

# PELICAN-ROCK LAKE PLANNING DISTRICT ZONING BY-LAW



BY-LAW NO. 32



## **PELICAN-ROCK LAKE PLANNING DISTRICT BY-LAW NO. 32-2023**

A By-law of the Pelican-Rock Lake Planning District to regulate the use and development of land within the Rural Municipality of Prairie Lakes, the Municipality of Argyle, and Cartwright-Roblin Municipality.

**WHEREAS**, Sections 68 and 69 of The Planning Act, Chapter 30 S.M. 2005, provides that a Zoning By-Law must be enacted by a Planning District Board that generally conforms to the Development Plan in effect;

**AND WHEREAS**, under Section 40 (1) of The Planning Act, the Pelican-Rock Lake Planning District Board has, by By-law, adopted a Development Plan;

**NOW THEREFORE**, the Board of the Pelican-Rock Lake Planning District, in a meeting duly assembled, enacts the following:

1. The 23 West District Zoning By-law, the Rural Municipality of Roblin Zoning By-law, and the Village of Cartwright Zoning By-law, and any amendments thereto, are hereby rescinded.
2. The attached Zoning By-Law No. 32-2023 is hereby adopted.
3. This By-Law shall be known as the Pelican-Rock Lake Planning District Zoning By-Law.
4. This By-Law shall come into full force and effect on the date it receives third reading.

**DONE AND PASSED** by the Board duly assembled this 8 day of December, 2023.

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Joedy Desrochers  
Chairman

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Michelle Neufeld  
Secretary Treasurer

READ A FIRST TIME THIS 4 day of August, A.D. 2023.

READ A SECOND TIME THIS 8 day of December, A.D. 2023.

READ A THIRD TIME THIS 8 day of December, A.D. 2023.



# INTRODUCTION

This Zoning By-law shall be used and administered in accordance with the Pelican-Rock Lake Planning District (the District) Development Plan and any amendments thereto. The District Development Plan establishes policies and objectives to manage growth and change. The Zoning By-law, in turn, implements these policies and objectives through corresponding land use and development regulations.

## HOW TO USE THIS BY-LAW

This Zoning By-law regulates the use, size, height, and location of buildings and structures on properties within the Pelican-Rock Lake Planning District. In order to determine these regulations for any specific property, follow the four-step process outlined below to acquire the information you need.

### Step 1 – Identify the Applicable Zoning District

- Use the Zoning Maps [PART 8] to determine the zoning district in which your property is located.
- Reference PART 3: ZONING DISTRICTS of this By-law for a description of that zoning district.
- Look at the District Development Plan to make sure your proposal aligns with relevant policies.

### Step 2 – Identify Permitted / Conditional Uses in the Zoning District

- Find the Use Table for the zoning district applicable to your property in PART 3: ZONING DISTRICTS.
- Uses marked with the letter “P” are permitted and may be developed once you have a permit.
- Uses marked with the letter “C” are conditional and may or may not be permitted depending on the circumstances of the proposal, as evaluated according to the criteria provided in PART 6: ADMINISTRATION.
- Uses marked with the symbol “-” are not permitted in the applicable zoning district.
- Some uses may have special requirements as set out in PART 4: USE SPECIFIC STANDARDS.

### Step 3 – Identify How and Where Your Property can be Developed

- Find the Dimensional Standards table for the applicable zoning district in PART 3: ZONING DISTRICTS.
- The Dimensional Standards table provides information on building heights, sizes, and required yards, as well as other spatial requirements for development sites.
- Look at PART 2: GENERAL REGULATIONS for details on regulations applicable to all development.
- Reference PART 7: DEFINITIONS as needed to ensure a complete understanding of this By-law.

### Step 4 – Identify the Permits / Approvals Required to Proceed

- In most cases, you will require a Development Permit before you can proceed with any change in land use or development, but when in doubt you should contact the Planning District Office.
- Reference PART 6: ADMINISTRATION to see if your planned development is exempt from needing a Development Permit, in which case you may proceed with the project, as long as your project meets the other requirements of this By-law and other applicable Municipal By-laws.

→ You are responsible for finding out any other provincial or federal regulations that apply to your development, as well as any other permits you are required to obtain from the Planning District.

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## **PART 1    APPLICABILITY AND INTERPRETATION**

### **1.1    TITLE**

- a) This By-Law shall be known as the “Pelican-Rock Lake Planning District Zoning By-Law” and may be cited as such.

### **1.2    SCOPE**

- a) This By-Law shall apply to all lands within the Rural Municipality of Prairie Lakes, the Municipality of Argyle, and Cartwright-Roblin Municipality, as indicated on Map 1 of PART 8.

### **1.3    PURPOSE**

This By-law is intended to:

- a) Ensure all land use and development in the Pelican-Rock Lake Planning District generally conforms with the policies and objectives of the District Development Plan.
- b) Outline the powers and duties of the Pelican-Rock Lake Planning District Board (the Board), the Designated Officer, and the landowner or developer as they relate to this By-law.
- c) Regulate the following:
  - i. All buildings and structures erected hereafter;
  - ii. All uses of buildings, structures, and land established hereafter;
  - iii. All structural alterations or relocations of existing buildings and structures occurring hereafter;
  - iv. All changes of use of buildings, structures, and land; and,
  - v. All enlargements or additions to existing buildings, structures, and uses.

### **1.4    AUTHORITY**

#### **1.4.1    Use and Development of Buildings, Structures and Land Must Comply**

- a) Within the Planning District, no land, building or structure shall be used or occupied, and no building or structure shall be constructed, erected, altered, enlarged or placed, except in accordance with this By-Law and any conditional use, variance order, Development Permit, or Development Agreement issued under this By-law.

#### **1.4.2    Relation to Other Laws, By-Laws, Regulations and Requirements**

- a) In such cases when a provision of another law or regulation of the provincial or federal government contains a restriction governing the same subject matter as contained in this By-

Law or imposes inconsistent regulations or standards with respect to land uses, buildings, or structures, the most restrictive or highest standard shall be applied.

- b) In such cases when this By-law and another District or Municipal By-law contain conflicting or overlapping regulations, the most restrictive or highest standard shall be applied.
- c) In such cases when the contents of a variance order, conditional use order, or Development Agreement issued by the Planning District impose conflicting or overlapping requirements with those contained in this By-law, the most restrictive or highest standard shall apply.

## **1.5 INTERPRETATION**

### **1.5.1 Text**

The following rules of interpretation shall apply to the text of this By-law:

- a) Words, phrases, and terms defined in this By-law shall be given the defined meaning.
- b) Words, phrases, and terms that are not defined in this By-law but defined in *The Planning Act*, or any other provincial or federal Acts, or any other By-laws, regulations or standards of the Planning District referenced herein, shall be given the defined meaning.
- c) Words, phrases, and terms that are not defined in this By-law nor in provincial or federal Acts, or in other By-laws, regulations or standards of the District or its member Municipalities referenced herein, shall be given their usual and customary meaning except where, in the opinion of the Board, the context clearly indicates a different meaning.
- d) The phrase “used for” includes “arranged for”, “maintained for”, “designed for”, or “occupied for”.
- e) The word “includes” or “including” shall not limit a term to the specified examples, but rather, is intended to extend the meaning to all instances or circumstances of like kind or character.
- f) The word “person” includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
- g) Unless the context clearly indicates otherwise, the meaning of words used in the singular form shall extend to the plural as well, and vice versa.
- h) Unless the context clearly indicated the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunctions “and”, “or”, or “and/or”, the conjunctions shall be interpreted as follows:
  - i. “and” indicates that all the connected items, conditions, provisions or events shall apply;
  - ii. “or” indicates that the connected items, conditions, provisions or events shall apply singly, but not in combination; and,
  - iii. “and/or” indicates that all the connected items, conditions, provisions or events may apply singly or in combination.

## 1.5.2 Illustrations

- a) Drawings and illustrations form part of this By-Law and are provided to assist the user in interpreting and understanding the regulations of this By-Law. Where any inconsistency or conflict arises between a drawing or illustration and the text of the By-Law, the text governs.

## 1.5.3 Tables

- a) Tables form part of this By-Law and provide regulatory standards, either to supplement text or in place of text. Table headings, including column headings, row headings, and groupings of columns and rows, form part of this By-Law and have legal effect. Table notes, located within the tables, indicate special situations that affect the application of standards to specific zoning districts and also form part of this By-Law. Where any inconsistency or conflict arises between a table and the text of this By-Law, the text governs.

## 1.5.4 Zoning Maps

- a) The location and boundaries of the zoning districts established herein are identified on the Zoning Maps which form PART 8 of this By-Law. The boundaries of zoning districts shown on the Zoning Maps shall be interpreted in accordance with the provisions of section 3.1.1.

## 1.5.5 Units of Measurement

- a) For convenience, dimensions in this Zoning By-law have been provided using imperial and metric measurements. In such cases where a discrepancy occurs between the imperial and metric measurements provided herein, the imperial standard shall govern.

## 1.5.6 Contents and Organization

- a) The content of this By-Law is divided into PARTS for ease of reference as follows:

### **PART 1: APPLICABILITY AND INTERPRETATION**

Establishes the title, scope, purpose, and authority of this By-law, in addition to providing guidance for its interpretation.

### **PART 2: GENERAL REGULATIONS**

Outlines general regulations and requirements pertaining to development in all zoning districts.

### **PART 3: ZONING DISTRICTS**

Establishes zoning districts for the Planning District and outlines the intent, permitted and conditional uses, dimensional standards, and additional provisions applicable to the districts.

### **PART 4: USE SPECIFIC STANDARDS**

Outlines additional regulations and requirements pertaining to specific land uses and types of development in the Planning District.

**PART 5: SPECIAL AREAS**

Outlines additional regulations and requirements for areas in the Planning District with special site constraints and/or conditions.

**PART 6: ADMINISTRATION**

Provides direction for administering this By-law, including the authorities of the Board and the Designated Officer, as well as provisions for Development Permits and approvals procedures.

**PART 7: DEFINITIONS**

Provides definitions for general terms and terms related to signs and land uses included herein.

**PART 8: ZONING MAPS**

Contains the maps demonstrating the locations and boundaries of prescribed zoning districts.

## **PART 2 GENERAL REGULATIONS**

### **2.1 APPLICABILITY**

- a) The regulations contained in this PART shall apply to the use and development of all land, buildings, and structures in the Planning District, unless otherwise stated herein.

### **2.2 REGULATION OF USES**

No land, building, or structure shall be used or occupied except for a use that:

- a) Is listed in the Uses Table for the applicable zoning district as:
  - i. A permitted use; or,
  - ii. A conditional use, subject to approvals as such;
- b) Is a temporary use, authorized for a period of time by the Designated Officer;
- c) Is an accessory use to a permitted or approved conditional use; or,
- d) Has been granted a use variance in accordance with the requirements of *The Planning Act*.

### **2.3 MULTIPLE USES OR PROVISIONS**

- a) Where land, a building, or a structure is used for more than one purpose, all provisions of this By-Law relating to each use shall be satisfied. Where there is a conflict between the provisions, the more restrictive regulation shall apply.

### **2.4 NUMBER OF DWELLINGS PER PARCEL OF LAND**

- a) There shall be a maximum of one dwelling unit per parcel of land, except in such cases as:
  - i. Dwelling units which are required for employees or family members permitted by this By-Law who, in the opinion of the Board, will be actively involved in an agricultural operation;
  - ii. Two-unit dwellings or multiple-unit dwellings permitted by this By-Law;
  - iii. Mobile Home Parks or RV Parks established in campgrounds permitted by the By-law
  - iv. Secondary dwellings/suites permitted by this By-Law; and,
  - v. Temporary additional dwellings authorized by the Designated Officer.

### **2.5 ACCESSORY USES, BUILDINGS AND STRUCTURES**

- a) A Development Permit shall be required prior to the establishment of an accessory use, building, or structure, in accordance with section 6.3 of this by-law.
- b) No accessory use shall be established, and no accessory building or structure shall be constructed or erected prior to the establishment of the principal use of the site, building, or structure to which it is accessory, unless authorized in writing by the Designated Officer.



- c) Notwithstanding clause b) above, an accessory garage or storage building may be constructed or erected for the purpose of storage of materials and equipment for use during construction of the principal building, provided that a Development Permit has been obtained for the principal building.
- d) All accessory uses, buildings, and structures shall be subject to the regulations of the applicable zoning district, excluding On-Site Wind Energy Generating Systems and On-site Solar Collectors, which are subject to the applicable use specific standards.
- e) Subject to all other applicable requirements of this Zoning By-Law, an accessory building or structure is permitted when accessory to a permitted use, and conditional when accessory to a conditional use.
- f) A use shown as a conditional use in the Use and Bulk Tables cannot be accessory to a use listed as a permitted use for the same zoning classification.
- g) Where an accessory building or structure is detached from the principal building or structure, it shall be subject to, and in compliance with, all dimensional standards applicable to accessory buildings and structures for the zoning district in which it is located.
- h) Where an accessory building or structure is attached to a principal building or structure, as determined by the Designated Officer, it shall be subject to and shall conform to, all regulations of this By-Law applicable to the principal building or structure.
- i) In no instance shall an accessory building or structure be located within a dedicated easement or right-of-way.
- j) The siting of detached accessory buildings or structures with respect to the principal building shall comply with Manitoba Fire Code standards.
- k) An accessory building or structure shall not be used for human habitation, unless otherwise provided for herein.
- l) Where the principal use is residential, no detached accessory building or structure may be located within any required front yard of the principal use, except as provided elsewhere within this By-law.
- m) The maximum number of detached accessory buildings permitted for any residential use shall be two, excluding residential uses established in the RR zoning district.
- n) The maximum site coverage for any accessory building or structure shall be 10% of the total site area, unless otherwise specified herein.
- o) No land, building, or structure shall be used or occupied for any accessory use after the principal use to which it is accessory has been discontinued.
- p) Certain accessory uses are subject to use-specific standards, as listed in section 4.25.

## **2.6 TEMPORARY USES, BUILDINGS AND STRUCTURES**

- a) A Development Permit shall be required prior to the establishment of a temporary use, building, or structure, except where otherwise specified herein, which shall be subject to such terms and conditions deemed necessary by the Designated Officer or the Board.
- b) A Development Permit issued for a temporary use, building, or structure shall be valid for a period of twelve (12) months, unless otherwise specified by the Designated Officer, and may not be renewed for more than two consecutive twelve (12) month periods at the same location. The Board may approve a longer validation period under extenuating circumstances, but that decision would need to be supported with documentation explaining those circumstances. This provision excludes Recreational Vehicles (RVs), which are subject to the applicable use-specific standards.
- c) Temporary uses, buildings, and structures that are incidental to and required for construction may be permitted on a site separate from the site on which construction is occurring, as authorized by the Designated Officer.
- d) Temporary buildings and structures shall not exceed 1,000 square feet (92.9 square metres) in area and 25 feet (7.6 metres) in height, excluding those exempted from requiring a Development Permit under section 6.3.2.
- e) The temporary use, building, or structure shall not result in permanent alterations to the site.
- f) A temporary use, building, or structure shall not be used for human habitation, unless otherwise provided for herein.
- g) Temporary uses, buildings, and structures shall not interfere with the regular operations of any permanent uses on the site and shall not be detrimental to public health or safety.
- h) Notwithstanding requirements for projections into required yards found elsewhere in this By-law, the temporary installation of a wheelchair ramp may be allowed subject to the issuance of a Development Permit for the temporary structure which may extend into any required yard of a residence for as long as the ramp is required by an occupant of the residence.

## **2.7 PROHIBITED USES**

### **2.7.1 Noxious or Offensive Uses**

- a) No use shall be permitted which may be noxious or offensive due to the emission or production of odour, dust, refuse matter, wastes, vapour, smoke, gas, vibration, noise, and/or or any other such cause that, as determined by the Board, would create a nuisance.

### **2.7.2 Fabric Covered Structures**

- a) Fabric Covered Structures shall be prohibited in all non-agricultural zoning districts, unless authorized in writing by the Designated Officer.

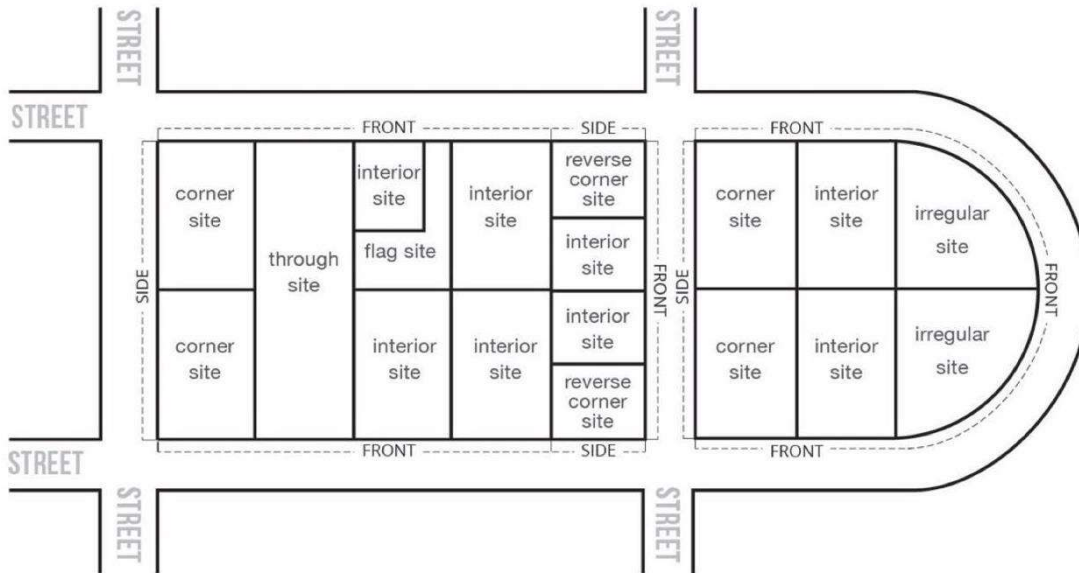
## 2.8 SITE AND YARD REQUIREMENTS

Unless provided for elsewhere in this By-Law, the following regulations shall apply in all zoning districts, as to ensure the provision of adequate site and yard standards:

- a) Required yards set out in the dimensional standard tables for each zoning district shall remain free of buildings, except for building elements permitted to project into yards, as per section 2.9.
- b) No building or structure shall be added to or reconstructed, and no site shall be reduced in area, width, or depth if such changes will result in the violation of any provision contained herein, unless authorized by a variance order.
- c) All yards required for any use shall be located on the same zoning site as that use.
- d) Where a site is occupied by a permitted or approved conditional use without a building or structure, the required yards for the zoning district in which it is located shall still apply and be maintained.
- e) In addition to the dimensional standards established for the applicable zoning district, yard requirements for corner, flag, and through sites shall be subject to the following provisions:
  - i. In the case of a corner site, the front yard shall be the yard abutting the front site line.
  - ii. Any corner site may, at the discretion of the Designated Officer, be required to provide an additional front yard or yards other than that required in the applicable zoning district, having regard for the orientation, access, and yard requirements of adjacent properties.
  - iii. The development of new flag sites shall be prohibited unless the Designated Officer determines there is no feasible alternative way to provide access to such lands.
  - iv. For any through site with a depth greater than 200 feet (61.0 metres), both site lines which abut a public street shall be considered front site lines, and the adjacent yards shall both be considered required front yards. Where the site depth is 200 feet (61.0 metres) or less, only one site line shall be considered the front site line, as determined by the Designated Officer, having regard for the orientation of adjacent sites.
- f) Sites along shorelines can change shape over time with wind and wave action on the body of water. Maps showing a site along a water body, or surveyor's plans locating the Ordinary High-Water Mark at a particular point in time, can include irregular shorelines. In these cases, the Development Officer shall determine the location of the average shoreline across the property to serve as a representation of the lakeside property line for the purpose of approving development on such sites.
- g) Where the site area or site width of a parcel of land has been reduced as a result of land acquired for the establishment or widening of a public road or drain, or for any other public work, the land which has been acquired shall be deemed to be part of the site for purposes of determining compliance with the minimum site area and site width requirements and required yards for existing buildings as specified by this By-law. However, where new buildings or structures are proposed, the required yards shall be determined by the location of actual site boundaries.

- h) Where a roadway has been designated as a truck route by Board resolution, any required yard abutting the truck route shall be double the value set out in the applicable dimensional standards table, unless otherwise permitted in writing by the Designated Officer.

**Figure 1:** Types of Sites



### 2.8.1 Side Yard Exceptions

- a) Notwithstanding the side yard requirements of the applicable zoning district, buildings containing multiple units with common party walls, or sharing a common party wall with a building on an adjacent site, shall not be required to provide a side yard along party walls.

### 2.8.2 Retention of Site and Yard Requirements

- a) It shall be the continuing obligation of the property owner to maintain the minimum site area or yards required by this By-Law for any use as long as it remains in existence on the site, unless the site is recognized to be legally non-conforming, or a variance order has been issued.
- b) The minimum required site area and yards allocated to a use as per the requirements of this By-Law shall not, by virtue of change of ownership or for any other reason, be used to satisfy the minimum yard or site area requirements for any other use.

## 2.9 PERMITTED YARD PROJECTIONS

- a) Notwithstanding the yard requirements established by this By-Law, building features and/or site features may project into a required yard to the extent provided for in Table 2-1.
- b) The Designated Officer may allow a projection not listed in Table 2-1 if it will have no greater impact on surrounding properties than those that are permitted.

**Table 2-1 – Permitted Yard Projections**

Features	Projections Permitted <sup>D</sup>		
	Front Yard	Side Yard	Rear Yard
<b>Building Features</b>			
Stairs, fire escapes, accessibility features, arbors, trellises, and eaves / downspouts	Permitted		
Chimneys	50% of the required yard depth to a maximum 4.9 ft. (1.5 m.) (Whichever is lesser)		
Porches, patios, verandas, raised decks, balconies, and similar building features as determined by the Designated Officer <sup>A</sup>	6 ft. (1.82 m.)	10 ft. (3.05 m.)	
Bay, oriel, or similar style windows and first-storey alcoves / cantilevers <sup>B</sup>	50% of the required yard depth to a maximum 4.9 ft. (1.5 m.) (Whichever is lesser)		
<b>Site Features</b>			
Pathways / sidewalks, garden / planting beds, fences, hedges, masonry walls, or decorative privacy screening features	Permitted		
Portable buildings <sup>C</sup>	Not Permitted	Permitted (no closer than 2 ft. / 0.6 m. to site line)	
Bicycle racks, recreational equipment, public monuments, and art pieces	Permitted		
Parking areas (required by this By-Law)	Permitted		
Loading areas and queuing spaces (required by this By-Law): Institutional Uses Other Uses	Permitted Not Permitted	Permitted Permitted	
Swimming pools, hot tubs, and associated mechanical equipment	Not Permitted	Permitted (no closer than 5 ft. / 1.52 m. to site line)	
Air conditioning units and satellite dishes	Not Permitted	Permitted	
Individual sewage disposal systems	Permitted		
Fuel Sales / Service Station	Permitted (no closer than 20 ft. / 6.09 m. to site line)		
Garbage and recycling enclosures: Residential Uses Other Uses	Not Permitted Not Permitted	2 ft. (0.61 m.) 5 ft. (1.52 m.)	Permitted Permitted
Accessory signs Commercial & Industrial Uses Other Uses	Permitted (no closer than 2 ft. / 0.6 m. to site line) Permitted (no closer than 5 ft. / 1.52 m. to site line)		

**Notes**

<sup>A</sup> For Eating / Drinking Establishments not adjacent to a Residential or Group Living Use Class development, patios and raised decks shall be permitted to project up to 5 feet (1.5 metres) of a site line.

<sup>B</sup> First-storey alcove and cantilever projections into a required yard shall not be permitted for floor areas greater than 20 square feet (1.9 square metres).

<sup>C</sup> Required yards shall be measured from the eaves of the building. Portable garages larger than 108 square feet (10.0 square metres) shall be subject to the yard requirements for accessory buildings and structures in the applicable zoning district.

<sup>D</sup> Within areas which are zoned AG or AR, the following provisions shall apply to any required front yard, side yard or rear yard which is adjacent to an improved government road allowance, highway or other municipal road:

- a) No building or structure shall be constructed or located within the required yard, except for electric fences, barbed wire fences, chain link fences, wooden rail fences which are at least seventy-five (75) percent open in character, signs less than 50 square feet (4.7 square metres) in surface area, and small shelters for children at school bus stops;
- b) No excavation such as a dugout or gravel pit shall be located within the required yard; and,



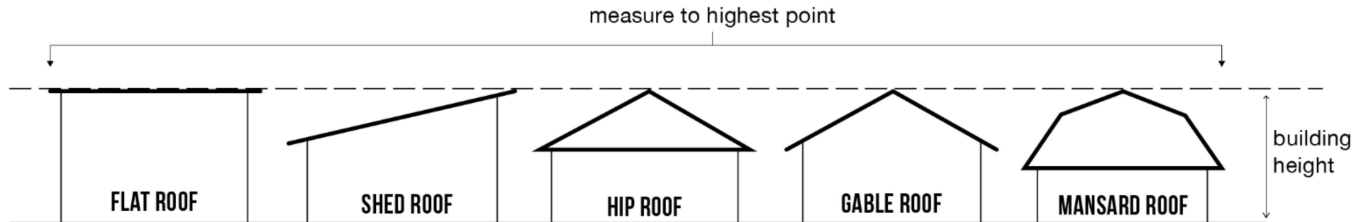
**Table 2-1 – Permitted Yard Projections**

Features	Projections Permitted <sup>D</sup>		
	Front Yard	Side Yard	Rear Yard
c) No substantial planting (such as a shelterbelt or hedge) exceeding a height of 3 feet (0.9 metres) shall be located within the required yard.			

## 2.10 BUILDING AND STRUCTURE HEIGHTS

- a) Exclusive of any features attached or affixed to a principal structure discussed below in section 2.11, building height shall be measured from the average grade level to the highest point of the roof.

**Figure 2:** Roof Heights



## 2.11 VERTICAL PROJECTIONS

- a) In determining whether a development conforms to the maximum height permissible in any zoning district, the following features, when attached or affixed to the principal structure, shall not be considered for the purpose of height determination:
- Architectural features such as steeples, belfries, domes or spires, skylights, fire walls;
  - Mechanical features such as chimney stacks, elevator housings, roof stairway entrances, water or other tanks, ventilating equipment;
  - Private accessory communication facilities such as satellite dishes, antennas, and similar receiving and transmitting structures and masts;
  - Site features such as solar collectors, flag poles, clearance markers; and,
  - Similar features, as determined by the Designated Officer.
- b) The height of freestanding private communication facilities shall not exceed 35 feet (10.7 metres) measured from the average grade to the highest point of the structure.

## 2.12 SERVICE CONNECTIONS

- a) Where a site is served by Municipal piped sewer or water, all new principal buildings constructed or placed on that site shall be connected to such services.
- b) Where a piped sewer or water system is installed in a previously unserved area, all existing principal buildings shall comply with Provincial requirements to connect to such services.

## **2.13 SITE ACCESS**

- a) No permanent building shall be constructed or placed on a site that does not have legal access to an all-weather public street, private lane, or legal access to the public road system in accordance with clause (b) below.
- b) As a condition of approval, a proposed development shall be required to include a driveway, approach, service road and/or internal subdivision road to provide site access, which includes a road defined as a common element in *The Condominium Act*.
- c) All access locations and curb crossings shall require the approval of the Designated Officer and shall be designed and constructed in accordance with Municipal standards.
- d) Access and egress to sites shall not be developed in a continuous fashion along a street edge, but rather, shall be provided by a driveway in accordance with section 3.30.
- e) Adjacent sites outside a Rural Settlement Centre or Urban Settlement Centre, as designated in the District Development Plan, may, at the discretion of the Designated Officer, be required to share approaches to public roads where possible.
- f) Prior to issuing a Development Permit, the Designated Officer shall consider the physical capability and safety of the roads that are proposed to serve the development.
- g) Permits to establish a new access or modify an existing access to a declared provincial highway shall be required from the applicable provincial authority, as per section 5.7.

## **2.14 SITE EXCAVATION, STRIPPING AND GRADING**

- a) No building or structure shall be erected without first obtaining from the Designated Officer written instructions as to the grade for the building or structures to be erected, which shall be in accordance with clause b) of this section. It shall be the continuing obligation of the property owner to maintain lot grades for adequate site drainage and to ensure that the level of the surrounding fill at the building line is not less than any flood protection levels.
- b) The following standards shall apply to all excavation, stripping, or grading proposed as part of a Development Permit application:
  - i. The existing grade on private lots shall be maintained within a horizontal distance of 4 feet (1.2 metres) of all site lines, unless otherwise approved by the Designated Officer.
  - ii. The average grade of any site shall not be raised or lowered by six (6) inches or more without the approval of the Designated Officer. When allowing the raising or lowering of grade by six (6) inches or more, the Designated Officer shall take into consideration available flood level information, street elevation, installation of services, elevation of adjacent sites, drainage, appearance and other pertinent factors.
- c) Any person wishing to excavate, strip, or grade land shall provide the following details in the Development Permit application:
  - i. The location and area of the site on which excavation, stripping, or grading will occur;

- ii. The existing land use and vegetation;
  - iii. The type and dimensions of the excavation to take place and the anticipated effect it will have on existing drainage patterns; and,
  - iv. The condition in which the excavation is to be left when the operation is complete, or the final disposition to be made of the area from which the topsoil is to be removed, including the action which is to be taken for restoring the condition of the surface of the land to be affected in order to prevent, control, or lessen the creation of erosion or dust from the land.
- d) The Designated Officer shall consider every application for a permit to excavate, strip, or grade land and shall not issue a Development Permit unless they are satisfied that:
- i. The proposed operation complies with all standards regulating the excavation, stripping, and grading of land, including applicable Municipal By-Laws;
  - ii. The operation will be carried out so as to create minimum environmental disturbance which may, at the discretion of the Designated Officer, require the applicant to provide a geotechnical report at their own expense prepared by a certified professional engineer; and,
  - iii. The operation is one which, in the opinion of the Designated Officer, is necessary for the use and development of the land in question.
- e) The Designated Officer may require, as a condition of issuing a Development Permit to excavate, strip, or grade land, that the applicant take precautions and follow methods as prescribed by the Designated Officer for the prevention or control of dust and any other nuisance caused by the proposed operation, or for the reclamation of the land if required.

## **2.15 LAND DRAINAGE**

- a) A Development Permit shall be required to include any drainage works proposing to alter or divert the natural course of a watercourse.
- b) Manitoba Environment and Climate Change is responsible for water resources in the province and is authorized to approve water drainage projects proposed by landowners or municipalities.
- c) Development proposals within the District that include plans for water drainage work must be reviewed by the authority having jurisdiction and proponents will be responsible to obtain the appropriate approvals, and any costs associated with upgrading the drainage system in direct relation to the development shall be the sole responsibility of the developer.
- d) Developments proposed for locations adjacent to streams and rivers in the Planning District may need to be reviewed by the Municipality, Province, or Conservation District prior to receiving approval by Development Permit.
- e) The landowner shall establish and maintain lot grading for adequate drainage so that there will be no free flow of water onto public sidewalks or adjacent properties, other than by means of a ditch, drain, and/or swale, in accordance with section 2.14.

- f) Notwithstanding any other regulation of this By-Law, the Designated Officer may refuse a Development Permit for, or prohibit, any drainage works to be undertaken on lands where it has been determined that such works would create an adverse effect on adjacent public or private lands or where adjacent drains are insufficient to accommodate the added runoff.

## 2.16 FENCES AND SCREENING

### 2.16.1 General Fence Requirements

- a) The maximum height of fences and screens, including hedges, masonry walls, and similar types of features, shall be developed in accordance with the provisions of Table 2-2.

Table 2-2 – Maximum Fence Height Provisions			
Zoning District	Front Yard	Side Yard	Rear Yard
RG, RR, CG, GD, SD	3.5 ft. (1.07 m.)	6 ft. (1.83 m.)	6 ft. (1.83 m.)
CH, MG, I, OR	4 ft. (1.21 m.)	10 ft. (3.05 m.)	10 ft. (3.05 m.)
AG, AR	N/A	N/A	N/A

- b) Notwithstanding the provisions of Table 2-2, the maximum height of a fence for a school use, utility service use, or public park use shall be 10 feet (3.1 metres), notwithstanding chain link fences, for which there shall be no height limitation for such uses.
- c) Any fence height may be increased or decreased at the discretion of the Designated Officer to reflect the grade of surrounding sites.
- d) Electrically charged fences may only be permitted in the AG and AR zoning districts but shall not be electrically charged barbed wire fences.
- e) Barbed wire fences shall not be permitted, except in the CH and MG zoning districts where the top 2 feet (0.6 metres) of the fence may be barbed, and in AG and AR zoning districts where the entire fence may be barbed to grade.
- f) Notwithstanding clauses (d) and (e) above, electrically charged fences and barbed wire fences shall not be allowed along a yard that abuts a Residential zoning district.
- g) Fences in all zoning districts shall be constructed of a material that is of a quality equal to or greater than that of surrounding developments, as determined by the Designated Officer.
- h) Fences shall not be designed or constructed in such a manner as to create a nuisance for surrounding properties or the general public.
- i) Notwithstanding clause (g) above, temporary fences, such as snow fences or construction fences, may be permitted at the discretion of the Designated Officer.

## 2.16.2 General Screening Requirements

For all proposed developments featuring outdoor public parking and/or outdoor storage facilities, screening from a surrounding use or public right-of-way shall be provided in accordance with the following regulations:

- a) Any garbage collection area, open storage area, or outdoor service area that is visible from an abutting or adjacent site in a Residential zoning district, or from a public roadway other than a lane, shall provide an opaque fence, planting screen, earthen berm, or combination thereof to provide visual relief. The fence or planting screen shall be of a sufficient height to substantially block the view of the area from the surrounding roadway or use, but shall not exceed the maximum fence height permitted in the applicable zoning district.
- b) Where an off-street outdoor public parking facility is provided for ten or more vehicles, which is at-grade and visible from an abutting or adjacent site in a Residential zoning district, or from a public roadway other than a lane, the parking area shall include a fence, planting screen, masonry wall, or a combination thereof. The height of the fence, planting screen, masonry wall, or combination thereof shall be at least 4 feet (1.2 metres), unless otherwise authorized by the Designated Officer.
- c) The location, length, and width of any screening requirement shall be to the satisfaction of the Designated Officer, having regard for the surrounding context and area being screened.

## 2.16.3 Residential Zoning Districts and Residential Use Class Developments

- a) Privacy screening, excluding vegetative screening, constructed at ground level shall:
  - i. Not exceed 8 feet (2.4 metres) in height when located in a side or rear yard and be setback a minimum distance of 2 feet (0.6 metres) from the side or rear yard site line.
  - ii. Not exceed 6 feet (1.8 metres) in height when located in a front yard or corner side yard and be setback a minimum distance of 15 feet (4.6 metres) from the front yard site line and 2 feet (0.6 metres) from the corner side yard site line.
  - iii. Not exceed 12 feet (3.7 metres) in total cumulative length when providing screening along a side yard site line.
- b) Privacy screening, excluding vegetative screening, constructed on an unenclosed platform structure, such as a raised deck or porch, shall:
  - i. Not exceed 8 feet (2.4 metres) in height when located in a required side yard or rear yard, measured from the surface of the platform structure.
  - ii. Not exceed 4 feet (1.2 metres) in height when located in a required front yard or corner side yard, measured from the surface of the platform structure.



## **2.17 PRIVATE HOT TUBS AND/OR PRIVATE SWIMMING POOLS**

Accessory private hot tubs and/or private swimming pools shall be subject to the following regulations:

- a) They shall meet the setback requirements established for the applicable zoning district, with consideration for the permitted projections outlined in section 2.9.
- b) They shall not be located closer than 5 feet (1.5 metres) to a rear site line or side yard site line.
- c) They shall comply with all applicable regulations and requirements of the Public Health Act and the Manitoba Building Code, including any amendments thereto.
- d) Outdoor private hot tubs and/or private swimming pools shall be protected by a fence that is 6 feet (1.8 metres) in height, lockable to prevent unauthorized entry, and constructed in a manner that prevents entry from underneath or climbing over the top, as determined by the Designated Officer.
- e) Notwithstanding clause (d) above, a fence shall not be required for an outdoor private hot tub that is equipped with a lockable cover as per the Manitoba Building Code.

## **2.18 PRIVATE DOCKS**

Private docks shall be considered as a permitted use but do not require approval by a Development Permit issued by the Planning District Board or staff. However, private docks shall be subject to the following regulations:

- a) Before the construction of a private dock at the edge of a body of water, the property owner shall consult the federal Department of Fisheries and Oceans (DFO) to determine whether approval is required prior to installation.
- b) Any dock proposed on provincial Crown Land or Crown Reserve requires approval under the Crown Lands Act and an application must be made to Manitoba Environment and Climate Change.

## **2.19 OUTDOOR LIGHTING**

Outdoor lighting shall be provided in accordance with the following standards:

- a) Lighting shall be low glare in nature and located, oriented, and shielded so as to not direct light at any adjoining properties or public streets or interfere with any traffic control devices.
- b) If ground mounted, outdoor lighting shall not exceed a maximum height of 6 feet (1.8 metres) for single-unit and two-unit dwellings; 20 feet (6.1 metres) for multiple-unit dwellings; and 30 feet (9.1 metres) for non-Residential Use Class developments.
- c) If wall mounted, lighting shall have fully shielded luminaires to direct all light downward.
- d) Architectural, landscape, and decorative lighting may be directed upward to illuminate flags, building facades, landscape features, or other similar types of objects, but shall not be directed at any adjoining properties or public streets or interfere with any traffic control devices.

- e) Outdoor lighting installations that project over a public pedestrian right-of-way, including a sidewalk or separated pathway, shall maintain a minimum distance of 7 feet (2.1 metres) between grade and the lowest point of the installation, as to not create a pedestrian hazard.

## **2.20 OUTDOOR STORAGE**

Outdoor storage shall be subject to the following regulations:

- a) No yard, required or otherwise, shall be used for the storage or collection of hazardous materials.
- b) No outdoor storage, or long-term stockpiling of materials such as gravel, soil, or hay bales, shall be permitted within a front yard or a corner side yard, unless otherwise stated herein.
- c) Notwithstanding clause (b) above, in non-Residential zoning districts, outdoor storage may be permitted in a front yard in the following situations:
  - i. Goods associated with the principal use are arranged in an organized fashion, to the satisfaction of the Designated Officer, for sale or rental.
  - ii. Machinery and equipment associated with the principal use are stored in an orderly manner in a designated parking area, provided in accordance with section 2.30.
  - iii. Goods and storage areas associated with the principal use are screened in accordance with subsection 2.16.2, as well as any other associated conditions imposed by the Board.
- d) No outdoor storage shall project above a fence or required screening installation.

## **2.21 SHIPPING CONTAINERS**

Shipping containers shall be subject to the following regulations, irrespective of zoning district or associated principal use:

- a) Shipping Containers shall require a Development Permit in accordance with section 6.3.

### **2.21.1 Residential Zoning Districts and Residential Use Class Developments**

Shipping Containers shall be permitted in Residential zoning districts and Residential Use Class developments in accordance with the following regulations:

- a) Shipping Containers shall only be used for:
  - i. the purpose of temporary loading or unloading of household items during the process of moving and for a period not exceeding fourteen days; and / or,
  - ii. the storage of materials during construction of the on-site dwelling unit, in accordance with section 2.6 of this By-Law, or,
  - iii. Human habitation, when modified for use as a Mobile-Home, Multiple-Unit, Non-Farm Rural, Single-Unit, Two-Unit, or Live-Work Unit Dwelling wherever such uses are permitted. Any dwelling unit consisting of a modified shipping container shall comply with the relevant

standards in the Manitoba Building Code, and all other applicable provincial and/or municipal regulation.

- b) Shipping Containers located on a site for longer than fourteen days shall be kept in good repair to the satisfaction of the Designated Officer. The Designated Officer may require the exterior finish of the shipping container to be improved if, in their opinion, it is having an adverse effect on the character of the surrounding neighbourhood.
- c) Shipping Containers intended for temporary use shall not exceed a maximum height of 10 feet (3.1 metres) and a maximum length of 20 feet (6.1 metres).
- d) Shipping Containers intended for temporary use shall not encroach onto a public sidewalk or locate closer than 2 feet (0.6 metres) from the curb or shoulder of a public street where no sidewalk exist.
- e) Shipping containers used as permanent dwellings shall comply with all applicable bulk standards and setbacks.
- f) Shipping Containers shall not obstruct sightlines for vehicular or pedestrian traffic.

#### **2.21.2 Agricultural, Industrial, and Commercial Highway Zoning Districts**

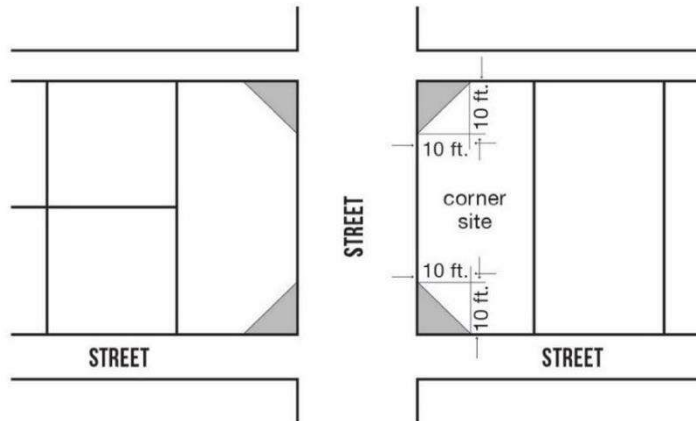
Shipping Containers shall be permitted in the AG, AR, MG, and CH zoning districts in accordance with the following regulations:

- a) Shipping Containers shall only be located in the rear yard and shall be located a minimum distance of 100 feet (30.5 metres) from any street line.
- b) Shipping Containers shall be screened from view from the street and abutting properties, excluding the AG and AR zoning districts.
- c) Shipping Containers shall not be located in a required parking area.
- d) Shipping Containers shall not be used to advertise off-site goods and/or services.
- e) Shipping Containers shall not be used for the purpose of a Self-Storage Facility.
- f) Shipping Containers modified for use as dwelling units established in the AG, AR, and CH zones shall comply with the standards as per section 2.21.1.

#### **2.22 CORNER VISION TRIANGLE**

- a) No building, structure, landscaping feature, vehicular parking space, sign, or stockpiling of materials, with the exception of seasonal snow storage, exceeding a height of 3 feet (0.9 metres) above grade shall be located within a triangular area of any site adjacent to an intersection of two public streets, with the sides of the triangular area measuring a distance of 10 feet (3.1 metres) along each site line from the meeting point of the intersection.

**Figure 3:** Corner Vision Triangle



## 2.23 BARE LAND CONDOMINIUMS

- a) Where dwellings are to be developed as part of a bare land condominium, the minimum required site area, minimum required site width, and minimum required yards shall not apply to individual condominium units; however, the front and rear walls of the condominium structure shall be set back a minimum distance of 25 feet (7.6 metres) from the front and rear boundaries of the condominium lot, and the side wall shall be set back a minimum distance of 5 feet (1.5 metres) from the side boundary, unless the wall is a party wall, in which case the minimum required side yard shall be zero (0) feet.

## 2.24 SUBDIVISION OF ATTACHED DWELLINGS OR UNITS

A site featuring multiple attached dwellings or commercial units may be subdivided to provide individual sites to one or more of the attached dwellings or units, subject to the following:

- a) Any new lot line shall, where possible, be a straight line between front and rear lot lines, located in such a manner that the party wall of two adjacent units shall form part of the new lot line. In cases where it is not possible to form a new lot line that is straight, the location of the new lot line shall be verified by a Manitoba Land Surveyor as part of the subdivision approval process.
- b) Each lot created shall have frontage on a public road, except in the case of a bare land condominium development, where roads defined as common elements in *The Condominium Act* shall be considered a public road for the purpose of this section.
- c) Each site created shall adhere to the applicable on-site parking requirements for the principal use.
- d) When an attached dwelling unit is subdivided to create a new site, that site shall be limited to one dwelling unit.
- e) No side yard shall be required along the party wall of the attached dwelling or unit.
- f) Each site shall be subject to the dimensional standards of the zoning district in which it is located, notwithstanding site area and side width requirements, which shall not apply.

## **2.25 MOVING OF STRUCTURES**

- a) No building, structure, or part thereof shall be moved to any location within the Planning District unless that building, structure, or part thereof has been made to conform to the regulations of this By-law applicable to the zoning district to which it is to be moved.
- b) Prior to moving a building, structure, or part thereof to a new location, the property owner shall apply for a Development Permit and, as a condition of the permit, enter into an agreement with the Planning District containing a deposit and an undertaking of the owner to pay all damages arising from the move, in addition to such other terms and conditions set out by the Designated Officer.
- c) Following the removal of a structure from a site, any excavated area shall be completely enclosed by a fence that is 6 feet (1.8 metres) in height until such excavated area is filled, leveled, and put in a safe condition, to the satisfaction of the Designated Officer.
- d) In the event a new building or structure is not established within one year following the complete removal of a building from a site, the old foundation shall be removed, any excavated areas shall be filled, the lot shall be leveled, and the site shall be put in safe condition to the satisfaction of the Designated Officer at the property owner's expense.

## **2.26 PUBLIC UTILITIES**

- a) Nothing in this By-Law, including the bulk standards of the applicable zoning district, shall be interpreted so as to interfere with the construction, maintenance, and/or operation of any distribution facilities associated with a public utility. All sites may be required to provide an easement(s) to accommodate ongoing access to these facilities.
- b) Oil and gas pipelines, electric transmission lines and structures are deemed to be in compliance with this By-law if they are carried out, constructed and operated in accordance with federal and provincial law.

## **2.27 PUBLIC MONUMENTS**

- a) Nothing in this by-law shall be so interpreted as to interfere with the maintenance and erection of public monuments, statuary and similar historic or memorial markers.

## **2.28 FUTURE ROAD ALLOWANCES**

- a) No building or structure shall be constructed or erected upon land designated for a future road allowance by the Planning District. Any development adjacent to said future road allowance shall comply with the requirements of this By-Law as though said future road allowance is already in existence.

## 2.29 SIGNS

### 2.29.1 General Accessory Sign Regulations

The following regulations, unless otherwise stated herein, shall apply to all zoning districts:

- a) Signs and sign structures shall be allowed when accessory to an established use in accordance with all requirements of this section and applicable yard requirements.
- b) No person shall erect a sign without first obtaining a Development Permit from the Designated Officer, except for those exempted by this By-Law in subsection 2.29.7.
- c) No sign or sign structure shall be erected, operated, used, or maintained which:
  - i. May interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, including rotating beams, beacons, or flashing illumination.
  - ii. Displays flashing lights of any kind, particularly resembling those used by police, fire, ambulance, or other emergency vehicles.
  - iii. Features a rotating beam or a moving component in association with the sign display.
  - iv. May be located or operated in such a manner to materially impede the view of any street or highway intersection, or in such a manner as to materially impede the view of any street or highway intersection with a railroad crossing at grade.
  - v. Is located on, over, or above any land or right-of-way belonging to the Planning District unless such right is established by agreement with the Planning District, provided that all signs adhere to the setback requirements of the zoning district in which they are located.
- d) The placing of advertising or building identification signs within the controlled area of a provincial road or highway shall require a permit from the appropriate provincial authority.
- e) Any signs projecting light of any kind shall be reviewed for compatibility with surrounding uses, with no such signs permitted within 100 feet (30.5 metres) of a Residential Use Class development.
- f) In cases where a proposed sign is not specified in this By-Law, the sign may, as determined by the Designated Officer, be permitted and regulated in accordance with the sign type included herein that most closely reflects the characteristics of the unspecified sign.

**Table 2-3 – Accessory Sign Standards for Zoning Districts**

Zoning District	Sign Type	Sign Form	Maximum Standards		Additional Standards
			Surface Area	Height (Above Grade)	
(a) RG	Identification (Use and Building)	Attached or Freestanding (Front Yard)	7.5 sq. ft. (0.7 sq. m.)	4.0 ft. (1.22 m.) for freestanding, wall height for attached	<ul style="list-style-type: none"> <li>Maximum 1 sign per zoning site and only when associated with a Home-Based Business, Home-Based Industry, Bed and Breakfast, or non-Residential Use.</li> </ul>
		Attached or Freestanding (Side/Rear Yard)	12 sq. ft. (1.11 sq. m.)		

**Table 2-3 – Accessory Sign Standards for Zoning Districts**

Zoning District	Sign Type	Sign Form	Maximum Standards		Additional Standards
			Surface Area	Height (Above Grade)	
(b) RR, SD	Identification (Use and Building)	Attached or Freestanding	32 sq. ft. (2.97 sq. m.)	8.0 ft. (2.44 m.) for freestanding, wall height for attached	<ul style="list-style-type: none"> <li>• Illuminated signs are not permitted.</li> <li>• Sign standards for multi-unit dwellings shall be subject to those in row (c) of Table 2-3.</li> </ul>
(c) GD	Identification (Use and Building)	Attached or Freestanding	50 sq. ft. (4.64 sq. m.)	24 ft. (7.31 m.)	<ul style="list-style-type: none"> <li>• Sign standards for single-unit and two-unit dwellings shall be subject to those in row (a) of Table 2-3.</li> <li>• Maximum 1 freestanding sign per principal building.</li> <li>• Maximum standards for freestanding signs shall be reduced by 50% if adjacent to a Residential Use Class development.</li> <li>• Maximum 1 directional sign per entry or exit, or 2 signs per combined entry / exit.</li> <li>• Illuminated signs are permitted but shall be restricted to business hours if adjacent to a Residential Use Class development.</li> </ul>
	Directional	Attached or Freestanding	12 sq. ft. (1.11 sq. m.)	12 ft. (3.66 m.)	
(d) CG	Identification (Use and Building)	Freestanding	60 sq. ft. (5.57 sq. m.) for single occupancy and 100 sq. ft. (9.29 sq. m.) for multiple occupancy	24 ft. (7.31 m.)	
		Attached	20% of building wall to a maximum of 60 sq. ft. (5.57 sq. m.) per occupant, not exceeding a total maximum of 180 sq. ft. (16.72 sq. m.)	wall height	
	Directional	Attached or Freestanding	12 sq. ft. (1.11 sq. m.)	12 ft. (3.66 m.)	
(e) I, OR	Identification (Use and Building)	Freestanding	80 sq. ft. (7.43 sq. m.)	24 ft. (7.31 m.)	
		Attached	10% of building wall to a maximum of 80 sq. ft. (7.43 sq. m.)	wall height	
	Directional	Attached or Freestanding	12 sq. ft. (1.11 sq. m.)	12 ft. (3.66 m.)	
(f) CH, MG	Identification (Use and Building)	Freestanding	200 sq. ft. (18.58 sq. m.) for single occupancy and 350 sq. ft. (32.51 sq. m.) for multiple occupancy	24 ft. (7.31 m.)	
		Attached	25% of building wall to a maximum of 200 sq. ft. (18.58 sq. m.) per occupant, not exceeding a total maximum of 600 sq. ft. (55.74 sq. m.)	wall height	
	Directional	Attached or Freestanding	12 sq. ft. (1.11 sq. m.)	12 ft. (3.66 m.)	
(g) AG, AR (Agricultural, Commercial and Industrial Use Classes)	Identification (Use and Building)	Freestanding	200 sq. ft. (18.58 sq. m.)	24 ft. (7.31 m.)	
		Attached	25% of building wall to a maximum of 200 sq. ft. (18.58 sq. m.)	wall height	
	Directional	Attached or Freestanding	12 sq. ft. (1.11 sq. m.)	12 ft. (3.66 m.)	
(h) AG, AR (Non-Agricultural, Commercial and Industrial Use Classes)	Identification (Use and Building)	Attached or Freestanding	32 sq. ft. (2.97 sq. m.)	24 ft. (7.31 m.)	<ul style="list-style-type: none"> <li>• Maximum 1 freestanding sign per dwelling unit.</li> <li>• Illuminated signs are not permitted.</li> </ul>

## 2.29.2 Accessory Sign Standards for Zoning Districts

- a) In addition to the other requirements of this section, and any applicable yard requirements contained herein, all accessory signs shall comply with the standards set out in Table 2-3.

## 2.29.3 Portable Signs

All portable signs are subject to the following provisions:

- a) Portable signs shall not be permitted in any Residential zoning district.
- b) Portable signs shall not be located, erected, placed, or displayed on any site until a Development Permit is issued by the Designated Officer.
- c) Portable signs shall only be established on a temporary basis up to a maximum of ninety consecutive calendar days per year, after which the sign shall be removed from the site. Subsequent permit renewals shall be at the discretion of the Designated Officer.
- d) The maximum sign surface for a portable sign shall be 40 square feet (3.7 square metres) and the maximum height shall be 10 feet (3.1 metres).
- e) Portable signs shall comply with the yard requirements of the zoning district in which it is located.
- f) A flashing or scintillating portable sign shall not be located within 200 feet (61.0 metres) of any Residential zoning district.
- g) There shall be no more than one portable sign located on a zoning site, unless the site features multiple occupants, in which case there shall be a maximum of two portable signs located on the site. When there is more than one portable sign on a site, a mutual separation distance of 65 feet (19.8 metres) shall be maintained between the signs.
- h) Portable signs shall not be located within 100 feet (30.5 metres) of any driveway providing access or egress to a site, as measured along the applicable site line.
- i) No portable sign shall be erected, operated, used, or maintained which is not related to a business or facility situated upon the site where the sign is located.

## 2.29.4 Roof Signs

All roof signs are subject to the following provisions:

- a) Roof signs shall not be permitted in any Residential zoning district.
- b) Roof signs shall only be permitted on mansard style roofs, attached to the sloping portions of the roof, but not extending beyond the parapet height or onto the horizontal portion of the roof.
- c) Freestanding signs on flat style roofs shall not be permitted.
- d) Roof signs shall not be permitted in addition to fascia signs, but rather, as an alternative thereto.



### 2.29.5 Digital Signs

All digital signs are subject to the following provisions:

- a) Digital signs shall not be permitted in any Residential zoning district.
- b) Prior to issuing a Development Permit for a digital sign, the Designated Officer may issue terms and conditions regarding the size, orientation, brightness, and copy design, having regard for the site context and surrounding uses.
- c) No owner or person responsible for a digital sign may operate it on a zoning site adjacent to a Residential Use Class development, or on a wall that projects light onto a Residential Use Class development.

### 2.29.6 Abandoned and Unlawful Signs

- a) All signs and sign structures shall be maintained in a state of good repair, as determined by the Designated Officer. Signs that have become obsolete because of a business or activity being discontinued, and which have not been removed or relocated within thirty days following such condition, may be designated as abandoned and removed by the Planning District at the expense of the owner.
- b) In cases where a sign contravenes the regulations established in this By-law, the Designated Officer may, by notice in writing, order the owner or person responsible for the contravening sign to take such measures as specified in the notice to alter the sign so that it conforms to this By-Law, or to remove the sign from the subject site.

### 2.29.7 Sign Exceptions

The following signs are not subject to the provisions of this By-Law and, as such, do not require the issuance of a Development Permit. Notwithstanding this exception, this does not relieve the owner or person in control of such signs of the responsibility to construct and maintain them in a safe manner and state of good repair, as determined by the Designated Officer:

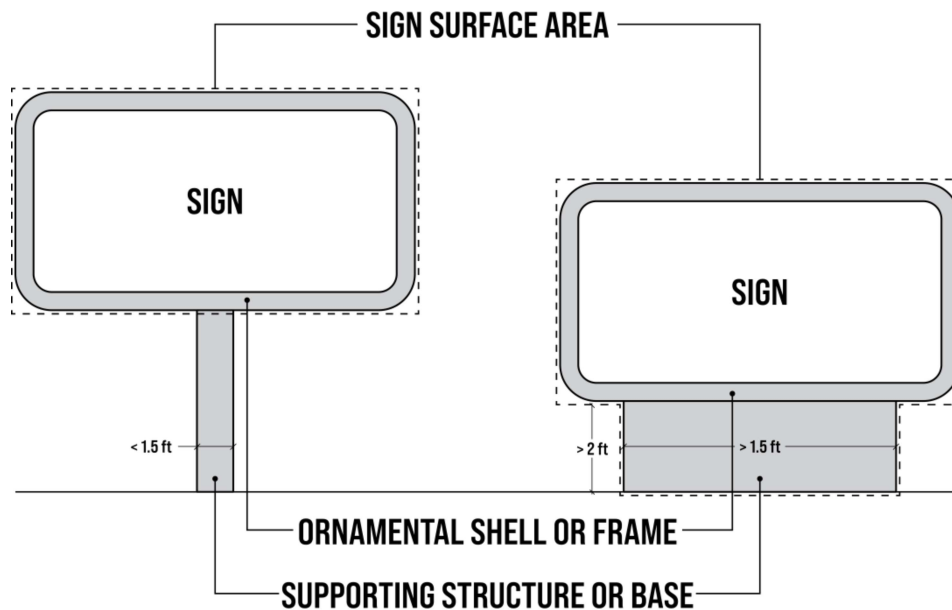
- a) Signs posed by duly constituted public authorities in the performance of their public duties, such as official public notices.
- b) Memorial signs or tablets and flags or emblems of a political, civic, educational, or religious organization.
- c) Temporary signs, as defined herein, not exceeding 10 square feet (0.9 square metres) in sign surface area and not posted for a period longer than two months. Larger temporary signs may be authorized at the discretion of the Designated Officer, subject to their review of supporting materials.
- d) "No Trespassing", "Private Property", or signs of a similar nature not exceeding 4 square feet (0.4 square metres) in surface area.
- e) Construction signs not exceeding 32 square feet (3.0 square metres) in sign surface area when placed on construction sites or attached to a site fence on a temporary basis.

- f) Signs required for direction and convenience of the public not exceeding 6 square feet (0.6 square metres) in sign surface area, including signs identifying restrooms or building entrances / exits.
- g) Awning signs with signage originally incorporated in the design or awning material.
- h) Window signs, except where the sign occupies more than twenty-five percent of the total window surface area, in which case it will be regulated as a fascia sign.
- i) Real estate signs not exceeding 6 square feet (0.6 square metres) in Residential zoning districts, and 16 square feet (1.5 square metres) in all other zoning districts, which advertise the sale, rental, or lease of the premises on which they are located.
- j) Bulletin or notice boards where notices are affixed regarding matters of public interest.
- k) On-site identification signage indicating the civic address or name of occupant not exceeding 4 square feet (0.4 square metres) in sign surface area.

### 2.29.8 Determining Sign Surface Area

- a) If attached, sign surface area includes the entire area of the smallest rectangle(s) enclosing the extreme limits of any writing, representation or emblem forming part of the display copy, together with any material or colour forming an integral part of the display background that is used to differentiate the sign from the wall or surface to which it is affixed.
- b) If freestanding, sign surface area includes the entire area of the smallest rectangle(s) enclosing the extreme limits of any writing, representation or emblem forming part of the display copy, together with its ornamental shell or frame and supporting structure or base. The supporting structure or base may be excluded from the sign surface area calculation if:
  - i. It is 2 feet (0.6 metres) or less in height; and/or,
  - ii. It is 1.5 feet (0.5 metres) or less in width.
- c) When calculating the area of a wall upon which a sign may be attached, it shall be determined by multiplying the length of the building or individual unit by the height of the building or individual unit. In cases where the building is more than three storeys in height, only the first three storeys of the building may be used for the area calculation.
- d) In cases where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except when two such faces are placed back-to-back and are at no point more than 2 feet (0.6 metres) from one another.
- e) In cases where the surface area of a sign, due to an irregular shape or design, cannot be determined by standard means, it shall be at the discretion of the Designated Officer as to how it will be measured.

**Figure 4:** Determining Sign Surface Area



## 2.30 PARKING AND LOADING

- a) When any new development is proposed, including a change of use of an existing development, or when an existing development is enlarged or increased in capacity, off-street vehicular parking and loading shall be provided in accordance with the regulations contained in this section.

### 2.30.1 General Regulations for Off-Street Parking

- a) The minimum number of parking spaces provided for each use shall be in accordance with Table 2-4.
- b) Accessory off-street parking stalls and aisles shall be designed and constructed in accordance with Table 2-6.
- c) Where an off-street parking facility is provided for ten or more vehicles, which is at-grade and visible from an abutting or adjacent site in a Residential zoning district, or from a public roadway other than a lane, the parking area shall provide screening in accordance with subsection 2.16.2.

- d) Where the parking space requirement is determined by the floor area of the use, this shall refer to the gross floor area of the principal building, excluding:
  - i. Any area used for parking within the principal building; and,
  - ii. Any area used for incidental service storage, mechanical equipment, or similar use.
- e) Where the parking space requirement is determined by reference to a unit such as number of bedrooms or seats, or the size of a building floor area, and the calculation results in a fractional number, any fraction less than one-half (0.5) of a parking space may be disregarded, whereas a fraction of one half (0.5) or more of a parking space shall be counted as one (1) parking space.
- f) In places of assembly in which those in attendance occupy benches, pews or other similar seating, each 2 feet (0.6 metres) of such seating facilities shall be counted as one (1) seat for the purpose of determining the accessory off-street parking.
- g) In the case of a multiple use site, the Designated Officer shall calculate the parking required for each individual use and the total shall be deemed the required parking for the site, unless the applicant can demonstrate through a parking demand study, to the satisfaction of the Designated Officer, that there is a complementary use of the parking facilities that would warrant a reduction of parking requirements.
- h) In the case of a multiple use building, floor area shall not be counted more than once for the purpose of determining parking requirements for all uses served.
- i) All accessory off-street parking spaces shall be located on the same site as the use served unless, subject to the issuance of a variance order, the following conditions are met:
  - i. An agreement for a shared parking arrangement is in place on an ongoing basis to provide the required number of parking spaces off-site; and,
  - ii. Such spaces are located no further than 400 feet (121.9 metres) from the site of the principal use being served.
- j) When a building or structure is enlarged or a use is changed, the off-street parking spaces for the enlargement, change, or new use shall be provided in accordance with the provisions of this section.
- k) Accessory off-street parking, where required, shall not be occupied by portable signs.
- l) Entrance and egress to an accessory off-street parking area shall be provided by means of an unobstructed driveway having access to a street or, where permitted, to a public lane.
- m) The minimum distance between two driveways on one site, or between a driveway and a street intersection, as measured along the street edge intersected by that driveway, shall be 24.6 feet (7.5 metres).
- n) Portions of vehicular driveways providing access or egress to an off-street parking area located within the public right-of-way shall be subject to other applicable Municipal By-Laws.

## 2.30.2 Minimum Off-Street Parking Requirements in all Zoning Districts

- a) Accessory off-street parking spaces shall be provided in accordance with Table 2-4:

Table 2-4 – Minimum Accessory Off-Street Parking Requirements											
Use Class <sup>A B</sup>	AG/AR	CH	CG	MG	I	RR	RG	SD	OR	GD	Unit
Agricultural <sup>C</sup>	1.0	1.5		1.5						1.5	Spaces per 1,000 square feet (92.9 square metres) of gross floor area
Residential <sup>D</sup>	1.0	1.0	1.0		1.0	1.0	1.0			1.0	Spaces per dwelling unit
Residential-Group Living					1.0	1.0	1.0			1.0	Spaces per 3 beds
Residential Related <sup>E F</sup>	1.0					1.0	1.0	1.0		1.0	Spaces per dwelling unit
Commercial <sup>G</sup> <small>H I J</small>	0.5	1.0	0.5	0.5	0.5	0.5		0.5		0.5	Spaces per 200 square feet (18.6 square metres) of gross floor area
Industrial	1.0	1.5	1.0	1.5	1.0			1.0		1.0	Spaces per 1,000 square feet (92.9 square metres) of gross floor area
Cultural and Entertainment	1.0	1.0	1.0	1.0	1.0	1.0		1.0	1.0	1.0	Spaces per 200 square feet (18.6 square metres) of gross floor area
Public and Institutional <sup>K L</sup>	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	Spaces per 500 square feet (46.5 square metres) of gross floor area
<b>Notes</b>											
<p><sup>A</sup> The minimum accessory off-street parking requirements for the following uses shall be determined on an individual basis by The Board: Live-Work Unit, Planned Unit Development; Home-Based Business; Home-Based Childcare; Home-Based Industry; Commercial Resort; Fuel Sales / Service Station; Exhibition / Fair Ground; Airport / Landing Field; and Hospital.</p> <p><sup>B</sup> The following uses are exempted from any minimum accessory off-street parking requirements: Agricultural Activities, General; Agricultural Activities, Specialized; Equestrian Establishment; Livestock Operation; Drive-Through Facility; Parking, Non-Accessory; Cemetery; Community Garden; Public Parks and Playgrounds, and Wildlife Reserve.</p> <p><sup>C</sup> The minimum off street parking requirements for Residential Related Farms shall follow the standards set for the Residential use class.</p> <p><sup>D</sup> In all zoning districts where either a permitted or conditional use, the minimum off-street parking requirement for Dwelling, Multiple Unit and Row Housing shall be 1.3 spaces per dwelling unit.</p> <p><sup>E</sup> In all zoning districts where either a permitted or conditional use, the minimum off-street parking requirement for Bed and Breakfast and Short-Term Rental shall be 1 space per dwelling unit, plus an additional space for each guest room.</p> <p><sup>F</sup> In all zoning districts where either a permitted or conditional use, the minimum off-street parking requirement for Mixed Residential-Commercial Development shall be 1 space per dwelling unit plus 1 space for each 400 sq ft. of commercial space.</p> <p><sup>G</sup> In all zoning districts where either a permitted or conditional use, the minimum off-street parking requirement for Automotive / Equipment Repair Services and Car Wash shall be 3 spaces per service bay.</p>											

**Table 2-4 – Minimum Accessory Off-Street Parking Requirements**

- <sup>H</sup> In all zoning districts where either a permitted or conditional use, the minimum off-street parking requirement for Food / Beverage Establishment shall be 1 space per 100 sq ft. of gross floor area.
- <sup>I</sup> In all zoning districts where either a permitted or conditional use, the minimum off-street parking requirement for Campground shall be 1 space per campsite.
- <sup>J</sup> In all zoning districts where either a permitted or conditional use, the minimum off-street parking requirement for Hotel / Motel shall be 1 space per guest room, plus any requirement for incidental or accessory uses.
- <sup>K</sup> In all zoning districts where either a permitted or conditional use, the minimum off-street parking requirement for the following uses shall be 1 space per 5 permanent fixed seats or 1 space per 100 sq ft. of gross floor area dedicated to assembly uses, whichever is higher: Community Centre / Hall; Funeral Services, Recreation Facility, Indoor; Recreation Facility, Outdoor; Religious Institution
- <sup>L</sup> In all zoning districts where either a permitted or conditional use, the minimum off-street parking requirement School, College / Trade and School, Primary / Secondary shall be 1.5 spaces per classroom, plus 1 space per 100 sq ft. of common space gross floor area.

**2.30.3 Design and Dimensions of Driveways, Aisles and Spaces**

- a) The layout and design of driveways for single and two-unit dwellings shall be designed, constructed, and maintained in accordance with Municipal standards.
- b) The following regulations shall apply to all off-street public parking areas, automobile service stations, drive-in establishments, multiple-unit residential, shopping areas and other such commercial uses requiring the provision of vehicular entrances and exits to the site:
  - i. Access to the site for vehicles shall be only by way of entrances and exits provided in accordance with the following:

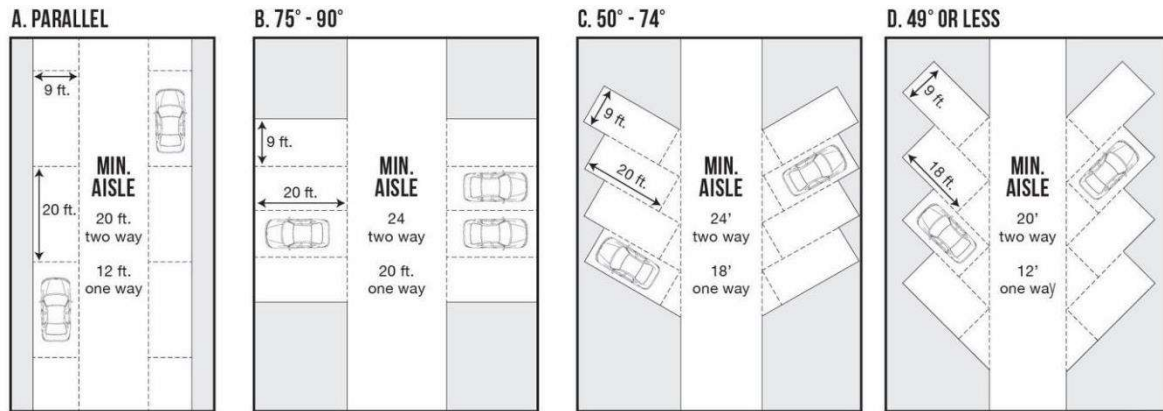
Table 2-5 – Entrance and Exit Requirements	
Minimum / Maximum	Required Measurement
Minimum width of an entrance or exit	15 feet (4.7 metres)
Minimum width of a combined entrance and exit	25 feet (7.6 metres)
Maximum width of an entrance or exit	25 feet (7.6 metres)
Maximum width of a combined entrance and exit	35 feet (10.7 metres)
Minimum distance between any part of an entrance, exit, or combined entrance and exit, and the intersection of street site lines or the intersection of a street site line and a side site line on a public lane	15 feet (4.7 metres)

- ii. In the absence of a street curb, the owner of the site shall provide and maintain a barrier on or near all street site lines so as to prevent vehicles from entering or leaving the site other than byway of the entrances and exits permitted by this by-law
- c) The layout and design of accessory off-street parking areas, other than those provided for single and two-unit dwellings, shall be in accordance with the following regulations:
  - i. Parking space and aisle dimensions shall be consistent with the provisions of Table 2-6.
  - ii. The depth of each parking space as specified in Table 2-6 shall be exclusive of access driveways, aisles, ramps, and columns, as well as adjacent sidewalks or pathways.
  - iii. Driveways providing access and/or egress to parking areas shall be designed, constructed, and maintained in accordance with Municipal standards.

- iv. The location of driveways providing access to accessory off-street parking areas shall be consistent with section 2.13 herein and require approval from the Designated Officer.
- v. A public street or lane shall not be considered as an aisle or driveway.
- vi. Notwithstanding clause (v) above, where access to a parking space is provided directly from a street or lane, the width of the adjacent street or lane may be computed as part of the required aisle width.
- vii. The angle of parking shall be measured between the centre line of the parking space and the centre line of the aisle. In such cases where an aisle serves two different types of angled parking, which are located across from each other, the larger required access aisle shall be provided.
- viii. Off-street parking facilities may be open to the sky or enclosed within a structure but shall have a vertical clearance of at least 7.5 feet (2.3 metres) from floor or grade.
- ix. Accessory off-street parking spaces shall be provided with bumper guards, wheel stops, fences, or masonry walls to prevent a vehicle from encroaching into or crossing onto adjacent public or private property.
- x. All accessory off-street parking areas, including its driveways, aisles, and parking spaces, shall be designed and surfaced in such a manner that there will be no free flow of water onto either adjacent properties or along/across public sidewalks.
- xi. For all Commercial and Industrial Use Class developments, accessory off-street parking areas, including its driveways, aisles, and parking spaces, shall be surfaced with asphalt, concrete, or a similar all-weather material approved by the Designated Officer.
- xii. Off-street parking areas shall comply with all landscaping and lighting standards of this By-Law.

Angle of Parking	Reference Illustration	Minimum Space Dimensions		Minimum Aisle Dimensions	
		Space Width	Space Depth	One-Way	Two-Way
Parallel	A	9 ft. (2.74 m.)	20 ft. (6.09 m.)	12 ft. (3.65 m.)	20 ft. (6.09 m.)
75 – 90°	B	9 ft. (2.74 m.)	20 ft. (6.09 m.)	20 ft. (6.09 m.)	24 ft. (7.31 m.)
50 – 74°	C	9 ft. (2.74 m.)	20 ft. (6.09 m.)	18 ft. (5.48 m.)	24 ft. (7.31 m.)
49° or less	D	9 ft. (2.74 m.)	20 ft. (6.09 m.)	12 ft. (3.65 m.)	20 ft. (6.09 m.)

**Figure 5:** Standard Parking Aisle and Space Dimensions



### 2.30.4 Accessible Parking Spaces

Accessible parking spaces shall be provided in accordance with the following regulations:

- a) All accessible parking spaces shall be a minimum of 10 feet (3.1 metres) in width, plus a 5 foot (1.5 metres) wide adjacent access aisle, and a minimum of 23 feet (7.0 metres) in length. Two such adjacent stalls may be served by the same access aisle.
- b) All accessible parking spaces shall be located no further than 200 feet (61.0 metres) of a principal building entrance used by residents, employees, or the public.
- c) All accessible parking spaces shall provide signage or adequate representation to ensure the space is reserved for persons with mobility issues.
- d) All accessible spaces shall be accompanied by an accessible route to a principal entrance, ensuring a curb ramp is provided not more than 100 feet (30.5 metres) from the parking space, which shall connect to a hard surface sidewalk or walkway that is a minimum width of 3.25 feet (1 metre).
- e) Exclusive of single-unit and two-unit dwellings, the minimum number of accessible parking spaces provided shall be in accordance with Table 2-7, based on the total number of off-street parking spaces required by Table 2-4.

**Table 2-7 – Accessible Parking Space Requirements**

Number of Required Standard Parking Spaces	Minimum Number of Required Accessible Parking Spaces
1 – 25	1
26 – 50	2
51 – 75	4
76 – 100	6
101 – 150	7
151 – 200	8
201 and over	10 plus 1 for every 50 additional standard spaces



### 2.30.5 Off-Street Parking Exceptions

- a) Where a Commercial, Cultural and Entertainment, or Public and Institutional use class development is proposed in an area designated as an Urban Settlement Centre in the district Development Plan, the Board may reduce or waive the minimum accessory off-street parking requirement to preserve or enhance the character of existing main streets. This provision shall also apply to the following residential uses: Dwelling, Multiple Unit; Live-Work Unit; Row Housing; and Mixed Residential-Commercial Development.

### 2.30.6 Off-Street Loading Requirements

Off-street loading areas shall be provided in accordance with the following regulations:

- a) The minimum number of loading spaces provided for each use shall be in accordance with Table 2-8.
- b) Each off-street accessory loading space shall be a minimum of 12 feet (3.7 metres) in width and 33 feet (10 metres) in depth, and provide a minimum vertical clearance of 12 feet (3.7 metres).
- c) All accessory off-street loading spaces shall be located on the same site as the use served.
- d) Loading spaces shall not be permitted in any required front yard unless otherwise provided for herein.
- e) Off-street loading spaces may be open to the sky or enclosed within a structure, unless located within a required front or side yard, in which case the space shall be unenclosed.
- f) Accessory off-street loading areas shall be surfaced with concrete, asphalt, or a similar all-weather material approved by the Designated Officer, as to prevent the rising of dust or similar loose particles, and shall be designed in such a manner as to prevent the free flow of water onto adjacent properties or the public right-of-way.
- g) All loading spaces shall have access to a public street or lane.
- h) When a building or structure is enlarged, or a use is extended or changed, the accessory off-street loading spaces shall be provided for the enlargement, extension or new use.
- i) Portions of vehicular driveways providing access and egress to an off-street loading area located within the public right-of-way shall be subject to applicable Municipal By-Laws.
- j) Loading spaces shall be designed so as not to cause interference with pedestrians along sidewalks or within boulevards, or with vehicles on the adjoining or abutting public roads and lanes. In no case shall the length of the loading space be such that a vehicle, while occupying the space, projects into any street, lane, or public right-of-way.
- k) Required off-street parking spaces shall not be considered as off-street loading spaces.
- l) Notwithstanding clause k), where the amount of minimum required loading spaces is 0, one required off-street parking space shall also serve as a loading space.

**Table 2-8 – Accessory Off-Street Loading Requirements**

Use Class and Type	Floor Area	Minimum Required Loading Spaces
Commercial or Industrial Use Classes (excluding Professional, Financial and Office Services)	Less than 10,000 sq. ft. (929 sq. m.)	0
	Between 10,000 sq. ft. (929 sq. m.) and 20,000 sq. ft. (1,858 sq. m.)	1
	Each additional 20,000 sq. ft. (1,858 sq. m.) or fraction thereof	1 additional
Cultural / Entertainment and Public / Institutional Use Classes (excluding Hospitals), and Professional, Financial and Office Services	Less than 10,000 sq. ft. (929 sq. m.)	0
	Between 10,000 sq. ft. (929 sq. m.) and 30,000 sq. ft. (2,787.1 sq. m.)	1
	Each additional 30,000 sq. ft. (2,787.1 sq. m.) or fraction thereof	1 additional
Hospitals	Less than 15,000 sq. ft. (1,393.5 sq. m.)	1
	Each additional 20,000 sq. ft. (1,858 sq. m.) or fraction thereof	1 additional
Uses not classified above but primarily concerned with the handling of goods	Less than 10,000 sq. ft. (929 sq. m.)	0
	7,500 sq. ft. (696.7 sq. m.) or greater	Determined by Designated Officer

## PART 3 ZONING DISTRICTS

### 3.1 ESTABLISHMENT OF ZONING DISTRICTS

- a) Land use in the Planning District shall be regulated in accordance with the following zoning districts:

Table 3-1 – Zoning Districts Established		
Zone Type	Zoning Name	Zone Code
Agricultural	Agriculture General	AG
	Agriculture Restricted	AR
Residential	Residential General	RG
	Rural Residential	RR
Commercial	Commercial General	CG
	Commercial Highway	CH
Industrial	Industrial General	MG
Community	Open Space and Recreation	OR
	Institutional	I
General Development	General Development	GD
Shoreland Development	Shoreland Development	SD

#### 3.1.1 Zoning District Boundaries

- a) The zoning districts established above in Table 3-1 shall apply in accordance with the Zoning Maps, which form PART 8 of this By-Law, and are subject to the following rules of interpretation:
- i. Boundaries indicated as approximately following the centrelines of streets, lanes, highways, rivers, or railway or public utility lines or rights-of-way shall follow such lines.
  - ii. Boundaries indicated as approximately following parcel limits shown on a registered plan shall follow such limits.
  - iii. Boundaries indicated as following municipal or community limits shall be construed as following those limits.
  - iv. Boundaries indicated as approximately following a topographic contour line or a top-of-bank line shall be deemed to follow such line and, in the event there is a change to the location of that line, the boundary shall be deemed to have moved with the line, as determined by the Designated Officer. The applicant may appeal the Designated Officer's interpretation of the boundary location, in which case the Board shall make the final determination.

- v. Where a single site or parcel of land is split into more than one zoning district, each portion of the site or parcel of land shall be developed and used in accordance with the provisions of the applicable zoning district, as shown on the Zoning Maps.

## **3.2 PERMITTED AND CONDITIONAL USES**

### **3.2.1 Use Tables**

- a) The permitted and conditional uses prescribed for parcels of land within each zoning district shall be consistent with those established in the Use Table under the applicable section. Permitted uses are indicated on this table with the letter “P”. Conditional uses are indicated on this table with the letter “C”. Where a use is marked with the symbol “-”, or is not listed and is not similar to a permitted or conditional use included therein, as determined by the Designated Officer, the use shall not be allowed in the applicable zoning district.

### **3.2.2 Use Class Categories**

- a) Land use types in this By-Law are categorized into “Use Classes” based on common functional or physical characteristics. Use Classes organize a range of uses that are permitted or conditional within different zoning districts in the Planning District. The types of uses listed under each use class are not exhaustive and do not represent every use that may exist within the category. Use Classes include:

#### **Agricultural Use Class**

Consists of uses associated with farming, including planting, cultivating, and harvesting crops, as well as associated storage, wholesale services, and farm diversification activities.

#### **Residential Use Class**

Consists of uses associated with housing accommodations, including various types of dwelling units and living arrangements, such as single-unit dwellings and group homes.

#### **Group Living Use Class**

Consists of uses associated with residential facilities that are intended for group living arrangements, such as boarding houses, residential care facilities, and group homes.

#### **Residential-Related Use Class**

Consists of uses commonly associated with and often ancillary to a residence, such as home-based businesses and daycares, as well as secondary dwellings and suites.

#### **Commercial Use Class**

Consists of uses associated with the sale, lease, and/or rental of goods, as well as the provision of personal, hospitality, or professional services, including associated facilities.

#### **Industrial Use Class (Light & Heavy Uses)**

Consists of uses associated with the manufacturing, processing, and production of goods, as well as warehousing, freight movement, waste handling, and other industrial related activities.

### **Cultural and Entertainment Use Class**

Consists of uses associated with the viewing and/or creation of cultural and artistic materials, as well as facilities used for social activities, entertainment, and amusement.

### **Public and Institutional Use Class**

Consists of uses associated with government, basic public needs, public assembly, education, recreation, and worship, as well as uses serving specialized community needs, such as health and social services.

### **3.2.3 Use Specific Standards**

- a) As indicated in the Use Tables, permitted and conditional uses may be subject to the use specific standards established in PART 4 of this Zoning By-Law. If a use specific standard does apply, a reference to the applicable section is provided in the Use Tables.

## **3.3 BULK STANDARDS**

### **3.3.1 Bulk Standards Tables**

- a) No land, building, or structure shall be used or occupied, and no building or structure shall be constructed, erected, altered, or placed, except in accordance with the regulations described in the applicable Bulk Standards Table, unless otherwise specified herein.

### **3.3.2 Multiple Unit Buildings**

- a) A multiple-unit building shall be considered one building for the purposes of establishing yard requirements. In such cases where a building includes multiple types of uses, the most restrictive use requirements shall apply.

### **3.3.3 Exemptions**

The following uses shall be exempt from all bulk standard requirements, across all zoning districts, subject to Board approval.

- a) Public Parks and Playgrounds
- b) Community Gardens
- c) Parking, Non-Accessory

### 3.4 AGRICULTURAL ZONING DISTRICTS

#### 3.4.1 Intent

Agriculture General (AG) – provides for a full range of agricultural activities and farm diversification opportunities, in addition to associated or compatible developments.

Agriculture Restricted (AR) – accommodates non-intensive agricultural activities, and associated or compatible developments, that do not hinder future urban expansion or affect existing urban development.

#### 3.4.2 Land Use

- a) No new use or expansion of an existing use in any Agricultural zoning district may be established except in conformity with Table 3-2.

Table 3-2 – Agricultural District Uses			
Use Class and Type	Agricultural Zoning Districts		
	AG	AR	Use Specific Standard
<b>Agricultural</b>			
Abattoir	C	-	
Agri-business	P	C	
Agricultural Activities, General	P	P	
Agricultural Activities, Specialized	P <sup>A</sup>	P <sup>A</sup>	
Agricultural Crop Protection Warehouse	P	C	
Agricultural Product Processing	C	C	
Agricultural Product Storage	P	P	
Agri-tourism Operation	C	C	4.2
Anhydrous Ammonia Facility	C	C	4.9
Auction Establishment, Livestock	C	-	
Cannabis Cultivation	C	-	
Equestrian Establishment	C	C	
Farm Produce Outlet	C	C	
Livestock Operation	P	P	4.12
Nursery / Greenhouse	P	P	
Residential Related Farm (max 9.9 AUs)	P	C	4.19
<b>Residential</b>			
Dwelling, Mobile-Home	C	C	4.16
Dwelling, Non-Farm Rural	C	C	

**Table 3-2 – Agricultural District Uses**

Legend P = Permitted C = Conditional - = Not Permitted	Agricultural Zoning Districts		
	AG	AR	Use Specific Standard
<b>Residential-Related</b>			
Bed and Breakfast	C	C	4.3
Home-Based Business	P	P	4.10
Home-Based Childcare	P	P	
Home-Based Industry	C	C	4.11
Recreational Vehicle	C	C	4.20
Secondary Suite, Attached	C	C	4.21
Short-Term Rental	C	C	4.23
<b>Commercial</b>			
Campground	C	C	4.4
Event Facility	-	C	
Kennels / Pet Grooming Services	C	C	
Veterinary Clinic, Domestic	-	P	
Veterinary Clinic, Livestock	P	C	
<b>Industrial (Light)</b>			
Contractor Services	C	C	
Manufacturing Establishment, Light	C	C	
Micro-Brewery / Distillery / Winery	C	C	
Trucking Operation	C	C	
<b>Industrial (Heavy)</b>			
Composting Facility, Commercial	C	C	
Manufacturing Establishment, Heavy	C	C	
Mineral Exploration / Extraction	C	C	4.14
Salvage Operation / Yard	C	C	
Solar Farm, Commercial	C	C	
Waste Management Facility, Commercial	C	C	
Wayside Pits and Quarries	C	C	4.23
Wind Energy Generating System, Commercial	C	C	4.24
<b>Cultural and Entertainment</b>			
Amusement / Entertainment Establishment, Outdoor	C	C	
Exhibition / Fair Grounds	C	C	
Golf Courses, Private	C	C	
Library / Museum / Gallery	C	C	
<b>Public and Institutional</b>			
Airports / Landing Fields	C	C	
Cemetery	C	P	
Community Garden	P	P	
Public Parks and Playgrounds	-	P	

Table 3-2 – Agricultural District Uses			
Use Class and Type	Agricultural Zoning Districts		
	AG	AR	Use Specific Standard
Recreation Facility, Indoor	C	C	
Recreation Facility, Outdoor	C	C	
Religious Institution	C	C	
School, Primary / Secondary	C	C	
Wildlife Reserve	C	C	
<b>Notes</b>			
^ Where the proposed use of Agricultural Activities, Specialized is an apiary, it shall be considered as a conditional use when proposed to be located within 1319 feet (402 metres) of a residence when the owner of the residence has not consented to such a location.			

3.4.3 Bulk Standards

- a) No person shall erect a building or structure in any Agricultural zoning district unless the building or structure complies with Table 3-3, in addition to other applicable regulations of this By-Law, except where a variance has been issued.

Table 3-3 – Agricultural District Bulk Standards						
Use Class / Use	Site		Yards			Form
	Minimum Site Area ac. [ha.]	Minimum Site Width ft. [m.]	Minimum Front Yard ft. [m.]	Minimum Interior Side Yard ft. [m.]	Minimum Rear Yard ft. [m.]	Maximum Building Height ft. [m.]
<b>Permitted / Conditional Uses – AG / AR</b>						
<b>Agricultural, Commercial, Industrial, &amp; Cultural and Entertainment Uses</b>						
General Agricultural Activities, Specialized Agricultural Activities, & Livestock Operations	80 [32.3]	1000 [304.8]	125 [38.1]	25 [7.6]	25 [7.6]	35 [10.6]
Wind Energy Generating System, Commercial	-	-	125 [38.1]	-	-	-
All Other Agricultural, Commercial, Industrial, & Cultural and Entertainment Uses	2 [0.8]	200 [61.0]	125 [38.1]	25 [7.6]	25 [7.6]	35 [10.6]
<b>Residential &amp; Residential-Related Uses</b>						
All Residential & Residential-Related Uses ^	2 [0.8]	200 [61.0]	125 [38.1]	5 [1.5]	25 [7.6]	30 [9.1]
<b>Public and Institutional Uses</b>						
Airports / Landing Fields	10 [4.0]	200 [61.0]	125 [38.1]	25 [7.6]	25 [7.6]	35 [10.6]
Primary / Secondary School	2 [0.8]	100 [30.5]	125 [38.1]	25 [7.6]	25 [7.6]	45 [13.7]



**Table 3-3 – Agricultural District Bulk Standards**

Use Class / Use	Site		Yards			Form
	Minimum Site Area ac. [ha.]	Minimum Site Width ft. [m.]	Minimum Front Yard ft. [m.]	Minimum Interior Side Yard ft. [m.]	Minimum Rear Yard ft. [m.]	Maximum Building Height ft. [m.]
Wildlife Reserve	-	-	-	-	-	-
All Other Public and Institutional Uses	1 [0.4]	100 [30.5]	125 [38.1]	25 [7.6]	25 [7.6]	35 [10.6]
<b>Accessory Buildings / Structures</b>						
AG & AR	-	-	125 [38.1]	25 [7.6]	25 [7.6]	24 [7.3]
<b>Notes</b>						
^The maximum site area for Non-Farm Rural Dwellings shall be 10 acres, in accordance with the relevant district Development Plan policies concerning the subdivision of Non-Farm Rural Dwellings in agricultural areas.						

### 3.4.4 Additional Development Standards in All Agricultural Zoning Districts

- a) Further to provisions found elsewhere in this By-law, the subdivision of agricultural land for agricultural purposes shall be approved by local Council only when it is consistent with the relevant policies of the Pelican-Rock Lake Planning District Development Plan.
- b) When a rear or side yard is adjacent to a municipal road, the minimum required yard shall be 125 feet (38.1 metres).
- c) Accessory buildings larger than 200 square feet (18.6 square metres) shall be located at least 125 feet (38.1 metres) from any property line.

### 3.5 RESIDENTIAL ZONING DISTRICTS

#### 3.5.1 Intent

Residential General (RG) – provides for the development of residential dwellings on serviced lots in settlement centres, in addition to associated or compatible developments.

Rural Residential (RR) – provides for the development of primarily non-farm residential dwellings outside of settlement centres on lots of an adequate size to allow on-site wastewater management, while maintaining the natural or agricultural character of the area.

#### 3.5.2 Land Use

- a) No new use or expansion of an existing use in any Residential zoning district may be established except in conformity with Table 3-4.

Table 3-4 – Residential District Uses			
Use Class and Type	Residential Zoning Districts		
	RG	RR	Use Specific Standard
<b>Legend</b>			
P = Permitted			
C = Conditional			
- = Not Permitted			
<b>Agricultural</b>			
Residential Related Farm (max 9.9 AUs)	-	C	4.19
<b>Residential</b>			
Dwelling, Mobile Home	C	C	4.16
Dwelling, Multiple-Unit	C	-	
Dwelling, Single-Unit	P	P	
Dwelling, Two Unit	P	C	
Live-Work Unit	C	P	4.13
Planned Unit Development	C	-	4.18
Row Housing	C	-	
<b>Group Living</b>			
Boarding House	C	C	
Group Home, Major	C	-	
Group Home, Minor	C	-	
Residential Care Facility	C	-	
<b>Residential-Related</b>			
Bed and Breakfast	C	C	4.3
Home-Based Business	C	P	4.10
Home-Based Childcare	P	C	
Mixed Residential-Commercial Development	C	-	4.15
Mobile Home Park	C	C	4.17
Recreational Vehicle	C	-	4.20
Secondary Suite, Attached	C	C	4.21
Secondary Suite, Detached	C	C	4.21

Table 3-4 – Residential District Uses			
Use Class and Type	Residential Zoning Districts		
	RG	RR	Use Specific Standard
Short-Term Rental	C	C	4.22
<b>Commercial</b>			
Kennels / Pet Grooming Services	-	C	
Retail Store, Convenience	-	C	
<b>Cultural and Entertainment</b>			
Private Club	-	C	
<b>Public and Institutional</b>			
Childcare Facility	C	-	
Community Centre / Hall	C	C	
Community Garden	P	P	
Emergency / Protective Services	C	-	
Health Services	C	-	
Hospital	C	-	
Recreation Facility, Outdoor	-	C	
Religious Institution	C	C	

### 3.5.3 Bulk Standards

- a) No person shall erect a building or structure in any Residential zoning district unless the building or structure complies with Table 3-5, in addition to other applicable regulations of this By-Law, except where a variance has been issued.

Table 3-5 – Residential District Bulk Standards							
Use Class / Use	Site		Yards				Form
	Minimum Site Area sq. ft. [sq. m.]	Minimum Site Width ft. [m.]	Minimum Front Yard ft. [m.]	Minimum Interior Side Yard ft. [m.]	Minimum Corner Side Yard ft. [m.]	Minimum Rear Yard ft. [m.]	Maximum Building Height ft. [m.]
<b>Permitted / Conditional Uses – RG</b>							
<b>Residential, Group Living, &amp; Residential-Related Uses</b>							
Mobile Home Park	-	200 [61.0]	25 [7.6]	25 [7.6]	25 [7.6]	25 [7.6]	30 [9.1]
Mixed Residential-Commercial Development	5000 [464.5]	50 [15.2]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]
Major Group Home, Multiple Unit Dwelling, & Residential Care Facility	9000 [836.1] <sup>A</sup>	75 [22.9]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]
Row Housing	7500 [696.8]	75 [22.9] <sup>B</sup>	25 [7.6]	5 [1.5]	15 [4.6]	25 [7.6]	30 [9.1]

**Table 3-5 – Residential District Bulk Standards**

Use Class / Use	Site		Yards				Form
	Minimum Site Area sq. ft. [sq. m.]	Minimum Site Width ft. [m.]	Minimum Front Yard ft. [m.]	Minimum Interior Side Yard ft. [m.]	Minimum Corner Side Yard ft. [m.]	Minimum Rear Yard ft. [m.]	Maximum Building Height ft. [m.]
All Other Residential, Group Living, & Residential-Related Uses	5000 [464.5]	50 [15.2]	25 [7.6]	5 [1.5]	15 [4.6]	25 [7.6]	30 [9.1]
<b>Public and Institutional Uses</b>							
Hospital	20,000 [1858]	100 [30.5]	25 [7.6]	15 [4.6] <sup>c</sup>	15 [4.6]	25 [7.6]	45 [13.7]
All Other Public and Institutional Uses	5000 [464.5]	50 [15.2]	25 [7.6]	10 [3.1] <sup>c</sup>	15 [4.6]	25 [7.6]	30 [9.1]
<b>Permitted / Conditional Uses – RR</b>							
<b>Agricultural Uses</b>							
All Agricultural Uses	2 acres [0.8 hectares]	200 [61.0]	125 [38.1]	25 [7.6]	25 [7.6]	25 [7.6]	35 [10.6]
<b>Residential, Group Living, &amp; Residential-Related Uses</b>							
Mobile Home Park	-	200 [61.0]	25 [7.6]	25 [7.6]	25 [7.6]	25 [7.6]	30 [9.1]
All Other Residential, Group Living, & Residential-Related Uses	2 acres [0.8 hectares]	200 [61.0]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]
<b>Commercial, Cultural and Entertainment, &amp; Public and Institutional Uses</b>							
Kennels / Pet Grooming Services	1 acre [0.4 hectares]	50 [15.2]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]
All Other Commercial, Cultural and Entertainment, & Public and Institutional Uses	0.5 acres [0.2 hectares]	50 [15.2]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]
<b>Accessory Buildings / Structures</b>							
RG	-	-	<sup>d</sup>	3 [0.9]	15 [4.6]	3 [0.9]	16 [4.9]
RR	-	-	<sup>d</sup>	3 [0.9]	15 [4.6]	3 [0.9]	24 [7.3]
<b>Notes</b>							
<p><sup>A</sup> The minimum required site area for the first three (3) dwelling units or care beds shall be 9,000 square feet (836.1 square metres), and the minimum required site area shall increase by an additional 1,001 square feet (93.0 square metres) for each additional dwelling unit above three (3) units or care beds.</p> <p><sup>B</sup> The minimum required site width for the first three (3) dwelling units shall be 75 feet (22.9 metres), and the minimum required site width shall increase by an additional 25 feet (7.6 metres) for each additional dwelling unit above three (3) units.</p> <p><sup>C</sup> When abutting a site featuring a Single-Unit Dwelling or Two-Unit Dwelling, the applicable side yard setback shall be the minimum listed or half (50%) of the principal building height, whichever is greater.</p> <p><sup>D</sup> The minimum required front yard for accessory buildings and structures shall be the same, as the minimum required front yard for the principal building on the same site.</p>							

### 3.5.4 Additional Design Standards in All Residential Zoning Districts

- a) Residential-Related uses in all Residential zoning districts shall be subject to the dimensional standards of the associated principal residential use, as well as any use-specific standards that apply.

## 3.6 COMMERCIAL ZONING DISTRICTS

### 3.6.1 Intent

Commercial General (CG) – provides primarily for small to medium-scale commercial development in settlement centres, in addition to associated or compatible uses.

Commercial Highway (CH) – accommodates primarily large-scale commercial development along major roadways that serves local and regional residents, as well as members of the traveling public.

### 3.6.2 Land Use

- a) No new use or expansion of an existing use in any Commercial zoning district may be established except in conformity with Table 3-6.

Table 3-6 – Commercial District Uses			
Use Class and Type	Commercial Zoning Districts		
	CG	CH	Use Specific Standard
<b>Legend</b>			
P = Permitted			
C = Conditional			
- = Not Permitted			
<b>Agricultural</b>			
Agri-Business	-	C	
Agricultural Product Storage	-	C	
Farm Produce Outlet	-	C	
Nursery / Greenhouse	-	P	
<b>Residential</b>			
Live-Work Unit	C	C	4.13
<b>Residential-Related</b>			
Mixed Residential-Commercial Development	C	-	4.15
<b>Commercial</b>			
Auction Establishment, Indoor	P	P	
Auction Establishment, Outdoor	-	C	
Automotive / Equipment Repair Services	C	P	
Automotive / Recreational Vehicles Sales / Rentals	C	P	
Business Support Services	P	P	
Cannabis Retail Store	C	C	4.5
Car Wash	C	P	
Catering Service Establishment	P	P	
Commercial Resort	C	C	
Drive-Through Facility	C	P	4.6
Equipment Sales / Rentals, Light	C	P	
Event Facility	C	P	
Food / Beverage Service Establishment	P	P	4.7
Fuel Sales / Service Station	C	P	4.8
Hotels / Motels	C	P	
Kennels / Pet Grooming Services	C	C	

**Table 3-6 – Commercial District Uses**

Legend P = Permitted C = Conditional - = Not Permitted	Commercial Zoning Districts		
	CG	CH	Use Specific Standard
Market, Indoor	P	P	
Parking, Non-Accessory	C	C	
Personal / Fitness / Wellness Services	P	P	
Professional, Financial, and Office Services	P	P	
Retail Store, Convenience	P	P	
Retail Store, General	P	P	
Self-Storage Facility	-	C	
Veterinary Clinic, Domestic	C	C	
Warehouse Sales Facility	-	P	
<b>Industrial (Light)</b>			
Bulk Storage Facility	-	C	
Contractor Services	C	C	
Equipment Sales / Rentals / Services, Heavy	-	P	
Fleet Services	-	P	
Manufacturing Establishment, Light	-	C	
Micro-Brewery / Distillery / Winery	C	C	
Recycling Facility, Commercial	-	C	
Trucking Operation	-	C	
Warehouse Storage Facility	-	C	
<b>Cultural and Entertainment</b>			
Amusement / Entertainment Establishment, Indoor	C	P	
Amusement / Entertainment Establishment, Outdoor	C	C	
Casino / Gaming Establishment	C	C	
Library / Museum / Gallery	P	C	
Private Club	P	P	
Studio, Media	P	C	
Studio, Performing Arts	P	-	
<b>Public and Institutional</b>			
Childcare Facility	C	-	
Community Centre / Hall	C	-	
Community Garden	P	-	
Emergency / Protective Services	C	P	
Funeral Services	C	C	
Government Services	P	P	
Health Services	P	P	
Hospital	P	P	
Public Parks and Playgrounds	P	P	
Recreation Facility, Indoor	P	P	

Table 3-6 – Commercial District Uses			
Use Class and Type	Commercial Zoning Districts		
	Religious Institution	CG	CH
Research Institution	P	P	
School, College / Trade	C	C	
School, Primary / Secondary	-	P	
Social Service Centre	P	P	

### 3.6.3 Bulk Standards

- a) No person shall erect a building or structure in any Commercial zoning district unless the building or structure complies with Table 3-7, as well as other applicable regulations of this By-Law, except where a variance has been issued.

Table 3-7 – Commercial District Bulk Standards							
Use Class	Site		Yards				Form
	Minimum Site Area sq. ft. [sq. m.]	Minimum Site Width ft. [m.]	Minimum Front Yard ft. [m.]	Minimum Interior Side Yard ft. [m.]	Minimum Corner Side Yard ft. [m.]	Minimum Rear Yard ft. [m.]	Maximum Building Height ft. [m.]
<b>Permitted / Conditional Uses – CG</b>							
<b>All Uses</b>							
Automotive / Equipment Repair Services	10,000 [929]	75 [22.9]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]
Fuel Sales / Service Station	10,000 [929]	100 [30.5]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]
Hospital, College / Trade School, & Primary / Secondary School	20,00 [1858]	100 [30.4]	25 [7.6]	15 [4.6]	15 [4.6]	25 [7.6]	45 [13.7]
All Other Uses	5,000 [464.5]	50 [15.2]	0 [0.0]	5 [1.5] <sup>A</sup>	15 [4.6]	25 [7.6]	30 [9.1]
<b>Permitted / Conditional Uses – CH</b>							
<b>All Uses</b>							
Automotive / Equipment Repair Services, Recycling Facility, Trucking Operation, & Fleet Services	10,000 [929]	75 [22.9]	25 [7.6]	10 [3.1]	50 [15.2]	25 [7.6]	30 [9.1]
Fuel Sales / Service Station	10,000 [929]	100 [30.5]	25 [7.6]	10 [3.1]	50 [15.2]	25 [7.6]	30 [9.1]
Hospital, College / Trade School, & Primary / Secondary School	20,00 [1858]	100 [30.4]	25 [7.6]	15 [4.6]	50 [15.2]	25 [7.6]	30 [9.1]



**Table 3-7 – Commercial District Bulk Standards**

Use Class	Site		Yards				Form
	Minimum Site Area sq. ft. [sq. m.]	Minimum Site Width ft. [m.]	Minimum Front Yard ft. [m.]	Minimum Interior Side Yard ft. [m.]	Minimum Corner Side Yard ft. [m.]	Minimum Rear Yard ft. [m.]	Maximum Building Height ft. [m.]
All Other Uses	5,000 [464.5]	50 [15.2]	25 [7.6]	10 [3.1]	50 [15.2]	25 [7.6]	30 [9.1]
<b>Accessory Buildings / Structures</b>							
CG	-	-	3 [0.9]	3 [0.9]	15 [4.6]	3 [0.9]	24 [7.3]
CH	-	-	3 [0.9]	3 [0.9]	50 [15.2]	3 [0.9]	24 [7.3]
<b>Notes</b>							
^ The minimum side yard may be reduced to 0 feet if none of the immediately adjacent uses are in the Residential, Group Living, or Residential-Related use classes.							

**3.6.4 Additional Development Standards in All Commercial Zoning Districts**

- a) More than one principal building may be located on one parcel of land provided that the front, rear, and side yard requirements for each building are fulfilled and building separation distances are maintained in accordance with the Manitoba Building Code and any amendments thereto.

**3.6.5 Additional Development Standards in the CG Zoning District**

- a) For any new development proposed in the CG zoning district, the Designated Officer shall ensure principal entrances, public uses, and accessory signs are easily identifiable and visible from the public right-of-way.

**3.6.6 Additional Development Standards in the CH Zoning District**

- a) Open storage may be permitted in a side or rear yard provided, where side or rear yards abut a public street or highway, the open storage is screened with a solid fence at least 6 feet (1.8 metres) in height.

### 3.7 INDUSTRIAL ZONING DISTRICT

#### 3.7.1 Intent

Industrial General (MG) – accommodates primarily industrial developments associated with nuisances that may impact the safety or enjoyment of nearby sites.

#### 3.7.2 Land Use

- a) No new use or expansion of an existing use in any Industrial zoning district may be established except in conformity with Table 3-8.

Table 3-8 – Industrial District Uses		
Use Class and Type	Industrial General Zoning District	
	MG	Use Specific Standard
<b>Legend</b>		
P = Permitted		
C = Conditional		
- = Not Permitted		
<b>Agricultural</b>		
Abattoir	C	
Agri-Business	C	
Agricultural Product Processing	C	
Nursery / Greenhouse	P	
<b>Commercial</b>		
Auction Establishment, Outdoor	P	
Automotive / Equipment Repair Services	P	
Car Wash	C	
Catering Service Establishment	P	
Drive-Through Facility	C	4.6
Equipment Sales / Rentals, Light	C	
Food / Beverage Service Establishment	P	4.7
Fuel Sales / Service Station	C	4.8
Kennels / Pet Grooming Services	C	
Parking, Non-Accessory	C	
Professional, Financial, and Office Services	C	
Retail Store, Convenience	P	
Self-Storage Facility	C	
Warehouse Sales Facility	C	
<b>Industrial (Light)</b>		
Bulk Storage Facility	C	
Contractor Services	P	
Equipment Sales / Rentals / Services, Heavy	P	
Fleet Services	P	
Manufacturing Establishment, Light	P	
Micro-Brewery / Distillery / Winery	P	
Recycling Facility, Commercial	C	
Trucking Operation	P	

Table 3-8 – Industrial District Uses		
Use Class and Type	Industrial General Zoning District	
	MG	Use Specific Standard
Warehouse Storage Facility	P	
<b>Industrial (Heavy)</b>		
Cannabis Processing	C	
Composting Facility, Commercial	C	
Data Centre / Server Farm	C	
Manufacturing Establishment, Heavy	P	
Salvage Operation / Yard	C	
Solar Farm, Commercial	C	
Transport Terminal / Freight Yard	P	
Waste Management Facility, Commercial	C	
<b>Cultural and Entertainment</b>		
Studio, Media	C	
<b>Public and Institutional</b>		
Funeral Services	C	
School, College / Trade	C	

### 3.7.3 Bulk Standards

- a) No person shall erect a building or structure in any Industrial zoning district unless the building or structure complies with Table 3-9, in addition to other applicable regulations of this By-Law, except where a variance has been issued.

Table 3-9 – Industrial District Bulk Standards							
Use Class / Type	Site		Yards				Form
	Minimum Site Area sq. ft. [sq. m.]	Minimum Site Width ft. [m.]	Minimum Front Yard ft. [m.]	Minimum Interior Side Yard ft. [m.]	Minimum Corner Side Yard ft. [m.]	Minimum Rear Yard ft. [m.]	Maximum Building Height ft. [m.]
<b>Permitted / Conditional Uses – MG</b>							
<b>Industrial Uses (Light)</b>							
Bulk Storage Facility & Warehouse Storage Facility	5,000 [464.5]	50 [15.2]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	35 [10.6]
All Other Industrial (Light) Uses	10,000 [929]	75 [22.9]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	35 [10.6]
<b>Industrial Uses (Heavy)</b>							
All Industrial (Heavy) Uses	64,583 [6,000]	200 [61.0]	50 [15.2]	25 [7.6]	15 [4.6]	25 [7.6]	35 [10.6]

Table 3-9 – Industrial District Bulk Standards							
Use Class / Type	Site		Yards				Form
	Minimum Site Area sq. ft. [sq. m.]	Minimum Site Width ft. [m.]	Minimum Front Yard ft. [m.]	Minimum Interior Side Yard ft. [m.]	Minimum Corner Side Yard ft. [m.]	Minimum Rear Yard ft. [m.]	Maximum Building Height ft. [m.]
<b>Agricultural &amp; Public and Institutional Uses</b>							
College / Trade School	20,000 [1858]	100 [30.4]	25 [7.6]	15 [4.6]	15 [4.6]	25 [7.6]	45 [13.7]
Funeral Service	5,000 [464.5]	50 [15.2]	25 [7.6]	5 [1.5] <sup>A</sup>	15 [4.6]	25 [7.6]	35 [10.6]
All Other Agricultural & Public and Institutional Uses	20,000 [1858]	100 [30.4]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	35 [10.6]
<b>Commercial &amp; Cultural and Entertainment Uses</b>							
Warehouse Sales Facility	5,000 [464.5]	50 [15.2]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	35 [10.6]
Fuel Service Station	10,000 [929]	100 [30.5]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	35 [10.6]
All Other Commercial & Cultural and Entertainment Uses	5,000 [464.5]	50 [15.2]	0.0 [0.0]	5 [1.5] <sup>A</sup>	15 [4.6]	25 [7.6]	35 [10.6]
<b>Accessory Buildings / Structures</b>							
MG	-	-	3 [0.9]	3 [0.9]	15 [4.6]	3 [0.9]	24 [7.3]
<b>Accessory Buildings / Structures</b>							
<sup>A</sup> The minimum side yard may be reduced to 0.0 metres if not immediately adjacent to uses in the Residential, Group Living, or Residential-Related use classes.							

### 3.7.4 Additional Development Standards in the Industrial Zoning District

- a) More than one principal building may be located on one parcel of land provided that the front, rear, and side yard requirements for each building are fulfilled and building separation distances are maintained in accordance with the Manitoba Building Code and any amendments thereto.
- b) Notwithstanding the standards set out above in Table 3-9, when the side site line of any property in the MG zoning district abuts the side site line of any property in any Residential or Institutional zoning district, or a Residential, Group Living, or Public and Institutional Use Class development in the GD zoning district, the proponent shall:
  - i. Provide a minimum buffer of 25 feet (7.6 metres) along the entire side site line that abuts the Residential or Public and Institutional zoning district property, or a Residential, Group Living, or Public and Institutional Use Class development in the GD zoning district.
  - ii. Ensure the required buffer is not used for on-site operations of any kind, including but not limited to accessory off-street parking and loading, materials storage, or manufacturing.
  - iii. Erect and maintain a fence and/or vegetative screen along the entire side site line that abuts the Residential or Institutional zoning district property, or the Residential Use Class or Public

and Institutional Use Class property in the GD zoning district, subject to the maximum height provisions for fences in the MG zoning district.

- c) In addition to the requirements established in section 2.20, for all developments within the MG zoning district, partially finished or finished products, equipment, parts, or other materials shall not be kept or stored within a required front yard or corner side yard of a site, unless the location and size of the storage area is approved by the Designated Officer.

### 3.8 COMMUNITY ZONING DISTRICTS

#### 3.8.1 Intent

Open Space and Recreation (OR) – provides for community open spaces and parks, as well as outdoor and limited indoor recreational amenities, public utility services, and associated or compatible uses.

Institutional (I) – provides for a range of institutional uses, including protective, educational, health, civic, and government services accessible to the public, as well as religious assembly and community amenities.

#### 3.8.2 Land Use

- a) No new use or expansion of an existing use in any Community zoning district may be established except in conformity with Table 3-10.

Table 3-10 – Community District Uses			
Use Class and Type	Community Zoning Districts		
	OR	I	Use Specific Standard
<b>Legend</b>			
P = Permitted			
C = Conditional			
- = Not Permitted			
<b>Group Living</b>			
Group Home, Major	-	P	
Group Home, Minor	-	P	
<b>Commercial</b>			
Event Facility	-	C	
Food / Beverage Service Establishment	-	C ^	4.7
Professional, Financial, and Office Services	-	C	
<b>Industrial (Light)</b>			
Recycling Facility, Commercial	-	C	
<b>Industrial (Heavy)</b>			
Composting Facility, Commercial	-	C	
<b>Cultural and Entertainment</b>			
Amusement / Entertainment Establishment, Outdoor	C	-	
Exhibition / Fair Grounds	P	-	
Golf Courses, Private	P	-	
Library / Museum / Gallery	C	P	
<b>Public and Institutional</b>			
Cemetery	-	P	
Community Centre / Hall	P	P	
Community Garden	P	P	
Funeral Services	-	C	
Government Services	-	P	

Table 3-10 – Community District Uses			
Use Class and Type	Community Zoning Districts		
	OR	I	Use Specific Standard
Health Services	-	P	
Hospital	-	P	
Public Parks and Playgrounds	P	P	
Recreation Facility, Indoor	P	P	
Recreation Facility, Outdoor	P	P	
Religious Institution	-	P	
Research Institution	-	C	
School, College / Trade	-	C	
School, Primary / Secondary	C	P	
Social Service Centre	-	P	
<b>Notes</b>			
^ Food / Beverage Service Establishment may only be established in the I zoning district in conjunction with a permitted or conditionally approved use in the Cultural and Entertainment or Public and Institutional use classes.			

### 3.8.3 Bulk Standards

- a) No person shall erect a building or structure in any Community zoning district unless the building or structure complies with Table 3-11, in addition to other applicable regulations of this By-Law, except where a variance has been issued.

Table 3-11 – Community District Bulk Standards							
Use Class / Type	Site		Yards				Form
	Minimum Site Area sq. ft. [sq. m.]	Minimum Site Width ft. [m.]	Minimum Front Yard ft. [m.]	Minimum Interior Side Yard ft. [m.]	Minimum Corner Side Yard ft. [m.]	Minimum Rear Yard ft. [m.]	Maximum Building Height ft. [m.]
<b>Permitted / Conditional Uses – OR</b>							
<b>All Uses</b>							
School, Primary / Secondary	20,000 [1858]	100 [30.5]	25 [7.6]	15 [4.6]	15 [4.6]	25 [7.6]	45 [13.7]
Exhibition / Fair Ground	80,000 [7432.2]	200 [61.0]	50 [15.2]	20 [6.0]	15 [4.6]	25 [7.6]	30 [9.1]
All Other Uses	5,000 [464.5]	50 [15.2]	25 [7.6]	5 [1.5]	15 [4.6] ^	25 [7.6]	30 [9.1]
<b>Permitted / Conditional Uses – I</b>							
<b>All Uses</b>							
Major Group Home	10,000 [929]	75 [22.9]	25 [7.6]	5 [1.5]	15 [4.6]	25 [7.6]	30 [9.1]

**Table 3-11 – Community District Bulk Standards**

Use Class / Type	Site		Yards				Form
	Minimum Site Area sq. ft. [sq. m.]	Minimum Site Width ft. [m.]	Minimum Front Yard ft. [m.]	Minimum Interior Side Yard ft. [m.]	Minimum Corner Side Yard ft. [m.]	Minimum Rear Yard ft. [m.]	Maximum Building Height ft. [m.]
Recycling Facility & Commercial Composting Facility	20,000 [1858]	100 [30.5]	25 [7.6]	15 [4.6]	15 [4.6]	25 [7.6]	30 [9.1]
College / Trade School, Primary / Secondary School, & Hospital	20,000 [1858]	100 [30.5]	25 [7.6]	15 [4.6]	15 [4.6]	25 [7.6]	45 [13.7]
Cemetery	-	-	25 [7.6]	5 [1.5]	15 [4.6]	25 [7.6]	30 [9.1]
All Other Uses	5,000 [464.5]	50 [15.2]	25 [7.6]	5 [1.5]	15 [4.6]	25 [7.6]	30 [9.1]
<b>Accessory Buildings / Structures</b>							
OR & I	-	-	3 [0.9]	3 [0.9]	15 [4.6]	3 [0.9]	24 [7.3]
<b>Notes</b>							
<sup>A</sup> Where the proposed development consists of a building or structure less than 100 square feet (9.3 square metres) in floor area, a smaller site may be approved, provided that the site is not adjacent to a required front yard of a residential site, and provided that a separation distance of 7 feet (2.1 metres) is maintained from all site lines.							



### 3.9 GENERAL DEVELOPMENT ZONING DISTRICT

#### 3.9.1 Intent

General Development (GD) – provides for a compatible and orderly mix of residential, commercial, industrial, and community uses in smaller settlement centres, such as Baldur and Dunrea, where land use patterns are not sufficiently developed to warrant distinct zoning districts.

#### 3.9.2 Land Use

- a) No new use or expansion of an existing use in the General Development zoning district may be established except in conformity with Table 3-12.

Table 3-12 – General Development District Uses		
Use Class and Type	General Development Zoning District	
	GD	Use Specific Standard
<b>Legend</b>		
P = Permitted		
C = Conditional		
- = Not Permitted		
<b>Agricultural</b>		
Agri-business	C	
Agricultural Product Processing	C	
Agricultural Product Storage	C	
Farm Produce Outlet	C	
<b>Residential</b>		
Dwelling, Mobile-Home	C	4.16
Dwelling, Multiple-Unit	P	
Dwelling, Single-Unit	P	
Dwelling, Two Unit	P	
<b>Group Living</b>		
Boarding House	P	
Group Home, Major	C	
Group Home, Minor	P	
Residential Care Facility	P	
<b>Residential-Related</b>		
Home-Based Business	C	4.10
Home-Based Childcare	P	
Home-Based Industry	C	4.11
Mixed Residential-Commercial Development	C	4.15
Mobile Home Park	C	4.17
Recreational Vehicle	C	4.20
Secondary Suite, Attached	C	4.21
Secondary Suite, Detached	C	4.21
Short-Term Rental	C	4.22
<b>Commercial</b>		
Auction Establishment, Indoor	C	

**Table 3-12 – General Development District Uses**

Use Class and Type	General Development Zoning District	
	GD	Use Specific Standard
Automotive / Equipment Repair Services	C	
Automotive / Recreational Vehicles Sales / Rentals	C	
Business Support Services	P	
Cannabis Retail Store	C	4.5
Car Wash	C	
Catering Service Establishment	P	
Drive-Through Facility	C	4.6
Equipment Sales / Rentals, Light	C	
Event Facility	C	
Food / Beverage Service Establishment	P	4.7
Fuel Sales / Service Station	C	4.8
Hotels / Motels	C	
Kennels / Pet Grooming Services	C	
Market, Indoor	C	
Parking, Non-Accessory	C	
Personal / Fitness / Wellness Services	P	
Professional, Financial, and Office Services	P	
Retail Store, Convenience	P	
Retail Store, General	C	
Self-Storage Facility	C	
Veterinary Clinic, Domestic	C	
<b>Industrial (Light)</b>		
Contractor Services	C	
Equipment Sales / Rentals / Services, Heavy	C	
Fleet Services	C	
Manufacturing Establishment, Light	C	
Micro-Brewery / Distillery / Winery	C	
Trucking Operation	C	
Warehouse Storage Facility	C	
<b>Industrial (Heavy)</b>		
Cannabis Processing	C	
<b>Cultural and Entertainment</b>		
Amusement / Entertainment Establishment, Outdoor	C	
Casino / Gaming Establishment	C	
Exhibition / Fair Grounds	C	
Library / Museum / Gallery	P	
Private Club	P	
Studio, Media	P	

**Table 3-12 – General Development District Uses**

Use Class and Type	General Development Zoning District	
	GD	Use Specific Standard
Studio, Performing Arts	P	
<b>Public and Institutional</b>		
Childcare Facility	C	
Community Centre / Hall	C	
Community Garden	P	
Emergency / Protective Services	P	
Funeral Services	C	
Government Services	C	
Health Services	P	
Hospital	P	
Public Parks and Playgrounds	P	
Recreation Facility, Indoor	P	
Recreation Facility, Outdoor	P	
Religious Institution	P	
Research Institution	C	
School, College / Trade	C	
School, Primary / Secondary	P	
Social Service Centre	P	

**3.9.3 Bulk Standards**

- a) No person shall erect a building or structure in any General Development zoning district unless the building or structure complies with Table 3-13, in addition to other applicable regulations of this By-Law, except where a variance has been issued.

**Table 3-13 – General Development District Bulk Standards**

Use Class / Type	Site		Yards				Form
	Minimum Site Area sq. ft. [sq. m.]	Minimum Site Width ft. [m.]	Minimum Front Yard ft. [m.]	Minimum Interior Side Yard ft. [m.]	Minimum Corner Side Yard ft. [m.]	Minimum Rear Yard ft. [m.]	Maximum Building Height ft. [m.]
<b>Permitted / Conditional Uses – GD</b>							
<b>Agricultural Uses</b>							
All Agricultural Uses	5,000 [464.5]	50 [15.2]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]
<b>Residential, Group Living, &amp; Residential-Related Uses</b>							
Mobile Home Park	-	200 [61.0]	25 [7.6]	25 [7.6]	25 [7.6]	25 [7.6]	30 [9.1]
Major Group Home, Multiple-Unit Dwelling, & Residential Care Facility	9,000 [836.1] <sup>B</sup>	75 [22.9]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]

**Table 3-13 – General Development District Bulk Standards**

Use Class / Type	Site		Yards				Form
	Minimum Site Area sq. ft. [sq. m.]	Minimum Site Width ft. [m.]	Minimum Front Yard ft. [m.]	Minimum Interior Side Yard ft. [m.]	Minimum Corner Side Yard ft. [m.]	Minimum Rear Yard ft. [m.]	Maximum Building Height ft. [m.]
Mixed Residential-Commercial Development	5,000 [464.5]	50 [15.2]	0 [0.0]	5 [1.5] <sup>c</sup>	15 [4.6]	25 [7.6]	30 [9.1]
All Other Residential, Group Living, & Residential-Related Uses	5,000 [464.5] <sup>a</sup>	50 [15.2] <sup>a</sup>	25 [7.6]	5 [1.5]	15 [4.6]	25 [7.6]	30 [9.1]
<b>Commercial, Public and Institutional, &amp; Culture and Entertainment Uses</b>							
Self-Storage Facility & Childcare Facility	5,000 [464.5]	50 [15.2]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]
Outdoor Recreation Facility	5,000 [464.5]	50 [15.2]	25 [7.6]	5 [1.5]	15 [4.6]	25 [7.6]	30 [9.1]
Automotive / Equipment Repair Services	10,000 [929]	75 [22.9]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]
Fuel Sales / Service Station	10,000 [929]	100 [30.5]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]
Hospital, College / Trade School, Primary / Secondary School	20,000 [1858]	100 [30.5]	25 [7.6]	15 [4.6]	15 [4.6]	25 [7.6]	45 [13.7]
Exhibition / Fair Ground	80,000 [7432.2]	200 [61.0]	50 [15.2]	20 [6.1]	20 [6.1]	25 [7.6]	30 [9.1]
All Other Commercial, Public and Institutional, & Cultural and Entertainment Uses <sup>d</sup>	5,000 [464.5]	50 [15.2]	0 [0]	5 [1.5] <sup>c</sup>	15 [4.6]	25 [7.6]	30 [9.1]
<b>Industrial Uses (Light &amp; Heavy)</b>							
Cannabis Processing	65,583 [6000]	200 [61.0]	50 [15.2]	25 [7.6]	25 [7.6]	25 [7.6]	30 [9.1]
All Other Industrial (Heavy & Light) Uses	10,000 [929]	75 [22.9]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]
<b>Accessory Buildings / Structures</b>							
GD	-	-	<sup>e</sup>	3 [0.9]	15 [4.6]	3 [0.9]	24 [7.3]
<b>Notes</b>							
<p><sup>a</sup> Where the site is not serviced by municipal water and sewer services, provincial requirements for access to an adequate supply of potable water shall apply and any private sewage disposal system shall be subject to approval under provincial regulations. The minimum site area and site width shall comply with provincial standards for unserviced residential lots.</p> <p><sup>b</sup> For “Multiple Unit Dwelling” and “Residential Care Facility”, the minimum required site area for the first three (3) dwelling units or care beds shall be 9000 square feet (836.1 square metres), and the minimum required site area shall increase by an additional 1001 square feet (93 square metres) for each additional dwelling unit above three (3) units or care beds.</p> <p><sup>c</sup> The minimum side yard may be reduced to 0.0 metres if not adjacent to a use in the Residential, Group Living, or Residential-Related uses.</p> <p><sup>d</sup> Where the proposed development is not a Commercial use, and consists of a building or structure less than 100 square feet (9.3 square metres) in floor area, a smaller site may be approved, provided that the site is not adjacent to a required front yard of a residential site, and provided that a separation distance of 7 feet (2.1 metres) is maintained from all site lines.</p> <p><sup>e</sup> The minimum required front yard for accessory buildings and structures shall be the same as the minimum required front yard for the principal building on the same site.</p>							

### 3.10 SHORELAND DEVELOPMENT ZONING DISTRICT

#### 3.10.1 Intent

Shoreland Development (SD) – provides for residential, cottage, outdoor recreation, and limited commercial development in locations surrounding lakes in an environmentally responsible manner, while also maintaining the natural character of the area.

#### 3.10.2 Land Use

- a) No new use or expansion of an existing use in the Shoreland Development zoning district may be established except in conformity with Table 3-14.

Table 3-14 – Shoreland Development District Uses		
Use Class and Type	Shoreland Development Zoning District	
	SD	Use Specific Standard
<b>Legend</b>		
P = Permitted		
C = Conditional		
- = Not Permitted		
<b>Agricultural</b>		
Residential Related Farm (max 9.9 AUs)	C	4.19
<b>Residential</b>		
Dwelling, Mobile-Home	C	4.16
Dwelling, Multiple-Unit	C	
Dwelling, Single-Unit	P	
Dwelling, Two Unit	C	
Live-Work Unit	P	4.13
Planned Unit Development	C	4.18
<b>Residential-Related</b>		
Bed and Breakfast	C	4.3
Home-Based Business	P	4.10
Home-Based Childcare	C	
Mobile Home Park	C	4.17
Recreational Vehicle	C	4.20
Secondary Suite, Attached	C	4.21
Secondary Suite, Detached	C	4.21
Short-Term Rental	C	4.22
<b>Commercial</b>		
Automotive / Recreational Vehicles Sales / Rentals	C	
Campground	C	4.4
Car Wash	C	
Catering Service Establishment	C	
Commercial Resort	C	
Drive-Through Facility	C	4.6
Event Facility	C	
Food / Beverage Service Establishment	C	4.7
Fuel Sales / Service Station	C	4.8

Table 3-14 – Shoreland Development District Uses		
Use Class and Type	Shoreland Development Zoning District	
	SD	Use Specific Standard
Hotels / Motels	C	
Market, Indoor	C	
Personal / Fitness / Wellness Services	C	
Retail Store, Convenience	C	
Retail Store, General	C	
Self-Storage Facility	C	
<b>Industrial (Light)</b>		
Micro-Brewery / Distillery / Winery	C	
<b>Cultural and Entertainment</b>		
Amusement / Entertainment Establishment, Indoor	C	
Amusement / Entertainment Establishment, Outdoor	C	
Casino / Gaming Establishment	C	
Exhibition / Fair Grounds	C	
Golf Courses, Private	C	
Library / Museum / Gallery	C	
Private Club	C	
Studio, Media	C	
Studio, Performing Arts	C	
<b>Public and Institutional</b>		
Childcare Facility	C	
Community Centre / Hall	P	
Community Garden	P	
Emergency / Protective Services	P	
Public Parks and Playgrounds	P	
Recreation Facility, Indoor	C	
Recreation Facility, Outdoor	C	

### 3.10.3 Bulk Standards

- a) No person shall erect a building or structure in any General Development zoning district unless the building or structure complies with Table 3-15, in addition to other applicable regulations of this By-Law, except where a variance has been issued.

**Table 3-15 – Shoreland Development District Bulk Standards**

Use Class / Type	Site		Yards				Form
	Minimum Site Area sq. ft. [sq. m.]	Minimum Site Width ft. [m.]	Minimum Front Yard ft. [m.]	Minimum Interior Side Yard ft. [m.]	Minimum Corner Side Yard ft. [m.]	Minimum Rear Yard ft. [m.]	Maximum Building Height ft. [m.]
<b>Permitted / Conditional Uses – SD</b>							
<b>Agricultural Uses</b>							
All Agricultural Uses	86,111 [8,000]	200 [61]	125 [38.1]	25 [7.6]	25 [7.6]	25 [7.6]	30 [9.1]
<b>Residential, Group Living, &amp; Residential-Related Uses</b>							
Multiple-Unit Dwelling <sup>A</sup>	18,000 [1,672.2]	75 [22.9]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]
Mobile Home Park	-	200 [61.0]	25 [7.6]	25 [7.6]	25 [7.6]	25 [7.6]	30 [9.1]
All Other Residential, Group Living, & Residential-Related Uses <sup>B</sup>	12,000 [1,114.8]	60 [18.3]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]
<b>Commercial, Industrial, Cultural and Entertainment, &amp; Public and Institutional Uses</b>							
Hotel / Motel	12,000 [1,114.8]	60 [18.3]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]
Fuel Sales / Service Station	10,000 [929]	100 [30.5]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]
Exhibition / Fair Grounds	80,000 [7432.2]	200 [61.0]	50 [15.2]	20 [6.1]	20 [6.1]	25 [7.6]	30 [9.1]
Private Golf Courses	20,000 [1,858]	100 [30.5]	25 [7.6]	10 [3.1]	15 [4.6]	25 [7.6]	30 [9.1]
Campground	40,000 [3716.1]	300 [91.4]	125 [38.1]	25 [7.6]	25 [7.6]	50 [15.2]	30 [9.1]
All Other Commercial, Industrial, Cultural and Entertainment, & Public and Institutional Uses	5000 [464.5]	50 [15.2]	25 [7.6]	5 [1.5] <sup>C</sup>	15 [4.6]	25 [7.6]	30 [9.1]
<b>Accessory Buildings / Structures</b>							
SD	-	-	<sup>D</sup>	3 [0.9]	15 [4.6]	3 [0.9]	24 [7.3]
<b>Notes</b>							
<sup>A</sup> The minimum required site area for the first three (3) dwelling units shall be 18,000 square feet (1672.5 square metres), and the minimum required site area shall increase by an additional 2153 square feet (200 square metres) for each additional dwelling unit above three (3) units.							
<sup>B</sup> In the case of two-unit dwellings, each may occupy a separate site, in which case the minimum site area requirement shall be 6000 square feet (557.4 square metres), the minimum site width requirement shall be 30 feet (9.1 metres) and the minimum side yard requirement along the party wall shall be zero (0) feet.							
<sup>C</sup> The minimum side yard may be reduced to 0.0 metres if none of the immediately adjacent uses are in the Residential, Group Living, or Residential-Related use classes.							
<sup>D</sup> The minimum required front yard for accessory buildings and structures shall be the same, as the minimum required front yard for the principal building on the same site.							

### 3.10.4 Additional Development Standards in the Shoreland Development Zoning District

- a) The minimum elevation for all building and structures in the SD zoning district is 1340 feet (408.4 meters) above sea level.



## **PART 4 USE SPECIFIC STANDARDS**

### **4.1 APPLICABILITY**

- a) In accordance with the Use Tables contained in PART 3 of this By-Law, regardless of whether a use is allowed as a permitted or conditional use, and regardless of the zoning district in which the use is located, the following standards for specific uses must be complied with, except as otherwise provided for in this By-Law or by an approved conditional use or variance order.

### **4.2 AGRI-TOURISM OPERATION**

Agri-Tourism shall be subject to the following regulations:

- a) Agri-Tourism shall only be permitted in conjunction with Agricultural Activities.
- b) Agri-Tourism shall comply with applicable provincial public health and environmental standards. The Board or the Designated Officer may refer an application for a proposed Agri-Tourism use to the appropriate provincial department or agency prior to issuing a Development Permit.
- c) In addition to the information listed in section 6.3, Development Permit applications for Agri-Tourism shall include
  - i. A description of the proposed use;
  - ii. A traffic study prepared by a qualified transportation engineer;
  - iii. Information demonstrating the suitability of the site for the proposed use;
  - iv. Hours and seasons of operation;
  - v. The anticipated number of visits per day;
  - vi. Parking provisions; and,
  - vii. The number of on-site employees.

### **4.3 BED AND BREAKFASTS**

Bed and Breakfasts shall be subject to the following regulations:

- a) Bed and Breakfasts shall only be permitted in conjunction with a principal Single-Unit Dwelling.
- b) The operator of the Bed and Breakfast must be a full-time resident of the principal Single-Unit Dwelling.
- c) No more than three bedrooms shall be used for the Bed and Breakfast operation.
- d) Bed and Breakfasts may be permitted one sign for business identification purposes in accordance with section 2.29.
- e) No cooking facilities shall be allowed in bedrooms used for the Bed and Breakfast.

- f) The Bed and Breakfast shall not generate undue traffic or congestion, adversely affect the convenience of the neighbourhood in which it is located, or create a nuisance.
- g) The Bed and Breakfast shall not change the residential character or general external appearance of the principal Single-Unit Dwelling.
- h) All facilities associated with the Bed and Breakfast shall comply with the Manitoba Building Code and any amendments thereto.
- i) An approval for a Bed and Breakfast is not transferable to a new property owner.

#### **4.4 CAMPGROUNDS**

Campgrounds shall be subject to the following regulations:

- a) Parking pads for recreational vehicles must be of adequate size, surfaced with gravel, asphalt, or similar materials suitable for longer term use with the recreational vehicle, and provide adequate space for the parking of private vehicle(s).
- b) The Campground must include an internal private roadway for access to the site from the public road system which is at least 30 feet (9.1 metres) in width, designed with surface water drainage, and contains a travel surface suitable for all-season use. Provincial subdivision regulations contain general requirements for all types of roads, including internal private roads, and the individual municipality may have adopted specific road construction standards.
- c) Individual sites shall be located in the Campground so as to adhere to the following minimum setbacks:
  - i. 20 feet (6.1 metres) from property boundaries
  - ii. 25 feet (7.6 metres) from any public road

#### **4.5 CANNABIS RETAIL STORES**

Cannabis Retail Stores shall be subject to the following regulations:

- a) Cannabis Retail Stores shall be licensed and operate in accordance with applicable federal and provincial legislation and regulations.
- b) Cannabis Retail Stores shall be located a minimum distance of 492 feet (150 metres) from all existing Public and Private Schools and Childcare Services, and a minimum distance of 984 feet (300 metres) from any existing Cannabis Retail Store.
- c) The owner / operator of a Cannabis Retail Store shall enter into a Development Agreement with the Planning District to address matters including, but not limited to the design and appearance, signage, and lighting of the business, and the business hours of operation.

#### **4.6 DRIVE-THROUGH FACILITIES**

Drive-Through Facilities shall be subject to the following regulations:

- a) Drive-Through Facilities shall be allowed when accessory to an established use in accordance with all requirements of this section and applicable yard requirements.
- b) Parking and / or loading spaces shall not be used as stacking spaces or included in demonstrating compliance with the minimum stacking space requirements of this section.
- c) No Drive-Through Facility may be located on a site abutting either a Residential zoning district or a Residential Use Class development in the GD zoning district.
- d) For Eating / Drinking Establishments featuring drive-through service, a minimum of four inbound stacking spaces and two out-bound stacking space shall be provided.
- e) For Car Wash establishments and drive-through Automotive / Equipment Repair Services, a minimum of six in-bound stacking spaces and four out-bound stacking spaces shall be provided for each service bay.
- f) For Financial Service establishments featuring a drive-through automated teller machine, a minimum of three in-bound stacking spaces and one out-bound stacking space shall be provided.
- g) Stacking spaces for all Drive-Through Facilities shall be provided as follows:
  - i. All stacking spaces shall be a minimum of 18 feet (5.5 metres) long and 10 feet (3.1 metres) wide.
  - ii. All stacking spaces shall be located so as not to block or interfere with pedestrian or vehicular circulation to and from required off-street parking spaces, driving aisles, or any adjacent street or lane through an approved access point.
  - iii. No portion of a stacking space shall be located in a front yard or side yard that abuts a street.
  - iv. Notwithstanding clause (iii) above, for Fuel Sales / Service Station establishments, stacking spaces shall be allowed in the corner side yard abutting the street.

#### **4.7 FOOD / BEVERAGE SERVICE ESTABLISHMENTS**

Food / Beverage Service Establishments shall be subject to the following regulations:

- a) Food / Beverage Service Establishments in the Community zoning districts shall only be permitted in association with a Cultural and Entertainment or Public and Institutional Use Class development.
- b) Accessory outdoor patios shall comply with the following:
  - i. The maximum area for an outdoor patio shall be up to fifty percent of the interior floor area of the Food / Beverage Service Establishments, or 800 square feet (74.3 square metres), whichever is greater.
  - ii. An outdoor patio shall not be located within 100 feet (30.5 metres) of a site line abutting either a Residential zoning district, or a Residential Use Class development in the GD zoning

district. Screening and / or noise attenuation provisions along the said abutting site line shall be subject to the discretion of the Designated Officer.

- iii. An outdoor patio shall be allowed to occupy off-street parking spaces associated with Food / Beverage Service Establishments as a temporary use, subject to compliance with the other provisions of this section, and provided: the affected parking spaces are not required for accessible parking; and the outdoor patio shall not to block or interfere with pedestrian traffic, or vehicular traffic to and from required off-street parking spaces, or the driving aisles providing access to those spaces, or any adjacent street or lane through an approved access point.

#### **4.8 FUEL SALES / SERVICE STATIONS**

Fuel Sales and Service Stations shall be subject to the following regulations:

- a) Fuel Sales and Service Stations shall only be permitted on sites with a minimum property depth of 100 feet (30.5 metres).
- b) All pump islands and underground storage tanks shall be located a minimum of 20 feet (6.1 metres) from any boundary of the site, parking area on the site, or laneways intended to control traffic circulation on the site, excluding canopies situated above pumping islands.
- c) Pump islands or fuelling stations are not permitted in a required parking area.
- d) Stacking spaces for all drive-up/through operations shall be provided as follows:
  - i. A minimum of five in-bound and three out-bound stacking spaces shall be provided for each Service Station vehicle service bay.
  - ii. All stacking spaces shall be a minimum of 18 feet (5.5 metres) long and 10 feet (3.1 metres) wide.
  - iii. All stacking spaces shall be located so as not to block or interfere with the flow of pedestrian traffic, or traffic to and from required off-street parking spaces, or the driving aisles providing access to those spaces, or any adjacent street or lane through an approved access point.

#### **4.9 HAZARDOUS MATERIALS STORAGE AND ANHYDROUS AMMONIA FACILITIES**

Hazardous Materials storage and Anhydrous Ammonia Facilities shall be subject to the following regulations:

- a) Hazardous Materials storage facilities, including bulk farm chemical supply warehouses, inland grain terminals, and bulk fuel or fertilizer storage facilities, and Anhydrous Ammonia Facilities shall be located a minimum of:
  - i. 5,280 feet (1.6 kilometres) from a Rural Settlement Centre or Urban Settlement Centre as designated in the District Development Plan;
  - ii. 2,640 feet (0.8 kilometres) from a Residential or Group Living Use Class development;

- iii. 330 feet (100.5 metres) from the edge of the right-of-way of a public roadway, water well, surface water body, or source water protected area; and
  - iv. 3960 feet (1.2 kilometres) from any parcels zoned as CH, CG, I, RR, RG, SD, or GD.
- b) No Hazardous Materials storage or Anhydrous Ammonia Facilities shall be established on sites subject to flooding or contain sensitive lands with high water tables or steep natural slopes.
  - c) All applications for proposed uses involving the storage of Hazardous Materials or hazardous waste, as defined under Manitoba Regulation 195/2015 and any amendments thereto, shall be circulated to the Board for review.

#### **4.10 HOME-BASED BUSINESSES**

Home-Based Businesses shall be subject to the following regulations:

- a) Home-Based Businesses shall only be permitted in conjunction with a principal dwelling unit.
- b) The person or persons who own and primarily operate the Home-Based Business must reside full-time in the principal dwelling unit.
- c) Except in the AG and AR zoning districts, any work or activities conducted on the premises in relation to the Home-Based Business shall be carried out entirely within the principal dwelling unit with no outdoor storage, display, or processing of goods.
- d) Home-Based Businesses shall not be permitted for tow-truck operations, the storage / use of any toxic materials, any industrial uses, or any uses which might produce noise, vibrations, smoke, dust, odour, litter, light, or heat beyond what is normally associated with a dwelling.
- e) Home-Based Businesses shall not change the external appearance of the dwelling unit to distinguish it as a business or substantially alter its character from surrounding dwelling units.
- f) Home-Based Businesses shall not generate undue traffic or congestion, adversely affect the convenience of the neighbourhood in which they are located, or create a nuisance.
- g) In addition to the information listed in section 6.3, applications for Home-Based Businesses shall include:
  - i. A description of the proposed business;
  - ii. Anticipated number of visits per day;
  - iii. Proposed seasons / hours of operation;
  - iv. Parking provision details; and,
  - v. Number of on-site employees.
- h) Applications for Home-Based Businesses shall not be approved if, in the opinion of the Designated Officer, the proposed business would be more appropriately located in a different zoning district, having regard for traffic generation and potential nuisances.

- i) Home-Based Businesses shall be permitted one sign for business identification in accordance with section 2.29.
- j) The maximum floor area of a Home-Based Business shall be 20% of the total floor area of the principal dwelling.
- k) The maximum number of on-site employees for a Home-Based Business shall be:
  - i. Five (5) persons in the AG and AR zones; and
  - ii. Two (2) persons in any other zone
- l) Home-Based Businesses shall be permitted to provide services, but the maximum number of on-site clients at one time shall be two, or five in the case of instructional services.
- m) The sale of retail goods from Home-Based Businesses shall only be permitted when such goods are produced on-site or directly associated with a service being provided on-site.
- n) All facilities used for the Home-Based Business shall comply with the Manitoba Building Code and any amendments thereto.
- o) A permit for a Home-Based Business is not transferable to a new property owner.

#### **4.11 HOME-BASED INDUSTRIES**

Home-Based Industries shall be subject to the following regulations:

- a) Home-Based Industries shall only be permitted in conjunction with a principal dwelling unit.
- b) The person or persons who own and primarily operate the Home-Based Industry must reside full-time in the principal dwelling unit.
- c) Home-Based Industries may be operated from the principal dwelling unit or an accessory building to the principal dwelling unit. When operated from the principal dwelling unit, the maximum floor area of a Home-Based Industry shall be twenty percent (20%) of the total floor area of the principal dwelling unit. When operated from an accessory building to the principal dwelling unit, the maximum floor area of a Home-Based Industry shall be 1,000 square feet (92.9 square metres).
- d) The sale of goods and services related to the Home-Based Industry is permitted.
- e) Home-Based Industries shall be permitted one sign for business identification purposes in accordance with section 2.29.
- f) Home-Based Industries shall not generate undue traffic or congestion, adversely affect the convenience of the neighbourhood in which they are located, or create a nuisance.
- g) Outside storage of goods and materials shall be limited to the rear yard and shall not project above the height of a fence or screening structure.
- h) In addition to the information listed in section 6.3, applications for Home-Based Industries shall include:

- i. A description of the proposed business;
  - ii. Anticipated number of visits per day;
  - iii. Proposed seasons / hours of operation;
  - iv. Parking provision details; and,
  - v. Number of on-site employees.
- i) Applications for Home-Based Industries shall not be approved if, in the opinion of the Designated Officer, the proposed business would be more appropriately located in a Commercial or Industrial zoning district, having regard for traffic and potential nuisances.
  - j) The maximum number of on-site employees for a Home-Based Industry shall be five.
  - k) All facilities used for the Home-Based Industry shall comply with the Manitoba Building Code and any amendments thereto.
  - l) A permit for a Home-Based Industry is not transferable to a new property owner.

#### 4.12 LIVESTOCK OPERATIONS

Livestock Operations shall be subject to the following regulations:

- a) The provisions of this By-Law are dependent upon the production capacity of a Livestock Operation, which is measured by AUs in accordance with Table 4-1:

Table 4-1 – Animal Unit Calculations		
Category of Livestock	Animal Units Produced by One Livestock	Factor to be Used to Determine Animal Units (Number of livestock to produce 1 Animal Unit)
<b>Dairy</b>		
Milking Cows (including associated livestock)	2	0.5
<b>Beef</b>		
Beef Cows (including associated livestock)	1.25	0.8
Backgrounder	0.5	2
Summer Pasture / Replacement Heifers	0.625	1.6
Feeder Cattle	0.769	1.3
<b>Hogs</b>		
Sows, farrow to finish	1.25	0.8
Sows, farrow to weaning	0.25	4
Sows, farrow to nursery	0.313	3.2
Weanlings	0.033	30
Growers / Finishers	0.143	7
Boars (artificial insemination operations)	0.2	5
<b>Chickens</b>		

**Table 4-1 – Animal Unit Calculations**

Category of Livestock	Animal Units Produced by One Livestock	Factor to be Used to Determine Animal Units (Number of Livestock to produce 1 Animal Unit)
Broilers	0.005	200
Roasters	0.01	100
Layers	0.0083	120
Pullets	0.0033	300
Broiler Breeder Pullets	0.0033	300
Broiler Breeder Hens	0.01	100
<b>Turkeys</b>		
Broilers	0.01	100
Heavy Toms	0.02	50
Heavy Hens	0.01	100
<b>Horses</b>		
Mares (including associated livestock)	1.333	0.75
Feedlot	1.00	1
<b>Sheep</b>		
Ewes (including associated livestock)	0.2	5
Feeder Lambs	0.063	16
<b>Goats</b>		
All	0.14	7.14
<b>Bison</b>		
Calves	0.25	4
Adults	1	1

\*For other types of animals not listed in Table 4-1, consult with Manitoba Agriculture

- b) In the case of operations with multiple species of livestock, the calculation of AUs shall be cumulative across all livestock species, as determined by the province.
- c) All Livestock Operations shall be established in accordance with the table below:

**Table 4-2 – Livestock Operations Overlay Zone Use Table**

Livestock Operations Overlay Zones (Map X)	Livestock Operation Sizes (Animal Units)		
	10-25 AUs	>25-300 AUs	>300 AUs
L1	P	P	C
L2	C	C	-
L3	C	-	-



L4	-	-	-
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- d) Notwithstanding the provisions in Table 4-2, lawfully existing livestock operations within the L2 and L3 Livestock Overlay Zones at the time of this By-law being adopted may continue to operate and expand, subject to conformity with provincial regulations, the in-force Development Plan, and other applicable requirements of this by-law.
- e) In accordance with the AU calculations established in Table 4-1, all Livestock Operations shall maintain the mutual separation distances outlined in Tables 4-3 and 4-4:

Table 4-3 – Livestock Mutual Separation Distance Calculations (Residences)		
Size of Livestock Operation in Animal Units	Separation Distance in Feet (Metres) from a Residence	
	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility or Non-Earthen Manure Storage Facility
10-100	656 (200)	328 (100)
101-200	984 (300)	492 (150)
201-300	1,312 (400)	656 (200)
301-400	1,476 (450)	738 (225)
401-800	1,640 (500)	820 (250)
801-1,600	1,968 (600)	984 (300)
1,601-3,200	2,297 (700)	1,148 (350)
3,201-6,400	2,625 (800)	1,312 (400)
6,401-12,800	2,953 (900)	1,476 (450)
>12,800	3,281 (1000)	1,640 (500)

Table 4-4 – Livestock Mutual Separation Distance Calculations (Designated Areas)						
Size of Livestock Operation in Animal Units	Separation Distance in Feet (Metres) from an <b>Urban Settlement Centre</b>		Separation Distance in Feet (Metres) from a <b>Rural Settlement Centre or Seasonal Recreation Area</b>		Separation Distance in Feet (Metres) from a <b>Rural Residential Cluster</b>	
	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility or Non-Earthen Manure Storage Facility	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility or Non-Earthen Manure Storage Facility	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility or Non-Earthen Manure Storage Facility
10-100	3,018 (920)	2,000 (610)	2,625 (800)	1,739 (530)	984 (300)	492 (150)
101-200	4,528 (1380)	3,018 (920)	3,937 (1200)	2,625 (800)	1,476 (450)	738 (225)
201-300	6,037 (1840)	4,037 (1231)	5,249 (1600)	3,511 (1070)	1,969 (600)	985 (300)
301-400	6,791 (2070)	4,528 (1380)	5,906 (1800)	3,937 (1200)	2,215 (675)	1107 (338)
401-800	7,546 (2300)	5,018 (1530)	6,561 (2000)	4,364 (1330)	2,461 (750)	1,230 (375)
801-1,600	9,055 (2760)	6,037 (1840)	7,874 (2400)	5,249 (1600)	2,953 (900)	1,476 (450)
1,601-3,200	10,564 (3220)	7,055 (2151)	9,186 (2800)	6,135 (1870)	3,445 (1050)	1,722 (525)
3,201-6,400	12,073 (3680)	8,036 (2450)	10,499 (3200)	6,988 (2130)	3,937 (1200)	1,969 (600)

6,401-12,800	13,583 (4140)	9,055 (2760)	11,811 (3600)	7,874 (2400)	4,429 (1350)	2,215 (675)
>12,800	15,092 (4600)	10,074 (3071)	13,123 (4000)	8,760 (2670)	4,921 (1500)	2,461 (750)

- f) The mutual separation distances prescribed by Table 4-3 for residences shall be maintained between new and expanding Livestock Operations and any new or expanding non-farm residential subdivisions and residential dwelling not associated with the applicable livestock operation.
- g) The mutual separation distances prescribed by Table 4-4 for designated areas shall be maintained between new and expanding Livestock Operations and the applicable district Development Plan designation.
- h) New and expanding livestock housing and manure storage facilities shall be setback a minimum distance of 328 feet (100 metres) from all major waterbodies and surface watercourses.
- i) Any Livestock Operation involving 300 or more AUs shall be subject to review by the provincial Technical Review Committee.
- j) When reviewing any conditional use application for a Livestock Operation, the Board shall take the following factors into consideration:
  - i. Compliance with all applicable provincial and federal regulations and guidelines.
  - ii. Compliance with all livestock policies contained in the District Development Plan.
  - iii. The type of operation.
  - iv. The location of the operation in relation to neighbouring land uses.
  - v. The size of the operation, including the maximum number of animals and the site area.
  - vi. The capacity of the water supply source and proposed consumption levels.
  - vii. The site conditions and nature of the land base.
  - viii. Any expressed concerns of local residents.
  - ix. The Technical Review Committee's report and recommendations.
  - x. The potential impacts to provincial highways and municipal road systems.
  - xi. Whether there is a need for a Development Agreement to be entered into between the proponent and the Planning District dealing with conditions such as: the timing of construction of any proposed buildings or structures; the control of traffic; and, the construction and maintenance of roads, fencing, landscaping, shelterbelts, manure storage facility covers, or site drainage works by or at the expense of the proponent.

#### 4.13 LIVE-WORK UNITS

Live-Work Units shall be subject to the following regulations:

- a) The residential portion of the Live-Work Unit shall be located above the ground floor.

- b) There shall be internal access between the residential and work portions of the unit, in addition to separate entrances from the exterior.
- c) A Home-Based Business or Home-Based Industry shall not be permitted in the residential portion of the Live-Work Unit.
- d) The allowable non-residential uses shall be limited to the permitted uses of the zoning district in which the Live-Work Unit is located.
- e) The minimum floor area of the residential portion of the Live-Work Unit shall be 600 square feet (55.7 square metres), or twenty-five percent of the floor area of the Live-Work Unit, whichever is greater.
- f) The maximum floor area of the non-residential portion of the Live-Work Unit shall be 800 square feet (74.3 square metres), or seventy-five percent of the floor area of the Live-Work Unit, whichever is lesser.
- g) A minimum of one parking stall shall be provided for the residential-related portion of the Live-Work Unit, in addition to the parking requirements for the business-related portion.
- h) The sale of goods and services related to the non-residential portion of the Live-Work Unit is permitted.
- i) Outside storage of goods and materials shall be limited to the rear yard and shall not project above the height of a fence or screening structure.
- j) The non-residential portion of the Live-Work Unit shall not be permitted if, in the opinion of the Designated Officer, such use would be more appropriately located in another zoning district, having regard for traffic generation and potential nuisances.
- k) A permit for a Live-Work Unit is not transferable to a new property owner.

#### **4.14 MINERAL EXPLORATION / EXTRACTION**

A development permit shall be required for any development of a commercial mining or extraction operation. Before a development permit is issued, an applicant must provide the Board with the following:

- a) in the case of Crown quarry minerals, proof of the issuance of a Provincial Lease or Casual Permit under Manitoba Quarrying Minerals Regulations.
- b) In the case of private mineral quarries, proof of registration with the Manitoba Mines Branch.
- c) a site plan showing the operation, the way extraction or development will occur, storage areas, and the means of visual buffering, goods and waste transportation, and noise and dust protection.
- d) a plan for the rehabilitation and intended use(s) of the site upon completion of the operation phase, subject to provincial regulation.

#### **4.15 MIXED COMMERCIAL-RESIDENTIAL DEVELOPMENTS**

Mixed Commercial-Residential Developments shall be subject to the following regulations:

- a) The allowable non-residential uses shall be limited to the permitted uses of the zoning district in which the Mixed Commercial-Residential Development is located.
- b) There shall be no internal access between the residential and commercial portions of the building, and each portion shall have separate entrances from the exterior.

#### **4.16 MOBILE HOME DWELLINGS**

Mobile Home Dwellings shall be subject to the following regulations:

- a) All Mobile Homes Dwellings shall meet structural standards as required by the Manitoba Building Code A277 rating and any amendments thereto. Any mobile homes installed in the Planning District must have been constructed no more than five years prior to the date of the building permit being issued.
- b) All additions, porches, garages, and accessory structures shall be of an equivalent or higher quality and appearance as the Mobile Home Dwelling and shall complement the exterior.
- c) Skirting that is of a manufactured or similar type to harmonize with the Mobile Home Dwelling must be provided around the base of the unit within sixty calendar days of the unit being placed on the site.
- d) Accessory buildings or structures may be attached to Mobile Home Dwellings, in which case they shall be considered as being part of the Mobile Home Dwelling and the yard requirements for the principal Mobile Home Dwelling shall apply.

#### **4.17 MOBILE HOME PARKS**

Mobile Home Parks shall be subject to the following regulations:

- a) The establishment of Mobile Home Park for mobile homes will need conditional use approval by the Board, while individual homes to be located within the Park will need approval by Development Permit which can be issued by the Development Officer. Approvals by the Board will require a detailed site plan which includes the location of the site boundaries, building pads, accessory buildings, internal roads, vehicle parking, retention of surface runoff, and systems supplying electrical power, water supply, and sewage disposal, as well as other information as maybe necessary to determine conformance with this By-law.
- b) Building pads for mobile homes must be of adequate size, surfaced with gravel, asphalt, or similar materials suitable for long-term use, and provide a minimum of two (2) off-street parking spaces per dwelling unit as well as the addition of decks and small storage buildings,
- c) The Mobile Home Park must include:
  - i. A setback adjacent to the perimeter of the mobile home park or subdivision property boundary that is a minimum of 25 feet (7.6 metres) in width, free and clear of all buildings and structures around the entire perimeter of the mobile home park or subdivision, excluding street and pedestrian accesses which may cross this buffer;
  - ii. An internal private roadway for access to the site from the public road system which is at least 30 feet (9.1 metres) in width, designed with surface water drainage, and contains a travel surface suitable for all season use. Provincial subdivision regulations contain general requirements for all types of roads, including internal private roads, and the individual municipality may have also adopted specific road construction standards; and

- iii. Individual or common electrical power supply which meets Manitoba Hydro standards, individual or common water supply and/or sewage disposal system which meets Manitoba regulations, and a minimum of 1,000 square feet (92.9 square metres) of common area for each ten mobile home spaces or fraction thereof, exclusive of buffers and walkways, as well as an on-site office and storage buildings for the property manager.
- d) The maximum density of a Mobile Home Park shall be six (6) mobile homes per acre (2.4 spaces per hectare).
- e) The minimum number of mobile homes in a Mobile Home Park shall be six.
- f) Mobile home units shall be located on the Mobile Home Park so as to adhere to the following minimum setbacks:
  - i. 20 feet (6.1 metres) between the main walls of adjacent units
  - ii. 25 feet (7.6 metres) from any internal or public road.
- g) These regulations do not apply to the Mobile Home Dwelling use when established outside of a Mobile Home Park (see section 4.17).

#### **4.18 PLANNED UNIT DEVELOPMENTS**

Planned Unit Developments shall be subject to the following regulations:

- a) Specific use regulations and dimensional standards of the zoning districts shall not directly apply to Planned Unit Developments. However, the uses and standards of a Planned Unit Development shall incorporate the minimum equivalent standards applicable in this By-Law.
- b) A development application for the establishment of a Planned Unit Development shall, in addition to providing all standard supporting materials and information outlined in section 6.3, be required to produce a detailed Concept Plan that addresses the following:
  - i. Community contributions through added amenity areas and / or public facilities;
  - ii. Impact on municipal infrastructure, including wastewater and transportation systems;
  - iii. Impact on provision of municipal services, such as snow storage and removal;
  - iv. Impact on surrounding neighbourhoods and the natural environment;
  - v. Proposed on-street parking and assurance of emergency vehicle access;
  - vi. Proposed alternative standards for the Planned Unit Development and the existing standards of the applicable zoning district which are to be superseded;
  - vii. Detailed plan for lot grading, drainage, and landscaping; and,
  - viii. Other information as requested by the Designated Officer or the Board to assist in the review of the proposed Planned Unit Development.
- c) The alternative standards for the Planned Unit Development shall be regulated through a Development Agreement and registered as caveats against the applicable land titles.

- d) The minimum site area required for Planned Unit Developments shall be 1 acre (0.4 ha.).

#### **4.19 RESIDENTIAL RELATED FARM**

Residential Related Farms shall be subject to the following regulations:

- a) Residential Related Farms shall only be permitted in conjunction with a Single-Unit Dwelling.
- b) The minimum site area required for a residential related farm shall be 5 acres (2.02 hectares).
- c) The calculation of Animal Units (AUs) shall be in accordance with Table 4-1, or as determined by the province, and cumulative across all livestock species.
- d) The production capacity of Residential Related Farms shall be limited to 1.33 AUs per 2 acres (0.8 hectares) of land to a maximum of 9.9 AUs.
- e) Any building or structure associated with a Residential Related Farm shall maintain a minimum setback distance of 50 feet (15.2 metres) from any site line.

#### **4.20 RECREATIONAL VEHICLES**

- a) Recreational Vehicles (RVs) may not be established as a permanent principal use in any zoning district.
- b) Recreational Vehicles may be approved as a temporary principal use by the Designated Officer in the AG, AR, RG, RR, GD, and SD zoning districts, subject to the following provisions:
  - i. A validation period of up to three (3) years may be approved for the temporary use of a Recreational Vehicle as a dwelling while a permanent building is being constructed on a privately owned lot. The temporary living accommodation requires approval by Development Permit.
  - ii. The temporary use of a Recreational Vehicle on titled lots may be further restricted to a shorter validation period which may be documented in a developer's caveat registered against the title; the lot owner will be responsible to check with the developer or review their property title to ensure conformance to any validation period set by someone other than by the Board in this By-law.
  - iii. The Recreational Vehicle must comply with any applicable setback requirements.
- c) The parking of a Recreational Vehicle on a private lot as an accessory use to an existing residential use will be allowed without a Development Permit or fee, provided the vehicle is to be used for vacation accommodation. Only one accessory Recreational Vehicle is permitted per site.
- d) Storage of a Recreational Vehicle on a private lot is permitted and does not require a Development Permit or fee.
- e) A temporary use involving the parking of Recreational Vehicles on rented spaces in work camps located on a suitable parcel of land, in support of a specific development project being undertaken in the area, may be approved provided that:

- i. Such a temporary use receives conditional use approval with a validation period of two (2) years or less in duration; the conditional use order will be supported by a Development Permit issued by the Development Officer and, where necessary, a Development Agreement signed by the Board and possibly the host municipal Council,
  - ii. Satisfactory arrangements have been made with the host municipality for public services including use of municipal roads, solid and liquid waste disposal, fire and police protection, as well as any needed health and education services,
  - iii. The site has access from the public road system for vehicular traffic and is protected from flooding by a surface water drainage system including culverts and swales,
  - iv. The site is adequately sized to accommodate internal roads, off-street parking, street lighting, common washroom and laundry facilities, garbage and recycling containers,
  - v. The temporary use, buildings, and structures will be removed on completion of the development project which initiated the establishment of the temporary use.
- f) Notwithstanding the provisions of this section, Recreational Vehicles may be established as principal use, not subject to any time constraints, on any lot designated under the Cartwright-Roblin Shoreland Development Zoning Overlay (Map X).

#### **4.21 SECONDARY SUITES**

All Secondary Suites shall be subject to the following regulations:

- a) Secondary Suites shall only be permitted in conjunction with a Single-Unit Dwelling.
- b) A maximum of one Secondary Suite shall be permitted per zoning site.
- c) Secondary Suites shall be required to provide one off-street parking space, in addition to the parking requirements for the principal dwelling unit.
- d) Secondary Suites shall comply with the Manitoba Building Code and any amendments thereto.

##### **4.21.1 Attached Secondary Suites**

Attached Secondary Suites shall be subject to the following additional regulations:

- a) Attached Secondary Suites shall have a maximum floor area of 860 square feet (80 square metres), or forty percent of the total habitable space of the principal dwelling, whichever is less.
- b) Attached Secondary Suites shall have a minimum floor area of 350 square feet (32.5 square metres).
- c) Attached Secondary Suites shall not be permitted in detached accessory buildings, including Detached Secondary Suites.
- d) The Attached Secondary Suite shall have a separate entrance from the principal dwelling, either from a common indoor landing or directly from the side or rear of the principal dwelling unit.



#### 4.21.2 Detached Secondary Suites

Detached Secondary Suites shall be subject to the following regulations:

- a) Detached Secondary Suites shall have a maximum floor area of 1,000 square feet (92.9 square metres), or forty percent of the total habitable space of the principal dwelling unit, whichever is less.
- b) A Detached Secondary Suites shall have a minimum floor area of 600 square feet (55.7 square metres).
- c) Detached Secondary Suites shall maintain a minimum separation distance of 10 feet (3.1 metres) from the principal dwelling unit.
- d) Detached Secondary Suites shall comply with all yard requirements for principal buildings within the applicable zoning district, except where the property on which it is located backs onto a public lane, public right-of-way, or a public park, in which case the minimum setback from the rear site line shall be 10 feet (3.1 metres).
- e) The maximum height of Detached Secondary Suite shall be:
  - i. 20 feet (6.1 metres) when located at grade; or,
  - ii. 24 feet (7.3 metres) when located above an existing accessory structure (e.g., garage).
- f) The Detached Secondary Suite shall be connected to the municipal water and wastewater systems, or in such cases where such systems cannot be accessed, to the services of the principal dwelling unit in compliance with the applicable provincial standards.
- g) Vehicular access to Detached Secondary Suites shall be provided via an existing driveway.
- h) The exterior of the Detached Secondary Suite shall incorporate building materials and textures that are similar to those found on the principal dwelling unit, as determined by the Designated Officer.

#### 4.22 SHORT-TERM RENTALS

Short-Term Rentals shall be subject to the following regulations:

- a) Short-Term Rentals shall only be permitted in conjunction with a principal Single-Unit Dwelling.
- b) No cooking facilities shall be allowed in bedrooms used for the Short-Term Rental.
- c) The Short-Term Rental shall not change the principal residential character or external appearance of the principal Single-Unit Dwelling.
- d) Short-Term Rentals shall require a Development Permit in accordance with section 6.3.
- e) An approval for a Short-Term Rental is not transferable to a new property owner.

#### 4.23 WAYSIDE PITS AND QUARRIES

Wayside Pits and Quarries shall be subject to the following regulations:

- a) Wayside Pits and Quarries shall be located a minimum of:
  - i. 5,280 feet (1.6 kilometres) from a Rural Settlement Centre or Urban Settlement Centre as designated in the District Development Plan;
  - ii. 2,640 feet (0.8 kilometres) from any individual Residential or Public and Institutional Use Class development located outside of the communities outlined in clause (i) above; and,
  - iii. 492 feet (150 metres) from the edge of the right-of-way of any public roadway.

#### **4.24 WIND ENERGY GENERATING SYSTEMS, COMMERCIAL**

Commercial Wind Energy Generating Systems shall be subject to the following regulations:

- a) For the purposes of this By-law, an application for a Commercial Wind Energy Generating System development involving more than one parcel of land with separate title may be processed and approved as a unit under one application and subject to one approval (i.e., conditional use order) provided the approval identifies each and every title affected by the proposed development.
- b) Proponents of a Commercial Wind Energy Generating System are responsible for obtaining any required Federal and/or Provincial permits or approvals from agencies such as, but not limited to Transport Canada, NAV Canada, Manitoba Hydro, Manitoba Transportation and Infrastructure, and Manitoba Environment and Climate Change, prior to the issuance of a conditional use order and any required development and building permits.
- c) Proponents of any Commercial Wind Energy Generating System shall submit a detailed site plan showing the location of any wind energy generation devices (i.e., wind turbines) associated buildings and structures, electrical lines (above ground or buried) private on-site roads and driveways for access to the public road system.
- d) For purposes of administration of this By-law, the total height of a wind turbine shall be the distance measured from the ground to the uppermost point of the extension of any rotor blade.
- e) Commercial Wind Energy Generating Systems shall be located a minimum of 2,641 feet (805 metres) from any parcels zoned as CG, I, RR, RG, SD, or GD.
- f) Buildings and accessory structures forming part of any Commercial Wind Energy Generating System shall comply with the common front yard setback of 125 feet (38.1 metres) which applies to most land uses in the AG and AR zones adjacent to a public road in the municipality; setbacks for turbines are listed below.
  - i. Commercial Wind Energy Generating Systems shall be set back a minimum distance of 1.5 times the total turbine height from the property line and any public road or right of way.
  - ii. Commercial Wind Energy Generating Systems shall be set back a minimum distance of 100 feet (30.5 metres) from a water body or waterway.
  - iii. The minimum separation distance between a Commercial Wind Energy Generating System turbine and the nearest habitable building shall be 1,640 feet (500 metres), with the exception of a residence on lands owned or leased as part of the System.

- iv. A minimum distance equal to the total height of the wind turbine must be maintained from a landowner's dwelling(s) located on the same parcel as the Commercial Wind Energy Generating System, including dwellings in direct support of either a permitted or conditionally approved agricultural use or residence (farm dwelling).
- v. The minimum separation distance between a Commercial Wind Energy Generating System tower and any non-dwelling principal structures (e.g., hog barn) on the same or adjacent properties building shall be 1319 (402 metres).
- g) No commercial advertising other than the name and/or logo of the manufacturer or owner shall be permitted on a Commercial Wind Energy Generating System tower.
- h) Commercial Wind Energy Generating System towers shall contain no artificial lighting other than the lighting that is required by federal and provincial regulation.
- i) An instrument tower (use for wind and/or meteorological research) may be allowed on selected sites, subject to approval by development permit, for a term set out in the development permit. The site for any such tower may be under lease or other legal instrument signed by the registered landowner or owned by the proponent.
- j) Agricultural land uses approved as permitted or conditional uses may, subject to all other provisions of this by-law, co-exist on the same parcels or sites with any Commercial Wind Energy Generating Systems.
- k) Sites for wind turbines may be located on lands owned by the proponent or on lands leased or secured by legal instrument from the registered landowner(s) provided that those sites have frontage on a public road or have access to a public road secured by a right-of-way agreement for access, which could be registered as a caveat against the affected titles where appropriate. The Board may require such an access agreement as a condition of their approval for any Commercial Wind Energy Generating System.
- l) Proponents must provide proof of compliance with federal and/or provincial regulations, approvals, permits, and licensing required for the establishment of a Commercial Wind Energy Generating System to the Board.

## **4.25 ACCESSORY USES**

### **4.25.1 Billboard Advertising Signs**

Billboard Advertising Signs shall be subject to the following regulations:

- a) Billboard Advertising Signs shall only be established as an accessory use to a permitted or conditional principal use in the AR, AG, and CH zoning districts.
- b) No Billboard Advertising Sign may be located or operated in such a manner as to materially impede the view of any street or highway intersection, or in such a manner as to interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.

- c) The maximum surface area per Billboard Advertising Sign shall be 200 square feet (18.6 square metres).
- d) If freestanding, the maximum height of a Billboard Advertising Sign shall be 25 feet (7.6 metres).
- e) No Billboard Advertising Sign may feature an electronic message board, video screen, or any other means of electronic copy.
- f) No Billboard Advertising Sign shall be located within 500 feet (152.4 metres) from another Billboard Advertising Sign on the same road and facing in the same direction of traffic.
- g) Notwithstanding other provisions of this by-law, Billboard Advertising Signs may not be established near provincial road or highway rights-of-way without an advertising sign permit issued by Manitoba Transportation and Infrastructure.

#### 4.25.2 On-Site Solar Collectors

On-Site Solar Collectors shall be subject to the following regulations:

- a) Any Solar Collector not attached to a building shall adhere to the same dimensional standards for accessory buildings and structures in the zoning district in which it is located.
- b) A roof or wall-mounted Solar Collector shall not exceed, in size, the total area of the principal structure to which it is attached.
- c) A Solar Collector that is mounted on a roof may project outwards a maximum of 6.5 feet (2 metres) from the roof surface and shall not extend beyond the outermost edge of the roof.
- d) A Solar Collector that is wall-mounted may project a maximum of 2 feet (0.6 metres) from the surface of that wall and shall be located a minimum of 8 feet (2.4 metres) above grade.
- e) The appropriate engineering approvals shall be obtained as required by the Designated Officer, in addition meeting all design and installation standards established by the applicable provincial authorities.

#### 4.25.3 On-Site Wind Energy Generating Systems

- a) On-Site Wind Energy Generating Systems will be considered as an accessory use to any permitted or conditional use and subject to approval by development permit.
- b) An On-Site Wind Energy Generating System shall be set back a minimum of 20 feet (6.1 metres) from the front building line or, in the case of corner sites, at least 15 feet (4.6 metres) from the front and side site lines.
- c) The total turbine height for a roof-mounted On-Site Wind Energy Generating System shall not exceed 15 feet (4.6 metres) above the rooftop.



## **PART 5 SPECIAL AREAS**

### **5.1 APPLICABILITY**

- a) The regulations contained in this PART shall apply to the specific geographic areas in the Planning District that, due to special site conditions or other unique attributes, require additional measures to ensure development is carried out in a safe and orderly manner.

### **5.2 AIRCRAFT FLIGHT VICINITY AREAS**

- a) All buildings and structures when located in proximity to licensed aircraft landing strips, whether on the same property or adjoining property, shall be governed by Transport Canada regulations.

### **5.3 FLOOD HAZARD AREAS**

- a) No permanent building or structure shall be permitted on lands within a flood hazard area, which includes all lands:
  - i. Which would be flooded by the 1:200-year flood, or flood of record, whichever is greater; and,
  - ii. Subject to periodic local flooding or a flood specified by the applicable provincial authority in areas of protected flood control works.
- b) Notwithstanding clause (a) above, in such cases where the Board determines it is not practical or desirable to restrict development within flood hazard areas, the applicant shall be required to satisfy the following conditions prior to being issued a Development Permit:
  - i. All permanent structures and accesses must be located on sites which have been flood proofed by either raising the building site with fill to the Flood Protection Level, which is an elevation at least 2 feet (0.6 metres) above the 200-year flood level as determined by the appropriate provincial authority, constructing a ring dike to the height of the Flood Protection Level around the building site using clean impervious material, or by other means as recommended by a certified engineer of Manitoba and approved by the Board.
  - ii. In areas where the Flood Protection Level has not been determined, all permanent structures and accesses shall be set back a minimum distance of 98 feet (30.0 metres) from the Ordinary High-Water Mark of the applicable waterway, unless information prepared by a certified engineer of Manitoba demonstrates that this setback may be reduced, subject to Board approval.
  - iii. Any permanent structure featuring a basement shall be required to use impervious fill to raise the site and shall be restricted from including habitable space within the basement; further, walk-out basements shall not be permitted along natural waterways.
  - iv. The elevation of the main floor of any permanent principal structure must be located at least 1 foot (0.3 metres) above the Flood Protection Level.

- v. Accessory structures or basements within the flood hazard area shall not be used for the storage of immovable or Hazardous Materials that are toxic, flammable, or explosive.
  - vi. Other conditions as deemed necessary to negate the effects of the hazard.
- c) Where development is proposed in an area which, in the opinion of the Designated Officer, may be subject to ponding due to snowmelt or heavy rainfall events, the owner may be required to provide additional measures, including the provision of sufficient fill around the building, to provide an additional measure of protection from flood damage. The fill elevation must be equal to the corresponding water surface elevation plus 2 feet (0.6 metres).
  - d) Further to clause (b) above, the Designated Officer may require the applicant to provide, at their own expense, information prepared by a certified engineer of Manitoba on flood levels, elevations, soil conditions, and/or other geotechnical data needed to assist their review.
  - e) The Board or the Designated Officer may, prior to the issuance of a Development Permit, consult with the appropriate provincial authority regarding the flood hazard area.

#### **5.4 HIGH WATER TABLE AREAS**

- a) It is the owner's responsibility to provide sufficient measures in the design of the building to adequately protect basements from groundwater infiltration.

#### **5.5 HYDRO TRANSMISSION UTILITIES**

- a) No dwelling shall be located within 50 feet (15.2 metres) from the edge of a right-of-way established for the transmission of high pressure hydro-electricity in excess of 100 kilovolts.
- b) For any development located within 656 feet (200 metres) of hydro-electric utilities, measured from the centre of the right-of-way, consultation with the appropriate utility company or operating authority must be initiated prior to the submission of a Development Permit application.

#### **5.6 PIPELINES**

- a) No permanent building, dwelling, mobile home or farm building or structure shall be located on within 1,801 feet (549 metres) of the edge of the right-of-way of any major gas pipeline regulated by a federal or provincial agency, unless specific approval has been granted by the authority having jurisdiction.
- b) Development near oil pipelines is subject to provincial setback requirements.
- c) Provincial or municipal water pipelines will be granted similar protection when the Board is approving new development adjacent to the rights-of-way for water pipelines in the rural areas; the Board will, on a case-by-case basis, seek the advice of provincial agencies to determine an appropriate setback for new development.
- d) To protect pipelines, the Board will apply applicable setback requirements to prevent any permanent buildings from being located inappropriately on or near any pipeline right-of-way and

may request additional information, including detailed location mapping, to be submitted with any application for subdivision or development approval.

## **5.7 PROVINCIAL ROADS AND HIGHWAYS**

- a) A permit from the applicable provincial authority shall be required to construct, modify, relocate, remove, or intensify the use of an access to a provincial trunk highway or road.
- b) A permit from the applicable provincial authority shall be required to construct, modify, relocate, or remove a structure or sign, or to change or intensify the use of an existing structure, including the alteration of existing buildings, within the controlled area adjacent to a provincial trunk highway or road.

## **5.8 PROvincially DESIGNATED AGGREGATE DEPOSITS**

- a) No building, dwelling, mobile home or farm building or structure shall be constructed or located within an area which has been designated as a high or medium quality aggregate area by the Province of Manitoba, unless the site has been further reviewed by the Mines Branch and a recommendation provided which would allow development to proceed. Where the proposed building is a dwelling or mobile home, a separation distance of 500 (152.3 metres) shall be provided between the building location and any active mining area or significant aggregate deposit.

## **5.9 RAILWAY OPERATIONS**

- a) Any railway office buildings, warehouse facilities, maintenance buildings, and storage areas shall be subject to the requirements of this By-law.
- b) Where the side or rear site line of a site coincides with the boundary of a railway right-of-way, the required yard shall be zero (0) metres for those non-residential structures which require railway service for loading or unloading.
- c) No dwelling unit shall be located within 100 feet (30 metres) of an active main railway line, or within 50 feet (15 metres) of an active branch or spur line, measured from the edge of the railway property line to the nearest wall of the dwelling unit.
- d) For any development proposed in proximity to an active railway line, the Board may require mitigative measures such as berms or fencing to be implemented in accordance with Federation of Canadian Municipality guidelines, as deemed necessary considering the nature of the development and site conditions.

## **5.10 RIPARIAN AREAS AND UNSUITABLE LANDS**

- a) No permanent building shall be constructed or placed on land that is subject to subsidence or erosion by water, or is marshy or unstable, or is otherwise unsuitable or hazardous by virtue of its soil or topography. These lands should be left in its natural state or only developed for low intensity uses such as cropping, grazing, forestry or open space recreational activities which are generally acceptable within hazard areas.



- b) Lands which may be eroded away within a 50-year period or become unstable due to the erosive forces of water in an adjacent waterway or waterbody, as identified by the applicable provincial authority, shall be excluded from development unless it is demonstrated by a professional licensed engineer in Manitoba that the erosion process has been halted.
- c) Where the natural slope of the land exceeds 15%, or where the Board deems it necessary, the Development Permit applicant shall be required to provide, at their own expense, a geotechnical report prepared by a professional licensed engineer in Manitoba. The report must attest to the suitability of the proposed development on the proposed site and recommend an alternative setback and/or proper measures that will be taken to mitigate any associated risks to the property and public safety, as well as contain engineered plans for the construction of building foundations, retaining walls, driveways, private lanes, and public roads as appropriate.
- d) No tree removal shall be permitted within a riparian buffer of 98 feet (30 metres), shown as Riparian Areas in Map 6.0, from the following natural waterways without first obtaining written permission from the Designated Officer: Swan Lake, Bone Lake, Pelican Lake, Rock Lake, Noble Lake, the Pembina River, and the Souris River.
- e) The Board may require that permanent buildings be setback from the water's edge and may require a portion or all of the setback be dedicated as a public reserve. The building setback will be determined on a case-by-case basis depending on the identification of the possibility for erosion, bank instability, or slumping to pose an added risk to property and/or public safety.
- f) The Board will, at its own discretion; determine the need for and width of any public reserve along watercourses in the District. In situations where the province will retain ownership and responsibility for the public reserve, the Board's decision will dutifully consider any advice received from the province. The location of any public reserve may be shown on a surveyor's plan or shown as Open Space Zone on the Zoning Map attached to this By-law.
- g) Applicants shall be required, as recommended by a geotechnical report, or review thereof, to take any required measures to halt the erosion process within a proposed development area, which must be verified by a certified engineer of Manitoba prior to the issuance of a Development Permit.

## **5.11 SOLID WASTE DISPOSAL SITES**

1. No habitable building, commercial building or mobile home shall be constructed or located within 1,319 feet (402.0 metres) of any active or abandoned solid waste disposal site, unless, in the case of an abandoned waste disposal site, it can be demonstrated by a geotechnical specialist that there will be no unacceptable risks presented by the migration of dangerous gases or by unfavourable subsoil conditions. Provincial regulations also apply to development near waste disposal grounds.

## **5.12 WASTEWATER TREATMENT FACILITIES**

- a) No dwelling unit shall be located within 1,500 feet (457.2 metres) from the boundary of any sewage lagoon approved for the treatment of liquid waste, pursuant to applicable provincial legislation and regulations.

## **PART 6 ADMINISTRATION**

### **6.1 RESPONSIBLE AUTHORITY**

- a) The authority responsible for administering, enforcing, amending and/or repealing this By-Law shall be the Planning District Board, in accordance with and subject to the provisions of *The Planning Act*.

### **6.2 CONTROL OF DEVELOPMENT**

- a) Unless otherwise stated in this By-Law, no development shall be undertaken in the Planning District unless a Development Permit has been issued.
- b) Where an application for a Development Permit is determined to contain incorrect information, no Development Permit shall be issued until the applicant corrects such information.
- c) Any Development Permit issued on the basis of incorrect information contained in the application shall be invalid.
- d) The issuing of a Development Permit shall not prevent the Designated Officer from thereafter requiring the correction of errors on application materials, nor from prohibiting the development from being carried out unless and until such errors are corrected.
- e) A Development Permit for an accessory use, building or structure shall not be issued unless and until a Development Permit for the principal use, building or structure has been issued.

### **6.3 DEVELOPMENT PERMITS**

#### **6.3.1 When a Development Permit is Required**

A Development Permit is required prior to the commencement of development of the following, except as otherwise provided for herein:

- a) The erection, construction, enlargement, structural alteration or placing of a principal, accessory, or temporary building or structure.
- b) The demolition, removal, and/or relocation of any building or structure.
- c) The establishment of a use of land or a building or structure.
- d) The change of a use of land and/or a principal or accessory building or structure.
- e) Any landscaping works associated with subsections (a) to (d).

#### **6.3.2 When a Development Permit is Not Required**

A Development Permit is not required for the following, provided that all other provisions of this By-law and other applicable By-laws of the Planning District and member Municipalities are complied with, and that any required approvals, permits, or licenses from other government agencies are obtained:

- a) Incidental alterations, including the regular maintenance or repair of any development.
- b) Agricultural cropping of land, including the use of vacant farmland, buildings and structures for agricultural cropping, or a change from one permitted agricultural cropping activity to another.
- c) Private driveways and private sidewalks which are accessory to a development.
- d) The erection, construction, enlargement, alteration or placement of the following structures:
  - i. Fences not exceeding the maximum height permitted in the applicable zoning district
  - ii. Signs exempted by this By-Law under subsection 2.29.7;
  - iii. Outdoor lighting, provided it is not considered a hazard by the Designated Officer;
  - iv. Accessory buildings or structures not exceeding 200 square feet (18.6 square metres) in area and 15 feet (4.6 metres) in height, excluding private hot tubs, Private Swimming Pools, On-Site Solar Collectors, On-Site Wind Energy Generating Systems.
  - v. Private communications facilities attached to the roof of a principal building, provided the weight (including all support apparatus) does not exceed 75 pounds (34.02 kilograms);
  - vi. Private water supply wells and sewage disposal systems as licensed by the province;
  - vii. Unenclosed patios at grade level below 2 feet (0.6 metres) in height; and
  - viii. Flagpoles.
- e) Notwithstanding clause (d) above, fences not exceeding the maximum permitted height, but located closer than 1 foot from site/property lines, in the RG, SD, and GD zoning districts will require a development permit. Development Permit applications for such fences must be supported with reasonable information as to the exact location of the property line, such as accurate measurements from a nearby survey pin. Development Permit applications for fences in the RG, SD, and GD zoning districts located on established site lines may require a surveyor's plan and an agreement between affected property owners addressing issues such as cost sharing for construction and maintenance, possibly registered as a caveat against the affected titles;
- f) Landscaping where the existing grade and surface drainage patterns are not materially altered.
- g) Activities carried out by the Planning District or member Municipalities for the maintenance or improvement of any public works, including the inspection, repair, or renewal thereof.
- h) Temporary buildings, structures, or uses associated with festivals, farmers' markets, or similar types of community events at the discretion of the Designated Officer.
- i) Activities carried out by the provider of a public utility for the purpose of inspecting, repairing, or renewing any main, pipe, cable, power links, poles or other conduit.

### 6.3.3 Development Permit Application Requirements

In addition to a fully and accurately completed application form, the following information shall be submitted by the property owner(s) or a person authorized in writing on behalf of the property owner(s) as part of a Development Permit application:

- a) Description of the scale of the development that includes the following in accordance with the scope and nature of the work being proposed:
  - i. Total area of the subject development site;
  - ii. Gross floor area of the development;
  - iii. Height and number of storeys; and,
  - iv. Number of dwelling units (if any).
- b) Site Plan that includes the following in accordance with the scope and nature of the work being proposed:
  - i. Drawing(s) drawn to a minimum 1:100 scale;
  - ii. Legal description and civic address of the property;
  - iii. Directional north arrow and scale bar;
  - iv. Site boundaries and dimensions;
  - v. Location and dimensions of any easements on the site;
  - vi. Dimensions of all existing and/or proposed buildings and structures and location in relation to site lines;
  - vii. The use or uses of all existing and proposed buildings and structures and/or the site;
  - viii. Identification of existing streets, lanes, or public right-of-way providing access to and egress from the site;
  - ix. Location and dimensions of proposed driveways, parking areas, loading areas, vehicle entrances and exits, and streets;
  - x. Location of storage areas, including garbage and recycling holding areas;
  - xi. Number of parking and loading spaces required by this By-Law and provided;
  - xii. Setbacks, yard dimensions and/or separation distances required by this By-Law;
  - xiii. Location of sidewalks, walkways, fences, screening, retaining walls, trees, and other physical features, both existing and proposed, as required by the Designated Officer;
  - xiv. For livestock operations that produce 3 AUs or greater, in addition to the standard development submission regulations outlined herein, a detailed description of the proposed development shall be provided, including the type of livestock and calculation of AUs, and a site plan showing the location of housing, storage and other facilities relative to the boundaries of the site or parcel of land;

- xv. Utility connections, well location(s), and/or on-site sewage disposal systems; and,
  - xvi. Signage information, including location and dimensions, the clearance from grade, the projections beyond the building wall, an illustration of the proposed copy, the sign materials, the method of illumination (if any), and the method to be used to structurally support or anchor the sign.
- c) Drainage Plan in accordance with section 2.15.
  - d) Elevations and floor plans drawn to scale of proposed buildings, if applicable.
  - e) Status of Title issued within one year of submitting the application.
  - f) Building location certificate prepared by a Manitoba Land Surveyor, if applicable.
  - g) Payment of all applicable fees prescribed by the Planning District.
  - h) Any additional information as required by the Board or the Designated Officer to ensure compliance with this By-Law or any other applicable By-Law, policy or regulation.

#### 6.3.4 Conditions Attached to a Development Permit

- a) Applicants may be required to make satisfactory arrangements for the supply of electricity and/or natural gas, for pedestrian and vehicular access, and for lot grading in accordance with applicable Municipal By-Laws and standards.
- b) The Board may impose, with respect to a conditional use order or variance order, such conditions as deemed appropriate to ensure compliance with the provisions of this By-Law, other municipal, provincial, and federal regulations, as well as any matters raised at the associated public hearing.
- c) Pursuant to a conditional use order, variance order, or Zoning By-Law Amendment, the Board may require the applicant to enter into a Development Agreement, which shall be attached to and form part of the Development Permit, to carry out any of the following:
  - i. To construct, or pay for the construction of or improvement to, a public roadway required to provide access to the applicable development;
  - ii. To specify the number and location of vehicular access points to sites from public roadways, as well as when the access points are to be constructed in relation to other development activities occurring on the site;
  - iii. To install, or pay for the installation of, utilities that are necessary to serve the development, or pay the recovery costs of services which have already been installed;
  - iv. To repair, improve or reinstate, or pay for the repair, improvement or reinstatement of any street furniture (e.g. benches, waste receptacles), curbing, sidewalks, boulevard landscaping, and/or trees which may be damaged or destroyed by the development or building operations occurring on the site, as determined by the Designated Officer; and,
  - v. To construct, or pay for the construction of or improvement to, land drainage works which are necessary to serve the development.

- d) The Board or the Designated Officer may require an agreement entered into pursuant to clause (c) above to be registered as a caveat on the land title at the Land Titles Office.

### 6.3.5 Landscaping Requirements

- a) The Designated Officer may require the completion of certain landscaping works, such as the planting of trees or shrubs, the provision of outdoor furniture, and the construction of fencing or berms, as a condition for the approval of a Development Permit application.
- b) At the discretion of the Designated Officer, a landscape plan may be required as a component of a Development Permit application for any non-agricultural development. The landscape plan shall contain the following information for the development site and adjacent boulevards:
  - i. All physical features, existing and proposed, including vegetation, water elements, berm contours, walls, fences, outdoor furniture and fixtures, surface utilities, and paving; and,
  - ii. All shrubs and trees, whether existing or proposed, labelled by their common name, botanical name, and size.
- c) The applicant shall be responsible for landscape installation and maintenance. The Designated Officer may require, as a condition of approval or as established in a Development Agreement, that the applicant provide an irrevocable letter of credit for the full amount of the estimated landscaping cost. The letter of credit may be redeemed by the Planning District if the landscaping is not completed – in accordance with this By-Law and the approved landscaping plan – within one growing season following the completion of the development project.

### 6.3.6 Other Permits Required

- a) The issuance of a Development Permit in respect to a building or structure does not affect a person's obligation to obtain a Building Permit, Occupancy Permit or any other permit required for the proposed work under any other By-Law, law, or regulation.

## 6.4 CONDITIONAL USES

- a) A property owner or person authorized in writing by the property owner may submit an application for a use listed as a conditional use in PART 3 of this By-Law.
- b) Any change in a conditional use, including an enlargement, expansion, or extension, shall be subject to the provisions of this section.
- c) An application for a conditional use shall be processed and approved or rejected in accordance with the provisions of *The Planning Act*.

### 6.4.1 Conditional Use Application Requirements

- a) An application for a conditional use shall be submitted in proper form to the Designated Officer, which must be accompanied by payment of the applicable fee prescribed by the Planning District, as well as the following:
  - i. Plans drawn to scale showing the relevant information specified in subsection 6.3.3(b);

- ii. Description of the use or uses of each existing and proposed building or structure;
- iii. Location of adjacent buildings and structures, including their height / number of storeys;
- iv. Description of why the conditional use is being requested;
- v. Description of how the conditional use complies with the other provisions of this By-Law and the policies and objectives of the District Development Plan and any applicable Secondary Plan in-effect; and,
- vi. Any additional information as required by the Board or the Designated Officer to ensure compliance with this By-Law or any other applicable By-Law, policy, or regulation.

#### 6.4.2 Public Hearing

- a) Where an application for a conditional use has been submitted, a public hearing shall be held by the Board, to receive representations from any person with respect to the proposal, and notice of the hearing shall be given as required under the Planning Act.

#### 6.4.3 Conditional Use Review Criteria

- a) Reviews of conditional use applications shall consider, but not be limited to, the following:
  - i. Compatibility with the surrounding area, including land uses, development scale, traffic and access impacts, municipal infrastructure, environmental conditions and public or private utilities;
  - ii. Consistency with the objectives and policies of the District Development Plan and applicable Secondary Plans;
  - iii. The potential effects on the environment and public health and the proposed mitigation measures in response thereto;
  - iv. Any documented concerns of community members raised at the public hearing; and,
  - v. The standards for conditional uses outlined in PART 3 of this By-Law.
- b) On receipt of an application for the approval of a conditional use in proper form, the Board may, prior to the hearing date prescribed under *The Planning Act*, refer the application to Manitoba Municipal Relations or any other department or authority for its review and comment.

#### 6.4.4 Conditions Attached to Conditional Use Approval

- a) The Board may, in accordance with *The Planning Act*, establish conditions of approval appropriate to the circumstances of the proposed development to ensure compliance with the requirements of subsection 6.4.3(a). The Board may subsequently revoke approval of a conditional use as a consequence of failing to comply with any of the specified conditions.



#### 6.4.5 Expiry of Conditional Use Approval

- a) The approval of the Board for a conditional use shall expire and cease to have any effect if it is not acted upon within twelve months of the date of the decision, unless it is renewed at the discretion of the Board for one additional period not exceeding twelve months.
- b) The approval of the Board for a conditional use shall expire if the use begins within the required time frame but later ceases operations for a period of twelve consecutive months or longer, unless otherwise specified in the conditional use order.

### 6.5 VARIANCE ORDERS

- a) A property owner or person authorized in writing by the property owner may apply for an order to vary specific provisions of this By-Law insofar as they apply to the affected property.
- b) An application for a variance order shall be processed and approved or rejected in accordance with the provisions of *The Planning Act*.

#### 6.5.1 Variance Order Application Requirements

- a) An application for a variance order shall be submitted in proper form to the Designated Officer, which must be accompanied by payment of the applicable fee prescribed by the Planning District, as well as the applicable information specified in subsection 6.4.1(a).

#### 6.5.2 Public Hearing

- a) Where an application for a variance order has been submitted, a public hearing shall be held by the Board, to receive representations from any person with respect to the proposal, and notice of the hearing shall be given as required under the Planning Act.
- b) A public hearing is not required when the Designated Officer issues a minor variance order consistent with subsection 6.9(j)

#### 6.5.3 Variance Order Review Criteria

- a) Reviews of variance order applications shall consider, but not be limited to, the following:
  - i. Compatibility with the surrounding area, including land uses, development scale, traffic impacts, Municipal infrastructure, environmental conditions and public or private utilities;
  - ii. Consistency with the objectives and policies of the District Development Plan and applicable Secondary Plans;
  - iii. The potential effects on the environment and public health and the proposed mitigation measures in response thereto;
  - iv. Any documented concerns of community members raised at the public hearing; and,
  - v. The proposed variance is the minimum modification required to relieve the adverse effect on the applicant's property.

- b) On receipt of an application for a variation or approval of a conditional use in proper form, the Board may, prior to the hearing date prescribed under The Planning Act, refer the application to Manitoba Municipal Relations or any other department or authority for its review and comment.

#### 6.5.4 Conditions Attached to a Variance Order

- a) The Board may, in accordance with *The Planning Act*, establish conditions of approval in making a variance order to ensure compliance with the requirements of subsection 6.5.3(a).
- b) In the case of a minor variance order, consistent with clause (j) of section 6.9, the Designated Officer may establish conditions of approval to ensure compliance with the requirements of subsection 6.5.3(a).

#### 6.5.5 Expiry of a Variance Order

- a) The approval of the Board for a variance order shall expire and cease to have any effect if it is not acted upon within twelve months of the date of the decision, unless it is renewed at the discretion of the Board for one additional period not exceeding twelve months.

### 6.6 ZONING AMENDMENTS

- a) Subject to the procedural requirements outlined in *The Planning Act*, an amendment to this By-Law may be initiated by a resolution of The Board, or by application of one or more owners of the affected property, or a person authorized in writing by the property owner(s).

#### 6.6.1 Zoning Amendment Application Requirements

- a) Any person applying to amend this By-Law shall apply in writing to the Designated Officer, demonstrating reasons in support of the application and requesting it be submitted to the Board, which must be accompanied by payment of the applicable fee prescribed by the Planning District, as well as the applicable information specified in subsection 6.4.1(a).

#### 6.6.2 Review of Zoning Amendment Applications

- a) Upon receipt of an application for a zoning amendment, the Designated Officer shall forward the application to the Board for review, which has no obligation to give the application first reading if:
  - i. It is found to be without merit;
  - ii. It is inconsistent with the District Development Plan or applicable Secondary Plans; and/or,
  - iii. It is substantially similar to a previous application that was rejected within the last year.
- b) The Board may also consult with land-use planner or branches of the provincial government which can supply advice about the proposed changes to the Zoning By-law upon receipt of an application for a zoning by-law amendment.
- c) If the Board deems it appropriate to give the proposed amendment first reading, it shall be reviewed and approved or rejected in accordance with the provisions of *The Planning Act*.

### 6.6.3 Conditions Attached to a Zoning Amendment

- a) The Board may, in accordance with the provisions of *The Planning Act*, require the owner of the affected property to enter into a Development Agreement as a condition of approval.

## 6.7 SUBDIVISIONS

- a) All subdivisions of a parcel of land, including splitting a parcel of land into two or more sites, rearranging property boundaries, or consolidating multiple parcels of land, shall conform to the regulations of the zoning district in which it is located, unless a variance order has been issued in accordance with section 6.5 herein.
- b) All subdivisions shall comply with the objectives and policies of the District Development Plan and applicable Secondary Plans.
- c) Applicants may, as a condition of approval for a subdivision, be required to enter into a Development Agreement with the Planning District in accordance with *The Planning Act*.

## 6.8 RESPONSIBILITIES OF THE BOARD

Pursuant to the provisions of *The Planning Act*, the Board shall be responsible for:

- a) The enactment of this By-Law.
- b) Approving or rejecting applications to amend or repeal this By-Law.
- c) Approving or rejecting conditional use order applications and considering revoking authorized conditional use orders for violation of any conditions imposed by it.
- d) Approving or rejecting variation order applications.
- e) Holding public hearings related to proposed conditional uses, variance orders, zoning amendments, or subdivisions.
- f) Appointing a Designated Officer.
- g) Establishing a fee schedule for development permits, zoning by-law amendments, conditional use orders, variance orders, non-conforming use certificates, and zoning memoranda.

## 6.9 RESPONSIBILITIES OF DESIGNATED OFFICER

The Designated Officer shall have the authority to:

- a) Assist and advise members of the public with respect to the requirements of this By-Law.
- b) Receive, review, and process completed applications for Development Permits, conditional uses, variance orders, and Zoning By-Law Amendments.
- c) Review each Development Permit application to determine whether it conforms to the District Development Plan and applicable Secondary Plans, the applicable regulations of this By-Law, and any other Municipal By-Laws, as well as the conditions of any caveat, covenant, site plan,

Development Agreement, variance or conditional use order, easement or any other instrument affecting a building or land.

- d) Refer a Development Permit application to any federal, provincial, or municipal department or any other agency deemed appropriate to obtain comments on the application.
- e) Issue Development Permits in accordance with this By-Law.
- f) Collect all fees in connection with the administration of this By-law at the time an application is made for a zoning amendment, conditional use order, variance order, non-conforming use certificate, and/or zoning memorandum.
- g) Defer the issuance of a Development Permit until all fees prescribed by the Planning District are paid.
- h) Refuse to issue a Development Permit where:
  - i. The Development Permit application, or any information accompanying the Development Permit application, is incorrect or incomplete.
  - ii. The proposed building, structure or use does not comply with this Zoning By-Law or any other applicable Municipal By-Law, policy or regulation.
- i) Revoke a Development Permit where the Development Permit was issued in error.
- j) Make a minor variance order, without the need for a public hearing, for any proposed modification that varies:
  - i. Any height, distance, area, size or intensity of use requirement in this By-Law by no more than fifteen percent; and,
  - ii. The number of parking spaces required by this By-Law by no more than fifteen percent.
- k) Issue zoning memoranda or such other documents necessary for administering this By-Law.
- l) Determine which of the required yards are front, side, or rear yards for the purposes of issuing Development Permits for unconventional or landlocked parcels.
- m) Perform other such duties as prescribed elsewhere in this By-Law or as required by the Board.
- n) Enter any buildings, structures, or premises at all reasonable hours, after giving sufficient notice to the owner or occupier of the building, structure, or premise to be entered, in order to exercise the powers of administration, inspection, remedy and enforcement provided in *The Planning Act*.
- o) Notwithstanding clause (l) above, in an emergency or in extraordinary circumstances, the Designated Officer need not give reasonable notice or enter at a reasonable time in order to undertake inspection, remedy or enforcement activities referred to in this By-Law.

## **6.10 DUTIES OF THE OWNER**

- a) Every owner shall:

- i. Permit the Designated Officer to enter any building, structure, or premises for the purpose of administering or enforcing this By-Law at all reasonable times and must not obstruct or interfere with the Designated Officer in the discharge of their duties under this By-Law;
  - ii. Provide such documentation as may be required by the Designated Officer and obtain their approval before development continues to be carried out if, after the development application has been approved and the Development Permit has been issued, changes are to be made to the approved documents filed;
  - iii. Ensure the installation and ongoing maintenance of buildings, structures, signs, landscaping, and other matters established in this By-Law, in addition to any conditions imposed by Development Permits, conditional use or variance orders, Development Agreements, or other such instruments intended to ensure compliance; and,
  - iv. Obtain permits and licenses from the appropriate authorities relating to the buildings, grades, sewers and water supply systems, plumbing, blasting, signs, streets, occupancy, electrical, highways, and any other permits required in connection with the proposed work.
- b) Neither the granting of a Development Permit nor the approval of drawings and specifications or inspections made by the Designated Officer shall in any way relieve the owner of the responsibility of complying with the regulations of this By-Law or any other applicable Municipal By-Law, policy or regulation.

## **6.11 NON-CONFORMITIES**

- a) A lawfully existing non-conforming use, building, structure, or parcel of land shall be regulated in accordance with the provisions of *The Planning Act*, unless otherwise provided for herein.

### **6.11.1 Continuance of Lawfully Existing Non-Conformities**

- a) Any building, structure, parcel of land, and use thereof that lawfully existed on the effective date of this By-Law shall be deemed to be in compliance with the dimensional standards and use requirements of the zoning district in which it is located and may continue to exist as such.

### **6.11.2 Non-Conforming Uses**

- a) A legal non-conforming use of a building, structure, or parcel of land may be continued, but if that use is discontinued for a period of twelve consecutive months or more, any future use of the parcel of land, building, or structure shall conform to the provisions of this By-Law.
- b) The use of an existing non-conforming building, structure, or parcel of land shall only be changed to a use that is permitted under this By-Law for the applicable zoning district.
- c) The use of a building, structure, or parcel of land shall not be affected by change of ownership, tenancy, or occupancy of the building, structure, or parcel of land, so long as the non-conformity is not intensified.

- d) A non-conforming use occupying a portion of a site shall not be extended or transferred in whole or in part to any other portion of the site and no additional buildings shall be erected upon the site while the non-conforming use continues.

### 6.11.3 Non-Conforming Parcels

- a) A site area, site width, or yard reduced below the minimum requirements of this By-Law by virtue of a public works, street, or public utility shall be deemed to be in conformance with this By-Law.
- b) An existing undersized site may be increased in area and/or frontage, so as to decrease its non-conformity, while still remaining undersized with respect to the provisions of this By-Law.
- c) A non-conforming parcel of land may be occupied by a building, structure, or use provided that:
  - i. The use is listed as a permitted or conditional use in the applicable zoning district;
  - ii. All dimensional standards comply with the applicable zoning district; and/or,
  - iii. Variance orders are obtained as needed to modify the requirements of this By-Law.

### 6.11.4 Non-Conforming Buildings and Structures

- a) Repairs and/or incidental alterations may be made to non-conforming buildings and structures subject to approval and issuance of a Development Permit, where required.
- b) A non-conforming building shall not be expanded, enlarged, or structurally altered, except in the following circumstances:
  - i. Where the expansion, enlargement, or alteration is necessary to make it conform to the dimensional standards of the zoning district in which it is located; or,
  - ii. The expansion, enlargement or alteration is necessary to bring the building into compliance with Manitoba Building Code standards, as determined by the Designated Officer.
- c) Where a building or structure that does not conform to the provisions of this By-Law or amendments thereto is destroyed or damaged to an extent that is fifty percent or more of the assessed value of the building or structure above its foundation, the building or structure shall only be repaired or rebuilt in conformity with the provisions of this By-Law.

### 6.11.5 Non-Conforming Signs

- a) Any lawfully existing sign that does not conform to one or more of the applicable regulations of this By-Law, either on the effective date of this By-Law or any amendments thereto, shall be deemed to be a permitted sign and shall be used as if it conformed to such regulations.
- b) A change in the subject matter represented on a sign shall not constitute a change in use.
- c) A non-conforming sign may be structurally altered or reconstructed in the same location and position provided that such structural alteration or reconstruction does not result in:
  - i. The creation of a new non-conformity or an increase in the existing non-conformity;

- ii. An increase in the sign surface area; or,
- iii. An increase in the degree of illumination.

#### 6.11.6 Variance Orders for Non-Conformities

- a) Notwithstanding the provisions of this section, a non-conformity may be altered by way of variation order issued by the Board, as per *The Planning Act*.
- b) A variance order shall not be required in such cases where a lawfully existing non-conforming use, building, structure, sign, or parcel of land is being altered without causing the non-conformity to increase, even though the resulting alteration does not fully comply with the requirements of this By-Law.

#### 6.11.7 Development Permits for Non-Conformities

- a) In such cases where a Development Permit has been issued on or before the day on which this By-Law comes into force, and the enactment of the By-Law would render the development for which the permit was issued a non-conforming building, structure, use, sign, or parcel of land, the permit shall remain in effect despite the enactment of this By-Law.

### 6.12 PREVIOUS VIOLATIONS

- a) Unless otherwise provided for herein, an existing building, structure, or use that was illegal under the provisions of the previous Zoning By-Law in force on the effective date of this By-Law and any amendments thereto shall not be made legal solely by the enactment of this By-Law.

### 6.13 REMEDIES AND PENALTIES

#### 6.13.1 Offences

- a) Any person who violates this By-Law, or an order, agreement, or condition of approval issued under this By-Law, commits an offence.

#### 6.13.2 Suspension or Revocation of Permits

- a) The Designated Officer may suspend or revoke a Development Permit where:
  - i. The applicant fails to comply with conditions of issuance associated with the permit;
  - ii. Any person undertakes, causes, or permits any development or use on a site contrary to the terms upon which the permit was issued, including the plans, specifications, and descriptions provided with the application;
  - iii. The development has not commenced and reasonably been continued within six months after issuance of the permit; and,
  - iv. The permit was issued in error or based on incorrect information.
- b) Any person who undertakes, causes, or allows any development or use on a site without a required permit or after a permit has been suspended or revoked shall discontinue such

development or use upon notice in writing by the Designated Officer, and shall not resume such development or use unless a permit has been issued or reinstated.

### **6.13.3 Fines and Penalties**

- a) In addition to the measures for suspension and revocation outlined in subsection 6.13.2, fines and penalties for offences shall be imposed as provided for in *The Planning Act*.

### **6.14 EFFECTIVE DATE**

- a) This By-Law shall be in full force and effect when it has received third reading from the Board of the Planning District.

### **6.15 TRANSITION FROM PREVIOUS BY-LAW**

- a) Once enacted this By-Law repeals and replaces the 23 West District Zoning By-law, the Rural Municipality of Roblin Zoning By-law, and the Village of Cartwright Zoning By-law.
- b) Where a development application has been submitted for any type of approval covered in this By-Law, but final approval has not been granted prior to the effective date of this By-Law, the application shall be reviewed and considered in accordance with the provisions of the By-Law that was in effect at the time the application was submitted to approving authorities.
- c) Unless otherwise provided for herein, any Development Permit issued prior to the effective date of this By-Law shall be considered valid for the purpose of this By-Law, provided the development is in compliance with all the conditions under which the permit was issued.



## PART 7 DEFINITIONS

### 7.1 GENERAL DEFINITIONS

#### A

**Abut / Abutting:** means immediately contiguous to or touching and, when used with respect to a lot or site, means the lot or site touches upon another lot, site, right-of-way, or piece of land and shares a property line or boundary with it.

**Accessibility:** means that all individuals regardless of their physical abilities can safely and freely enter or use a space without encountering and navigating obstacles that are not inherent to the facility design.

**Accessory Building or Structure:** means a building or structure erected in conjunction with or subsequent to the erection or establishment of the principal building or use to which it is accessory, and is subordinate or naturally and normally incidental to, and located on the same zoning site as, the principal building or use.

**Accessory Building or Structure, Attached:** means an accessory building or structure that is substantially attached to and treated the same as the principal building to which it is accessory.

**Accessory Building or Structure, Detached:** means an accessory building or structure that is entirely detached from and treated differently than the principal building to which it is accessory.

**Accessory Use:** means a subordinate or incidental use of a building or site that may only be established in conjunction with or subsequent to the establishment of the principal use to which it is accessory.

**Act, the:** means *The Planning Act* (C.C.S.M. c. P80) of Manitoba and any amendments thereto.

**Alteration:** means a change or modification to an existing building, structure, or use which, unless otherwise provided for herein, does not increase the exterior dimensions with respect to area and height.

**Alteration, Incidental:** means changes or replacements in the non-structural parts of a building or structure, including but not limited to the following:

- i. An addition, alteration, removal, reconstruction or replacement on the non-structural exterior of a residential building;
- ii. An addition, alteration, removal, reconstruction or replacement of any unroofed driveway, sidewalk, patio or any accessory building floor;
- iii. Alteration of non-load bearing interior partitions in all types of buildings;
- iv. Replacement of, or changes in, the capacity of utility pipes, ducts or conduits;
- v. Replacement and placement of necessary roofing materials, awnings, eaves, overhangs and related structures, provided the area and height of the roof are not increased;
- vi. The addition and replacement of interior structures such as furnaces, fuel tanks, water heaters, fireplaces or wood stoves; and,
- vii. Replacement of exterior building facades.

**Alteration, Structural:** means any change prolonging the life of the supporting members of a building or structure that includes, but is not limited to bearing walls, columns, beams or girders.

**Amenity Area:** means an area exterior to a residential building or an interior area common to all dwelling units within a residential building, which is designed and intended mainly for the leisure and recreation of the occupants of the building.

**Animal Unit (AU):** means the number of animals of a particular livestock classification that will excrete 160.9 lbs (73 kg) of total nitrogen in a 12-month period.

**Applicant:** means a registered owner or an owner's authorized agent who has filed an application subject to the provisions of this By-Law.

**Awning / Marquee:** means any roof-like structure, which may be constructed as an integral part of a building or attached in such a manner as not to be an integral part of a building, but is so constructed to provide shelter or shade over an entrance way or a window.

## B

**Basement:** means the portion of a building or structure which is wholly partially below grade, with not more than one-half of its height from finished floor to finished ceiling located above grade.

**Board, the:** means the Pelican-Rock Lake Planning District Board, consisting of Board Members appointed by the elected Councils of the Rural Municipalities of Argyle, Cartwright-Roblin, and Prairie Lakes.

**Boarder:** means a person who is provided lodging in exchange for a fee or services at another person's residence.

**Buffer:** means an area of land, including any associated landscaping features, that is intended to provide a means of separation between two types of development that are generally incompatible.

**Building:** has the meaning provided in *The Planning Act*, except that it does not include a well, pipeline, excavation, cut, fill, or transmission line.

**Building, Height of:** means the total number of storeys in a building or the vertical distance measured from grade to the highest point of the roof surface for flat and shed roofs, to the deck for a mansard roof, and to the mean height between eaves and ridge for gable and hip roofs.

**Building Location Certificate:** means survey performed by a Manitoba Land Surveyor for the location of buildings on a property including any buildings or structure that encroach from neighbouring properties.

**Bulk Standards:** means a development requirement that establishes standards for site sizes, the form of buildings and structures on a site, and the buildable area within which buildings and structures can be located including lot coverage, required yards, height, site area, and other standards defined in PART 3.

## C

**Cannabis:** means cannabis as defined in *The Cannabis Act* (Canada).

**Conditional Use:** means a use of a building or site identified as a conditional use in this By-Law that may be approved in accordance with *The Planning Act*. Conditional uses may have unique or widely varying operating characteristics, potential operational or other impacts on adjacent properties, or unusual site development demands, which require special consideration and the opportunity for public feedback.

**Condominium:** means the individual ownership of a unit in a multi-unit structure where expenses common to all parties are shared, as established under the provisions of *The Condominium Act*.

**Condominium, Bareland:** means a condominium plan upon which one or more units are defined by delineation of horizontal boundaries of the unit without reference to any buildings.

**Construction:** means *Construction* as defined in *The Planning Act*.

**Controlled Area:** means any area established as a controlled area under the Controlled Areas and Limited-Access Highways Regulation under *The Transportation Infrastructure Act* and any amendments thereto.

**Council:** means the elected Council for the member Municipalities of the Planning District.

## D

**Density:** means the total number of dwelling units in relation to the total land area to be developed.

**Designated Officer:** means the person appointed by the Board to carry out duties and responsibilities which the Board has assigned to them, including but not limited to those outlined herein.

**Development:** means Development as defined in *The Planning Act*.

**Development Permit:** means a permit authorizing development that is subject to the Planning District Zoning By-Law in effect, issued by an authorized representative of the Planning District.

**Development Plan:** means the District Development Plan as adopted by By-Law and all amendments thereto.

**Dwelling:** means one or more habitable rooms used or intended to be used as a single housekeeping unit with cooking, sleeping, and sanitary facilities.

## E

**Enlargement:** means an addition to the floor area of an existing building or structure, or an increase in the portion of a parcel of land occupied by an existing use.

**Extension:** means an increase in the amount of existing floor area used for an existing use, within an existing building.

## F

**Fabric-Covered Structure:** means a pre-manufactured structure consisting of wood, tubular metal or tubular plastic framing that is covered on the roof and up to three sides with fabric, reinforced plastic, vinyl or other sheet material intended for storage purposes.

**Farm Building or Structure:** means any buildings or structures existing or constructed on land used principally for agricultural activities not including dwellings.

**Fence:** means a structure or partition that is constructed to mark the boundary of a property, enclosing a property, providing privacy, preventing access, or dividing a property into sections, and includes every door, gate and/or other closure that forms part of a fence.

**Flood Proofed:** means measures taken to ensure that a structure or building is safe from the effects of flooding and includes prohibiting openings of any kind such as windows, doors and vents, or electrical equipment below the flood datum.

**Flood Risk Area:** means land adjacent to a watercourse that is divided into two parts: the Floodway and the Floodway Fringe. The Floodway includes the area where the majority of floodwaters pass; the Floodway Fringe includes the area outside the Floodway that may be subjected to periodic flooding or inundation of floodwaters.

**Floor Area, Gross (GFA) :** means the sum of the gross horizontal areas of all floors of the buildings and structures located on a site, measured from the exterior faces of exterior walls, or from the centre line of partitions, excluding spaces in a basement, cellar, penthouse or on a rooftop used for the storage of mechanical or heating equipment, and any space within the building used for accessory parking or loading.

**Frontage:** means all that portion of a site fronting on a street and measured between side site lines.

## G

**Game Farm:** means a development where elk, wild boar, bison, etc. are held in captivity, pursuant to *The Livestock Industry Diversification Act* and *The Wildlife Act*.

**Garage:** means an accessory building or part of a principal building designed and used primarily for the storage of motor vehicles and may also include the incidental storage of other personal property.

**Grade:** means either the elevation of the finished ground surface at any specific reference point, at any point on the slope between two specific reference points on a site, or a combination thereof as determined by the Designated Officer.

## H

**Habitable Room or Space:** means a room or enclosed space used or intended to be used for living and sleeping purposes, but does not include bathrooms, utility rooms, laundries, pantries, foyers, corridors, closets, storage rooms, and rooms in basements or cellars used for recreational purposes only.

**Hazardous Area:** means an area having inherent environmental hazards that have caused or may cause risk to health, safety, life, and property, which includes, but is not limited to, the following conditions:

- i. Flooding of local watercourses or water bodies;
- ii. Erosion or cutting of land due to the action of water in an adjacent watercourse or water body;
- iii. Riverbank instability or slumping;
- iv. Landslides, including mudslides;
- v. Subsidence; and,
- vi. Local ponding due to improper surface drainage.

**Hazardous Materials:** means any materials that are buoyant, flammable, toxic, or explosive.

## I

[reserved]

## J

[reserved]

## K

[reserved]

## L

**Landscaping:** means any combination of trees, shrubs, flowers, grass, or other horticultural elements, decorative stonework, paving, screening, or other architectural elements, all of which are designed to enhance the visual amenity of a site or to provide a screen between sites to mitigate the potential effects of incompatible features or uses.

**Lane:** means a public thoroughfare not more than 33 feet (10.1 metres) in width that affords only a secondary means of access to abutting sites and which is not intended for general traffic circulation.

**Livestock:** means the holding, grazing or raising of chickens, horses, turkeys, cattle, hogs, mink, rabbits, sheep, goats, as well as any other animal or fowl animals in a confined or unconfined area.

**Loading Area:** means an open area of land, not including within a public right-of-way, or an area within a structure used for the loading and unloading of materials, merchandise, or people from motor vehicles.

**Loading Space:** means that portion of a loading facility or area, excluding vehicle manoeuvring areas such as aisles and driveways, that will accommodate one motor vehicle.

**Lot:** see *parcel of land* definition.

**Lot Line:** means one of the fixed boundaries defining the area of the lot.

## M

**Manure Storage Facility:** means a structure, earthen storage facility, molehill, tank or other facility used to store manure, and includes any permanent equipment or structures in or by which manure is moved to or from the storage facility, but does not include: a field storage site; a vehicle or other mobile equipment used to transport or dispose of manure; a gutter or concrete storage pit used to store liquid or semi-solid manure for less than thirty days; a collection basin, or a composting site for manure or mortalities.

**Mobile Home Subdivision:** means a parcel of land subdivided into mobile home sites that may be sold for the placement of mobile homes.

**Modular Home Dwelling:** means a dwelling unit which is manufactured or fabricated off-site in two or more near complete standardized sections or units, and then assembled onto a permanent foundation at the building site in accordance with CSA A-277 building regulations and all amendments thereto.

**Motor Home:** means a certified and licensed vehicular structure, as defined in *The Highway Traffic Act*, used for recreational travel and temporary accommodation, and is not connected to Municipal services.

## N

**Non-Conforming / Non-Conformity:** means any use, structure, sign, or parcel of land, individually or in combination, which lawfully existed prior to the effective date of this By-Law, but that does not conform to one or more of the applicable standards on the effective date of this By-Law.

**Nuisance:** means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.

## O

**Outdoor Storage:** means the storage of merchandise, goods, inventory, materials or equipment or other items that are not intended for immediate sale outdoors rather than in a completely enclosed structure.

**Owner:** means owner as defined in *The Planning Act*.

## P

**Parcel of Land:** means the aggregate of all land described in any manner in a certificate of title.

**Parking Aisle:** means that portion of a parking facility or area that provides vehicular access to a parking space, not directly from a driveway or street, and includes aisles providing access to loading space.

**Parking Area:** means an open area of land, not including on a street or lane, or an area within a structure used primarily for the parking of vehicles.

**Parking Driveway:** means that portion of a parking facility or area that provides vehicular access to a parking aisle or space, and includes driveways providing access to a loading space or area.

**Parking Space:** means that portion of a parking facility or area, excluding vehicle manoeuvring areas such as aisles and driveways, that will accommodate one motor vehicle.

**Parking Space, Accessible:** means that portion of a parking facility or area, excluding vehicle manoeuvring areas such as aisles and driveways, that will accommodate one motor vehicle and that has been designed and dimensioned in order to accommodate persons with disabilities, consistent with *The Accessibility for Manitobans Act* and the associated standards herein.

**Party Wall:** means a wall forming part of a building and used for separation of adjoining buildings occupied, constructed or adapted to be occupied by different persons or businesses.

**Performance Standard:** means a standard established to control appearance, quality of materials, noise, odour, smoke, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat generated by, or inherent in, the use or use of a site, building, or structure.

**Permitted Use:** means the use of a site, building, or structure permitted in a zoning district by this By-Law for which a Development Permit may be issued without the need for special administrative review or approval, upon satisfaction the use conforms with the standards and requirements of this By-Law.

**Principal Building:** means the primary or predominant building on any site.

**Principal Use:** means the primary or predominant use on any site or within any building or structure.

**Privacy Screening:** means a feature that obscures direct and otherwise unimpeded sightlines. Common examples include vegetative screening, such as trees and shrubs, lattice, masonry or wooden walls, parapet walls, translucent glass, or any combination of these or like features. Privacy Screening does not include a balustrade railing or similar railing system.

**Private Swimming Pool:** means an artificially constructed basin, lined with concrete, fiberglass, vinyl or like material, that is capable of containing a water depth greater than 2 feet (0.6 metres) and is located on the property of a single-unit, two-unit, or multiple-unit dwelling. This use includes outdoor hot tubs but does not include public or semi-public swimming pools as provided for under *The Public Health Act*.

**Prohibited Use:** means a use that is not permitted in a zoning district.

**Q**

[reserved]

**R**

**Ready-To-Move Dwelling:** means a method of constructing a dwelling unit whereby all of its component parts have been assembled in an off-site CSA-certified manufacturing facility and transported to a site where it is anchored to a permanent foundation in accordance with the Manitoba Building Code, and where it is to be occupied as a dwelling unit complete and ready for occupancy.



**Riparian Area:** means an area of land on the banks of or near a water body that are capable of naturally supporting an ecosystem that is distinct from the ecosystem of the adjacent upland areas.

**Road Allowance:** means a registered public street right-of-way.

## S

**Separation Distance:** means a distance to be maintained between two uses, measured from the nearest points of any structure or areas upon which the uses are located.

**Shipping Container:** means a portable shipping unit or truck box repurposed for storage purposes.

**Sign:** means any writing (including letter, word or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol or trademark), banner, pennant or any other figure of similar character, which directs attention to a building, use, business, commodity, service, or entertainment.

**Sign, Abandoned:** means a sign which no longer correctly identifies a business or the products and services offered on the site where the sign is located, or any sign which is not in a readable state.

**Sign, Attached:** means a sign that is structurally attached to the exterior of a building, including awning, fascia, wall, projecting, and other attached or wall-mounted forms, as well as to on-site landscape features such as rocks, fences or gabion walls.

**Sign, Awning:** means a sign that is incorporated into the material of an awning and does not extend vertically or horizontally beyond the extent of the awning.

**Sign, Billboard Advertising:** means a sign displaying copy that directs attention to a business, activity, product, or service that are not the principal products sold or the principal business, activity, or service that is provided on-site. This use includes attached and free-standing sign forms.

**Sign, Construction:** means a sign which identifies a construction project and information relative thereto that is temporary in nature.

**Sign, Digital:** means a sign that uses electronic screens, light emitting diodes, or similar technology. Digital signs may include but are not limited to digital reader boards or digital static copy screens.

**Sign, Directional:** means a sign directing or regulating vehicular traffic, pedestrians, and other members of the traveling public by indicating street names, points of access and egress, routes, and similar information.

**Sign, Event:** means a sign that indicates the time, date, and type of event(s) scheduled for a venue located on the same site or parcel of land.

**Sign, Fascia / Wall:** means a sign attached to or inscribed on a wall or other exterior surface, and having the exposed face of the sign on a plane approximately parallel to the plane of such wall or exterior surface, and projecting not more than 1.5 feet (0.5 metres) from the face of such wall. This may include a sign attached to a marquee.



**Sign, Flashing:** means an illuminated sign which contains an intermittent or flashing artificial light source rather than maintaining the illumination at a constant intensity and colour.

**Sign, Freestanding:** means a sign that is designed as a unit with a permanent, independent structural support that is not attached to a building, including pylon and ground oriented signs.

**Sign, Identification:** means a sign that identifies a building or use by name, logo, slogan, street address or any combination thereof, and which may direct attention to a use or commodity conducted, offered, or sold on the same site, but does not include signs advertising goods, services, or entertainment that is being offered on a different site than where the sign is located.

**Sign, Illuminated:** means a sign that transmits or reflects light from an artificial source.

**Sign, Portable:** means a sign which is mounted on a trailer, stand, or other support structure which is designed in such a manner that the sign can be readily taken down or relocated, and which may include copy that can be changed through the use of removable characters, panels, or by electronic means.

**Sign, Projecting:** means a sign attached to a building, which extends perpendicularly beyond the surface of that portion of the building to which it is attached.

**Sign, Real Estate:** means a sign advertising the sale, rental or lease of the premises on which it is located.

**Sign, Roof:** means any sign erected wholly upon, against, or above the roof of any building, or on top of or above the parapet of a building.

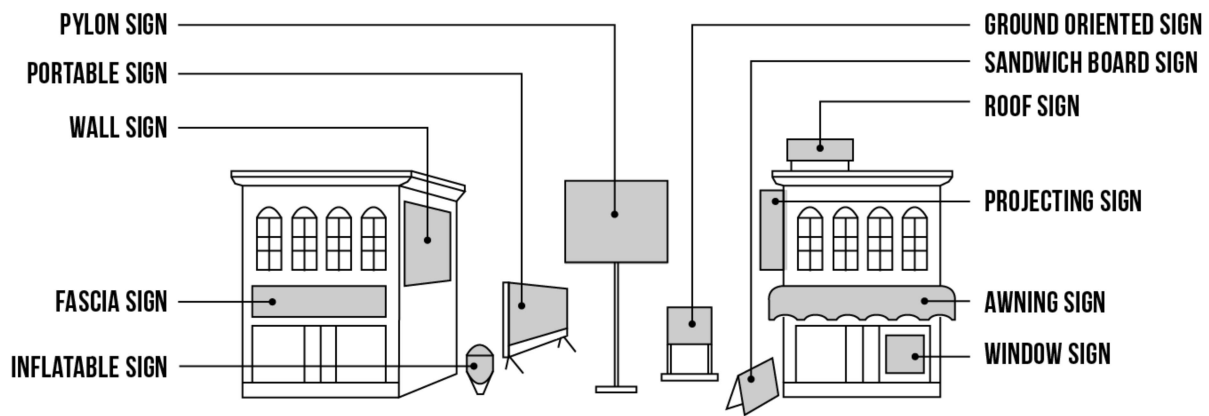
**Sign, Sandwich Board:** means a sign that is not permanently affixed to the ground or attached to a building or structure and that includes a top hinge, to allow for an A-frame configuration, with sign faces on either side of the hinged joint.

**Sign, Temporary:** means a sign which is not permanently anchored to a footing extending below grade or permanently affixed to, or painted on, a building or structure. Temporary signs include political campaign signs, real estate signs, construction signs, sandwich board signs, garage sale signs, community event signs, and inflatable signs, but do not include portable signs.

**Sign, Wayfinding:** means a sign located on or off-site providing direction to, and information about, a specific attraction, enterprise or activity, which does not contain general advertising.

**Sign, Window:** means a sign which is painted on, attached to, or installed on a window, or displayed near a window, for the purpose of being viewed from outside the premises.

Figure 6: Signs



**Sign Area:** means the entire area of the sign on which copy is intended to be placed. In the case of double-faced or multi-faced sign, only half of the area of each face of the sign used to display advertising copy shall be used in calculating the total sign area.

**Site:** means an area of land comprised of one or more abutting lots in a registered plan of subdivision under the same landowner, or the aggregate of all contiguous land described in a certificate of title or in more than one certificate of title, provided both certificates of title are under the same landowner.

**Site, Corner:** means a site situated at the intersection of two or more public streets, where the interior angle of such intersection does not exceed 135 degrees.

**Site, Flag:** means a site lacking the required minimum site width or frontage on an existing or proposed street but having direct access to that street by means of a narrow access corridor.

**Site, Interior:** means any site other than a corner, reverse corner or through site.

**Site, Irregular:** means an irregularly shaped site, the front, rear, and/or side site lines of which cannot be defined as provided for herein, and shall be determined by the Designated Officer.

**Site, Reverse Corner:** means a corner site, the rear site line of which abuts the side site line of another site.

**Site, Through:** means a site that abuts two or more public streets but does not abut the intersection of those streets.

**Site, Zoning:** A parcel of land with frontage on a street, an unimproved public street that will be improved pursuant to an agreement with the District or other lawful means of access permitted by this By-law, and of at least sufficient size to provide the minimum requirements for use, area, yards, and other open spaces as required by this By-law, unless otherwise provided for herein.

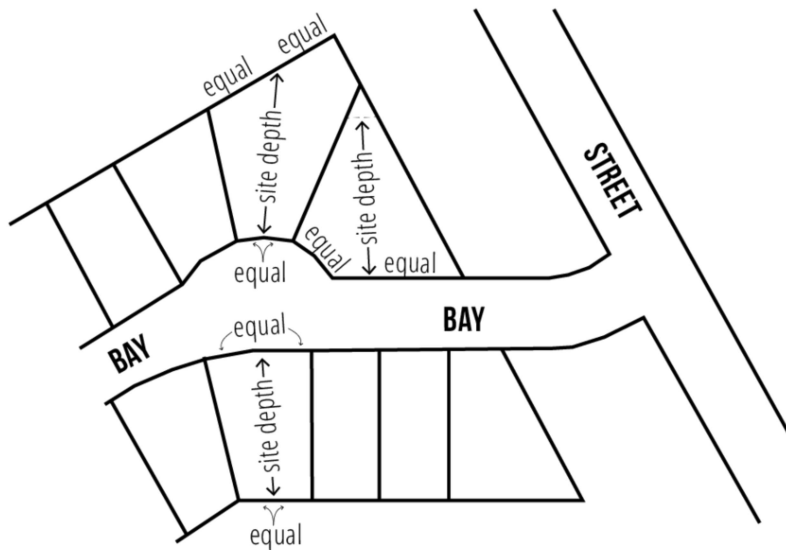
**Site Area:** means the amount of gross land area contained within the site lines.

**Site Coverage:** means the percentage of the total site area covered by buildings, calculated by dividing the square footage of all the building footprints on the site, measured at the lowest storey above grade, by the square footage of the site area, excluding the following non-enclosed structures and site features:

- i. Areas covered by open outdoor swimming pools and hot tubs;
- ii. Open decks, landings, and stairs less than 4 feet (1.2 metres) above grade;
- iii. Accessory structures with a cumulative site coverage that is less than 108 square feet (10.0 square metres); and,
- iv. Any permitted projections.

**Site Depth:** means the horizontal distance between the centre points of the front and rear site lines.

**Figure 7: Site Depth**



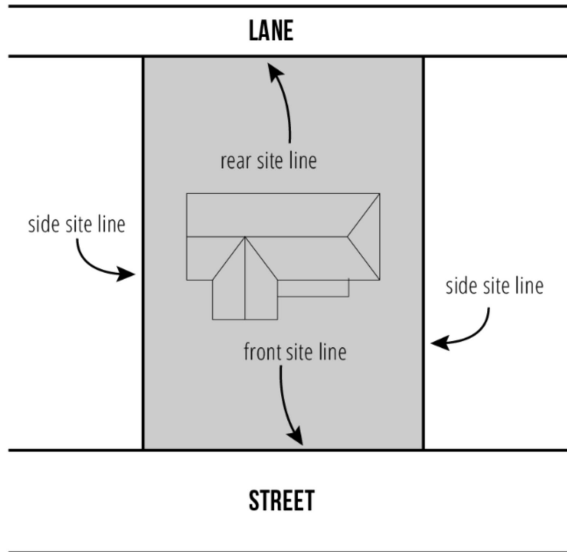
**Site Line:** means one of the fixed boundaries defining the area of the site.

**Site Line, Front:** means, in the case of an interior site, the site boundary that abuts the public street; or, in the case of a through site, both site boundaries that abut public streets; or, in the case of a corner site, the frontage that is a continuation of the front site line of an abutting interior site or, if none, those frontages that, as front site lines, accord with the intent and purposes of yard and site requirements.

**Site Line, Rear:** means the site boundary that is most nearly parallel to the front site line; or, any site boundary that is in whole or in part the rear site line of an abutting site and as a rear site line accords with the intent and purpose of yard and site requirements; or, in the case of a site where the side site lines intersect, the rear site line is deemed to be a line 10 feet (3.1 metres) in length, located within the site, parallel to and at the maximum distance from the front site line.

**Site Line, Side:** means any boundary of a site which is not a front or rear site line.

**Figure 8:** Site Lines



**Site Width:** means the horizontal distance between the side site lines, measured at right angles to the site depth at a point midway between the front and rear site lines, or 40 feet (12.2 metres) from the front site line, whichever is the lesser.

**Sleeping Unit:** means a habitable room, or a group of two or more habitable rooms, not equipped with self-contained cooking facilities, providing accommodation for not more than two persons.

**Solar Collector, On-Site:** means an accessory structure comprised of a panel or other solar energy device with the purpose of gathering, storing, and distributing solar energy for electricity generation, space heating, space cooling, or water heating, primarily intended to serve the electrical needs of the on-site user or consumer and not intended to produce power for commercial sale and distribution to the electricity grid. Typical forms include roof-top solar collectors.

**Stacking Space:** means an on-site queuing area for a passenger vehicle that is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

**Storey:** means that portion of any building which is situated between the top of any floor and the top of the floor next above it; and if there is no floor above it, that portion between the top of such floor and the ceiling above it, but does not include a cellar.

**Street:** means a public thoroughfare or highway but does not include a public lane.

**Structure:** means a feature constructed or erected with a fixed location on or below the ground or attached to something with such a fixed location. It includes, but is not limited to, buildings, walls, fences, signs, light standards, decks, and antennas.

## T

**Temporary Use, Buildings or Structure:** means an incidental use, building or structure for which a Development Permit has been issued for a limited time only by the Designated Officer.

**Travel Trailer:** means a certified and licensed portable vehicle designed for carrying persons as temporary accommodation for recreational purposes that is towed by a motor vehicle.

**Two-Hundred Year Flood:** means a flood that, on average, is statistically expected to happen once in 200 years, as the probability of it occurring in any given year is 0.5%.

## U

**Use:** means the purpose or activity for which a parcel of land, building, or structure is designed, arranged, developed or intended, or for which it is occupied or maintained.

## V

**Variance:** means the modification of a regulation in this By-Law.

**Variance Order:** means an order in respect of an application for a variance.

## W

**Watercourse:** means the channel in or bed on which surface water flows or stands, whether continuously or intermittently, but does not include a dugout, reservoir, intermittent slough, drainage ditch or intermittent stream that is completely surrounded by private land controlled by the owner or operator of an agricultural operation and that has no outflow going beyond the private land.

**Wind Energy Generating System, On-Site:** means a small scale electrical generating facility to provide electricity for the site on which it is located and not intended to produce power for commercial sale and distribution to the electricity grid.

## X

[reserved]

## Y

**Yard:** means an open area unobstructed from the ground to sky, unless otherwise provided for herein, measured to the applicable site boundary from the closest finished exterior wall of a building.

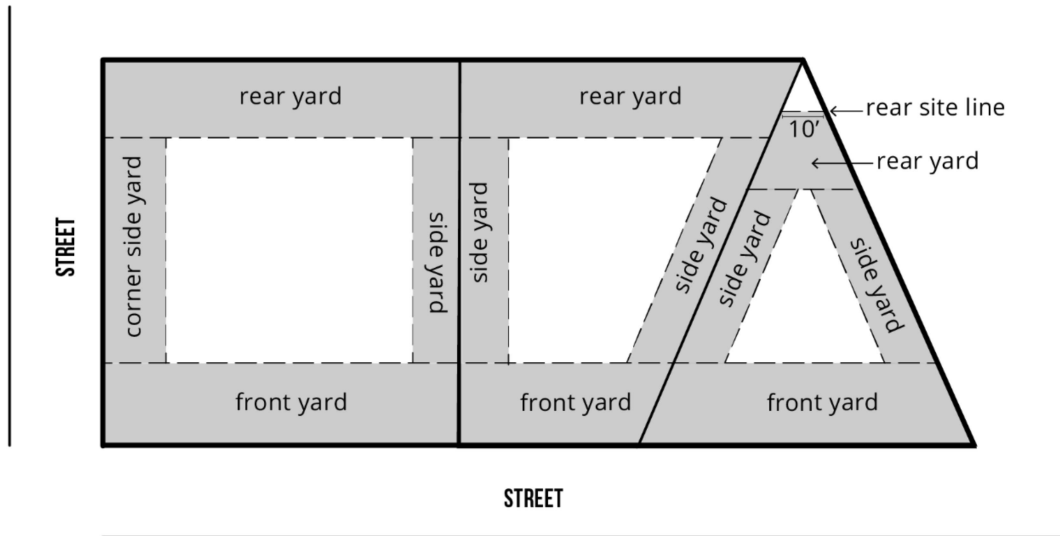
**Yard, Corner Side:** means the yard extending along the side site line of a reverse corner site from the front yard to the rear yard.

**Yard, Front:** means the yard extending along the full length of the front site line.

**Yard, Rear:** means the yard extending along the full length of the rear site line.

**Yard, Side:** means the yard extending along the side lot line from the front yard to the rear yard.

Figure 9: Yards



## Z

**Zoning District:** means an area for which this By-Law has established uniform regulations and requirements governing the use, dimensions, and operational characteristics of buildings and premises located within the zoning district, as depicted on the zoning map or maps.

### 7.2 USE CLASS DEFINITIONS

- a) The Use Classes group individual land uses into a specified number of classes, with common functional or physical impact characteristics.
- b) The Use Classes are used to define the range of uses which are Permitted or Conditional Uses within the Zoning Districts of this By-Law.
- c) The typical uses which may be listed in the definitions are not intended to be exclusive or restrictive. Reference should be made to the definition of the Use Class in determining whether or not a use is included within a particular Use Class.
- d) The types of uses listed under each use class definition are not exhaustive and do not represent every use that may exist within the category. Where a specific use does not conform to the wording of any Use Class definition or generally conforms to the wording of two or more Use Class definitions, the Designated Officer may deem that the use conforms to and is included in that Use Class. In such a case, this use shall be considered a Conditional Use, whether or not

the Use Class is listed as either a Permitted Use or Conditional Use within the applicable Zoning District.

### 7.2.1 Agricultural Use Class

**Abattoir:** means a building, structure, or part thereof, used for the slaughtering of animals and related activities.

**Agri-Business:** means a commercial establishment that provides goods or services to the agricultural sector. Typical uses include farm equipment and machinery sales, rental, and repair shops, as well as bulk fuel stations, feed and fertilizer supply operations, and commercial seed cleaning plants.

**Agricultural Activities, General:** means a use of land for agricultural purposes. Typical uses include farming, dairying, pasturage, agriculture, apiculture, aquaculture, floriculture and horticulture. This use does not include Livestock Operations.

**Agricultural Activities, Specialized:** means the use of land for apiculture, floriculture, horticulture including market gardening, orchards and tree farming, and similar agricultural activities on a commercial basis.

**Agricultural Crop Protection Warehouse:** means a facility used to store, blend and/or distribute chemicals used for crop protection and production. Products can include herbicides, insecticides, fungicides, rodenticide, and fertilizers. This use does not include Anhydrous Ammonia Facilities.

**Agricultural Product Processing:** means an agricultural facility specializing in operations that transform, package, sort and/or grade agricultural, livestock, or plant products for intermediate distribution or final consumption. Typical uses include peat processing plants, seed processing plants, and similar types of uses, but does not include the processing forest or chemical products.

**Agricultural Product Storage:** means the temporary storage of any agricultural product for future use, delivery or processing as per The Environment Act.

**Agri-Tourism Operation:** means a service accessory to Agricultural Activities that promotes and educates the public about farming. Typical uses include farm produce retail outlets, corn or hay mazes, petting zoos, hayrides, sleigh rides, buggy or carriage rides, volunteer work experiences, seasonal activities and events related to the farm such as farm tours and eating facilities, and provisions for associated overnight accommodation.

**Anhydrous Ammonia Facility:** means an area for the storage of anhydrous ammonia that is commonly used as a fertilizer.

**Auction Establishment, Livestock:** means a development that is engaged in the sale of livestock to members of the public bidding the highest offer, including the temporary storage of such livestock.

**Cannabis Cultivation:** means the licensed growing of cannabis plants and harvesting material from those plants, and related activities.

**Equestrian Establishment:** means a facility engaged in the training of horses or the operation of a horse riding academy or horse riding stables.

**Farm Produce Outlet:** means a building or structure where farm produce produced on-site is sold in season.

**Livestock Operation:** means a permanent or semi-permanent facility or non-grazing area where a minimum of 10 AU of livestock are kept or raised either indoors or outdoors, and includes all associated manure collection facilities, but does not include a Livestock Auction Establishment.

**Residential Related Farm:** means a development for small scale agricultural pursuits ancillary to rural residential uses and/or where less than 9.9 AUs of livestock or animals (excluding pets) are included.

### 7.2.2 Residential Use Class

**Dwelling, Mobile-Home:** means a dwelling unit designed for transportation after fabrication, whether on its own wheels or on a flatbed or other trailer, and which arrives at the building site where it is to be occupied as a dwelling complete and ready for occupancy, being on the building site on wheels, jacks or similar supports, and having been built in accordance with CSA Z240 building regulations and all amendments thereto. This use also includes CSA Z241 “park model” trailers.

**Dwelling, Multiple-Unit:** means a building located on a single site containing three or more principal dwellings, such as apartment buildings and condominium complexes.

**Dwelling, Non-Farm Rural:** means a single-unit dwelling or mobile home dwelling on a site used for residential purposes, regardless of the owner’s occupation, located within the AG or AR zones. This use does not include accessory farmstead dwellings established on the same site as a primary agricultural use.

**Dwelling, Single-Unit:** means a building located on a single building site containing one dwelling unit, which is separate from any other dwelling or building, and includes modular home dwellings and ready-to-move dwellings, but does not include mobile home dwellings.

**Dwelling, Two-Unit:** means a building located on a single site containing two dwellings horizontally divided along a party wall or vertically divided at the ceiling of the ground-floor dwelling, with each dwelling having its own independent entrance, such as a duplex or side-by-side.

**Live-Work Unit:** means a residential dwelling unit that includes working space or a commercial business establishment, regularly used by one or more residents of the dwelling unit, and whereby each “live” and “work” component within the unit has an independent entrance from the outside in addition to interior access between the “live” and “work” components, but does not include a home-based business or industry.

**Planned Unit Development (PUD):** means a land development project planned as an entity in accordance with a unitary site plan, which permits flexibility in the siting of buildings, mixing of uses, and housing types, and which may feature usable open spaces, multiple building owners, and preserved natural areas.

**Row Housing:** means a development consisting of a building containing a row of three or more principal dwellings joined in whole or in part at the side only, with none of those dwellings being placed over another in whole or in part, and with each dwelling having separate, individual, and direct access to ground level.



### 7.2.3 Group Living Use Class

**Boarding House:** means a building, including but not limited to a single-unit dwelling or portion thereof, in which living units with sleeping areas and some combination of shared or separated bath, toilet and cooking facilities are provided for tenants in exchange for compensation. This may otherwise be commonly referred to as a lodging house or rooming house, but does not include hotels, motels, group homes, or short-term rentals.

**Group Home, Major:** means a residential dwelling in which five or more individuals, exclusive of supervisory staff, live as a residential unit under the responsible supervision consistent with the particular requirements of its residents. Each home must meet applicable provincial licenses and requirements.

**Group Home, Minor:** means a residential dwelling in which up to four individuals, exclusive of supervisory staff, live as a residential unit under the responsible supervision consistent with the particular requirements of its residents. Each home must meet applicable provincial approvals and requirements.

**Residential Care Facility:** means a development, licensed under applicable provincial legislation and regulations, that provides housing and support services for one or more residents who have a disability or disorder prescribed in the provincial regulations or require special care for reasons related to aging. Typical uses include nursing homes, care homes, assisted living facilities, and rehabilitation homes.

### 7.2.4 Residential-Related Use Class

**Bed and Breakfast:** means the use of a principal dwelling unit, having acquired the appropriate license(s) in accordance with provincial regulations, to provide overnight accommodation to the traveling public for a period of less than thirty consecutive nights, and which may or may not include the provision of meals prepared by the owner/occupant for guests.

**Home-Based Business:** means an occupation, trade, profession, or craft which is operated entirely within or from a dwelling unit by a full-time resident, being incidental and secondary to its use as a residence, and which does not alter the exterior of the property or negatively affect neighbourhood character. This use does not include remote work from home arrangements.

**Home-Based Childcare:** means the provision of childcare services within a dwelling unit by a full-time resident, being incidental and secondary to its use as a residence, but does not include overnight accommodations. The operation must meet all applicable Provincial legislation and regulations

**Home-Based Industry:** means an occupation, trade, profession, or craft which is operated entirely within or from an accessory building to the principal dwelling by a full-time resident, being incidental and secondary to the use of the premises as a residence, and which does not negatively affect neighbourhood character.

**Mixed Residential-Commercial Development:** means a building containing at least one dwelling unit and one commercial use that is allowed in the zoning district in which the site is located, and wherein the entire ground floor is used for commercial purposes, and the residential portion of the building has an independent entrance from the outside.

**Mobile Home Park:** means a development where mobile home dwellings are located, typically on a permanent basis. This use may include communal facilities intended to serve all occupants but does not include Campgrounds or RV Parks.

**Recreational Vehicle (RV):** means a vehicle designed for camping or other recreational purposes, built to CAN/CSA Z240 standard, that includes space for a living quarters, but not used as permanent dwelling, except as otherwise permitted in this By-law. This use includes travel trailers, motor homes, 5th wheel trailers, and campers, but does not include “park models”.

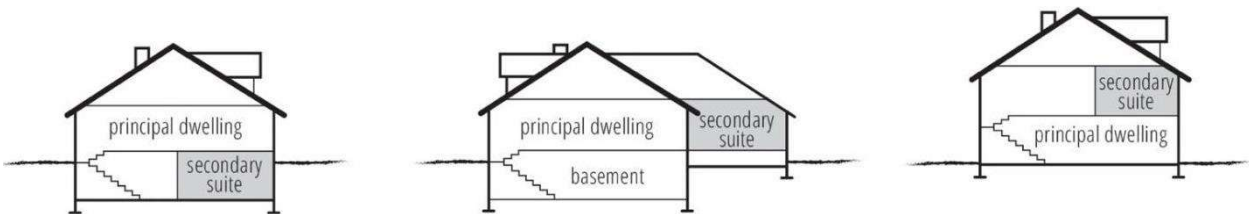
**Secondary Suite, Detached:** means a self-contained accessory dwelling unit separate from, but located on the same site as, a single-unit dwelling building. Detached Secondary Suites must operate independent from the principal dwelling with its own separate cooking, sleeping, and bath/toilet facilities. This use does not include two-unit dwellings, multiple-unit dwellings, rooming houses, or group homes.

**Figure 10:** Detached Secondary Suite



**Secondary Suite, Attached:** means an accessory and subordinate dwelling unit attached to or located within a principal single-unit dwelling, which provides basic requirements for living, sleeping, cooking and sanitation.

**Figure 11:** Attached Secondary Suite



**Short-Term Rental:** means the whole or part of an existing dwelling unit that is used to provide overnight accommodation to the traveling public for a period less than thirty consecutive nights.

### 7.2.5 Commercial Use Class

**Auction Establishment, Indoor:** means a development that is engaged in the sale of goods, equipment, vehicles, and/or merchandise to members of the public bidding the highest offer, with such sales and associated storage occurring within an enclosed building. This use does not include Livestock Auction Establishments.

**Auction Establishment, Outdoor:** means a development that is engaged in the sale of goods, equipment, vehicles, and/or merchandise to members of the public bidding the highest offer, with such sales and associated storage primarily occurring outdoors. This use may include offices associated with the auction establishment, but does not include Livestock Auction Establishments.

**Automotive / Equipment Repair Services:** means a development that is used for the servicing and mechanical repair of automobiles, motorcycles, snowmobiles and similar vehicles and/or the sale, installation and servicing of related accessories and parts. This use includes transmission shops, muffler shops, tire shops, upholstery shops, automotive glass shops, autobody repair, and vehicle detailing services.

**Automotive / Recreational Vehicle Sales and Rentals:** means a development that is used for the retail sale or rental of new or used automobiles, motorcycles, mobile homes, snowmobiles, tent/travel trailers, utility trailers, boats, travel trailers or similar light recreational vehicles or crafts, together with incidental maintenance services and sale of auto parts. This use includes automobile dealerships and car rental agencies, as well as mobile home, travel trailer, and motorcycle dealerships.

**Business Support Services:** means a development that provides support services to businesses such as the printing, duplicating and binding of documents or the sale, rental, repair or servicing of office equipment and furnishings, as well as maintenance, custodial, or security services for related facilities. Typical Uses include printing establishments, janitorial firms and office equipment sales and repair establishments.

**Campground:** means a development that is used for the seasonal short term use of motor homes, tents, campers and similar recreational vehicles and is not used as year round storage, or accommodation for residential use. Typical uses include recreational vehicle parks, campsites, and tenting grounds.

**Cannabis Retail Store:** means a development specified in a retail cannabis licence where the retail sale of cannabis is authorized.

**Car Wash:** means a development that is used for the cleaning of automobiles or other motor vehicles, whether operated by the public or by on-site employees.

**Catering Service Establishment:** means a development that is used for the preparation of food or beverages on-site, strictly for the consumption of these products off-site.

**Commercial Resort:** means a development consisting of one or more buildings containing single or multiple dwelling units, recreational facilities and service facilities which are used on an intermittent and seasonal basis by the public. Other facilities which may be part of Commercial Resorts include Campgrounds, RV Parks, Hotels / Motels, Convenience Retail Stores, Eating and Drinking Establishments, Indoor / Outdoor Recreation Facilities, and Public Parks / Playgrounds.

**Data Centre / Server Farm:** means a development used to house computers, data storage systems, and computing infrastructure. This use includes cryptocurrency mining facilities.

**Drive-Through Facility:** means a development that is designed and operated to allow customers, while on-site in their motor vehicles, to order, request, exchange, or receive goods or services.

**Event Facility:** means a development that is available for lease for private parties or special events. An event facility may contain indoor facilities and/or outdoor tents, and may include the sale of alcoholic beverages as well as the preparation and sale of food to the public for consumption within the premises.

**Food / Beverage Service Establishment:** means a development that is used for the preparation of food or drink that is consumed by the public, whether on-or-off-premises, including drinking establishments licensed under the Liquor and Lotteries Act, restaurants, cafes, delicatessens, commercial catering kitchens, lunchrooms, and bakeries, as well as ancillary patios. This use does not include Drive-Through Establishments.

**Fuel Sales / Service Station:** means a development that is used for the retail sale of gasoline and other petroleum products to the public, along with the incidental sale of motor vehicle products and/or packaged confectionary and beverages. It may include vehicle repair services, restaurants, and similar uses intended to serve the trucking industry and travelling public.

**Hotels / Motels:** means a development consisting of rooms or suites which are used on an intermittent basis by the public for sleeping accommodation in exchange for a fee, and which may or may not include kitchen facilities within the rooms or suites, and where access to the rooms or suites is provided by means of a common interior corridor or individual exterior entrance. Hotels and Motels may include incidental or associated Eating and Drinking Establishments, meeting rooms, and establishments offering Personal / Fitness / Wellness Services.

**Kennels / Pet Grooming Services:** means a development that is used for the breeding, boarding, grooming, or training of small animals normally considered as household pets.

**Light Equipment Rentals / Sales:** means a development that is used for the sale and rental of tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items.

**Market, Indoor:** means a development that is used for the sale of new or used goods by multiple vendors renting tables or space in an enclosed building. Vendors may vary from day to day, although the general layout of space to be rented remains the same. The goods sold typically include general household items, tools, electronic equipment, food products or concessions, plants, clothing, art pieces, and furniture.

**Nursery / Greenhouse:** means a development that is used for the propagation, storage, and distribution of plants, as well as the retail sale of plants to the general public, but does not include cannabis production or the sale of landscaping related products.

**Parking, Non-Accessory:** means a development that is used for motor vehicle parking that is not primarily intended for residents, employees, or customers of an on-site development. This use includes unenclosed surface, enclosed surface, and enclosed above and below-grade parking areas.

**Personal / Fitness / Wellness Services:** means a development that provides a service directly to a client, such as a hair salon, spa, or laundromat, dry-cleaner, or exercise and leisure activities conducted independently or at the direction of an instructor within an enclosed facility, such as a gym or yoga studio. This use shall include the sale of goods that are accessory and related to the establishment, but does not include Health Services.

**Professional, Financial, and Office Services:** means a development that provides professional, management, administrative, consulting, and financial services, but does not include Health Services, Government Services, nor the processing, storing, or selling of goods for any associated businesses. Typical uses include, but are not limited to: the offices of lawyers, accountants, engineers, and other professions; banks, credit unions, and similar financial institutions; and, clerical, secretarial, or administrative services. This use does not include payday loans services.

**Retail Store, Convenience:** means a development that is used for the retail sale of those goods required by area residents or employees on a day-to-day basis, from business premises which are of a neighbourhood scale. Typical uses include but are not limited to grocers, drug stores, and variety stores selling confectionary, beverages, pharmaceutical and personal care items, as well as hardware or printed matter. This use does not include the sale of gasoline, cannabis, or adult movies, nor does it include pawnshops or massage parlours.

**Retail Store, General:** means a development that is used for the retail or consignment sale of new goods or merchandise within an enclosed building, including groceries and beverages, household goods, furniture and appliances, recreation equipment, hardware, printed matter, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationary, domestic animal supplies, and similar types of goods. Incidental uses may include the assembly or repair of products sold on-site, or minor public services such as a post office or pharmacy. This use does not include the sale of gasoline, cannabis, heavy agricultural or industrial equipment, or adult movies, nor does it include pawnshops or massage parlours.

**Self-Storage Facility:** means a development that provides storage space within an enclosed facility to the general public on a for-hire basis. This includes storage provided in portable containers transported to a Self-Storage Facility site. Self-Storage Facilities do not include the outdoor storage or display of materials or allow for any other on-site business or service to operate from the storage spaces.

**Veterinary Clinic, Domestic:** means a development that is used for the care and treatment of animals that are common household pets, where the veterinary services primarily involve outpatient care and medical procedures. This use includes pet clinics and veterinary offices but does not include Livestock Veterinary Clinics.

**Veterinary Clinic, Livestock:** means a development that is used for the care and treatment of animals that are commonly associated with Agricultural Activities and Livestock Operations, where the veterinary services primarily involve outpatient care and medical procedures.

**Warehouse Sales Facility:** means a development that is used for the wholesale or retail sale of a limited range of bulky goods where the size and nature of the goods being sold typically requires large floor areas for direct display to the purchaser, including grocery, furniture, gardening supplies, flooring, appliances, building materials, or a combination thereof.

#### 7.2.6 Industrial Use Class (Light & Heavy)

**Bulk Storage Facility:** means a development involving the outdoor storage or tank storage of large quantities of raw materials or industrial-related goods such as liquids, fuels, gases, minerals, pipes, fertilizers, and grain.

**Cannabis Processing:** means the licensed manufacturing, packaging and labelling of cannabis products destined for legal sale to consumers, and the intra-industry sale of these products to privately authorized distributors, as well as associated activities.

**Composting Facility, Commercial:** means a development where organic waste is collected and stored, either in an enclosed building or outdoors, to produce compost for commercial purposes, including for sale to farm operations, plant nurseries, or the public.

**Contractor Services:** means a development that provides building construction, landscaping, concrete, electrical, excavation, heating, plumbing, paving, road construction, sewer or services of a similar nature, including the cleaning, servicing, and repairing of household appliances and devices, and which may require on-site storage space for materials, construction equipment, or vehicles normally associated with such services. This use may include incidental sales, display, office, or technical support services. This use also includes the manufacturing and sale of ready-to-move homes,

**Equipment Sales / Rentals / Services, Heavy:** means a development involving the sale, rental, and repair of heavy vehicles, machinery, or mechanical equipment typically used in building, roadway, manufacturing, assembly and/or processing operations and agricultural production.

**Fleet Services:** means a development consisting of a fleet of vehicles used for the delivery of people, goods, or services, as well as for the pick-up and transport of goods or equipment, where such vehicles are not available for sale or long-term lease. Typical uses include ambulance services, taxi services, bus lines/terminals, courier services, and towing services, in addition to ancillary storage facilities and office spaces.

**Manufacturing Establishment, Heavy:** means a development that is used for the assembly, storage, fabrication, and/or processing of goods and materials that are typically of a raw or semi-finished nature, and which may have impacts on surrounding properties due to noise, smoke, fumes, odours, or safety hazards associated with the operations of such establishments. Typical uses include asphalt or concrete batching plants, foundries, chemical plants, plastics manufacturers, and refineries.

**Manufacturing Establishment, Light:** means a development that is used for the assembly, storage, fabrication, and/or modification of goods and materials that have typically already been treated or processed, where outdoor storage is minimal and its operations do not ordinarily create noise, smoke, fumes, odours, or safety hazards outside of the building in which they take place. Typical uses include kitchen cabinet shops, electronics equipment assembly, and commercial printing facilities.

**Micro-Brewery / Distillery / Winery:** means a development that is used for the manufacturing of beer, wine, spirits or other alcoholic beverages. This use may include the sale of alcoholic beverages manufactured on-site, as well as the preparation and sale of food to the public for consumption within the premises and/or on ancillary outdoor patios; the retail sales of alcoholic beverages manufactured on-site for consumption off-site; and the storage, packaging, bottling, canning and shipping of products manufactured within the premises.

**Mineral Exploration / Extraction:** means a development where operations searching for mineral material located in the earth's crust occur, or where the extraction and primary processing of these materials occur. Examples of this use include aggregate mining operations and quarries,

**Recycling Facility, Commercial:** means a development that is used for the purchasing and temporary storage of bottles, cans, newspapers and similar household goods for reuse where all storage is contained within an enclosed building. This use does not include Salvage Operations / Yards.

**Salvage Operation / Yard:** means a development wherein two or more motor vehicles of any kind, which are incapable of being operated due to condition or lack of license or registration, have been placed for the purpose of obtaining parts for recycling or resale. Building materials, scrap metal, junk yards or any other kind of salvage are also included in this definition, in addition to incidental office and warehouse uses.

**Solar Farm, Commercial:** means a photovoltaic power development that provides electricity for commercial sale and distribution to the electricity grid. This use does not include building-mounted or other decentralized solar panels intended to produce electricity for a single user.

**Transport Terminal / Freight Yard:** means a development involving the transfer, temporary storage, and distribution of cargo where trucks and/or trains load and unload on a routine and ongoing basis. This use also includes temporary truck and railcar storage while awaiting cargo, as well as incidental office and warehouse uses.

**Trucking Operation:** means a development that is used for storing, repairing, servicing or loading trucks, transportation trailers and/or buses. This use includes card-lock fuel sales.

**Warehouse Storage Facility:** means a development used for keeping or storing of products, supplies, vehicles, or equipment entirely within an enclosed facility, to which the general public does not have access. This use does not include Self-Storage Facilities or Agricultural Crop Protection Warehouses.

**Waste Management Facilities, Commercial:** means a use that involves a system, works, plant, transmission line, and/or related facility in support of privately owned and operated sanitary landfill sites, solid waste compaction and transfer plants, and/or sewage lagoons.

**Wayside Pits and Quarries:** means a temporary pit or quarry opened and used by a public road authority solely for the purpose of a project such as a road construction contract that is not located on the road right-of-way.

**Wind Energy Generating System, Commercial:** means a development comprised of, but not limited to, one or more wind turbine generator towers that convert wind energy to electrical energy for commercial sale and distribution to the electricity grid. This use does not include On-Site Wind Energy Generating Systems, such as a single turbine accessory to a single-unit dwelling.

## 7.2.7 Cultural and Entertainment Use Class

**Amusement / Entertainment Establishment, Indoor:** means an enclosed facility where patrons view or participate in performances, games, and similar forms of entertainment. Typical uses include bowling alleys,

escape rooms, pool halls, bingo halls, cinemas, theatres, concert halls, and similar facilities. This use does not include casinos or other licensed gaming establishments.

**Amusement / Entertainment Establishment, Outdoor:** means an outdoor facility where patrons view or participate in performances, games, and similar forms of entertainment Typical uses include racetracks, paintball facilities, miniature golf courses, watercraft rentals, amusements parks, outdoor stage venues, pavilions, amphitheatres, and similar participant activities. This use does not include standard golf courses.

**Casino / Gaming Establishment:** means a development providing facilities for patrons to participate in gaming opportunities as the principal use. Typical uses include casinos or gaming centres and clubs licensed under the Liquor, Gaming and Cannabis Authority of Manitoba. This use does not include facilities used for infrequent bingo or other community gaming activities, nor establishments with accessory video lottery terminals.

**Exhibition / Fair Ground:** means an outdoor facility intended for the staging of temporary events involving the gathering of people for the viewing of items of interest, entertainment, or commercial purposes. Typical uses include public markets, concerts, festivals, and circuses.

**Golf Courses:** means an outdoor area where the game of golf is played. Golf courses may include clubhouses or similar buildings containing rooms for purposes such as eating, drinking, and assembly. This use does not include miniature golf facilities.

**Library / Museum / Gallery:** means a development involving the collection of literary, artistic, musical, or similar reference materials in the form of books, manuscripts, recordings and films intended for public use through various forms of media. This may also include uses involving the collection, preservation, and exhibition of works or objects of historical, cultural, artistic, or scientific value, and uses of a similar nature.

**Private Club:** means a development that is used for meeting, social or recreational activities involving members of a non-profit philanthropic, social service, athletic, business or fraternal organization, without on-site residences. Private Clubs may include rooms for eating, drinking, and assembly. This use includes yacht clubs, but does not include Golf Courses.

**Studio, Media:** means a development that is used for the creation, production, and/or circulation of audio or visual materials that are broadcasted or otherwise communicated through technological means to an off-site audience. Typical uses include internet content providers, game designers, and film or television studios.

**Studio, Performing Arts:** means a use intended for those engaged in the application, teaching, or performance of fine arts such as drawing, painting, illustrating, writing, dancing or sculpting, as well as vocal, instrumental, or electronic music, which may or may not be open to members of the public.

## 7.2.8 Public and Institutional Use Class

**Airports / Landing Fields:** means any area of land or water that is used or intended for a use for the landing or taking off of aircraft and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities, including taxiways, aircraft storage and hangars.



**Cemetery:** means a development that is used for the entombment of the deceased, and may include such incidental uses as crematories, cinerarium, columbarium, mausoleums, and landscaping elements.

**Childcare Facility:** means a development involving care, educational activities, and supervision of children in the daytime and evening, licensed by the Government of Manitoba under The Community Child Care Standards Act. Typical uses include pre-school and daycare facilities, but do not include overnight accommodations.

**Community Centre / Hall:** means a development wherein the public can meet and participate in social, educational, or recreational activities, as well as rent such facilities for special events.

**Community Garden:** means a development that is managed by a non-profit organization, community-based entity, or a public entity and used by the public to grow plants for beautification, education, recreation, community distribution or personal consumption and use.

**Emergency / Protective Services:** means a development used for accommodating staff and operational activities required for the public protection of persons and property from harm, injury, or damage, in addition to storing incidental equipment and vehicles which are necessary for carrying out such services. Typical uses include police stations, fire stations, ambulance services, and ancillary training facilities

**Funeral Services:** means a development that is used for the preparation of the deceased for burial or cremation, and the holding of funeral services. This use includes funeral homes and undertaking establishments.

**Government Services:** means a development providing municipal, provincial or federal government services directly to the public. Typical uses include government offices, taxation offices, courthouses, correctional centres and jails, manpower and employment offices, and social service offices.

**Health Services:** means a development that provides physical and mental health services on an out-patient basis, which may be of a diagnostic, treatment, counselling, rehabilitative, or therapeutic nature. Typical uses include, but are not limited to dental offices, medical clinics, and counseling offices.

**Hospital:** means a development involving outpatient and inpatient medical treatment and may include overnight stays. Treatment includes diagnostic, laboratory, surgical, counselling, and rehabilitation of patients. This use may also include clinics, dormitories, and residences for staff.

**Public Parks / Playgrounds:** means a development of public land specifically designed or reserved for the general public for active or passive recreational use and includes all natural and human-made landscaping, facilities, playing fields, buildings and other structures that are consistent with the general purposes of public parkland. Typical uses include tot lots, interpretive centres, picnic grounds, pedestrian trails and paths, landscaped buffers, play structures, splash pads, natural reserves, and athletic playing fields.

**Public Utility Services:** means a use that involves a system, works, plant, pipeline, transmission line, and/or related facility intended to provide, either directly or indirectly, utility services to the general public under provincial or municipal regulation. Typical uses include sanitary landfill sites, sewage treatment plants, public works yards, waste compaction and transfer, electrical stations and substations, and water treatment plants.

This use does not include: private for-profit or commercial scale wind or solar energy generating systems; and Commercial Waste Management Facilities, as defined herein.

**Recreation Facility, Indoor:** means a private or public facility at which athletic activities take place within an enclosed building. Typical uses include recreation and leisure centres, arenas, curling and skating rinks, swimming pools, climbing walls, racquet clubs, running tracks, and similar types of facilities.

**Recreation Facility, Outdoor:** means a private or public facility at which athletic activities take place in an outdoor setting. Typical uses include soccer, baseball, and football playing fields, skateboard parks, basketball and tennis courts, swimming pools, running tracks, lawn bowling greens, and similar types of facilities.

**Religious Institution:** means a development that is used as a place of worship and related activities. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries.

**Research Institution:** means a development involving scientific or academic research, product design, development, and testing, and limited manufacturing necessary for the production of prototypes.

**School, College / Trade:** means an accredited education facility providing post-secondary instruction to students enrolled in university, college, trades, and technical or vocational programs. This use includes incidental or associated student residences, cafeterias, recreation facilities, and Research Institutions.

**School, Primary / Secondary:** means an accredited education facility under public, private, or religious sponsorship providing instructional services to students from kindergarten through to grade twelve.

**Social Service Centre:** means a use providing social or welfare services to those in need, for no fee or compensation, or at a fee recognized as being significantly less than charged by for-profit organizations. Typical uses include information and referral services, counselling, educational support services, aid through the provision of food or clothing, life skill and personal development programs, and general drop-in or activity space.

**Wildlife Reserve:** means a facility whose purpose is to rehabilitate wildlife for release back into the wild.

## **PART 8 ZONING MAPS**

MAP 1-0 – Rural Municipality of Prairie Lakes  
MAP 1-1 – Noble Lake  
MAP 1-2 – Hilton  
MAP 1-3 – Margaret  
MAP 1-4 – Dunrea  
MAP 1-5 – Ninette  
MAP 1-6 – Belmont  
MAP 1-7 – Pelican Point  
MAP 1-8 – Pelican Lake North  
MAP 1-9 – Pelican Lake South  
MAP 2-0 – Rural Municipality of Argyle  
MAP 2-1 – Baldur  
MAP 2-2 – Greenway  
MAP 2-3 – Glenora  
MAP 2-4 – Neelin  
MAP 2-5 – Rock Lake  
MAP 2-6 – Part of NE 1/4 33-06-14W  
MAP 3-0 – Cartwright-Roblin Municipality  
MAP 3-1 – Cartwright  
MAP 3-2 – Mather  
MAP 3-3 – Rock Lake Beach  
MAP 4-0 – Livestock Development Overlay  
MAP 5-0 – Roblin Shoreland Development Overlay  
MAP 6-0 – Special Areas

## APPENDIX A CONSOLIDATED USE TABLE

	AG	AR	RG	RR	CG	CH	MG	OR	I	GD	SD	Use-Specific Standard
Agricultural												
Abattoir	C	-	-	-	-	-	C	-	-	-	-	-
Agri-business	P	C	-	-	-	C	C	-	-	C	-	-
Agricultural Activities, General	P	P	-	-	-	-	-	-	-	-	-	-
Agricultural Activities, Specialized	P <sup>A</sup>	P <sup>A</sup>	-	-	-	-	-	-	-	-	-	-
Agricultural Crop Protection Warehouse	P	C	-	-	-	-	-	-	-	-	-	-
Agricultural Product Processing	C	C	-	-	-	-	C	-	-	C	-	-
Agricultural Product Storage	P	P	-	-	-	C	-	-	-	C	-	-
Agri-tourism Operation	C	C	-	-	-	-	-	-	-	-	-	4.2
Anhydrous Ammonia Facility	C	C	-	-	-	-	-	-	-	-	-	4.9
Auction Establishment, Livestock	C	-	-	-	-	-	-	-	-	-	-	-
Cannabis Cultivation	C	-	-	-	-	-	-	-	-	-	-	-
Equestrian Establishment	C	C	-	-	-	-	-	-	-	-	-	-
Farm Produce Outlet	C	C	-	-	-	C	-	-	-	C	-	-
Livestock Operation	P	P	-	-	-	-	-	-	-	-	-	4.12
Nursery / Greenhouse	P	P	-	-	-	P	P	-	-	-	-	-
Residential Related Farm (max 9.9 AUs)	P	C	-	C	-	-	-	-	-	-	C	4.19
<sup>A</sup> Where the proposed use of Agricultural Activities, Specialized is an apriary, it shall be considered as a conditional use when proposed to be located within 1319 feet (402 metres) of a residence when the owner of the residence has not consented to such a location.												
Residential												
Dwelling, Mobile-Home	C	C	C	C	-	-	-	-	-	C	C	4.16
Dwelling, Multiple-Unit	-	-	C	-	-	-	-	-	-	P	C	-
Dwelling, Non-Farm Rural	C	C	-	-	-	-	-	-	-	-	-	-
Dwelling, Single-Unit	-	-	P	P	-	-	-	-	-	P	P	-
Dwelling, Two Unit	-	-	P	C	-	-	-	-	-	P	C	-
Live-Work Unit	-	-	C	P	C	C	-	-	-	-	P	4.13
Planned Unit Development	-	-	C	-	-	-	-	-	-	-	C	4.18
Row Housing	-	-	C	-	-	-	-	-	-	-	-	-
Group Living												

	AG	AR	RG	RR	CG	CH	MG	OR	I	GD	SD	Use-Specific Standard
Boarding House	-	-	C	C	-	-	-	-	-	P	-	
Group Home, Major	-	-	C	-	-	-	-	-	P	C	-	
Group Home, Minor	-	-	C	-	-	-	-	-	P	P	-	
Residential Care Facility	-	-	C	-	-	-	-	-	-	P	-	
<b>Residential-Related</b>												
Bed and Breakfast	C	C	C	C	-	-	-	-	-	-	C	4.3
Home-Based Business	P	P	C	P	-	-	-	-	-	C	P	4.10
Home-Based Childcare	P	P	P	C	-	-	-	-	-	P	C	
Home-Based Industry	C	C	-	-	-	-	-	-	-	C	-	4.11
Mixed Residential-Commercial Development	-	-	C	-	C	-	-	-	-	C	-	4.15
Mobile Home Park	-	-	C	C	-	-	-	-	-	C	C	4.17
Recreational Vehicle	C	C	C	-	-	-	-	-	-	C	C	4.20
Secondary Suite, Attached	C	C	C	C	-	-	-	-	-	C	C	4.21
Secondary Suite, Detached	-	-	C	C	-	-	-	-	-	C	C	4.21
Short-Term Rental	C	C	C	C	-	-	-	-	-	C	C	4.22
<b>Commercial</b>												
Auction Establishment, Indoor	-	-	-	-	P	P	-	-	-	C	-	
Auction Establishment, Outdoor	-	-	-	-	-	C	P	-	-	-	-	
Automotive / Equipment Repair Services	-	-	-	-	C	P	P	-	-	C	C	
Automotive / Recreational Vehicles Sales / Rentals	-	-	-	-	C	P	-	-	-	C	-	
Business Support Services	-	-	-	-	P	P	-	-	-	P	-	
Campground	C	C	-	-	-	-	-	-	-	-	C	4.4
Cannabis Retail Store	-	-	-	-	C	C	-	-	-	C	-	4.5
Car Wash	-	-	-	-	C	P	C	-	-	C	C	
Catering Service Establishment	-	-	-	-	P	P	P	-	-	P	C	
Commercial Resort	-	-	-	-	C	C	-	-	-	-	C	
Drive-Through Facility	-	-	-	-	C	P	C	-	-	C	C	4.6
Equipment Sales / Rentals, Light	-	-	-	-	C	P	C	-	-	C	-	
Event Facility	-	C	-	-	C	P	-	-	C	C	C	
Food / Beverage Service Establishment	-	-	-	-	P	P	P	-	C <sup>B</sup>	P	C	4.7
Fuel Sales / Service Station	-	-	-	-	C	P	C	-	-	C	C	4.8
Hotels / Motels	-	-	-	-	C	P	-	-	-	C	C	

	AG	AR	RG	RR	CG	CH	MG	OR	I	GD	SD	Use-Specific Standard
Kennels / Pet Grooming Services	C	C	-	C	C	C	C	-	-	C	-	
Market, Indoor	-	-	-	-	P	P	-	-	-	C	C	
Parking, Non-Accessory	-	-	-	-	C	C	C	-	-	C	-	
Personal / Fitness / Wellness Services	-	-	-	-	P	P	-	-	-	P	C	
Professional, Financial, and Office Services	-	-	-	-	P	P	C	-	C	P	-	
Retail Store, Convenience	-	-	-	C	P	P	P	-	-	P	C	
Retail Store, General	-	-	-	-	P	P	-	-	-	C	C	
Self-Storage Facility	-	-	-	-	-	C	C	-	-	C	C	
Veterinary Clinic, Domestic	-	P	-	-	C	C	-	-	-	C	-	
Veterinary Clinic, Livestock	P	C	-	-	-	-	-	-	-	-	-	
Warehouse Sales Facility	-	-	-	-	-	P	C	-	-	-	-	
<sup>8</sup> Food / Beverage Service Establishment may only be established in the I zoning district in conjunction with a permitted or conditionally approved use in the Cultural and Entertainment or Public and Institutional Use classes.												
<b>Industrial (Light)</b>												
Bulk Storage Facility	-	-	-	-	-	C	C	-	-	-	-	
Contractor Services	C	C	-	-	C	C	P	-	-	C	-	
Equipment Sales / Rentals / Services, Heavy	-	-	-	-	-	P	P	-	-	C	-	
Fleet Services	-	-	-	-	-	P	P	-	-	C	-	
Manufacturing Establishment, Light	C	C	-	-	-	C	P	-	-	C	-	
Micro-Brewery / Distillery / Winery	C	C	-	-	C	C	P	-	-	C	C	
Recycling Facility, Commercial	-	-	-	-	-	C	C	-	C	-	-	
Trucking Operation	C	C	-	-	-	C	P	-	-	C	-	
Warehouse Storage Facility	-	-	-	-	-	C	P	-	-	C	-	
<b>Industrial (Heavy)</b>												
Cannabis Processing	-	-	-	-	-	-	C	-	-	C	-	
Composting Facility, Commercial	C	C	-	-	-	-	C	-	C	-	-	
Data Centre / Server Farm	-	-	-	-	-	-	C	-	-	-	-	
Manufacturing Establishment, Heavy	C	C	-	-	-	-	P	-	-	-	-	
Mineral Exploration / Extraction	C	C	-	-	-	-	-	-	-	-	-	4.14
Salvage Operation / Yard	C	C	-	-	-	-	C	-	-	-	-	
Solar Farm, Commercial	C	C	-	-	-	-	C	-	-	-	-	
Transport Terminal / Freight Yard	-	-	-	-	-	-	P	-	-	-	-	

	AG	AR	RG	RR	CG	CH	MG	OR	I	GD	SD	Use-Specific Standard
Waste Management Facility, Commercial	C	C	-	-	-	-	C	-	-	-	-	
Wayside Pits and Quarries	C	C	-	-	-	-	-	-	-	-	-	4.23
Wind Energy Generating System, Commercial	C	C	-	-	-	-	-	-	-	-	-	4.24
Cultural and Entertainment												
Amusement / Entertainment Establishment, Indoor	-	-	-	-	C	P	-	-	-	-	C	
Amusement / Entertainment Establishment, Outdoor	C	C	-	-	C	C	-	C	-	C	C	
Casino / Gaming Establishment	-	-	-	-	C	C	-	-	-	C	C	
Exhibition / Fair Grounds	C	C	-	-	-	-	-	P	-	C	C	
Golf Courses, Private	C	C	-	-	-	-	-	P	-	-	C	
Library / Museum / Gallery	C	C	-	-	P	C	-	C	P	P	C	
Private Club	-	-	-	C	P	P	-	-	-	P	C	
Studio, Media	-	-	-	-	P	C	C	-	-	P	C	
Studio, Performing Arts	-	-	-	-	P	-	-	-	-	P	C	
Public and Institutional												
Airports / Landing Fields	C	C	-	-	-	-	-	-	-	-	-	
Cemetery	C	P	-	-	-	-	-	-	P	-	-	
Childcare Facility	-	-	C	-	C	-	-	-	-	C	C	
Community Centre / Hall	-	-	C	C	C	-	-	P	P	C	P	
Community Garden	P	P	P	P	P	-	-	P	P	P	P	
Emergency / Protective Services	-	-	C	-	C	P	-	-	-	P	P	
Funeral Services	-	-	-	-	C	C	C	-	C	C	-	
Government Services	-	-	-	-	P	P	-	-	P	C	-	
Health Services	-	-	C	-	P	P	-	-	P	P	-	
Hospital	-	-	C	-	P	P	-	-	P	P	-	
Public Parks and Playgrounds	-	P	-	-	P	P	-	P	P	P	P	
Recreation Facility, Indoor	C	C	-	-	P	P	-	P	P	P	C	
Recreation Facility, Outdoor	C	C	-	C	-	-	-	P	P	P	C	
Religious Institution	C	C	C	C	P	P	-	-	P	P	-	
Research Institution	-	-	-	-	C	C	-	-	C	C	-	
School, College / Trade	-	-	-	-	C	C	C	-	C	C	-	
School, Primary / Secondary	C	C	-	-	-	P	-	C	P	P	-	

	AG	AR	RG	RR	CG	CH	MG	OR	I	GD	SD	Use-Specific Standard
Social Service Centre	-	-	-	-	P	P	-	-	P	P	-	
Wildlife Reserve	C	C	-	-	-	-	-	-	-	-	-	