Agenda

1) Development by right vs. Development Application

2) Decision-making Process: Who approves what and how?

3) Common Issues
Policy Hierarchy

THE CITY OF WINNIPEG CHARTER
SM 2002, c. 39

CHARTE DE LA VILLE DE WINNIPEG
L.M. 2002, c. 39

MANITOBA

OurWinnipeg
It’s Our City, It’s Our Plan, It’s Our Time

COMPLETE
COMMUNITIES

LOCAL AREA PLANS

ZONING
Zoning is a regulatory tool that manages the use and development of land and buildings.

There are two zoning by-laws applicable to the City of Winnipeg:

**City of Winnipeg Zoning By-law No. 200/06**

**Downtown Zoning By-law No. 100/04**
### SECTION 62 - PERMITTED USES

#### Table 4-1: Principal Use Table

- **ZONING DISTRICT**: A, PR1, PR2, PR3, RR5, RR2, R1, R2, RMF, RMU, RMH, C1, C2, C3, C4, CMU, EI, MMU, M1, M2, M3

<table>
<thead>
<tr>
<th>ZONING DISTRICT</th>
<th>A</th>
<th>PR1</th>
<th>PR2</th>
<th>PR3</th>
<th>RR5</th>
<th>RR2</th>
<th>R1</th>
<th>R2</th>
<th>RMF</th>
<th>RMU</th>
<th>RMH</th>
<th>C1</th>
<th>C2</th>
<th>C3</th>
<th>C4</th>
<th>CMU</th>
<th>EI</th>
<th>MMU</th>
<th>M1</th>
<th>M2</th>
<th>M3</th>
<th>Parking Category</th>
<th>Use Specific Standards (Section)</th>
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<tbody>
<tr>
<td><strong>USE CATEGORY / TYPE</strong></td>
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<td>Residential and Residential-Related</td>
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<td>Dwelling, live-work</td>
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<td>Dwelling, multi-family amended 95/2014</td>
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<td>Dwelling, single-family detached</td>
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<td>Dwelling, two-family</td>
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<td>Mobile home</td>
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</tbody>
</table>
## SECTION 137 – DIMENSIONAL STANDARDS

<table>
<thead>
<tr>
<th>Zoning District and Designation</th>
<th>Minimum Lot Area (Sq. Ft.) [Notes a, e] amended 95/2014</th>
<th>Minimum Lot Width (Ft.) (Note e) amended 95/2014</th>
<th>Minimum Front Yard (Ft.)</th>
<th>Minimum Rear Yard (Ft.)</th>
<th>Minimum Side Yard (Ft.) [Note b]</th>
<th>Minimum Reverse Corner Street Side Yard (Ft.)</th>
<th>Maximum Height of Bldg. (Ft.)</th>
<th>Maximum Lot Coverage (%)</th>
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</thead>
<tbody>
<tr>
<td>Principal Residential Structure</td>
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<tr>
<td>RR5</td>
<td>5 acres</td>
<td>25</td>
<td>25</td>
<td>25</td>
<td>25</td>
<td>25</td>
<td>35</td>
<td>30</td>
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<td>RR2</td>
<td>87,120</td>
<td>25</td>
<td>50</td>
<td>25</td>
<td>25</td>
<td>25</td>
<td>35</td>
<td>30</td>
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<tr>
<td>R1-Estate</td>
<td>20,000</td>
<td>25</td>
<td>30</td>
<td>25</td>
<td>10</td>
<td>20</td>
<td>35</td>
<td>30</td>
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<tr>
<td>R1-Large</td>
<td>5,500</td>
<td>25</td>
<td>20</td>
<td>25</td>
<td>4</td>
<td>10</td>
<td>35</td>
<td>40</td>
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<tr>
<td>R1-Medium</td>
<td>3,500</td>
<td>25</td>
<td>15 [note c &amp; d]</td>
<td>25</td>
<td>4</td>
<td>4</td>
<td>35</td>
<td>45</td>
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<tr>
<td>R1-Small</td>
<td>2,500</td>
<td>25</td>
<td>15 [note c &amp; d]</td>
<td>25</td>
<td>3 each, or 2 &amp; 4</td>
<td>4</td>
<td>35</td>
<td>45</td>
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<tr>
<td>RMH</td>
<td>See section 147, Residential Mobile Home Park District-Specific Standards</td>
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<tr>
<td>R2</td>
<td>5,000 (2,500 per dwelling unit for two-family; 800 per dwelling unit for multi-family)</td>
<td>25</td>
<td>20</td>
<td>25</td>
<td>4</td>
<td>10</td>
<td>35</td>
<td>NA</td>
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</tbody>
</table>
### Development Applications

#### SUBDIVISION (DASSF, DAS, DASZ)

- **Short form subdivisions:** the subdivision (or consolidation) of property where no public street or lane is being created and a zoning change is not required. No public hearing required.

- **Long form subdivisions:** the subdivision of property necessitating a zoning change and/or creates new public streets. Council approval required, with a public hearing at Community Committee.

#### REZONING (DAZ)

A request to change a property’s zoning without creating new lots or modifying the property lines of an existing lot. Council approval required, with a public hearing at Community Committee.

#### ZONING AGREEMENT AMENDMENT (ZAA)

Often established as a result of a rezoning/subdivision application, zoning agreements further manage a site’s function and development, imposing additional conditions beyond the rules of the zoning by-law. Council approval required, with a public hearing at Community Committee.
Decision-making Process

- Rezonings (DAZ)
- Rezoning and Subdivision (DASZ)
- Zoning Agreement Amendment (ZAA)
• Three Ward Councillors are grouped into 5 Community Committees

• Have authority to assign street names and conduct public hearings on land and licensing matters.
Development Applications

VARIANCE (DAV)

In the zoning by-law, there are rules for development for each zoning district – building setbacks, building heights, lot coverage, etc. When a property owner finds it either impossible or impractical to meet these rules, a variance application may be filed to modify the zoning by-law provisions.

Most variances are approved by the Board of Adjustment, with appeals heard at the Appeals Committee.

CONDITIONAL USE (DCU)

The zoning by-law prescribes all permitted and restricted land uses in each zoning district. Some uses are “conditional”, meaning their approval is subject to administrative review and a public hearing.

Conditional uses are approved by the Board of Adjustment, with appeals heard at the Appeals Committee.
Decision-making Process

1. Planning Report
   - Order Issued (after appeal period)
     - Yes: Board of Adjustment Public Hearing
       - Appeal by public or applicant
     - No: Order Rejected
   - Appeal Upheld
     - Appeals Committee Public Hearing
     - Appeal Rejected
## Decision-making Process

### PUBLIC HEARINGS

A statutory requirement required by the City of Winnipeg Charter built into the decision-making process. Not optional.

Carried out by the City.

Public notification required.

Required to be held at a Committee of Council. Minutes are recorded to inform the decision-making process going forward.

### OPEN HOUSES

Typically carried out by the applicant.

Not legally required, although is usually strategically beneficial to the applicant.

City has guidelines for public open houses. It offers considerations such as:

- Avoid weekends, statutory holidays, dates of Community Committee meetings, etc.
- Host at a neutral site.
- Solicit feedback through an exit survey.
Common Concerns
Design

• Context sensitive

• Height and bulk

• Privacy – location of windows and doors

• Site design – garbage enclosure, landscaping, parking

Image courtesy of City of Edmonton
Residential Infill Strategy

www.winnipeg.ca/infillstrategy