

CITY OF STEINBACH

By-Law No. 1559

BEING A BY-LAW of the City of Steinbach to amend Steinbach Zoning By-Law No. 1400 with respect to:

- (a) the proximity of X-Rated stores to residential uses; and
- (b) the zoning classification of such X-Rated stores.

WHEREAS Section 42(1) of The Planning Act (Manitoba), being Chapter P80 of the Revised Statutes of Manitoba 1987, gives the City of Steinbach the authority to enact zoning by-laws;

AND WHEREAS the Council of the City of Steinbach deems it expedient and in the public interest to amend Zoning By-Law No. 1400 (the "Zoning By-Law");

AND WHEREAS the Council of the City of Steinbach deems it expedient and in the public interest to regulate the proximity of X-Rated stores to residential uses.

NOW THEREFORE the Council of the City of Steinbach, in meeting duly assembled, enacts as follows:

1. **Short Title**

That this by-law may be referred to as the "X-Rated Store By-Law".

2. **Definitions**

That in this by-law, "X-Rated Store" means any store which:

- (a) offers for purchase or rental, merchandise including sexually oriented films, video tapes or video discs, classified as "18+" by The Manitoba Film Classification Board, or by store-front signs excludes persons under 18 years of age from the store; or
- (b) offers for purchase or rental, merchandise including sexually oriented films, video tapes or video discs, classified as "18+" by the Manitoba Film Classification Board, in a part of the store, or by internal signage excludes persons under 18 years of age from part of the store where such merchandise is displayed.

3. **Conditional Use**

3.1 That where a lot is in an area designated under the Zoning By-Law an X-Rated Store shall be considered a conditional use, and that Zoning By-Law 1400 be amended as follows:

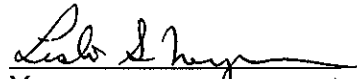
Commercial Use Table VI-I:
Add Section 18.53 - X-Rated Store as a Conditional Use in "C2", "C3", "C4" and "C5" zones and a Not Permitted Use in "C1" zone.

3.2 That in addition to the designation of X-Rated Stores as a conditional use pursuant to Section 3.1 herein, no X-Rated Store shall be located within 1,000 feet of:

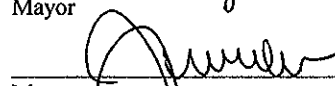
- a) any single family dwelling, two family dwelling or multiple family dwelling as defined by the Zoning By-Law;
- b) any area zoned for residential park use, other than areas zoned commercial or industrial but allowing some residential use;
- c) any other X-Rated Store.

3.3 That if there is any conflict between the provisions of this by-law and the provisions of any other zoning by-law within the City of Steinbach, the most restrictive provisions shall apply.

DONE AND PASSED in Council duly assembled, this 4th day of August, A.D., 1998.



Mayor



Manager

Read a first time this 16th day of June, A.D., 1998.

Read a second time this 4th day of August, A.D., 1998.

Read a third time this 4th day of August, A.D., 1998.

Certified copy of By-Law No. 1559,
duly enacted on the 4th day of
August, A.D., 1998.

City Manager