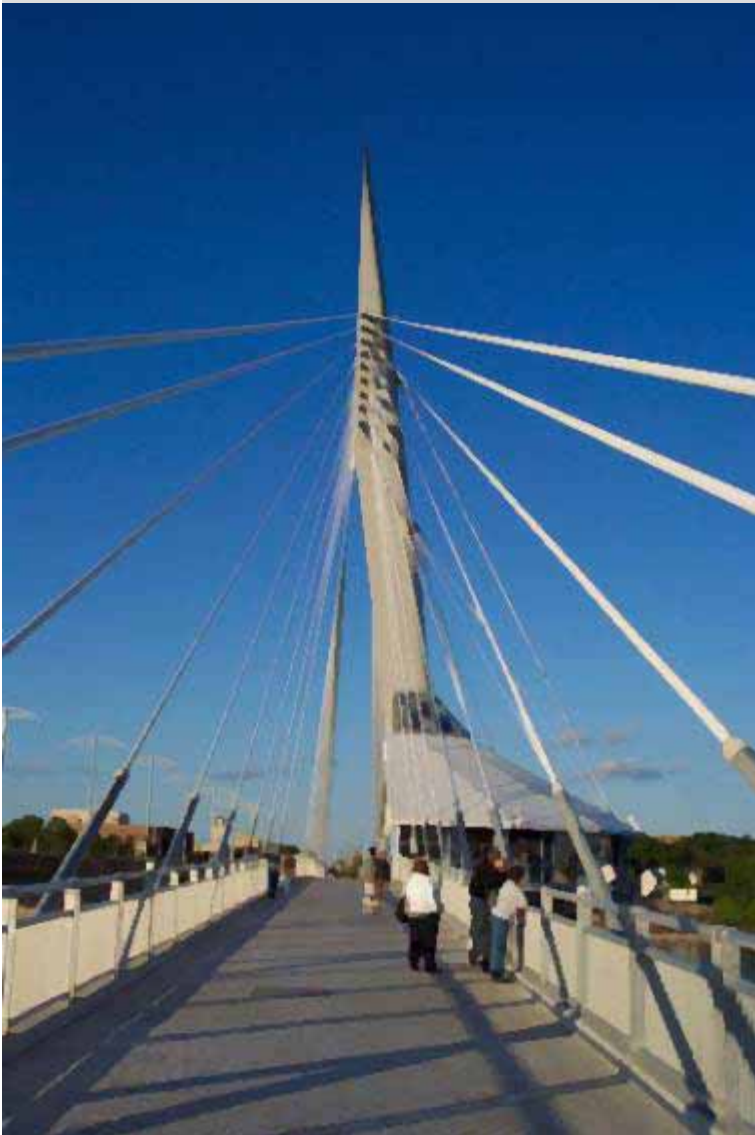


An Introduction to the City of Winnipeg's New Zoning By-Law



Presentation To:

- APEGM
- PIDIM
- MAA

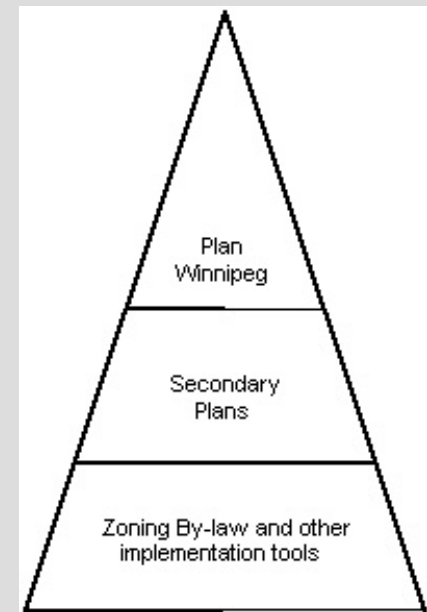
April 30, 2008



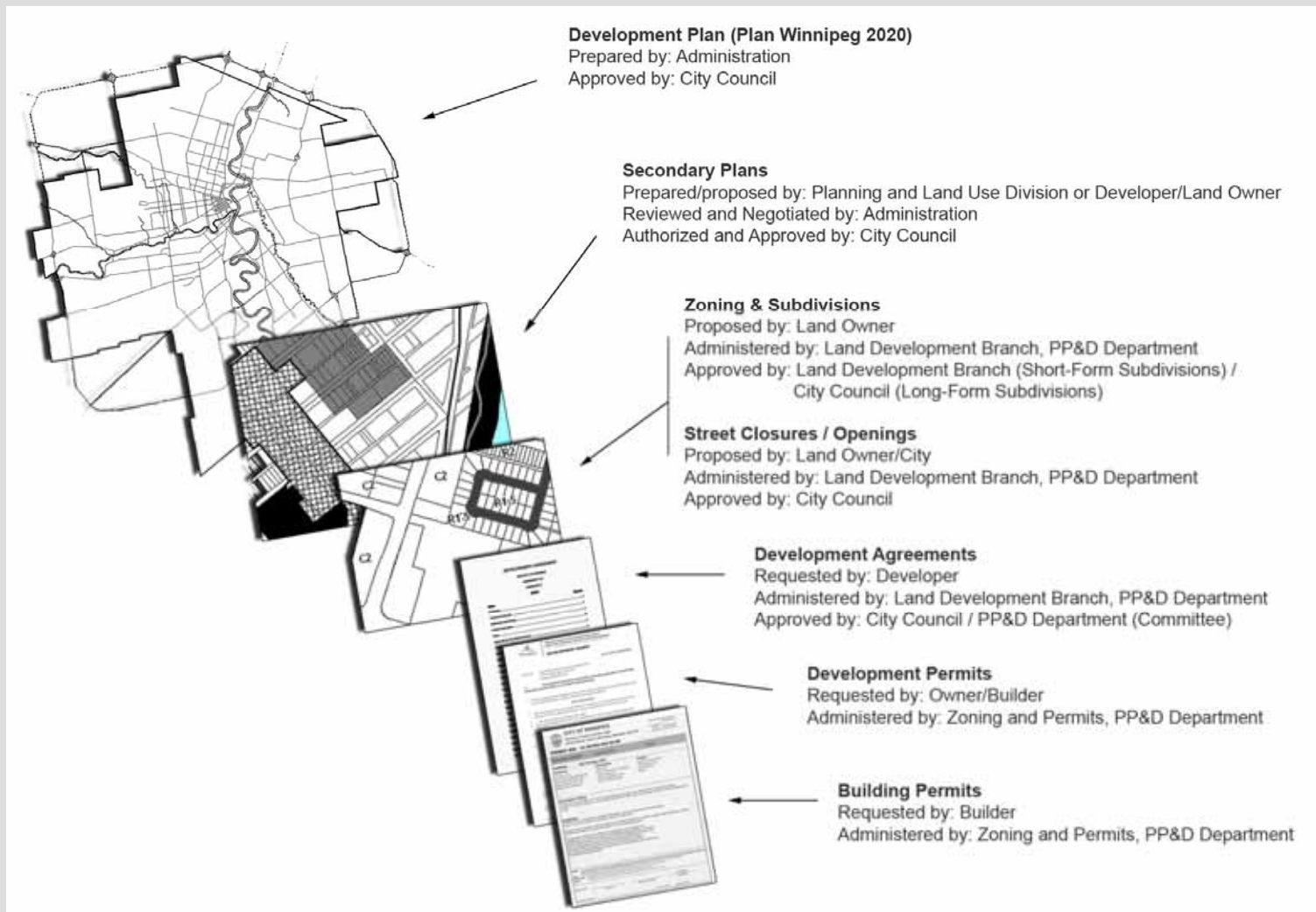
The Planning Hierarchy

Plan Winnipeg's Primary Purpose:

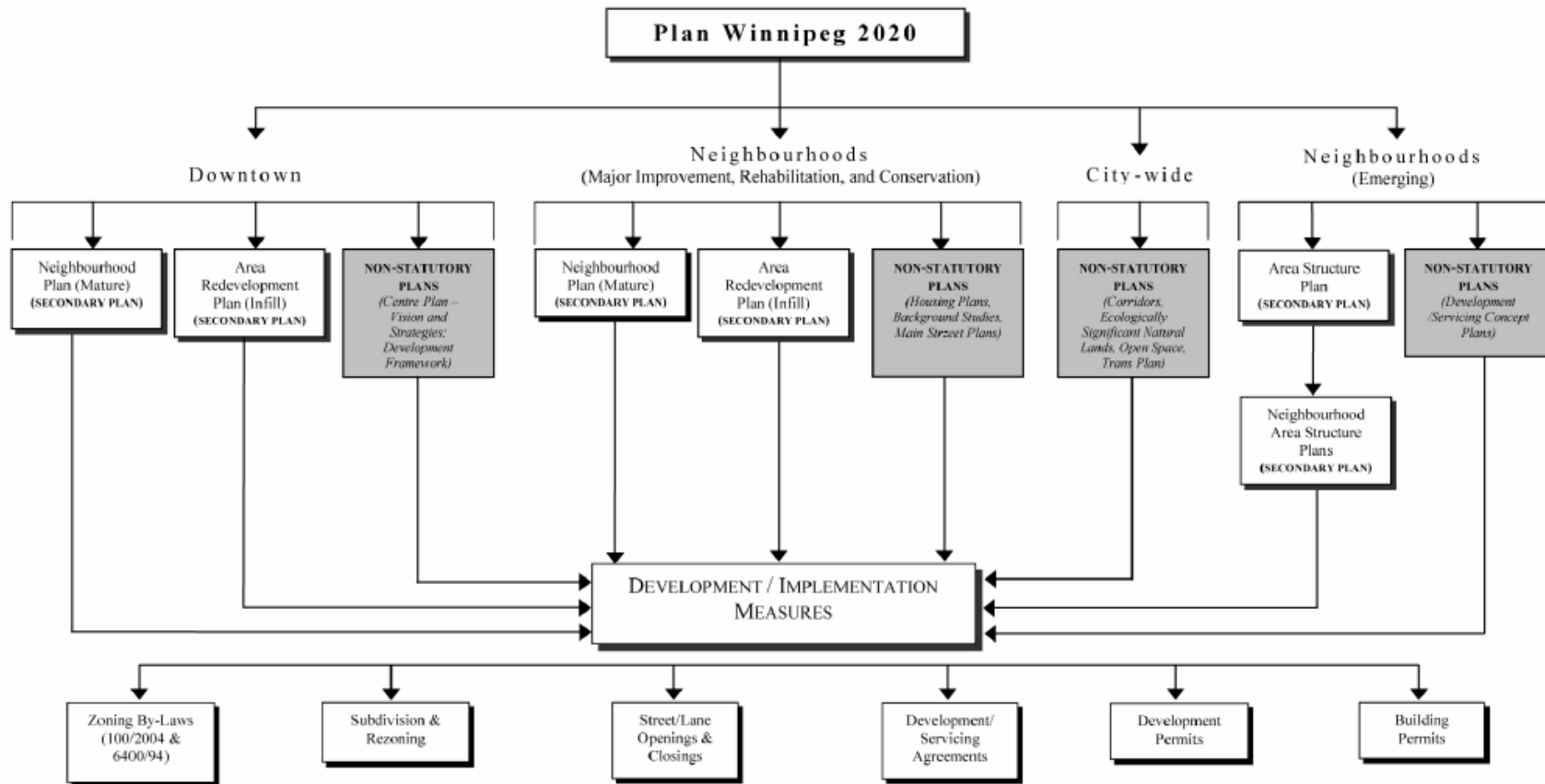
To ensure that the use and development of land and buildings occurs in a manner that is well planned, orderly, and environmentally sound in order to achieve a vibrant, safe and healthy city.



The Planning Hierarchy



The Planning System



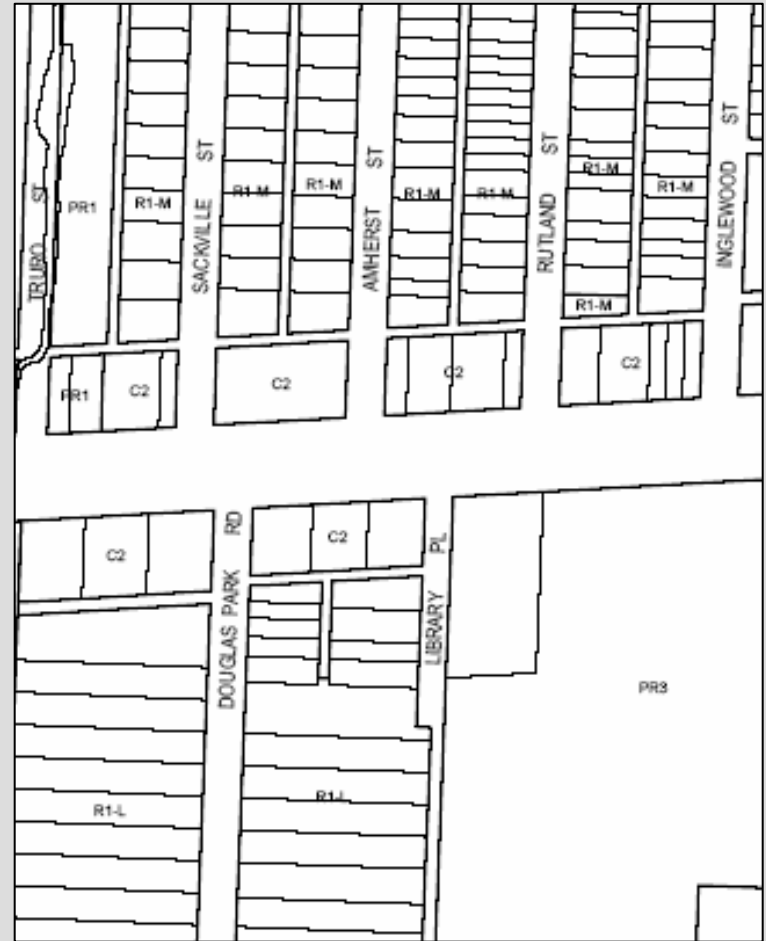
Zoning

- Divides the City up into districts.
- Zoning regulates the use and development of land and buildings.
- Two ways to do this: By Use and by rules.
- Zoning Bylaw 200/06 is for the City and Zoning Bylaw 100/04 is for the Downtown.



Value of Zoning

- Protects property values
- Provides for efficient and orderly development
- Provides predictability of potential development patterns
- Ensures incompatible uses don't get built next to each other
- Provides transparency for investment decisions
- Is a tool that allows for public input into development process



What is Development?

- 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 the land or the deposit or stockpiling of material on land.
- The excavation of land.
- **YOU NEED A PERMIT FOR EVERYTHING!**



Approvals and Site Design

- **Downtown Urban Design Review**
- **Plan Approvals**
- **Zoning Agreements**
- **Development Agreements**
- **Variance and Conditional Use Orders**
- **Subdivision and Re-zoning Approvals**
- **Other Plans and Policies**

Comprehensive Review of Winnipeg Zoning By-law

- **SPC directed Winnipeg Public Service to proceed with comprehensive review in 2004**
- **Hired Clarion Associates consulting team**
- **Worked with Zoning Advisory Committee**
- **By-law approved by Council in December, 2007**

Project Goals

- **Ensure consistency with Council policies and adopted plans**
- **Reduce Red Tape**
- **Improve customer service**
- **Achieve more flexibility**
- **Encourage innovation, higher design quality**
- **Simplify & modernize**
- **Provide more predictability and transparency**
- **Ensure by-law is enforceable**



Content

- Simplified organization (13 to 5 parts)
- Eliminated duplication
- More tables, graphics & illustrations
- More terms defined (doubled)
- Matrix approach to Use Tables
- Schedules

July 2006

Part 5: Development and Design Standards
Design Standards
Commercial and Institutional Development

Façade Articulation

- (a) each façade greater than 100 feet in length, measured horizontally, must incorporate wall plane projections or recesses having a depth of at least two feet, and extending at least 20 percent of the length of the façade. No uninterrupted length of any façade may exceed 100 horizontal feet;
- (b) at least one of the wall plane projections or recesses required by clause (a) above must repeat horizontally at an interval of no more than 30 feet.

Façade Design

- (c) each building façade must have a repeating pattern that includes no less than three instances of at least one of the following:
- (i) colour change;
 - (ii) texture change;
 - (iii) material module change; or
 - (iv) expression of an architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset, reveal, or projecting rib.

Pedestrian Oriented Design Features

- (d) ground-floor façades that face public streets must have arcades, display windows, entry areas, awnings, or other such features along no less than 60 percent of their horizontal length. (See Illustration 27.)

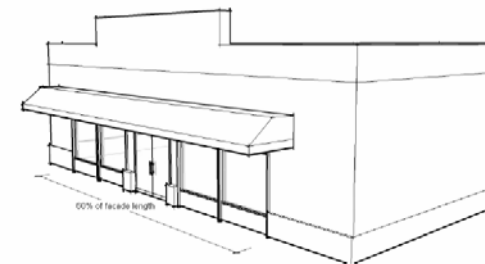


Illustration 27: Example of Pedestrian Oriented Design Features

Organization / Format

Current

Administration

Definitions

Rural Districts

Parks & Recreation Districts

Residential Districts

Commercial Districts

Industrial Districts

Boulevard Provencher District

Mobile Home Park District

Home Occupations

Parking

Signs

Special Yard Requirements

Appendices

Proposed

Administration

Definitions

Zoning Districts

Use Regulations

Development & Design
Standards

Schedules

Menu of Zoning Districts

| District Type | Abbreviation | District Name |
|------------------------------|--------------|--|
| Agricultural and Parks | A | Agricultural |
| | PR1 | Parks and Recreation – 1 (Neighbourhood) |
| | PR2 | Parks and Recreation – 2 (Community) |
| | PR3 | Parks and Recreation – 3 (Regional) |
| Residential | RR5 | Rural Residential – 5 |
| | RR2 | Rural Residential – 2 |
| | R1 | Residential – Single-Family |
| | R2 | Residential – Two-Family |
| | RMF | Residential – Multi-Family |
| | RMU | Residential – Mixed-Use |
| | RMH | Residential – Mobile Home Park |
| Commercial and Institutional | C1 | Commercial – Neighbourhood |
| | C2 | Commercial – Community |
| | C3 | Commercial – Corridor |
| | C4 | Commercial – Regional |
| | CMU | Commercial – Mixed-Use |
| | EI | Educational & Institutional |
| Manufacturing | MMU | Manufacturing – Mixed-Use |
| | M1 | Manufacturing – Light |
| | M2 | Manufacturing – General |
| | M3 | Manufacturing – Heavy |

44 → 26

Commercial (8 to 4)

Neighbourhood

Community

Corridor

Regional

Industrial (9 to 3)

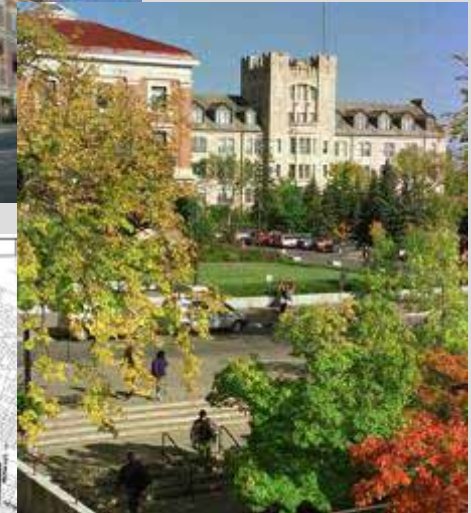
Light

General

Heavy

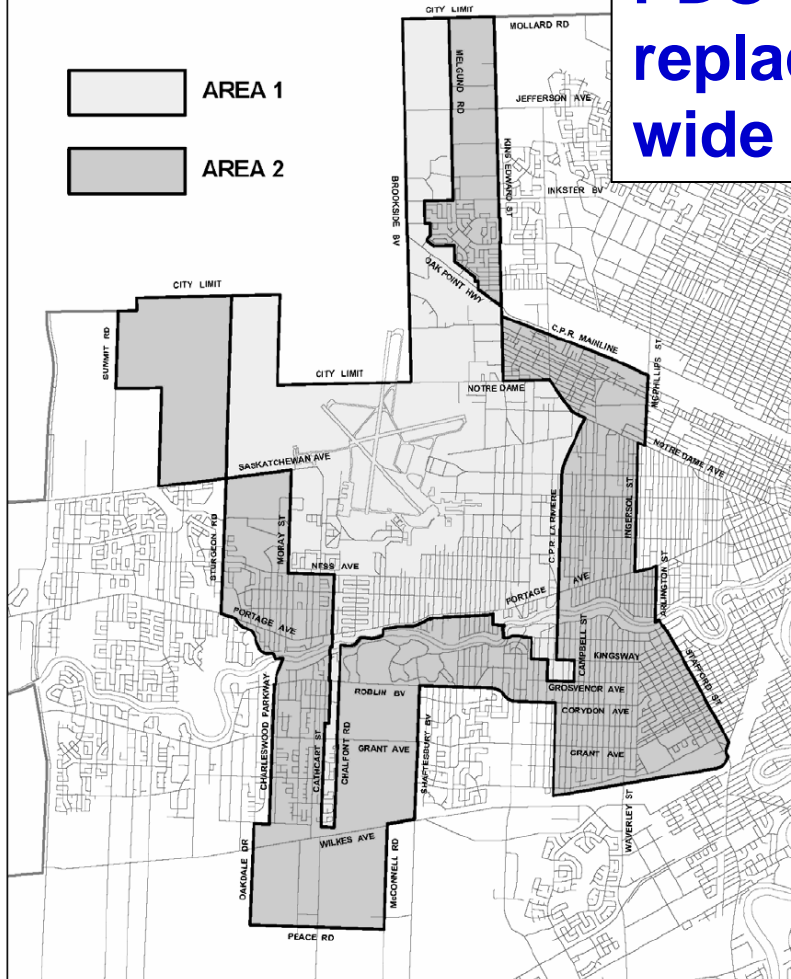
Flexible New Districts

- **Mixed Use Districts**
Residential, Commercial, Manufacturing
- **Educational / Institutional District** facilitates land use planning for multi-building/multi-use campuses. Requires Master Plan.
- **Planned Development Overlay Districts**
New tools to help implement Secondary Plans



Planned Development Overlay Districts

PDO's supplement – but do not replace – underlying zoning with area wide controls on certain standards



**AIRPORT VICINITY PROTECTION AREA
PLANNED DEVELOPMENT OVERLAY MAP**



**BOULEVARD PROVENCHER PLANNED
DEVELOPMENT OVERLAY MAP**

Simplified Approach to Uses

- **Consolidation of uses (460 to 139)**
- **Many “Conditional” uses now “Permitted” BUT with Use-Specific Standards to address common concerns without need for additional review**

**More
Predictability**

**Decreased
Review Time**

Excerpt of Principal Use Table

Commercial Sales and Service

Part 4: Use Regulations
Use Tables

Table 4-1: Principal Use Table

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

| ZONING DISTRICT | A | PR 1 | PR 2 | PR 3 | RR 5 | RR 2 | R1 | R2 | R MF | R MU | R MH | C1 | C2 | C3 | C4 | C MU | EI | M MU | M1 | M2 | M3 | MP | Use Specific Standards (Section) | Parking Category |
|---|---|------|------|------|------|------|----|----|------|------|------|----|----|----|----|------|----|------|----|----|----|----|----------------------------------|------------------|
| USE CATEGORY / TYPE | | | | | | | | | | | | | | | | | | | | | | | | |
| Kennel | P | | | | | | | | | | | p* | p* | p* | P | p* | | P | P | P | P | | 85 | 20 |
| Food and Beverage Service | | | | | | | | | | | | | | | | | | | | | | | | |
| Drinking establishment | | | C | C | | | | | | C | | | p* | P | P | C | | p* | p* | p* | | | 84 | 22 |
| Restaurant | | | C | P | | | | | | p* | | p* | p* | P | P | P | | P | P | P | | | 92 | 22 |
| Office | | | | | | | | | | | | | | | | | | | | | | | | |
| Call centre | | | | | | | | | | | | | | P | P | P | | P | P | P | | | | 19 |
| Office | | | | | | | | | | p* | | p* | P | P | P | P | P | P | P | P | | | 87 | 18 |
| Research institution | | | | | | | | | | | | | | P | P | | P | P | P | P | P | P | | 18 |
| Personal Services | | | | | | | | | | | | | | | | | | | | | | | | |
| Personal services (unless otherwise listed) | | | | | | | | | | p* | | p* | p* | P | P | P | C | P | P | | | | 89 | 20 |
| Body modification establishment | | | | | | | | | | | | | C | C | C | | | C | | | | | | 20 |
| Cheque-cashing facility | | | | | | | | | | | | | C* | C* | C* | | | C* | C* | | | | 83 | 21 |
| Funeral chapel or mortuary | C | | | | | | | | | | | | C | C | C | | | P | P | P | | | | 6 |
| Medical/dental/optical/counselling clinic | | | | | | | | | | p* | | p* | P | P | P | P | P | P | P | P | | | 86 | 20 |
| Retail Sales | | | | | | | | | | | | | | | | | | | | | | | | |
| Retail sales (unless otherwise listed) | | | | | | | | | | p* | | p* | p* | p* | P | p* | | p* | p* | | | | 90 | 20 |
| Auction room | | | | | | | | | | | | | C | P | P | p* | | p* | p* | P | P | | 82 | 13 |

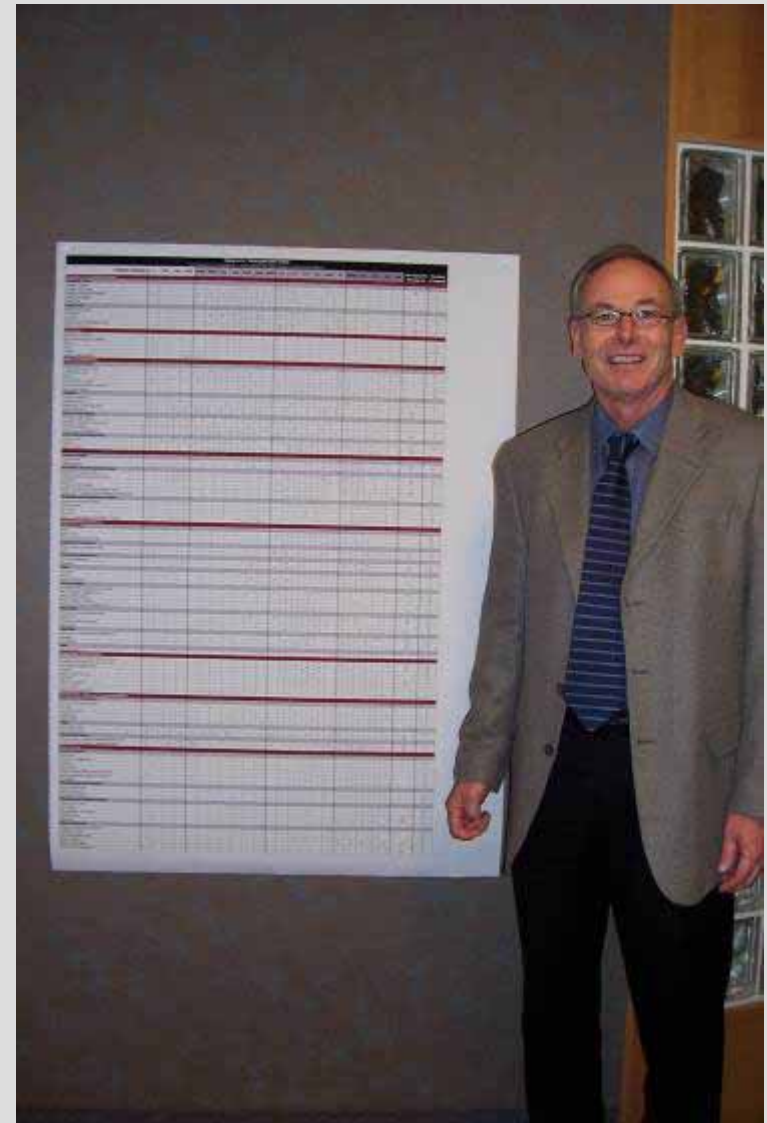
Use Specific Standards

- A use may be acceptable in many different zone districts, but controls may be needed to address impacts
- **Examples:**
 - Commercial uses may need to have limited hours when adjacent to homes.
 - Pick up/drop off area for day cares
- Applicants who can't meet standards may apply for Conditional Use



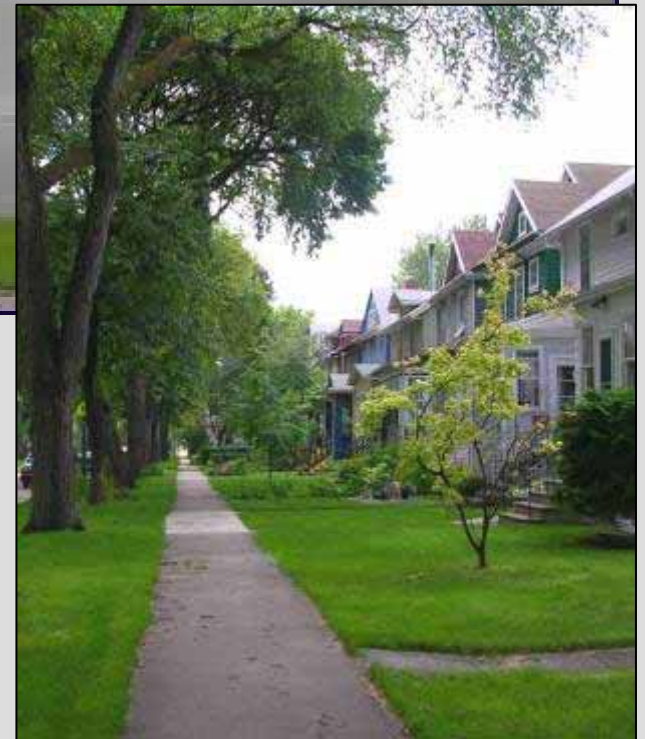
Tangible Benefits – Simplified Districts and Uses

- Broader use definitions – reduces the number of Use Variances
- More Permitted uses, fewer Conditional Uses
- Eliminate approval steps – fewer Public Hearings
- Use Specific Standards – reduced need for Zoning Agreements and Use Variances
- More clarity and predictability



Infill Areas & Neighbourhood Protection

- Flexible standards to encourage investment and infill
- Compatibility standards address lot width and front yards
- Relaxation of standards in mature areas (parking, landscaping)
- Overlay districts help implement Secondary Plans



Development Quality Standards

- Moderate and mainstream approach used in similar cities
- Current zoning agreement conditions and common variances used as starting place
- Predictability saves time and money – removes need for negotiation
- Alternative equivalent compliance & menu options allow for innovation and flexibility
- If applicant can't meet development standards, may apply for Variance



Development Quality Standards: Dimensions

- **Consolidation of Dimensional Standards for all Districts**
- **Residential Districts:**
 - R1 districts reduced from 10 to 4
 - RM districts reduced from 8 to 3
 - Focus on lot size – not lot width
 - Yard requirements reduced and lot coverage increased
- **Commercial Districts:**
 - Increased height from 45' to 49'

| Zoning By-law 6400/94 | New Zoning By-law |
|----------------------------------|-------------------|
| R1-20 | R1 – Estate |
| R1-9 R1-6 R1-5.5 | R1 – Large |
| R1-5 R1-4.5 R1-4 R1-3.5 | R1 – Medium |
| R1-3 R1-2.5 | R1 - Small |

Development Quality Standards: Parking

- **Increased flexibility through potential parking reductions (infill areas, mixed use, transit, parking management plan)**
- **Parking lot layout for pedestrian safety**
- **Private parking lots – 5 years to meet standards**



Development Quality Standards: Permanent Signs

- **Key issue in city appearance**
- **Wall signs – regulations unchanged (25%)**
- **Freestanding signs**
 - Reduced maximum height
 - Sign surface area increased in C3 and C4 districts
- **Electronic message boards**
 - Permitted use
 - Restricted near intersections and crosswalks



Development Quality Standards: Mobile Signs

- **Limit on height**
(current - none;
proposed - 8 feet)
- **65 feet separation**
required between signs
on adjacent lots
- **Reduce number of**
signs permitted per
zoning lot from 3 to 2
- **Black and white only**



Development Quality Standards: Landscaping

- **Street Frontage**
 - **Parking & Loading**
 - **Front of Building**
 - **Side & Rear Buffers**
 - **Tree Protection**
- Incentives**



Development Quality Standards: Building Design

- Applies only to multi-family, commercial and institutional, industrial, and mixed-use
- Focus on key issues like entrances and long, blank walls
- Do not address materials, colours, or “style”
- No design review board or procedures (except BP)
- Menus offer flexibility
- “Alternative Equivalent Compliance” allowed

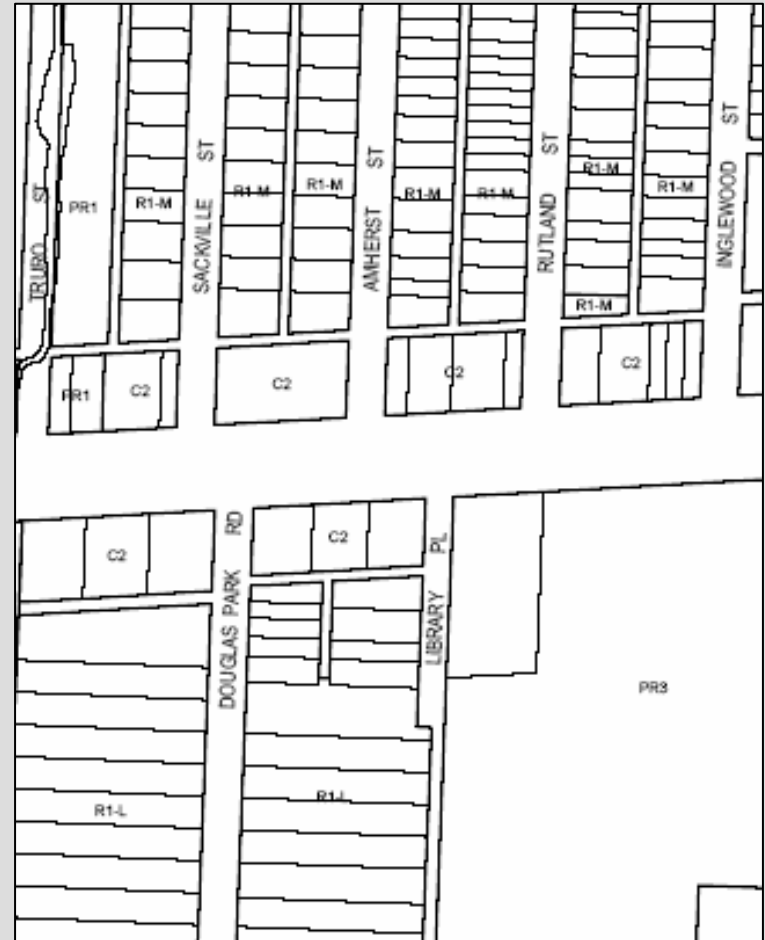


Tangible Benefits – Minimum Design Standards

- **Moderate/mainstream approach (minimum base standards) – reduced number of variances**
- **Compliance before enforcement – variance criteria better defined**
- **Alternative Equivalent Compliance (innovation and flexibility)**
- **Director approval (with appeals to P&D Committee)**
- **Reduce need for negotiation (Plan Approvals)**
- **Easier/faster to get an answer; reduce Red Tape**
- **Will result in a higher quality of development city-wide**

Mapping Process

- **Strategic approach**
- **Convert the existing zoning map to the new zoning framework**
- **Not a comprehensive, property by property review of existing zoning**
- **Set of objective rules established to ease transition**



Mapping Principles

- All properties treated in a fair manner (mapping rules)
- Convert to the new zoning district that most closely matches a similar range of uses and development standards (existing development rights)

City of Winnipeg Zoning By-law Review - Mapping Rules

| District Type | Current Zoning | Proposed Zoning | Comments | Mapping Rule | |
|-----------------------|--|-------------------------|--|--|---|
| Agriculture and Parks | A | RRS | No change to current zoning label for Agricultural. | No Map changes. | |
| | A.5 | RRS | A.5 is being eliminated as a zoning category. | Re-label A.5 to RRS. | |
| | PR1 PR2 PR3 | PR1 PR2 PR3 | PR3 is a new zone. Park zones reflect type of park: PR1 - Neighbourhood PR2 - Community | The City of Winnipeg Parks staff have reviewed all PR1 and PR2 parcels and have designated them to the appropriate new PR category. | |
| Residential | RR-2 | RR2 | No change to current zoning label for 2 acre Rural Residential. | No Map changes. | |
| | R1-20 R1-9 R1-6 R1-5.5 | RR5 R1-E R1-L | Existing A5 relabel to RRS (see above) | Re-label A.5 to RRS. R1-20 will be re-labeled to R1-E for 'Estate' Lots R1-9, R1-6 and R1-5.5 will be re-labeled R1-L for 'Large' Lots. | |
| | R1-5 R1-4.5 R1-4 R1-3.5 | R1-M | Existing R1 districts are being collapsed into fewer zoning R1 districts. | R1-5, R1-4.5, R1-4, R1-3.5 will be re-labeled R1-M for 'Medium' Lots. | |
| | R1-3 R1-2.5 R2 R2-T | R1-S R2 | | R1-3 and R1-2.5 will be re-labeled R1-S for 'Small' Lots. No Map changes for R2. R2-T will be re-labeled to R2. | |
| | RM-L RM-1 RM-2 RM-3 RM-4 RM-5 RM-6 RM-7 | RMF-S RMF-M RMF-L | Existing RM districts are being collapsed into fewer RM zoning districts. | RM-L, RM-1, RM-2 and will be re-labeled RMF-S for 'Small' multi-family residential. RM-3 and RM-4 will be re-labeled RMF-M for 'Medium' multi-family residential. RM-5, RM-6 and RM-7 will be re-labeled RMF-L for 'Large' multi-family residential. | |
| | MH-P - | RMH RMU | New label only for Mobile Home Parks. New Residential Mixed Use zone (allows commercial) for future applications. | MH-P will be re-labeled RMH For future use. No map changes. | |
| | Commercial and Institutional | C1 | C1 or C2 | C1 districts do not change unless on a regional street, in which case they may be changed to C2 depending on the site size. | C1 not on a regional street remains C1. C1 on a regional street and less than 0.5 acre remains C1; C1 greater than 0.5 acre becomes C2. |
| | | C1.5 | C1 or C2 | C1.5 is eliminated as a zoning category. Existing C1.5 districts become C1 or C2 depending on location and size. | C1.5 districts will become C1 or C2 depending on their location and size. If the C1.5 district is not on a regional street it will become C1 unless it is greater than 0.5 acre (then C2). If the C1.5 district is on a regional street it will become C2. |
| | | C2 | C2 or C3 or C4 | No change to C2 (Neighbourhood Commercial) except possible change to C3 or C4 depending on site size, lot depth or location. | All existing C2 sites not on a regional street will remain C2. Existing C2 sites on a regional street will become/remain C2/C3/C4 depending on district size, lot depth or location. Existing C2 sites that are larger than 8 acres (under separate ownership or not) and within Areas of Regional Commercial and Mixed-Use Concentration (as identified in Plan Winnipeg) will become C4. Existing C2 sites that are 5-8 acres will become C3. Existing C2 sites that are 2-5 acres and deeper than 200 feet will also become C3. All others will remain C2. |
| | | C3-1 | | | |
| | | C3-2 | C3 or C4 | The division between C3-1 and C3-2 is not needed (Commercial Corridor). Some C3 sites may become C4 depending on use, lot size/depth, and location. | C3-1 and C3-2 districts will be re-labeled C3. If a C3 district is a contiguous retail area larger than 8 acres and within an Area of Regional Commercial Concentration (as identified in Plan Winnipeg) it will become C4. |
| | | C4 | C4 | No change to current zoning label (Regional Commercial). | No Map changes. C4 is used for retail uses (primary use) only. |
| | | CR | C4 | Regional Commercial is deleted as a zoning category. CR is most closely related to the newly defined C4 (Commercial Regional). | All CR districts will become C4. |
| | | - | EI | EI is a new zone for public educational and institutional sites of a campus-like nature. | Large, campus-like sites with multiple buildings such as hospitals, health care centres, universities and colleges will become EI. |
| | OI | C2 | OI is being eliminated as a zoning category. | OI districts will become C2. | |
| | - | CMU | New Commercial Mixed Use zone (allows high density residential) future applications. | For future use. No map changes. | |

Tangible Benefits Mapping

- **Mapping changes mirror text changes**
- **Simpler maps due to new consolidated districts**
- **Application of rules minimizes subjectivity and exceptions**
- **Limited impact on development rights**
- **Commercial zoning adjusted to facilitate consolidation of districts**
- **Assists in orderly planning and development of infrastructure**

Conclusion

- **Zoning By-law has been streamlined, modernized and made more flexible**
- **Closer alignment with Plan Winnipeg**
- **More current, and better matched to development trends**
- **Higher quality development**
- **Reduced number of by-laws**
- **Process Streamlined (reduced Red Tape)**
 - Fewer Public Hearings
 - Timely approvals, less negotiation

Resources

- **Hard copies of the by-law will be available for purchase at:**
 - Zoning & Permits Office**
 - Main Floor, 30 Fort St.**
- **Link to on-line version:**
<http://www.winnipeg.ca/ppd/>
- **Download official version from City Clerk's By-law website:**
<http://www.winnipeg.ca/clerks/>
- **Maps available from:**
 - The Map Store, Mezzanine, 65 Garry St.**

Questions?

For quick look-up of zoning at an address, click on the Electronic Citizen Information Service (eCIS) at the following link:

<http://cms00asa1.winnipeg.ca/>

