



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

Home-Based Business (Major) Conditional Use (DCU "B") Application

Effective January 1, 2019

What is a Home-Based Business?

The Zoning By-law regulates Home-Based Businesses by ensuring the character of a residential area is not impacted by noise, traffic or other nuisances associated with a commercial enterprise.

A Home-Based Business may be a full-time, part-time or even an occasional venture. Generally, if your business mail comes to your home and or administrative duties are conducted from your home, you require a Home-Based Business Permit. Many types of Home-Based Businesses such as office facilities are permitted under the Zoning By-law with the issuance of a Home-Based Business Permit prior to establishing.

A Home-Based Business that provides a personal service on the premises such as a beauty salon, pet grooming or repair service and the like, ***require Conditional Use (DCU) approval*** from the Director of Planning, Property and Development, in addition to the Home-Based Business Permit ***prior to establishing it.***

What is a Conditional Use?

A ***Conditional Use*** means 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 table of a zoning district.

What are the Rules Governing Conditional Uses?

To approve a 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 conditional use application may be approved as is or approved subject to conditions provided that the 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 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 conditional use has been publicly posted and/or the decision maker has made a decision on the conditional use, please note that the application fees cannot be refunded.



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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 conditional use order. The property is posted for a second period of fourteen (14) days for a hearing of the Appeal Committee 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 conditional use order is **REJECTED** and the applicant cannot re-apply for the same conditional use within one (1) year from the date of the order.

APPLICATION REJECTED (Appeal by applicant)

- B. The applicant shall be notified by registered mail if the conditional use application has been **REJECTED**. The applicant may appeal the order by submitting a written notice of appeal within 14 days of issuance of the conditional use order. The property is posted for a period of fourteen (14 days) for a hearing of the Appeal Committee at City Hall, 510 Main Street. If the applicant's **APPEAL IS GRANTED**, an appeal order is issued and the applicant can apply for a Building permit. If the applicant's **APPEAL IS REJECTED**, the original conditional use order rejecting the application is confirmed. *The applicant must wait for one year from the date of the order to apply for the same conditional use.*

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). ***We strongly recommend that an appointment 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.

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



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Fees

- **Establish or Renew a Home-Based Business, Major:**
 - \$630.00 (fee) + \$31.50 (GST) = **\$661.50**
- **Maintain a Home-Based Business, Major (*established without prior approval*):**
 - \$945.00 (fee) + \$47.25 (GST) = **\$992.25**

(All fees are subject to change)

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. 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

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

DOCUMENTATION REQUIRED FOR A RESIDENTIAL VARIANCE APPLICATION				
Document	Copies required	Notes	Required	May be required
Current Status of Title	1	Status of Title is a document available from The Property Registry (276 Portage Avenue at Smith Street) that identifies ownership. If the copy provided is not dated within three (3) months of the application date, we may request an up to date Status of Title to verify ownership, etc. For further information: https://www.tprmb.ca/tpr/landtitles.html	X	
City of Winnipeg caveats (if applicable)	1	City of Winnipeg caveats are listed on the Status of Title as active instruments. These documents are available from The Property Registry (276 Portage Avenue at Smith Street). For further information: https://www.tprmb.ca/tpr/landtitles.html	X	
Letter of Intent	1	A Letter of Intent is a written statement describing the scope of the proposed development (e.g. proposed building, structure, land use) including the reason(s) for the request to modify the provisions of the Zoning By-Law. Basically, a description of why the development proposal cannot comply with the Zoning By-Law requirements, proposed use, etc.	X	
Letter of Authorization	1	Written authorization or signatures of the registered property owner(s) whose name(s) appear on the Status of Title. If a company name or number is on the Status of Title, the person signing must state the company name or number as shown on the title and that he or she is authorized to sign for that company. <i>Please see template at the end of this document</i>	X	
Letter of Support	1	Written support or signatures of support from adjoining property owners who may be adversely affected by the proposed development. <i>Please see template at the end of this document.</i>	X	
Building Location Certificate	1	A Building Location Certificate (commonly known as a survey) is a document prepared by a Manitoba Land Surveyor illustrating the location of buildings or structures on the land with dimensions. See http://www.aml.ca/serving-the-public <i>Under certain circumstances, a detailed, well-drawn, fully dimensioned site plan may be substituted at our discretion.</i>		X
Plans of Development (maximum size of 11"x 17")	1	<ol style="list-style-type: none"> Site Plan – Must be fully dimensioned and indicate the property lines, existing and if applicable proposed building(s) or structures on the lot, street name, yard setbacks, and on-site parking for clients and/or employees on the premises. Floor Plans – Plans showing the interior layout of the dwelling unit including dimensions of all rooms with the use of the room labeled and details of where the home-based business will be conducted in the dwelling unit. 	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.

Request for Support for Conditional Use Approval of a Home-Based Business
(Signatures of support from adjoining impacted property owners)

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 have consulted with my neighbours on my request to establish or maintain a home-based business, major at the above referenced premises:

(Please provide a brief description of the home-based business in the space provided below.)

The following adjoining property owners support and are not opposed to my request for Conditional Use approval for a home-based business, major:

Name	Address	Daytime Phone No.	Signature(s)

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