



Planning, Property and Development Development and Inspections

Martin Grady, Zoning & Permits Administrator

What is Zoning?

- Divides the City up into districts.
- Zoning regulates the use and development of land and buildings.
- Plan implementation tool
- Two ways to do this: By Use and by rules.
- Zoning Bylaw 6400/94 is for the City and Zoning Bylaw 100/04 is for the Downtown.




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Zoning By-law and Land Use

 Each Zoning District lists uses as:

1. Permitted
2. Conditional
3. Accessory
4. Temporary
5. Not Allowed if not Listed

 A Development Permit is required to establish any use on property.

 A separate approval is required to establish a use that is listed as Conditional in that Zoning District.

Zoning By-law and Development

- Each Zoning District has rules that regulate the:
 1. height of structures.
 2. location of structures.
 3. amount of development on a lot.
 4. number or density of dwelling units.
 5. amount of signage.
 6. number of Parking Stalls.
- If it is impossible or impractical to comply with these rules, a Variance can be applied for.



Winnipeg Zoning By-law

The importance of definitions and the ability to regulate:

“dwelling, single-family detached” means a building designed for residential occupancy by one family, including modular and ready-to-move homes, but not including a mobile home. (Allowed in R1 residential zoning.)

“family” means one person or two or more persons voluntarily associated, plus any dependents, living together as an independent, self-governing single-housekeeping unit. (Based on “what is a family” legal challenges to zoning by-laws across Canada and takes into account the case law respecting determining when a rooming house is a rooming house.)

“dwelling unit” means a building or portion of a building designed or used for residential occupancy by a single family, including cooking, eating, living, sanitary and sleeping facilities. (Allowed in R1 residential zoning but only a secondary suite.)



Winnipeg Zoning By-law

The importance of definitions and the ability to regulate:

“secondary suite” means an accessory dwelling unit added to or created within a single-family residence that provides basic requirements for living, sleeping, cooking, and sanitation. Only one secondary suite, either attached or detached, shall be allowed per lot. (Allowed in R1 zoning with an approved conditional use.)

“single room occupancy” means a building, other than a hotel or hostel, which provides living units with separate sleeping areas and some combination of shared bath or toilet facilities. The building may or may not provide meals to guests for compensation, and may or may not have separate shared cooking facilities for residents. Single-room occupancy includes uses commonly called “rooming houses” and “boarding houses.” (Not an available land use in R1 zoning.)

“boarder or roomer” means a person who is provided lodging with or without meals at another’s home for a fee or service. (Maximum of 2 persons per residence.)



■ Enforcement: Zoning By-Law, Building By-Law, Building Code

■ Powers

- Can't arrest, detain, remove or fine.

■ Approach to Enforcement

- Work toward compliance.
- Not a punitive approach.

■ Complaint Based

- Not actively searching for violations.
- Rely upon complaints/referrals.



■ Enforcement: Zoning By-Law, Building By-Law, Building Code

■ Enforcement Process

- Investigation to validate violation/record evidence.
- By-law violation notices.
- Orders
- Common Offence Notice
- By-law Court

■ Challenges to Enforcement

- Resources
- Refused entry or unable to enter.
- Living/tenancy arrangements/rooming house definition
- Compliance achieved but re-occurring violations afterwards.

■ Life/Safety Issues

- Basement occupancies/ability to⁸ issue vacate order



City of Winnipeg

Community By-law Enforcement Services

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