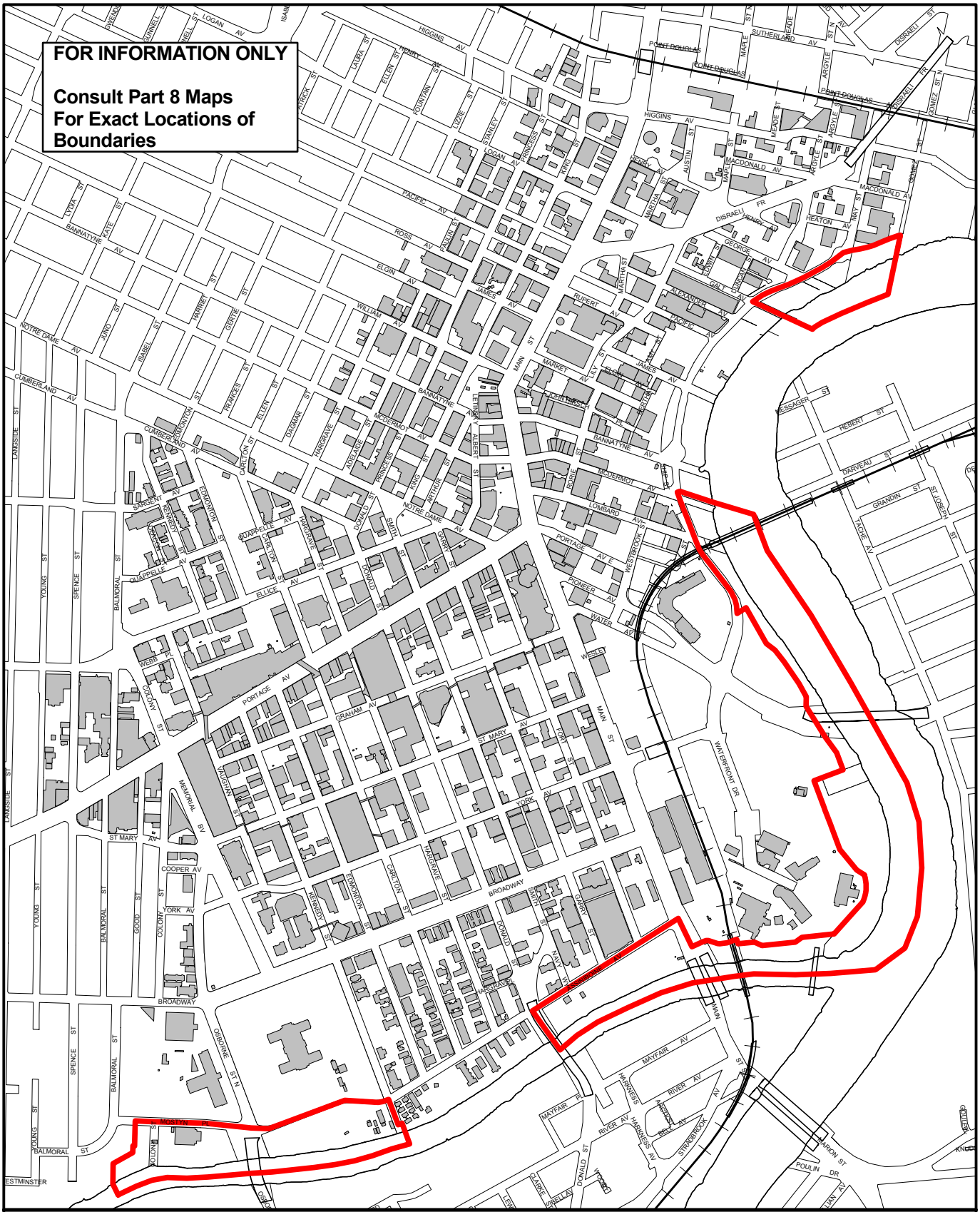
640(1) See Parking portion (section 230) of the General Provisions. In addition, refer to section 610 regarding Parking as a Land Use in the Riverbank Sector.

Loading

650(1) See Loading portion (section 240) of the General Provisions. In addition, refer to section 610 regarding Loading as a Land Use in the Riverbank Sector.

Urban Design

660(1) See the Urban Design portion (section 250) of the General Provisions. In addition, refer to *The Forks National Historic Site* map in Appendices.



Winnipeg

RIVERBANK SECTOR MAP

By-Law No. 100/2004

N

PART 7:

DEFINITIONS

Part 7: Definitions

700(1) Terms not specifically defined in this Part have their usual and customary meaning, or as defined in relevant statutes and City by-laws.

700(2) General Definitions:

"abut"
Means immediately contiguous to or physically touching and, when used with respect to a lot or site, means the lot or site physically touches upon another lot, site, right-of-way, or piece of land and shares a property line or boundary line with it.

"accessory building, structure, or use"
Means a building, structure, or use established or erected in conjunction with or subsequent to the establishment or erection of a principal building, structure, or use approved under this by-law, and is subordinate or incidental to, and located on the same zoning lot, as a principal building, structure, or use.

"advisory committee"
Means a committee appointed by the Standing Policy Committee on Downtown Development under subsection 250(12).

"building height"
Means the total number of storeys in a building or the vertical distance measured from grade to:

(a) the highest point of the roof surface of a flat roof;
(b) the deck of a mansard roof;
(c) the mean height level between the eaves and ridge of a gable, hip, or gambrel roof.

"CentrePlan"
CentrePlan is a sub-set of Plan Winnipeg. It builds upon the foundation established in the Downtown section of the plan. It articulates the long-term vision for the downtown, together with strategies intended to see the vision realized over the long-term.

"conditional use order"
Means an order in respect of an application for a conditional use. "Conditional use" means a use of real property that might be approved under a zoning by-law.

"corner side yard"
See "yard, corner side".

"development"
Means the construction of a building or structure on, over or under land, a change in the use or intensity of use of a building or land, the removal of soil or vegetation from land, the deposit or stockpiling of soil or material on land, and the excavation of land.

"development permit"
Means a permit authorizing a development that is subject to a zoning by-law.

"directly accessible from public sidewalk"
Means that portion of a non-residential or mixed-use building constructed to enable direct customer access to the building's use or uses directly from a public sidewalk, rather than from parking areas, interior hallways, enclosed malls, or common lobby areas. Includes portions of the building located at-grade, but also those portions directly accessible from the public sidewalk via stairs, ramps, or similar means. Also includes uses directly accessible from the designated Weather Protected Walkway System.

"Director"
Means, except where otherwise specified herein, the Director of Planning, Property, and Development and his/her delegates.

"feet"
See "foot"

"floor area ratio"
Means the total floor area of the buildings and structures on a zoning lot, divided by the total area of the zoning lot.

"foot"
One Imperial foot equals 0.3048 metres.

"front yard"
See "yard, front".

"frontage"
Means that portion of a zoning lot fronting on a public road. For the purposes of frontage foot calculations, "frontage" includes all property lines abutting public roads.

"grade"
Means the elevation calculated by the Director to be the average of the elevations of the points at which a building or structure contacts the surface of the lot or parcel of land upon which the building or structure is located. Established for the purpose of regulating the number of storeys and height of buildings and structures.

"holding lines"
Means, where two or more contiguous properties are held by the same owner, the line dividing one owner's parcel holdings from another's.

"light truck"
Means trucks and similar vehicles with single rear axles and single rear wheels.

"lot, corner"
Means a zoning lot which abuts the intersection of two or more public streets, or which abuts the approximately perpendicular intersection of two or more frontages of the same public road.

"lot, interior"
Means a lot other than a corner lot or a through lot.

"lot, through"
Means a zoning lot which abuts two or more public roads, but which does not abut the intersection of those streets.

"lot, zoning"
Means a parcel of land which abuts a public street or abuts an unimproved street which is to be improved as a public street to serve that lot pursuant to an agreement with the City of Winnipeg, or is separated from a public street which it would otherwise abut by a portion of that parcel acquired out of it by the City of Winnipeg or by the Queen in the Right of the Government of Manitoba for the purpose of dyking or future street widening, and which:

(a) conforms to the lot width and lot area requirements of the applicable zoning sector and is one entire subdivided parcel, no part of which can separately be conveyed without subdivision approval under The City of Winnipeg Charter;
(b) does not conform to the lot width and/or lot area requirements of the applicable zoning sector, which is not contiguous with any parcel registered to the same owner, and which lawfully existed on the date of enactment or amendment of this zoning by-law; or
(c) does not conform to the lot width and/or lot area requirements of the applicable zoning sector, which is not contiguous with any parcel registered to the same owner, and which does not conform solely as a result of acquisition of a portion of that lot by the City of Winnipeg or by the Queen in the Right of the Government of Manitoba.

"lot area"
Means the total area contained within the lot lines of a lot.

"lot depth"
Means the horizontal distance between the centre points in the font and rear lot lines.

"lot line, front"
Means

(a) in the case of an interior lot, all lot limits which abut public streets; or
(b) in the case of a through lot, all lot limits which abut public streets from which vehicular access is permitted; or
(c) in the case of a corner lot, that frontage which is the continuation of the front lot line of an abutting interior lot or if none those frontages which as front lot lines accord with the intent and purpose of yard requirements under this By-law.

"lot line, rear"
Means:

(a) the lot limit which is most nearly parallel to the front lot line; or
(b) any lot limit which is in whole or in part the rear lot line of an abutting lot and as a rear lot line accords with the intent and purpose of yard requirements or development standards under this By-law; or
(c) in the case of a lot where the side lot lines intersect the rear lot line shall be deemed to be a line 10 feet in length, located within the lot, parallel to and at the maximum distance from the front lot line.

"lot line, side"
Means any lot limit which intersects with a front lot line and which is not a rear lot line in accordance with the intent and purpose of yard requirements under this By-law.

"lot width"
Means the horizontal distance between the side lot lines of a lot, measured at right angles to the lot depth at a point midway between the front and rear lot lines, or at fifty feet from the front lot line, and the lesser of these distances is the lot width.

"parapet"
Means a low wall at the edge of a roof; especially that part of an exterior wall that rises above the roof.

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

Plan Winnipeg: 2020 Vision By-law No. 7630/2000 states: "*Plan Winnipeg* is Council's long range policy plan. It is intended to guide Winnipeg into the 21st century by addressing the broad physical, social, economic, and environmental conditions in the city. In that sense, *Plan Winnipeg* is the most important document prepared by The City of Winnipeg because it provides the foundation for all civic activity. It is intended that all other City of Winnipeg documents, budgets, public works, programs, or developments be consistent with this Plan."

"private approaches"
Means a roadway, culvert, crossing, or other structure heretofore or hereafter constructed, erected, installed, or maintained in a street between the property of an owner and the nearest curb or edge of a roadway in the said street, for the use or benefit of the owner or occupant of the property adjoining or connected therewith, but does not include a roadway or other structure constructed for such purpose within an alley.

"rear yard"
See "yard, rear".

"secondary plan"
Provides such objectives and actions as Council considers necessary or advisable to address, in a neighbourhood, district, or area of the city, any matter within a sphere of authority of the City of Winnipeg, including, without limitation, any matter dealt with in *Plan Winnipeg* or pertaining to economic development or the enhancement or special protection of heritage resources or sensitive lands.

"side yard"
See "yard, side".

"sign"
See Sign Definitions, section 700(5).

"square feet"
See "square foot"

"square foot"
One Imperial square foot equals 0.0929 square metres.

"Standing Policy Committee on Downtown Development"
Means the standing committee established by Council under the *City Organization By-Law*, having jurisdiction with respect to certain matters relating to real property located entirely or primarily in the area covered by this by-law.

"storey"
Means that portion of any building which is situated between the surface of any floor and the surface of the floor next above it, and, if there is no floor above it, that portion between the surface of such floor and the ceiling above it, but does not include a basement or cellar.

"substantial adaptive reuse"
Includes redevelopment of existing buildings or structures, involving a change in use and usually involving significant structural alterations, the cost of which exceeds 50% of the building's or structure's assessed value on the last revised assessment roll. Such redevelopments include but are not restricted to residential reuse of former warehouse buildings, hotel reuse of former office buildings, and restaurant/drinking establishment reuse of former utility buildings. Does not include minor alterations to accommodate re-tenanting of existing buildings or structures.

"temporary building"
Means a building which, because of its nature, will exist for a short time under circumstances which warrant only selective compliance with the *Manitoba Building Code*. (See *Winnipeg Building By-Law*).

"variance order"
Means an order in respect of an application for a variance. "Variance" means the modification of a provision of a zoning by-law.

"Weather Protected Walkway System"
Means the system of inter-connected, weather-protected, above- and below-ground walkway system designated by Council for public use during specified hours of operation.

"wind impact"
Means the generation and acceleration of intense wind drafts by tall buildings and structures in dense urban contexts, both through the affects of their own form and in relation to adjacent buildings and structures.

"yard"
Means an open area, on the same zoning lot with a building or structure, which yard is unoccupied and unobstructed from grade level to the sky, except as otherwise permitted. A yard extends along a lot line or wall and to a depth or width (measured from the lot line or wall) specified in the yard requirement for the sector in which such zoning lot is located.

"yard, corner side"
Means a side yard which adjoins a public road.

"yard, front"
Means an open area on a zoning lot which is clear from ground to sky, except as otherwise permitted, extending along the full length of the front lot line, the depth of which is measured perpendicularly to the front lot line.

"yard, rear"
Means an open area on a zoning lot which is clear from ground to sky, except as otherwise permitted, extending along the full length of the rear lot line, the depth of which is measured perpendicularly to the rear lot line.

"yard, side"
Means an open area on a zoning lot which is clear from ground to sky, except as otherwise permitted, extending along the full length of the side lot line between the front yard and rear yard, the depth of which is measured perpendicularly to the side lot line.

Zoning Compliance Certificate
Means a certificate issued by the Director that confirms any one or more of the following, subject to such proof as the Director deems necessary, as of the date of that certificate:

(a) the described use or uses operated or proposed to be operated on the lot comply with the applicable zoning rules, agreements and orders;
(b) the development on the lot complies with all zoning rules, agreements and orders affecting it; and
(c) the location of the building or buildings on the lot complies with the applicable zoning rules, agreements and orders.

"zoning lot"
See "lot, zoning".

Zoning Memorandum
Means a document indicating that a building or structure complies or does not comply as to its location on a zoning lot.

700(3) Use Definitions:

"adult entertainment"
Means "erotic entertainment agency", "erotic entertainment establishment", "erotic entertainment facility", "erotic entertainment parlour", and "model studio" uses as defined in the *City of Winnipeg License By-Law*. Does not include "x-rated store".

"amusement enterprise"
Means an amusement enterprise as defined in *The City of Winnipeg License By-Law*.

"auditorium/concert hall/theatre/cinema"
Means a place devoted to showing motion pictures or dramatic, dance, musical, or other live performances.

"banquet hall"
Means a banquet hall as defined in *The City of Winnipeg License By-Law*.

"business support services"
Means commercial uses intended to support the business needs in the area. Such uses include but are not limited to copy shops, mail centres, employment agencies, small business machine repair, and technical support centres.

"call centre"
Means a building or a portion of a building wherein workers provide support services to offsite customers primarily via telephone interactions. Services to customers are not typically available on a walk-in or over-the-counter basis. Distinct from "office" uses on the bases of multiple-shift operations (typically 24-hour, Sunday to Monday) and floor space configurations that typically involve dense staff concentrations in comparatively smaller work areas.

"care home"
Means a dwelling used for the boarding or other residential accommodation plus care or treatment of not more than six persons, in which care or treatment is not provided to any persons not resident in the care home.

"commercial bakery"
Means an establishment engaged in the preparation of baked goods, primarily for distribution and consumption off site, exceeding 5,000 square feet in production area. May also include incidental "retail sales" directly to a consumer.

"commercial laundry"
Means an establishment engaged in dry-cleaning, laundry, and linen services, exceeding 5,000 square feet in production area. Includes pressing, repair, and dry-cleaning, primarily for pick-up from and distribution to customers located off site. May also include incidental "personal services" directly to a consumer.

"commercial marina"
Means a facility for the storage, launching, mooring, and incidental repair of boats, for which fees are charged.

"community/recreation centre, primarily participant"
Means development for recreational, social, or multi-purpose use where patrons are primarily participants and any spectators are incidental and attend on a non-recurring basis. Typical uses include recreation and leisure centres, hockey and skating rinks, curling, swimming pools, bowling alleys, racquet clubs, rifle and pistol ranges, community halls, and community centres.

"convention centre/exhibition hall"
Means a development which is owned and managed by a public authority or non-profit agency and provides permanent facilities for meetings, seminars, and conventions; product and trade fairs; and other exhibitions.

"cultural centre"
Means a building or portion of a building dedicated to the celebration and promotion of a cultural group or groups. Distinct from "private club" on the basis of the range of uses typically available to customers and guests (including restaurants, retail sales, personal services, theatres, and banquet halls), who are not required to be members of a non-profit organization incorporated as such by the Government of Canada or the Government of Manitoba.

"dance hall"
Means a dance hall as defined in *The City of Winnipeg License By-Law*.

"dating & escort service"
Means a dating and escort service as defined in *The City of Winnipeg License By-Law*.

"daycare"
Means an establishment providing for the care, supervision, and protection of children and adults, but does not include medical treatment or overnight supervision.

"dormitory"
Means a building designed for or used as group living quarters for students of a school, and owned or managed by that school.

"drinking establishment"
Means an establishment, licensed by the Government of Manitoba, where the primary purpose of the establishment is the sale of alcoholic beverages to the public, for consumption on the premises. This use typically has a limited food menu and typically prohibits minors from patronizing the establishment during at least some portion of the hours of operation. Also includes "private club", when licensed. Does not include licensed "restaurant".

"drive-in/drive-through"
Means any use, except "fuel sales" stations, designed or operated to allow patrons, while outdoors on the premises in motor vehicles, to order, request, exchange, donate, or receive goods, wares, merchandise, products, foods, beverages, or services.

"dwelling unit"
Means a building or portion thereof designed or used for residential occupancy by a single family, including cooking, eating, living, sanitary, and sleeping facilities.

"emergency residential shelter"
Means a building where emergency temporary lodging is provided to persons who are homeless, and where on-site supervision is provided whenever such shelter is occupied.

"fuel sales"
Means a business establishment operated at a fixed location at which gasoline or any other motor vehicle engine fuel is offered for sale.

"home occupation"
Means a use operated only by one or more residents of a dwelling unit, accessory to that dwelling unit, and without the employment of any other person.

"hospital, including overnight accommodations"
Means an institution that maintains and operates facilities for inpatient medical care, including x-ray, laboratory, and surgical, for the diagnosis, care, and treatment of human illness, injury, and disease (physical or mental). Outpatient care may also be provided.

"hostel"
Means a hostel as defined in *The City of Winnipeg License By-Law*.

"hotel"
Means a building or portion thereof wherein temporary accommodation is provided in individual guest rooms or suites for transient lodgers, without provision for cooking in any individual guest room or suite, and in which services are provided for the occupants, which may include linen/housekeeping services, meeting rooms, ballrooms, beverage rooms, and food services including dining rooms.

"live-work unit"
Means a residential dwelling unit that includes working space accessible from the living area, reserved for and regularly used by one or more residents of the dwelling unit, but does not include "home occupations". Working space may exceed 400 square feet and may be used for "retail sales", "personal services", "medical/dental/optical/counselling clinic", "studio for artists/ dancers/designers/musicians/photographers, including production from finished materials", "office", and "school".

"loading aisle"
Means that portion of a loading facility that provides vehicular access to a loading space, not directly from a driveway. May be shared with a parking aisle.

"loading driveway"
Means that portion of a loading facility that provides vehicular access from a public right-of-way to a loading space. May be shared with a parking driveway.

"loading facility"
Means an open area of land or an area within a structure, not including within a public right-of-way, used for the loading and unloading materials, merchandise, or people from motor vehicles.

"loading space"
Means that portion of a loading facility, excluding vehicle manoeuvring areas such as aisles and driveways, that will accommodate one motor vehicle.

"manufacture/assembly/repair/packaging of products from prepared materials, entirely within an enclosed building"
Means product assembling or mixing, where previously processed components or manufactured parts produced off-site are fitted together into a complete machine or blended together to form a non-combustible and non-explosive product. Product packaging includes bottling, canning, packing, wrapping, and boxing of products assembled or manufactured off-site. The assembling or packaging shall not produce noise, vibration, hazardous waste materials, or particulate that creates significant impacts to adjacent land uses. Odours produced on-site shall not negatively affect other businesses or properties in the area. Examples of assembly include, but are not limited to, the production of the following: clothes; furniture (where wood is milled off-site); pharmaceuticals; hardware; toys; mechanical components; electric or electronic components; small vehicle assembly; and computer software. Examples of packaging include facilities for bottling beverages, canning and wrapping foods, and boxing electronic components.

"massage parlour"
Means a massage parlour as defined in *The City of Winnipeg License By-Law*.

"medical/dental/optical/counselling clinic"
Means a facility for the provision of human health services without overnight accommodations for patients. Includes accessory laboratory facilities.

"micro-brewery/winery/distillery"
Means a small brewery, winery, or distillery operated in conjunction with a "drinking establishment" or "restaurant", provided the beer, wine, or liquor is sold for consumption onsite or off the premises and is not sold to other drinking establishments, restaurants, or wholesalers.

"neighbourhood care home"
Means a building or portion thereof used for the boarding or other residential accommodation plus care or treatment of more than six but not more than twelve persons, in which care is not provided to any persons not resident in the care home.

"neighbourhood rehabilitation home"
Means a building or portion thereof used for the boarding or other residential accommodation plus mandatory supervision or treatment of not more than twelve persons who are from or discharged from any penal institution or who are receiving supervision or treatment for alcohol or other drug addictions, in which supervision or treatment is not provided to any persons not resident in the rehabilitation home.

"park"
Means development of public land specifically designed or reserved for the general public for active or passive recreational use and includes natural and manmade landscaping, facilities, playing fields, buildings, and other structures that are consistent with the general purposes of public parkland, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park. Typical uses include totlots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, and water features.

"parking aisle"
Means that portion of a parking facility that provides vehicular access to a parking space, not directly from a driveway.

"parking driveway"
Means that portion of a parking facility that provides vehicular access from a public right-of-way to a parking space.

"parking facility"
Means an open area of land or an area within a structure, not including within a public right-of-way, used for the parking of motor vehicles.

"parking space"
Means that portion of a parking facility, excluding vehicle manoeuvring areas such as aisles and driveways, that will accommodate one motor vehicle.

"pawnshop"
Means a place where money is loaned on security of personal property left in pawn and pledged as collateral for the loan and where such property may be redeemed by the seller in a fixed period of time or sold to the general public.

"personal services"
Means establishments which provide non-medical services of a retail character to patrons that may involve the sale of goods associated with the service being provided. These establishments include beauty or barber shops, shoe repair shops, self-service laundries, tanning salons, tailoring establishments, interior decorating, clothing rental, portrait photography, and diet and weight reduction centres.

"power station, electrical/heating/cooling/communications distribution facility"
Means power or communications stations, substations, and associated facilities and equipment as the principal use of a building or site. Does not include wastewater treatment, landfill, public works yard, or refinery facilities.

"printing/publishing"
Means the use of premises for printing, lithographing, blueprinting, or silkscreen printing; for platemaking or engraving as allied to the printing or publishing industries; for the publishing and printing of newspapers, magazines, periodicals, books, almanacs, maps, guidelines, pamphlets, flyers, or similar matter; or for book-binding and associated binding operations as allied to the printing or publishing industries.

"private club, not licensed"
Means a non-profit organization incorporated as such by the Government of Canada or the Government of Manitoba. Includes facilities used for the meeting, social, or recreational activities of non-profit philanthropic, social service, athletic, business, or fraternal organizations, without onsite residences. Private clubs may include rooms for eating, drinking, and assembly. When licensed for the sale of alcoholic beverages by the Government of Manitoba, such a club is considered a "drinking establishment".

"protection & emergency services"
Means development that is required for the public protection of persons and property from injury, harm or damage together with the incidental storage of equipment and vehicles, which is necessary for the local distribution of utility services. Typical uses include police stations, fire stations, ambulance services, and ancillary training facilities.

"radio/television broadcast tower"
Means a tower supporting equipment used for radio or television broadcast facilities that is located on the ground or anchored to the ground and exceeds 24 feet in height, or is located on a building and exceeds the height of the building by 24 feet or more. Such a tower may have a variety of configurations, including but not limited to a monopole, a lattice tower, or a guyed tower. Such a tower is typically associated with a "studio, radio/television/motion picture broadcast and production" use.

"research institution"
Means an establishment or facility engaged in scientific research, product design, development and testing, and limited manufacturing necessary for the production of prototypes.

"restaurant"
Means any premises primarily engaged in the preparation of food intended to be sold to the public for consumption on the premises, which includes those licensed by the Government of Manitoba for the sale of alcoholic beverages to the public. Also includes off-site consumption.

"retail sales"
Means the sale of goods directly to the public.

"school"
Means a public or private educational facility. Includes elementary school, secondary school, technical vocational school, college, and university.

"single-room occupancy"
Means a building, other than a "hotel" or "hostel", that provides living units with separate sleeping areas and some combination of shared bath or toilet facilities. The building may or may not have separate or shared cooking facilities for the residents. Single-room occupancy includes uses commonly called "rooming houses", "boarding houses", and "apartment hotels".

"sports & entertainment arena/stadium, primarily spectator"
Means development that provides facilities within an enclosed or unenclosed building specifically intended for public sports, concerts, circuses, and theatrical productions, where patrons attend on a recurring basis.

"studio for artist/dancer/designer/musician/ photographer, including production from prepared materials"
Means development used by an artist, artisan, dancer, designer, musician, or photographer as a place of work, including those engaged in the application, teaching, or performance of fine arts, such as but not limited to drawing, vocal or instrumental music, painting, sculpture, film developing, and writing.

"studio, radio/television/motion picture broadcast & production"
Means the use of premises for the production of motion pictures, videos, television programs, radio programs, or sound recordings. May also include facilities for the rehearsal of dance, music, or other performing arts.

"warehouse, entirely within an enclosed building"
Means the use of a building or portion thereof for the storage and distribution of materials, goods, or products.

"wholesale sales"
Means development used for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. Includes developments where principal goods being sold are such bulky items as furniture, carpet, major appliances and building materials.

"wireless telecommunications tower"
Means a tower supporting equipment used for wireless communication facilities that is located on the ground or anchored to the ground and exceeds 24 feet in height, or is located on a building and exceeds in the height of the building by 24 feet or more. Such a tower may have a variety of configurations, including but not limited to a monopole, a lattice tower, or a guyed tower. Such a tower is typically associated with wireless commercial communications facilities using analog or digital technology.

"x-rated store"
Means an X-rated store as defined in *The X-Rated Store Zoning By-Law*.

700(4) Sign Definitions:

"advertising sign"
Means a sign or billboard directing attention to a business, commodity, service, thing, message, or entertainment conducted, sold, or offered elsewhere than upon the same zoning lot on which the sign is located.

"copy"
Means a letters, graphics, or characters that comprise the sign message.

"copy area"
Means the area of a sign covered by a single rectangle drawn around the extremities of the message contained on the sign and, in the case of a multi-face sign, comprises half of the total area of all sign faces.

"sign"
Includes any writing (including letter, word, or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol, logo, or trademark), flag (including banner or pennant but not the flag of any nation or government), and anything designed or intended to, or having the effect of, announcing, identifying, directing attention to, or advertising any building or use.

"temporary sign"
Means a sign which is not in a permanently installed or affixed position, identifying a product, merchandise, or activity on a limited basis.

Sign Types:

"building identification sign"
Means a sign that identifies a building by name, logo, or street address. In order to distinguish building identification signs from use identification signs, a building is limited to one name, logo, or street address.

"directional sign"
Means a sign that indicates access to or egress from a parking or loading facility.

"event sign"
Means a sign that indicates the time, date, or type of event or events scheduled for a venue located on the same property. May include readerboard, changeable copy, electronic message, or combination. Event signs are associated with "Public & Institutional" and "Cultural & Entertainment" use categories and "restaurant" and "drinking establishment" uses. Does not include "sale" events associated with retail or service uses.

"parking instructions sign"
Means a sign that indicates instructions for the use of a parking facility, including operator name or logo, rates, and hours of operation.

"use identification sign"
Means a sign that identifies a business, service, institution, owner, or resident by name, logo, street address, or combination and which may direct attention to a business, service, or commodity conducted, offered, or sold on the same lot.

Sign Forms:

"awning sign"
Means an awning that incorporates a sign painted on, or affixed flat to the surface of the awning and which does not extend vertically or horizontally beyond the limits of such awning. An "awning" means a shelter projecting from and supported by the exterior wall of a building and designed to be collapsible, retractable, and generally constructed of fabric or similar non-rigid material.

"canopy sign"
Means a canopy which utilizes or incorporates a sign. A "canopy" means any roof-like structure projecting more than 1.5 feet from the face of a building having a rigid frame, and attached to said building in such a manner as not to become an integral part thereof.

"fascia sign"
Means a sign, or individual letters attached to, marked, or inscribed on, or erected or placed against a wall, whether forming part of a building or not, and having the exposed face of the sign on a space approximately parallel to the plane of such wall and projecting not more than 1.5 feet from the face of such wall.

"ground-oriented sign"
Means a free-standing sign that is 10 feet or less in height above ground level, and is not erected on one or more poles or similar supports, but erected to rest on and be permanently affixed to the ground or to rest on a monument base designed as an architectural unit with the sign.

"marquee sign"
Means a sign attached to a marquee. A "marquee" means any roof-like structure constructed and erected as a permanent part of the building over an entrance thereto, and projecting more than 1.5 feet from the exterior wall of the building.

"podium sign"
Means a sign attached to a podium. A "podium" means a building base or low wall serving as a raised foundation or terrace wall; an integral part of the building or buildings.

"portable sign"
Means a sign not permanently attached to the ground, a podium, or a building. Includes A-frame, sandwich boards, and portable readerboards.

"projecting sign"
Means a sign, other than an awning, canopy, or marquee sign, the exposed face or faces of which are not necessarily parallel to a wall and which is attached to a building and extends as a projection of a line of that building or beyond the surface of that portion of the building to which it is attached for a distance exceeding 18 inches.

"pylon sign"
Means a sign that is more than 10 feet in height above grade level, is supported by a permanent structure, and is not attached to any building or podium.

"roof sign"
Means a sign erected, constructed, and maintained wholly upon or over the parapet of a building with the principal support on the roof structure.

"window sign"
Means a sign painted on, attached to, or installed on or within a window, for the purpose of being viewed from outside the premises.