Residential Conditional Use (DCU “B”)
Single Family Dwelling or Two-Family Dwelling
Application Form

WHAT IS A CONDITIONAL USE?

A “conditional use” means a building or land use that may be unique in its characteristics or operation, which could have an impact on adjoining properties. A conditional use is a use of land listed as “conditional” under the use tables in the Zoning By-law.

HOW LONG DOES THE CONDITIONAL USE PROCESS TAKE?

The length of time to process depends on the complexity of the conditional use application and the completeness of the required documentation and information (refer to the checklist under “Application Submission Requirements”). This includes, but is not limited to, a detailed letter of intent describing why the Zoning By-law requirements for the proposal cannot be met and plans that are legible and drawn to scale.

The process takes approximately six to eight weeks from the date of the application submission to complete. Complicated applications may take longer.

WHAT HAPPENS DURING THE CONDITIONAL USE PROCEDURE?

Once the application is submitted to a Zoning Development Officer and the applicable fees have been paid for, the file is circulated to the Development Planning Officer. The Development Planning Officer will review the application and prepare a report to support the conditional use with conditions, request for changes in order to approve the conditional use, or reject the conditional use altogether.

The criteria to approve a conditional use application are based on Subsection 247(3) of The City of Winnipeg Charter which includes the following:

(a) is 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.

In your letter of intent, please explain 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.

If the Development Planning Officer approves the conditional use, the Variance Clerk will create the public notices and will contact the applicant to pick up the notices from the Zoning and Permits Branch Office. The applicant must post the notices on the subject property for a period of 14 days in a visible location facing the street(s) and/or lane(s). The applicant is responsible for maintaining the notices during the required 14-day posting period (as per Subsection 118 of The City of Winnipeg Charter). The public notices inform the neighbourhood of the purpose of the conditional use and any conditions that are deemed necessary for approval.
Should the notices be removed or damaged during the posting period, the applicant must contact the Zoning and Permits Office for replacement notices.

WHAT HAPPENS IF THE DEVELOPMENT PLANNING OFFICER SUPPORTS THE CONDITIONAL USE BUT THE APPLICATION IS APPEALED BY NEIGHBOURS?

- Any neighbouring property owner(s) who oppose the conditional use granted by the order may appeal the decision by submitting a written notice to the City Clerks Department prior to the end of the 14-day posting period as specified on the public notice.
- The applicant shall be notified by registered mail of any appeals.
- If there are appeals, the property is posted for a second 14-day period informing the neighbourhood of the appeal hearing date. The matter is heard before the Appeal Committee at City Hall, 510 Main Street.
- The Appeal Committee may DISMISS THE APPEAL (i.e. allow the original conditional use order to be confirmed), GRANT THE APPEAL (i.e. dismiss the original order), or ALLOW THE APPEAL IN PART placing conditions on an Appeal Order.
- If the original order is DISMISSED (i.e. the conditional use is REJECTED), the applicant cannot re-apply for the same conditional use within one (1) year from the date of the Appeal Order and a building or development permit cannot be issued for the proposed work.

WHAT HAPPENS IF THE DEVELOPMENT PLANNING OFFICER REJECTS THE CONDITIONAL USE BUT THE APPLICATION IS APPEALED BY THE APPLICANT?

Please note: The Development Planning Officer will contact the applicant prior to formally rejecting a conditional use application. The applicant may appeal a reject order as per the procedure below.

- If the Director of Planning Property and Development (or designate) REJECTS the conditional use application, the applicant shall be notified of the decision by registered mail.
- The applicant may appeal the rejected order by submitting a written notice to the City Clerks Department prior to the conclusion of the appeal period as specified on the conditional use order.
- The subject property is posted for a 14-day period informing the neighbourhood of the appeal and hearing date. The matter is heard before the Appeal Committee at City Hall, 510 Main Street.
- The Appeal Committee may DISMISS THE APPEAL (i.e. allow the rejected order to be confirmed) or GRANT THE APPEAL (i.e. dismiss the rejected order).
- If the APPEAL IS DISMISSED (i.e. the conditional use is REJECTED), the applicant cannot re-apply for the same conditional use within one (1) year from the date of the Appeal Order and a building or development permit cannot be issued for the proposed work.

HOW TO REACH US:

| Address: | Zoning and Permits Office  
Unit 31- 30 Fort St.  
Winnipeg, MB R3C 4X7 |
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Phone:</td>
<td>204-986-5140, press option 4</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:ppd-zdo@winnipeg.ca">ppd-zdo@winnipeg.ca</a></td>
</tr>
</tbody>
</table>

Hours of Operation: Tuesday to Friday 8:30 am to 4:30 pm. Please note the Zoning and Permits Office is not open to the public on Mondays. However, staff will be available to receive telephone and email inquiries and completed applications may be dropped-off in person.

HOW TO APPLY:

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Zoning and Permits Branch  
Unit 31 – 30 Fort St., Winnipeg, MB R3C 4X7  
T.: 204-986-5140 | E.: ppd-zdo@winnipeg.ca  
winnipeg.ca/ppd
By appointment (recommended option):
We recommend that you arrange an appointment with a Zoning Development Officer who will be available to accept the application or answer any inquiries. To arrange a meeting, please phone the Appointment Desk at 204-986-5140 and press option 1 or email ppd-permitappointments@winnipeg.ca.

By mail, courier or drop off:
You can mail, courier or drop off your application package to the Zoning and Permits Office (Unit 31 – 30 Fort Street, Winnipeg, MB, R3C 4X7). 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 Front Desk clerk at the Zoning and Permits Office.

By email:
You can submit digital copies of your application documents to ppd-zdo@winnipeg.ca. However, please note that the Zoning Development Officer will eventually request hard copies to be submitted in order to process the application.

FEES:

<table>
<thead>
<tr>
<th>Conditional Use Application Fee</th>
<th>$660.00 (FEE) + $33.00 GST = $693.00</th>
</tr>
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<tbody>
<tr>
<td>Conditional Use Post Use Application Fee (Established Without an Approved Permit)</td>
<td>$985.00 (FEE) + $49.25 GST = $1,034.25</td>
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</table>

All fees are subject to change.

Payments can be made in-person, by mail or by calling Permits Direct Line at 204-986-5140, selecting option 7 and then 1 to speak to the cashier. Please note that the individual invoices of more than $10,000 must be paid by cheque or bank draft, which can be made payable to the “City of Winnipeg”.

The application fees must be paid up front before the application can be circulated to the other City departments for review. Please refer to document checklists under “Application Submission Requirements” to ensure that you have supplied the required documentation and plans in order to avoid delays in processing.

REFUNDS
A conditional use application withdrawn prior to administrative approval or public posting may receive a partial refund that is 25% of the total application fee. A conditional use application withdrawn after administrative approval and public posting is not refundable. Refunds are administered under the City of Winnipeg Planning, Development and Building Fees and Charges Booklet.
Application Submission Requirements

ADDRESS INFORMATION:

<table>
<thead>
<tr>
<th>Project Address</th>
<th>Street No.:</th>
<th>Street Name:</th>
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<tbody>
<tr>
<td>Legal Description</td>
<td>Lot No.:</td>
<td>Block No.:</td>
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<td>Plan No.:</td>
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APPLICANT INFORMATION:

<table>
<thead>
<tr>
<th>Applicant info</th>
<th>Applicant Name: (print)</th>
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<tbody>
<tr>
<td></td>
<td>Mailing Address:</td>
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<tr>
<td></td>
<td>City &amp; Province:</td>
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<td></td>
<td>Postal Code:</td>
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<td></td>
<td>Daytime Phone No.:</td>
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<td></td>
<td>Email Address:</td>
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NOTES ABOUT THE CHECKLISTS OF ITEMS:

- Items indicated as "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. The required documents should be separated into individual sets, with the first set containing one copy of the status of title, letters and plans, the second set containing one copy of the status of title, letters and plans, and so on.

CHECKLIST OF REQUIRED ITEMS

<table>
<thead>
<tr>
<th># of Copies Required</th>
<th>Type of Document</th>
<th>Explanations &amp; Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Current Status of Title</td>
<td>A Status of Title is a document that identifies property ownership and is available from The Property Registry (Winnipeg Land Titles Office) located on 276 Portage Avenue. The copy provided must be dated within three months of the application date to verify current ownership, etc. For further information please visit Teranet Manitoba</td>
</tr>
<tr>
<td>1</td>
<td>City of Winnipeg caveats (if applicable)</td>
<td>Listed on the Status of Title as active instruments. Available from The Property Registry (Winnipeg Land Titles Office) located on 276 Portage Avenue. For further info please visit Teranet Manitoba</td>
</tr>
<tr>
<td>1</td>
<td>Letter of Intent</td>
<td>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 proposed use is being developed on the property. Please see template at the end of this document.</td>
</tr>
</tbody>
</table>
# of Copies Required | Type of Document | Explanations & Notes
---|---|---
1 | Letter of Authorization | Written authorization by all registered owner(s) of the land whose name(s) appear on the Status of Title. If the owner on the Title is a company name or number, the person signing the letter must state the company name or number as shown on the Title and that (s)he is authorized to sign for that company. Please see template at the end of this document.
1 | Letter of Support | Written support or signatures of support from adjoining property owners who may be adversely affected by the proposed development. Please see template at the end of this document.
1 | Building Location Certificate | A Building Location Certificate (also known as a surveyor’s certificate) is a document prepared by a Manitoba Land Surveyor illustrating the location of buildings or structures on the land with dimensions. An application may be accepted without a Building Location Certificate for use of vacant land if the applicant can demonstrate that the proposed use is in accordance with the Zoning By-Law. Under certain circumstances, a detailed, well-drawn, fully dimensioned site plan may be substituted at our discretion. Visit the Association of Manitoba Land Surveyors website for more information.
1 | Site Plan | A building location certificate is required for all “post construction” when development/construction has proceeded without prior approval or permits.
1 | Floor Plans | Detailed, fully dimensioned, drawn to scale site plan including the following:
- Project name
- Municipal address
- Dimensioned property lines
- Dimensioned setbacks
- Existing and proposed structures (number, location and height)
- Parking spaces
- Scale
- North arrow
- Streets labeled
- Floodway and flood fringe levels (if applicable)
- Proposed buffers or landscaped yards
1 | Floor Plans | Detailed, fully dimensioned, drawn to scale floor plans showing the interior layout of the building including labels and dimensions of all rooms
1 | Building Elevations | Detailed, fully dimensioned, drawn to scale building elevations outlining the exterior appearance of the building, the locations of any windows and doors, roof slope and overhangs, guard rail height/picket spacing for any landings, and building heights. Learn more about building elevation requirements.
Letter of Authorization

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

Date: __________________________

To: The City of Winnipeg

Planning, Property & Development Department
Zoning and Permits Branch
31 – 30 Fort Street
Winnipeg, Manitoba R3C 4X7

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

Your personal information is being collected consistent with the requirements and limitations set out under The Freedom of Information and Protection of Privacy Act (FIPPA). This collection of personal information is authorized by section 36(1)(b) of The FIPPA for the administration of Development Procedures By-law No. 104/2020. Your information is protected by FIPPA’s privacy provisions and will not be used or disclosed for any other purpose, except as authorized by law. Contact the City of Winnipeg’s Corporate Access and Privacy Officer by mail (City Clerk’s Department, Susan A. Thompson Building, 510 Main Street, Winnipeg MB, R3B 1B9) or by telephone (311) if you have questions about this collection of your personal information.
Request for a Support of a Zoning 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 Conditional Use in the space provided below.)

_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________

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

<table>
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<tr>
<th>Name</th>
<th>Address</th>
<th>Daytime Phone No.</th>
<th>Signature(s)</th>
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Letter of Intent – City of Winnipeg – Zoning & Permits

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| Name of Applicant
| Property Address
| Proposed Structure/ Renovation

WHAT IS/ARE THE REASON(S) FOR THIS DEVELOPMENT? (Please attach any further hard copies if more room is required)

________________________________________________________________________________________________
________________________________________________________________________________________________
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HOW WOULD IT IMPACT YOU, IF YOU CANNOT PROCEED WITH THIS PROPOSED DEVELOPMENT?

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HOW WILL THE NEW DEVELOPMENT IMPACT YOUR NEIGHBOURS/NEIGHBOURHOOD?

________________________________________________________________________________________________
________________________________________________________________________________________________
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Zoning and Permits Branch
Unit 31 – 30 Fort St., Winnipeg, MB R3C 4X7

T.: 204-986-5140 | E.: ppd-zdo@winnipeg.ca
winnipeg.ca/ppd
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<tr>
<td><strong>Proposed Structure/ Renovation</strong></td>
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**DOES THIS NEW DEVELOPMENT AFFECT ANY CURRENT DEVELOPMENTS ON YOUR LOT?**

________________________________________________________________________________________________
________________________________________________________________________________________________
________________________________________________________________________________________________
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________________________________________________________________________________________________

**HAVE YOU DISCUSSED YOUR PLANS WITH OTHER CITY STAFF OR PROFESSIONALS IN THE CITY OF WINNIPEG?**

________________________________________________________________________________________________
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________________________________________________________________________________________________

**DESCRIBE HOW THE CURRENT BY-LAWS CREATE A HARDSHIP SPECIFICALLY TO THE PROPOSED DEVELOPMENT (WHY YOUR NEW DEVELOPMENT CANNOT MEET BY-LAW REQUIREMENTS):**

________________________________________________________________________________________________
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Zoning and Permits Branch
Unit 31 – 30 Fort St., Winnipeg, MB R3C 4X7

T.: 204-986-5140 | E.: ppd.zdo@winnipeg.ca
winnipeg.ca/ppd
Letter of Intent – City of Winnipeg – Zoning & Permits

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Name of Applicant

Property Address

Proposed Structure/ Renovation

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SIGNATURE(S) OF APPLICANT(S):

Signature: _____________________________ Date: ___________________________

Signature: _____________________________ Date: ___________________________

Signature: _____________________________ Date: ___________________________

Signature: _____________________________ Date: ___________________________

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