THE CITY OF WINNIPEG

BY-LAW NO. /2025

A By-law of THE CITY OF WINNIPEG to amend the Malls and Corridors Planned Development Overlay 1.

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

Schedule AB to The Winnipeg Zoning By-law No. 200/2006 amended

1 Schedule AB to The Winnipeg Zoning By-law is amended by this By-law.

Subsection 2(1) amended

2 Subsection 2(1) is amended by

i) deleting the definition of "45-degree analysis" in its entirety and replacing it with

"45-degree analysis" in respect of a development site whose rear lot line abuts or is across a lane from a the rear or side lot line of a lot with an R1, R2 or RMF-S zoning designation, means a 45-degree angular plane that is projected towards the rear lot line of the development site, measured from 12 feet above grade starting from the rear or side lot line of the R1, R2 or RMF-S lot. For the purpose of determining front yards for this analysis, the front yard of the proposed development will be the yard abutting the corridor.

ii) deleting Figure 1 and replacing it with the illustration shown in Schedule A attached hereto.

Definition added

3 Subsection 2(1) is amended by adding the following in alphabetical order:

"sun and shadow study" means a document that provides a 3-D visual model and description of the impact of shadows cast by a proposed development on neighbouring properties at various times of the day and throughout the year;

Subsection 6(1) amended

4 Subsection 6(1) is amended by adding the following immediately after (b):

(c) a sun and shadow study where the development permit is in respect of a site with a proposed building height greater than 75 feet, if the added height is located above any applicable 45-degree angular plane measurement.

Subsection 34(3)(c) amended

5 Subsection 34(3)(c) is deleted in its entirety and replaced with:

(c) for buildings over 75 feet, such setback as required by a 45-degree angular analysis, where applicable.

Subsection 34(5)(c) amended

6 Subsection 34(5)(c) is deleted in its entirety and replaced with:

(c) for buildings over 75 feet, such setback as required by a 45-degree angular analysis, where applicable.

Subsection 38(1)(d) amended

7 Subsection 38(1)(d) is deleted in its entirety and replaced with:

(d) for buildings to which a 45-degree analysis applies, buildings must not exceed 75 feet unless:

(i) the building is contained below the 45-degree angular plane; or

(ii) a sun and shadow study is submitted which demonstrates compliance with the submission and evaluation requirements as stated in section 39 of this PDO;

Subsection 38(2) repealed

8 Subsection 38(2) is deleted in its entirety

Section 38 amended

9 Section 38 is amended by adding the following immediately after (2):

(3) Despite anything else in this PDO, building heights of up to 75 feet will be permitted on all lots without the requirement for a 45-degree analysis.

(4) In no circumstance shall the building height of a proposed development exceed the allowable heights as prescribed by the width of the right-of-way in accordance with the above subsection (1).

Section 39 added

10 The following is added immediately after section 38:

Sun and Shadow Study

39(1) A sun and shadow study must be prepared to the following standards:

(a) It must be prepared by a qualified design professional such as an architect or engineer, and
  (i) models must illustrate how residential uses zoned R1, R2, and RMF-S around the proposed development would be impacted by shadows,
  (ii) diagrams should be in colour and must be drawn to a legible scale.

(b) Studies will consist of the following parts:
  (i) illustrations of the existing context;

(ii) illustrations showing the proposed development's impact within the existing context, relative to as-of-right height and massing as per the subject property's existing zoning;
(iii) illustrations showing the proposed development's impact within the existing context and massing per the subject property's proposed building height above the as-of-right building height;
(iv) illustrations showing the direction, extent, and duration of light; and
(v) a visual comparative analysis of the various shadow scenarios, illustrating the shadow impact of the proposed development on adjacent lands.

(c) sun and shadow tests shall be done for the spring and fall equinoxes (dates may vary from March 19-21 and September 21-24 in any given year) at 9 am, 12 pm, 3 pm and 6pm, or any other time between these hours deemed necessary to confirm compliance with the requirement for 5 consecutive hours of sunlight.

39(2) A sun and shadow study must show that a proposed development (building) will allow for five consecutive hours of full sunlight to be cast on residential uses zoned R1, R2, and RMF-S around the proposed development. The determination for 'consecutive hours' begins at the moment any shadow crosses the lot line of a surrounding residential use with the aforementioned zoning designations.

Section 42.1 repealed
11 Section 42.1 is deleted in its entirety.

RECEIVED FIRST READING this day of , 2025;

RECEIVED SECOND READING this day of , 2025;

RECEIVED THIRD READING this day of , 2025;

DONE AND PASSED this day of , 2025.

Mayor

City Clerk

Approved as to content:

Director of Planning, Property and Development

Legally reviewed and certified as to form:

for Director of Legal Services and City Solicitor

SCHEDULE A

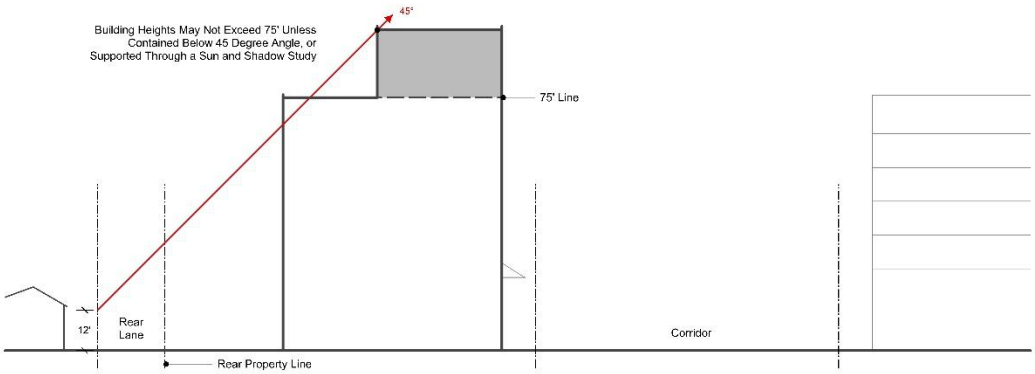

Figure 1 - Illustrated 45-Degree Analysis