THE CITY OF WINNIPEG

BY-LAW NO _____ /2024

A By-law of THE CITY OF WINNIPEG to amend the MBEA Enabling By-law No. 59/2016 in order to add contraventions relating to the Downtown Winnipeg Zoning By-law No. 100/2004.

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

MBEA Enabling By-law amended

1 The MBEA Enabling By-law No. 59/2016 is amended by this by-law.

Table relating to Downtown Winnipeg Zoning By-law is added

2 Schedule "A" to the MBEA Enabling By-law No. 59/2016 is amended by adding the following table immediately after the table relating to the Community Safety Licensing By-law No. 91/2008.

Downtown Winnipeg Zoning By-law *By-law No. 100/2004*		*Administrative Penalty*	
Provision	*Contravention*	*Administrative Penalty ($)*	*Early Payment Discount ($)*
110(1)	*Undertaking or permitting the commencement, continuance, or maintenance of a development without undertaking or permitting the commencement, continuance or maintenance of a development without a valid development permit*	*1,000.00*	*500.00*
140(1)	*Undertaking, continuing or maintaining, or permitting to be undertaken, continued or maintained any development or use of a property, building, or structure, or any part thereof, unless that development or use complies with* • *the by-law,* • *the conditions of any development permit issued in respect of the development or use,* • *the conditions of any agreement in respect of the development or use,* • *any urban design approval issued in respect of the property, building or structure, and* • *any variance order or conditional use*	*1,000.00*	*500.00*

	order issued in respect of the property, building or structure.		
140(2)	*Allowing land, building, structure, or part thereof to be used in any manner contrary to the by-law.*	*1,000.00*	*500.00*
150(2)	*Expanding or enlarging the non-conforming use of a building, structure, or land where sufficient accessory loading spaces not provided.*	*500.00*	*250.00*
200(2)(d)	*Failing to operate an approved conditional use in accordance to all plans and documents submitted as part of the application.*	*1,000.00*	*500.00*
200(7)	*Failing to comply with the conditions/ standards for an office facility as Home Occupation*	*1,000.00*	*500.00*
200(8)	*Carrying on a prohibited office facility as a Home Occupation*	*1,000.00*	*500.00*
200(12)	*Failing to comply with the conditions/standards for a Beekeeping Yard*	*500.00*	*250.00*
210(3)	*Failing to comply with the maximum floor area ratio for the sector in which the building is located*	*1,000.00*	*500.00*
210(4)	*Failing to comply with the maximum height articulated in the applicable sector*	*1,000.00*	*500.00*
210(5)	*Failing to comply with the minimum and maximum yard requirements articulated in the applicable sector.*	*1,000.00*	*500.00*
210(9)	*Failing to provide required minimum rear yard for residential uses or non-residential uses abutting a lot already containing residential uses.*	*1,000.00*	*500.00*
220(3.1)	*Failing to adhere to the operational standards for Digital signs*	*500.00*	*250.00*
220(3.2)	*Placing digital signs on, or attaching digital signs to, any building that is on the List of Historical Resources or is nominated.*	*500.00*	*250.00*
220(5)	*Establishing or erecting a control device that obstructs or imitates any traffic control device.*	*500.00*	*250.00*
220(6)	*Establishing or erecting a sign where such sign is not accessory to an approved principal use (or uses).*	*500.00*	*250.00*
230(2)	*Developing or enlarging an off-street parking facility in contravention of the Parking regulations established in Part 2 or in Parts 3 - 6.*	*500.00*	*250.00*
230(3)	*Failing to maintain/develop Off-street parking facilities in accordance with development standards*	*500.00*	*250.00*
240(4)	*Failing to develop/maintain Off-street loading*	*500.00*	*250.00*

	facilities in accordance with the related development standards		
240(6)	*Failing to provide required loading facilities*	*500.00*	*250.00*
250(1)	*Failing to obtain urban design approval prior to commencement of development, redevelopment, expansion, demolition, or exterior alteration.*	*1000.00*	*500.00*
250(3)	*Failing to obtain urban design approval for development within public roads, public lanes, public walkways, rivers, and public rights-of-way.*	*1000.00*	*500.00*
250(5)	*Failing to obtain urban design review for interior building elements within the designated Weather Protected Walkway System*	*1000.00*	*500.00*
250(10)(e)(ii)	*Failing to improve a site in accordance with the conditions of Urban Design Review immediately following demolition*	*1000.00*	*500.00*
310(1)	*Establishing or expanding a use in contravention of Land Use regulations that are specific to the Multiple-use Sector.*	*1,000.00*	*500.00*
330(1)	*Establishing or erecting new signs or alterations to existing signs in contravention of the Sign regulations specific to the Multiple-Use Sector*	*500.00*	*250.00*
410(1)	*Establishing or expanding a use in contravention of the Land Use regulations that are specific to the Character Sector.*	*1,000.00*	*500.00*
420(1)	*Developing a building, structure, or expansion of existing structure in contravention of Bulk regulations and guidelines that are specific to the Character Sector.*	*1,000.00*	*500.00*
430(1)	*Establishing or erecting new signs or alterations to existing signs in contravention of the Sign regulations specific to the Character Sector*	*500.00*	*250.00*
510(1)	*Establishing or expanding a use in contravention of Land Use regulations that are specific to the Downtown Living Sector.*	*1,000.00*	*500.00*
520(1)	*Developing a building, structure, or expansion of existing structure in contravention of Bulk regulations and guidelines that are specific to the Downtown Living Sector.*	*1,000.00*	*500.00*
530(1)	*Establishing or erecting new signs or alterations to existing signs in contravention of the Sign regulations specific to the Downtown Living Sector.*	*500.00*	*250.00*

Coming into force

3 This By-law comes into force upon Council giving three readings to a by-law that amends the Downtown Winnipeg Zoning By-law No. 100/2004 to allow for the designation and enforcement of Downtown Winnipeg Zoning By-law contraventions under the *Municipal By-law Enforcement Act,* CCSM c M245.

DONE AND PASSED this day of , 2024.

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Mayor

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City Clerk

Approved as to content:

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Director of Planning, Property and Development

Legally reviewed and certified as to form:

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for Director of Legal Services and City Solicitor

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