



Planning, Property and Development Department  
Service de l'urbanisme, des biens et de l'aménagement  
Unit 31-30 Fort Street / Rue Fort, Unité 31, Winnipeg, Manitoba, R3C 4X7

## Downtown Variance and Conditional Use (DAV/DCU "B") Application

Effective January 1, 2020

### What is a Variance or Conditional Use?

A **variance** is a request to modify the Dimensional Standards of the Zoning By-Law (i.e. yards or building setbacks, height requirements and lot coverage) as applied to a specific property. When requirements cannot be met due to unique circumstances related to a property, a variance is an option to ensure that a property owner is not deprived of normal rights to use their property. Although the zoning designation of the property remains unchanged, an exemption of one or more of the requirements may be allowed under certain circumstances.

A **Conditional Use** means a use of a building or land that may be unique in its characteristics or operation, which could have an impact on adjoining properties. In accordance with the City of Winnipeg Charter, a Conditional Use is a use of land listed as "Conditional" within the use category of a sector.

### What are the Rules Governing Variances?

To approve a variance and/or conditional use, the decision maker is required to conclude the criteria listed below are met. When you submit your application, you should include a written explanation on how you think each criterion is met. This is your chance to make your case. By addressing these thoroughly, you can reduce the possibility of an important factor being overlooked.

A variance and/or conditional use application may be approved as is or approved subject to conditions provided that the variance and/or conditional use requested is consistent with the following criteria as prescribed under the *City of Winnipeg Charter Act*:

- (a) consistent with Plan Winnipeg and any applicable secondary plan;
- (b) does not create a substantial adverse effect on the amenities, use, safety and convenience of the adjoining property and adjacent area, including an area separated from the property by a street or waterway;
- (c) is the minimum modification of a zoning by-law required to relieve the injurious effect of the zoning by-law on the applicant's property;
- (d) is compatible with the area in which the property to be affected is situated.

The decision maker may place conditions upon a variance and/or conditional use approval, which are deemed necessary to ensure these criteria are met. The decision and any conditions will be posted on the public notice. ***Once the variance and/or conditional use has been publicly posted and/or the decision maker has made a decision on the variance and/or conditional use, please note that the application fees cannot be refunded.***

### APPLICATION APPEALED (Appeal by others)

- A. The applicant shall be notified by registered mail should the decision be appealed. Those in opposition to the application may appeal the decision by submitting a written notice of appeal within 14 days of issuance of the variance and/or conditional use. The property is posted for a second period of fourteen (14) days for a hearing of the Standing Policy Committee on Property



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and Development, Heritage and Downtown Development at City Hall, 510 Main Street. If the **APPEAL IS REJECTED**, the decision on the original order is confirmed. If the **APPEAL IS GRANTED**, the original variance and/or conditional use order is **REJECTED** and the applicant cannot re-apply for the same variance and/or conditional use within one (1) year from the date of the order.

### APPLICATION REJECTED (Appeal by applicant)

- B. The applicant may appeal the order by submitting a written notice of appeal within 14 days of issuance of the variance and/or conditional use order should the Director of Planning, Property and Development reject the application. The property is posted for a second period of fourteen (14) days for a hearing of the Standing Policy Committee on Property and Development, Heritage and Downtown Development at City Hall, 510 Main Street. If the applicant's **APPEAL IS REJECTED**, the original variance and/or conditional use order rejecting the application is confirmed. The applicant cannot re-apply for the same variance and/or conditional use within one (1) year from the date of the order.

### How to reach us / where to apply:

**Hours of Operation:** Tuesday to Friday 8:30 am to 4:30 pm (Mondays 8:30 am to 4:30 pm are reserved only for telephone inquiries and completed application drop-offs. This enables Zoning and Permits staff to process building and development applications received throughout the week). **An appointment must be arranged with a Zoning Development Officer who will be available to accept the application or answer any inquiries about it.** To arrange a meeting, please contact the Appointment Desk at (204) 986-8113 or [ppd-permitappointments@winnipeg.ca](mailto:ppd-permitappointments@winnipeg.ca). **Before you submit your application, please ensure that you contact the Area/District Planner to confirm whether they will support your proposal.**

### Location

Please apply at the Zoning and Permits Branch located in Unit 31 – 30 Fort Street. Free customer parking is located in the surface parking lot off Assiniboine Avenue at Garry Street and designated customer parking stalls are available. Please register your vehicle license number with the receptionist at the Zoning and Permits office.

If you are unable to come in-person through an appointment, you can mail or courier the submission package to:

Zoning and Permits  
Unit 31- 30 Fort St.  
Winnipeg, MB R3C 4X7



## Downtown Variance and Conditional Use (DAV/DCU "B") Application

### Fees

- **Temporary Use and/or Density:** \$1,608.00 (fee) + \$80.40 (GST) = **\$1,688.40**
- **Request to Demolish a single-family, two-family, or multi-family dwelling without a building permit to replace the demolished residence:** \$543.00 (fee) + \$27.15 (GST) = **\$570.15**

### OTHER RESIDENTIAL (E.G. MULTI-FAMILY DWELLING) & COMMERCIAL

**Conditional Use (Other Residential & Commercial):** \$2,690.00 (fee) + \$134.50 (GST) = **\$2,824.50**

- **Post-Use (established without prior approval):** \$5,360.00 (fee) + \$268.00 (GST) = **\$5,628.00**

**Variations (Other Residential & Commercial):**

- Before Construction:
  - *1st Variance* - \$1,285.00 (fee) + \$64.25 (GST) = **\$1,349.25**
  - *Each additional variance (same lot)* - \$322.00 (fee per item) + \$16.10 (GST) = **\$338.10**
- Post Construction (established without prior approval):
  - *1st Variance* - \$2,690.00 (fee) + \$134.50 (GST) = **\$2,824.50**
  - *Each additional variance (same lot)* - \$482.00 (fee per item) + \$24.10 (GST) = **\$506.10**

### SINGLE OR TWO-FAMILY DWELLINGS

**Conditional Use (Single-Family or Two-Family Dwellings):** \$645.00 (fee) + \$32.25 (GST) = **\$677.25**

- **Post-Use (established without prior approval):** \$968.00 (fee) + \$48.40 (GST) = **\$1,016.40**

**Variations (New Construction or Additions for Single-Family or Two-Family Dwellings):**

- Before Construction:
  - *1st Variance* - \$645.00 (fee) + \$32.25 (GST) = **\$677.25**
  - *Each additional variance (same lot)* - \$215.00 (fee per item) + \$10.75 (GST) = **\$225.75**
- Post Construction (established without prior approval):
  - *1st Variance* - \$968.00 (fee) + \$48.40 (GST) = **\$1,016.40**
  - *Each additional variance (same lot)* - \$322.00 (fee per item) + \$16.10 (GST) = **\$338.10**

**Variations (Accessory Structures for Single-Family or Two-Family Dwellings):**

- Before Construction:
  - *1st Variance* - \$375.00 (fee) + \$18.75 (GST) = **\$393.75**
  - *Each additional variance (same lot)* - \$109.00 (fee per item) + \$5.45 (GST) = **\$114.45**
- Post Construction (established without prior approval):
  - *1st Variance* - \$590.00 (fee) + \$29.50 (GST) = **\$619.50**
  - *Each additional variance (same lot)* - \$162.00 (fee per item) + \$8.10 (GST) = **\$170.10**

**(All fees are subject to change)**



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Once the Zoning Officer has entered the application, it must be paid for before it can be circulated. You can pay the Cashier in-person, by phoning (204) 986-5120 or by emailing [ppd-cashier@winnipeg.ca](mailto:ppd-cashier@winnipeg.ca). Please be advised that the maximum dollar amount that can be charged to a credit card is **\$10,000**. If you are paying by cheque, please make it payable to the "City of Winnipeg."

***\*\*\* Please refer to the checklist under the "Submission Requirements" to ensure that you have supplied the required documentation and plans for an application. It is important that all required documentation is provided to prevent delays in processing.***

### APPLICANT INFORMATION

<b>Project Address:</b>	No.	Street Name	
<b>Legal Description:</b>	Lot	Block	Plan Number
<b>Applicant:</b>	Name		
<b>Contact:</b>	Address		
	Daytime Phone No. (   )	Email Address	

## SUBMISSION REQUIREMENTS

**Note:** Items that "may be required" are items that may be requested of the applicant to assess the development application. Items that are "if applicable" are items that will be required of the applicant if it applies to the context of the proposed development application. Please organize your submission by ensuring that each set contains one copy of each required document. In other words, the required documents should be separated out into individual sets, with the first set containing one (1) copy of the status of title, letters and plans, the second set containing one (1) copy of the status of title, letters and plans, and so on.

KEY DOCUMENTS				
Document	Copies required	Notes	Required	May be required
Current Status of Title	1	Available from The Property Registry (Winnipeg Land Titles Office) located on 276 Portage Avenue, at Smith Street. We may request for an updated title to be submitted if the copy provided is not dated within the last 3 months. For further info please visit <a href="https://www.tprmb.ca/tpr/landtitles.html">https://www.tprmb.ca/tpr/landtitles.html</a>	X	
City of Winnipeg caveats <i>(if applicable)</i>	1	Listed on the Status of Title as active instruments. Available from The Property Registry (Winnipeg Land Titles Office) located on 276 Portage Avenue, at Smith Street. For further info please visit <a href="https://www.tprmb.ca/tpr/landtitles.html">https://www.tprmb.ca/tpr/landtitles.html</a>	X	
Letter of intent	1	This letter should describe the scope of the proposed development (e.g. what you intend to do, the size of the proposed structure or development, anticipated number of lots and units per land use category, proposed use of land and structures, etc.) and include the reason(s) for the request to modify the provisions of the Zoning By-Law (i.e. describe why the proposal cannot comply with the Zoning By-law).	X	
Letter of authorization	1	Required by all the registered owners of the land whose name(s) appear on the title. If the owner on Title is a company name, the person signing must state the company name as shown on the Title and that he/she is authorized to sign for that company. Please see template at the end of this document	X	
Letter of support	1	Written support from adjacent neighbours. Please see template at the end of this document.		X
Building location certificate <i>(maximum size of 11"x 17")</i>	1	A document prepared by a Manitoba Land Surveyor illustrating the location of the buildings or structures on the land with dimensions. See <a href="http://www.aml.ca/serving-the-public">http://www.aml.ca/serving-the-public</a> under <i>Location Certificates</i> . A detailed, well-drawn, fully dimensioned site plan may be substituted under certain circumstances. <b>A building location certificate may be determined to be mandatory in cases where development/construction has started without prior approval or permits.</b>	X	
Title Plot <i>(if applicable - maximum size of 11"x 17")</i>	1	When there is more than one title affecting the property, the title numbers are plotted on a map to ensure that all lands described on the titles have been received. See The Property Registry at <a href="https://www.tprmb.ca/tpr/landtitles.html">https://www.tprmb.ca/tpr/landtitles.html</a>		X
Plan of subdivision <i>(if applicable - maximum size of 11"x 17")</i>	1	Plan outlining the dimensions and labels of the parcels or lots that are being created or amalgamated.		X
Proposed Phasing <i>(if applicable - maximum size of 11"x 17")</i>	1	Number of phases and anticipated time of completion.		X

## SUBMISSION REQUIREMENTS

<b>PLANS OF DEVELOPMENT</b> (should include the drawings described in Parts 1, 2, 3, 4, 5)					
	<b>Document</b>	<b>Copies required</b>	<b>Notes</b>	<b>Required</b>	<b>May be required</b>
<b>Part 1</b>	<b>Floor Plans</b> <i>(if applicable)</i> Detailed, fully dimensioned plans, drawn to scale (maximum size of 11"x 17")	1	Plans showing the interior layout of the building including labels and dimensions of all rooms	X	
<b>Part 2</b>	<b>Site Plan</b> Detailed, fully dimensioned site plan, drawn to scale (maximum size of 11"x 17")	1	Includes: <ul style="list-style-type: none"> <li>• project name</li> <li>• proposed use</li> <li>• municipal address</li> <li>• scale</li> <li>• north arrow</li> <li>• dimensioned property lines</li> <li>• land parcel area <i>(if applicable)</i></li> <li>• boundary survey (total acreage, zoning, date, north arrow and vicinity map)-<i>if applicable</i></li> <li>• easements and utility rights of way (depth, width, location, type and registration number)-<i>if applicable</i></li> <li>• streets labeled</li> <li>• pedestrian connections</li> <li>• existing and proposed structures (number, location and height)-<i>if applicable</i></li> <li>• dimensioned setbacks <i>(if applicable)</i></li> <li>• features adjacent to parcel (City streets, sidewalks, curb cuts, median breaks)-<i>if applicable</i></li> <li>• vehicular circulation (parking, accessible parking, ingress / egress, loading etc.)</li> <li>• nearby transit stops <i>(if applicable)</i></li> <li>• screening or treatment of any natural features</li> <li>• proposed buffers or landscaped yards</li> <li>• garbage enclosures <i>(if applicable)</i></li> <li>• free standing signs <i>(if applicable)</i></li> <li>• exterior lighting</li> <li>• mechanical equipment <i>(if applicable)</i></li> <li>• floodway and flood fringe levels <i>(if applicable)</i></li> </ul>	X	
<b>Part 3</b>	<b>Landscaping Plan</b> <i>(if applicable)</i> Detailed, fully dimensioned plan, drawn to scale (maximum size of 11"x 17")	1	Includes: <ul style="list-style-type: none"> <li>• plant list (number, size and species)</li> <li>• planting to be removed or kept (number, size and species)</li> <li>• new planting (number, location and species)</li> <li>• fencing</li> <li>• open space</li> <li>• ground cover</li> <li>• screening</li> </ul>		X

## SUBMISSION REQUIREMENTS

	Document	Copies required	Notes	Required	May be required
<b>Part 4 - Planning and Design</b>	<a href="#">Parking Study</a>				X
	<a href="#">Building elevations</a> <i>(if applicable)</i>	1	Maximum size of 11"x17"	X	
	<a href="#">Colour renderings</a> <i>(if applicable)</i>	1	Maximum size of 11"x17"	X	
	<a href="#">Sun / shadow study</a>		Maximum size of 11"x17"		X
	<a href="#">Street level visualization of proposed development</a>		Maximum size of 11"x17"		X
	<a href="#">Public consultation program</a>				X
	<a href="#">Arborist report</a>				X
	Context photos				X
	Financial Impact Assessment				X
	Cultural heritage impact statement (historical resources)				X
	Commercial Land Supply Study				X
	Employment Land Supply Study				X
	Residential Land Supply Study				X
	Archeological resource assessment				X
<b>Part 5 - Engineering Studies</b>	Community Transportation Study and / or Transportation Impact Study				X
	Assessment of Adequacy of Public Services / Site Servicing Study				X

## SUBMISSION REQUIREMENTS

	Servicing Options report				X
	Stormwater Management Report				X
	Geotechnical Study / Slope Stability Study				X
	Groundwater Impact Study				X
	Wind Study				X
	<a href="#">Noise / Vibration Study</a>				X



# Letter of Authorization

(Registered owner(s) of the property whose name(s) appear on the title)

Date: \_\_\_\_\_

To: The City of Winnipeg  
Planning, Property and Development Department  
Zoning and Permits Branch  
31 – 30 Fort Street  
Winnipeg, Manitoba

RE: \_\_\_\_\_ (address or legal description of application)

I (we) hereby give authorization to:

\_\_\_\_\_ (Applicant's name)

To apply for a Development application for the above address.

Registered Owner(s) on the Current Status of Title or Certificate of Title:

\_\_\_\_\_  
Please print name and company name (if applicable)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Please print name and company name (if applicable)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Please print name and company name (if applicable)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Please print name and company name (if applicable)

\_\_\_\_\_  
Signature

Personal information is collected under the authority of The City of Winnipeg Charter Act, and is used for the administration and enforcement of **The City of Winnipeg Building By-law No. 4555/87**. This information will be disclosed publicly in accordance with the disclosure provisions of the Province of Manitoba - **Freedom of Information and Protection of Privacy Act**. If you have questions about the collection, use, or disclosure of your information, contact the Corporate FIPPA Coordinator: by mail to the City Clerk's Department, Administration Building, 510 Main Street, Winnipeg, MB, R3B 1B9; by telephone to 311; or by email to [FIPPA@winnipeg.ca](mailto:FIPPA@winnipeg.ca).

# Request for a Support on Zoning Variance or Conditional Use

*(Signatures of support from adjoining impacted neighbours)*

Date: \_\_\_\_\_

To: The City of Winnipeg  
 Planning, Property and Development Department  
 Zoning and Permits Branch  
 31 – 30 Fort Street  
 Winnipeg, Manitoba  
 R3C 4X7

RE: \_\_\_\_\_ (address or legal description of application)

I consulted with my neighbours on my request for relief on the following zoning restriction(s) at the above referenced premises:

***(Please provide a brief description of the Variance or Conditional Use application in the space provided below.)***

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The following neighbours support/do not oppose my request for a Zoning Variance or Conditional Use:

Name	Address	Daytime Phone No.	Signature(s)

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