MUNICIPALITY OF RUSSELL-BINSCARTH
BY-LAW NO. 109/02/26

A by-law of the Municipality of Russell-Binscarth to regulate the use and development of land.

WHEREAS, Section 68 of *The Planning Act* requires a Municipality to adopt a zoning by-law that is generally consistent with the development plan by-law in effect in the Municipality;

AND WHEREAS, under Part 4 Division 1 of *The Planning Act*, the Tri-Roads Planning District has, by by-law, adopted the *Tri-Roads District Development Plan*;

NOW THEREFORE, the Council of the Municipality of Russell-Binscarth in meeting duly assembled, enacts as follows:

- The Zoning By-law No. 109/02/26 attached is hereby adopted

- The By-law shall be known as the Municipality of Russell-Binscarth Zoning By-law

- By-law No. 18/02/2018, as amended, is repealed

- This By-law shall come into force on September 22, 2026

DONE AND PASSED in Council duly assembled at the Russell, Manitoba, this 22nd of September, 2026.

_____Judy Snitynsky_____

Mayor

_____Adrienne Falloon_____

C.A.O

READ A FIRST TIME this 12th day of May 2026.

READ A SECOND TIME this 22nd day of September, 2026.

READ A THIRD TIME this 22nd day of September, 2026.

MUNICIPALITY OF RUSSELL-BINSCARTH
ZONING BY-LAW

By-law No. 109/02/26

September 22, 2026

HOW TO USE THIS ZONING BY-LAW

STEP ONE WHAT ZONE IS YOUR PROPERTY LOCATED IN?

- Use the Zoning Map in **Schedule A** to determine the zoning for your property.
- Also look in the *Development Plan* and any applicable Secondary Plan that applies to your property to confirm your proposal fits with the applicable policies in those documents.

STEP TWO WHAT USES ARE PERMITTED IN YOUR ZONE?

- Find the column with the zone of your property in the Use Table in **Part 3: Zones**.
- Uses marked with the letter P are permitted uses and may be developed once you have received a development permit.
- Uses marked with the letter C are conditional uses that may or may not be acceptable in a zone depending on the particular circumstances of a proposed development. Conditional uses require a public hearing process and may have extra conditions imposed on the use to make it acceptable for the location. Uses not listed in the table will require an amendment to the Zoning By-law.
- Uses marked with use-specific requirements are provided in **Part 4: Use-Specific Standards**.

STEP THREE HOW AND WHERE CAN YOU DEVELOP PROPERTIES IN YOUR ZONE?

- Find the column with the zone of your property in the Dimensional Standards Table in **Part 5: Dimensional Standards**.
- The Dimensional Standards Table provides information on allowable height of buildings and structures, required yards, and other spatial requirements for a property.
- Review the additional dimensional standards in **Part 5** related to site areas, yards, building grade, building projections and setbacks.
- Review the relevant design requirements for fences, lighting, and signs in **Part 6: Design Standards**.
- Determine the parking requirements for your property in **Part 7: Parking and Vehicle Storage**.
- To understand the specific details of these requirements, you may need to reference **Part 2: General Regulations** and **Part 6: Definitions**.

STEP FOUR WHAT KIND OF PERMITS DO YOU NEED?

- In most cases, you will need a development permit before you start any change in land use or any development (including construction of a building, demolition, additions, major landscaping) on a property.
- Check **Part 8: Administration** to see if your planned development is exempt from needing a development permit. If so, you may proceed with development, as long as it meets the other requirements in this By-law and other applicable by-laws.
- If you need a development permit, fill out a permit application.
- You are responsible for finding out any other provincial or federal regulations applying to your development, as well as any other required local permits, including building permits.

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PART 1: APPLICABILITY AND SCOPE

1.1 TITLE

This By-law shall be known as the Municipality of Russell-Binscarth Zoning By-law.

1.2 SCOPE

a) This By-law applies to all lands in the Municipality as indicated on Map 1 of Schedule A of this By-law.

b) This By-law does not apply to public roads, public lanes, public paths or pathways, or public walks opened as legal rights-of-ways within a zoning district.

c) This By-law does not apply to the construction, maintenance, or operation of public service works within a public utility right-of-way.

d) This By-law does not apply to Crown lands within this Municipality.

1.3 APPLICATION

This By-law regulates:

a) The construction, erection, alteration, enlargement or placing of buildings and structures.

b) The establishment, alteration, or enlargement of uses of land, buildings, and structures.

c) All other forms of development not included above.

1.4 INTENT

The regulations and provisions established by this By-Law are deemed necessary in order to:

a) Implement the objectives and policies of the *Tri-Roads Planning District Development Plan*.

b) Define the powers and duties of Council and Designated Officers in accordance with *The Planning Act*.

c) Regulate the following:

   (i) All new buildings and structures.

   (ii) All alterations, demolitions or relocations of existing buildings and structures.

   (iii) All enlargements of existing buildings, structures or uses.

   (iv) All changes in the use or intensity of use of buildings, structures, and land.

1.5 USE AND DEVELOPMENT OF LAND AND BUILDINGS MUST COMPLY

Within the Municipality, 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.

1.6 RESTRICTIONS IN OTHER BY-LAWS OR FEDERAL AND PROVINCIAL LAWS

Whenever a provision of another by-law or a law or regulation of the provincial or federal government contains a restriction governing the same subject matter contained in this By-law, or imposes inconsistent regulations with respect to uses, buildings, or structures, the most restrictive or highest standard shall prevail.

1.7 DOES NOT PROMOTE NUISANCE

Nothing in this By-law or in a development permit, approval of a conditional use, variance order or other approval issued under this By-law shall be construed as authorization for the carrying out of any activity which is a nuisance due to noise, odour, emission, vibration, or other cause.

1.8 RULES OF INTERPRETATION

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 not defined in this By-Law but defined in *The Planning Act* or in the Building By-law of the Municipality shall be construed as defined in such Act and By-laws.

c) Words, phrases, and terms neither defined in this By-Law nor in *The Planning Act*, or the Building By-law of the Municipality shall be given their usual and customary meaning except where the context clearly indicates a different meaning.

d) Where any requirement of this By-law results in a fraction of a unit, a fraction of five tenths (5/10) or more shall be considered a whole unit and a fraction of less than five tenths (5/10) shall be disregarded.

e) The words “shall” and “must” are mandatory and not permissive; the word “may” is permissive and not mandatory.

f) Words used in the singular include the plural and words used in the plural include the singular.

g) Words used in the present tense include the future tense and words used in the future tense include the present tense.

h) The phrase “used for” includes “arranged for”, “designed for”, “maintained for” or “occupied for”.

i) The words “person” includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.

j) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction “and”, “or”, “either-or”, the conjunction shall be interpreted as follows:

   (i) “And” indicates that all the connected items, conditions, provisions, or events shall apply in any combination.

   (ii) “Or” indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.

   (iii) “Either-or” indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.

k) The words “include” “includes” or “including” shall not limit a term to the specified examples, but is intended to extend the meaning to all other instances or circumstances of like kind or character.

1.9 PUBLIC UTILITIES

This By-law shall be interpreted so as not to interfere with the construction, erection and location of a public utility’s works, plant, pipes, cables, or equipment.

1.10 NON-CONFORMITY

a) If a building, a parcel of land, the use of land, or intensity of a use of land was lawfully existing before the adoption of this By-Law and now does not conform to the regulations in this By-Law, it is considered a lawfully existing non-conformity.

b) Under *The Planning Act*, lawfully existing non-conformities are considered legal and can continue indefinitely, provided the use is not intensified or changed to another non-conforming use.

c) All uses of land, buildings, or structures that lawfully existed prior to the effective date of this By-law, where the use was not discontinued for a period exceeding 12 consecutive months, may continue.

d) A non-conforming site or parcel may be occupied by any building, structure, or use provided:

   (i) The building, structure or use is listed as a permitted or conditional use within the zone in which said site or parcel is located.

   (ii) All other requirements of the zone in which the site or parcel is located are complied with or variance orders have been issued.

e) If a landowner wants to increase the intensity of an existing non-conforming use or make repairs or additions on a non-conforming building, the landowner may apply for a variance.

f) An owner of a parcel of land that does not conform to a new zoning by-law may continue to use the land for any use approved under the previous zoning by-law and construct or alter a building on the land as long as all other requirements (including height and required yards) are met.

g) Additional regulations for lawfully existing non-conformities are found in *The Planning Act*.

h) The legal status of buildings, structures or land, or their use, is not affected by change of ownership, tenancy or occupancy of the building, structure, or land.

i) A certificate may be issued by Council upon application of any person having an interest therein, describing the land, building, or structure, or the use or intensity of use of land or a structure that was lawfully in existence at the date of the enactment of this By-law, and stating it may continue to exist although it does not conform to this By-law, in accordance with *The Planning Act*. A request for a certificate of non-conformity for a building or structure must be accompanied by a Building Location Certificate prepared by a Manitoba Land Surveyor.

PART 2: GENERAL REGULATIONS

The following regulations shall apply to all use and development of land and buildings in the Municipality, except where otherwise noted in this By-law.

2.1 REGULATION OF USES

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

a) Is listed in the Use Table in Part 3 as:

   (i) A Permitted Principal Use.

   (ii) A Permitted Accessory Use.

   (iii) A Conditional Principal Use, subject to approval as such.

   (iv) A Conditional Accessory Use, subject to approval as such.

   (v) A Temporary Use.

2.2 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 must be satisfied.

b) Where more than one provision in this By-law is applicable, the higher or more stringent requirement shall apply unless specified otherwise.

c) An overall site containing a number of uses and buildings may be considered as a Planned Unit Development, as per Section 4.26.

2.3 ACCESSORY USES, BUILDINGS AND STRUCTURES

No accessory use or structure shall be established, constructed, or erected, except those in compliance with the following regulations:

a) No accessory use or structure shall be established prior to the establishment of the principal use of land, building or structure to which it is secondary.

b) The area of land or buildings used or occupied for accessory uses on a site shall not exceed the area of land or buildings respectively used or occupied by principal uses on the same site.

c) No land, building, or structure shall be used or occupied for any accessory use after the use or uses to which it is accessory have been discontinued.

d) Where the accessory building or structure is attached to a principal building or structure, it shall be subject to, and shall conform to, all regulations of this By-law applicable to the principal building or structure.

e) Where the accessory building or structure is detached from the principal building or structure, it shall be subject to, and shall conform to, all regulations of this By-law applicable to accessory buildings or structures.

f) No accessory building or structure shall be constructed on any site prior to the time of construction of the principal building to which it is accessory except where it is allowed by written agreement from the Municipality.

g) An accessory building or structure shall not be used as a dwelling, except where otherwise permitted in this By-law.

2.4 TEMPORARY BUILDINGS, STRUCTURES, OR USES

Temporary buildings, structures, or uses listed in Section 3.4 may be allowed on a non-permanent basis subject to the issuance of a development permit under the following conditions:

a) Each development permit issued for a temporary building, structure or use shall be valid for a period of not more than 12 months and may not be renewed for more than two (2) successive periods at the same location, unless approved so by the Designated Officer.

b) The temporary use or structure must not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare.

c) The temporary use or structure must not have adverse impacts on nearby residential neighbourhoods.

d) The temporary use or structure must not result in permanent alterations to the site.

e) Temporary uses must not reduce the number of required off-street parking or loading spaces below the minimums required by this By-law, obstruct any vehicular circulation route into or through the property

f) Tents and other temporary structures must be located so as not to interfere with the normal operations of any permanent use located on the property.

g) A temporary use is not permitted unless sufficient off-street parking is adequate to accommodate anticipated parking needs associated with the temporary use.

2.5 NUMBER OF BUILDINGS PERMITTED PER SITE

There shall be only one (1) principal building on a site except wherein otherwise stated.

2.6 SEPARATION OF PRINCIPAL BUILDING AND ANY OTHER BUILDING

The minimum distance between the principal building and any other building shall be 3 ft (0.9 m), unless otherwise provided for herein.

2.7 SERVICE CONNECTIONS

a) All principal buildings and structures constructed on land served by public or private drinking water systems, or wastewater management systems shall be connected to such services.

b) Drinking water systems or wastewater management system connections shall be made within the time limit specified in a Development Agreement.

c) Where municipal drinking water systems, or wastewater management systems are not available, private services may be permitted.

2.8 NOXIOUS OR OFFENSIVE USES

a) Notwithstanding anything herein contained, no use shall be permitted in any zone which may be noxious or offensive by reason of the emission or production of odour, dust, refuse matter, wastes, vapour, smoke, gas, vibration, or noise.

b) If the use is permitted in the subject zone, satisfactory measures shall be undertaken to mitigate or eliminate such effects and necessary licensing shall be obtained from the Province of Manitoba, as required.

2.9 STORAGE OF AUTOMOBILES, PARTS OR MACHINERY

a) There shall be no storage of derelict automobiles, parts or any other machinery in any required front, side or rear yard in any Urban Community Designated Areas, unless approved by Council.

2.10 ROADS AND HIGHWAYS

a) No permanent building may be constructed or placed on a parcel which does not have legal access to a public road, without the approval of Council and entering into an agreement.

b) No buildings or structures shall be erected upon any undeveloped road allowance. Any development adjacent to said road allowance shall comply with the requirements of this By-law as to yard requirements.

c) All development within the Controlled Area of a provincial road or provincial trunk highway shall require a permit from the applicable provincial authority.

2.11 HEIGHT EXCEPTION

The provisions of this By-law shall not apply to limit the height of any ornamental dome, chimney, electrical or telephone transmission lines and towers, steeple, public utility structures, electrical apparatus, or agricultural structures such as silos, grain elevators, terminals, feed mills, seed plants.

2.12 SUBDIVISIONS

a) No parcel of land shall hereafter be divided into sites, unless each site conforms to the regulations set forth in the Dimensional Standards Table for the zone in which said parcel is located.

b) Approval of a subdivision is subject to the provisions contained in *The Planning Act* and the policies contained within the *Tri-Roads Planning District Development Plan* and amendments thereto.

c) Notwithstanding that a parcel of land may exceed the minimum site area and site width requirements, Council is not, in any manner, obligated to approve a subdivision.

2.13 MONUMENTS AND STATUARIES

Nothing in this By-law shall be so interpreted as to interfere with the maintenance or erection of monuments, statuary, and similar structures, provided that any building or structure erected in any zone complies with the yard and area requirements applicable to the zone.

2.14 BUILDING REMOVAL

a) No structure or part thereof may be moved off a property to another location unless that structure or part is made to conform to the provisions of this By-law applicable to the zone to which it is to be moved.

b) Before moving a building or portion to a new off-site location, the owner shall obtain a development permit and, if required by the Designated Officer, enter into an agreement with the Municipality containing an undertaking of the owner to pay all damages arising out of the move and such other terms and conditions as a Designated Officer deems necessary.

c) Upon completion of the removal of a building from a site, the foundation and basement shall be removed, any excavation shall be filled, the ground shall be leveled, and the site shall be put in a safe condition to the satisfaction of the Designated Officer.

2.15 EXCAVATION, STRIPPING AND GRADING

a) The removal of topsoil, or other organic surface material on lands designated for agricultural use shall not be permitted unless approval has been granted by the Designated Officer. This is not intended to restrict excavation for the purposes of water control works, road construction, building sites or similar work, or gaining access to aggregate and other quarry minerals.

b) A development application shall be required for the approval of excavation, stripping or grading.

c) The development application shall ensure that:

   (i) The operation will be carried out so as to create a minimum of dust and environmental disturbance.

   (ii) The operations are one which, in the opinion of the Designated Officer, is reasonably necessary for the use and development of the land in question.

2.16 RAILWAYS

a) Nothing in this By-law shall be so interpreted as to interfere with the normal operations and maintenance of the railways.

b) Any railway office buildings, warehouse facilities, maintenance buildings and storage areas shall be subject to the provisions of this By-law.

2.17 HAZARD LANDS

Development is prohibited on land that is subject to subsidence or erosion by water or is marshy, unstable or is otherwise hazardous by virtue of its soil or topography, unless a geotechnical engineering report showing that the development may occur without creating any additional risks is submitted to the Municipality at the time of application for a development permit.

2.18 SITE PLAN APPROVAL / DESIGN REVIEW

a) As a condition of approval, Site Plan Approval / Design Review may be required by the Designated Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Designated Officer.

2.19 HERITAGE RESOURCES

This By-law shall be interpreted so as to not interfere with the protection of heritage resources and human remains, provided that the applicable identification and assessment processes, and any requirements or agreements, are in keeping with provincial heritage legislation as determined by the appropriate provincial authority.

PART 3: ZONES

3.1 ESTABLISHING ZONES

Uses of land in the Municipality are regulated in accordance with the following zones:

ZONE		INTENT
Agricultural General	AG	Areas for general agricultural activities, other small holdings, and nonfarm development compatible with farming operations on large parcels of land.
Open Space	OS	Areas intended for land that is used as public parks, recreation areas, and undeveloped natural areas. This zone can be used to provide access to nature and play spaces in urban areas or provide a buffer between potentially incompatible land uses.
Institutional	IN	Areas intended for facilities that are public or privately owned that are oriented towards educational, institutional, health, or community services.
Rural Residential	RR	Areas of low density, non-farm residential development, and small-scale commercial operations secondary to the primary residence, on lots by plan of subdivision.
Residential General	RG	Areas for primarily single-detached and two-unit residential development.
Residential Multi	RM	Areas for primarily multi-unit residential development.
General Development	GD	Areas for a mixture of residential, commercial, industrial and recreational uses.
Commercial Main Street	CM	Areas intended to be pedestrian-friendly with a mix of commercial facilities, offices, residential and services.
Commercial Highway	CH	Areas for businesses requiring large sites and to provide retail and personal services adjacent to major transportation routes to serve the needs of the traveling public.
Light Industrial	EL	Areas of service and industrial-related developments of light to medium intensity with lower levels of nuisance
Heavy Industrial	EH	Areas of industrial development of a medium to heavy intensity with higher levels of nuisance.

3.2 PERMITTED AND CONDITIONAL USES

The uses prescribed for parcels within each zone are those set out in the Use Table as follows:

Permitted Use	**P**
Conditional Use	**C**
Permitted only as an Accessory Use	**P**
Conditional only as an Accessory Use	**C**
Use Specific Standard applies	**U.S.S.**
If blank, the use is Not Permitted	

USE	AG	OS	IN	RR	RG	RM	GD	CM	CH	EL	EH	U.S.S.
Abattoir	C								C	C	C	
Agri-Business	C								P	P		
Agriculture, General	P								C	C		
Agriculture, Specialized	P								C	C		
Agri-Industrial	C											
Agri-Manufacturing	C									P		
Airport Operation										P		**4.1**
Amusement Enterprise, Indoor			P				P	P	P			
Amusement Enterprise, Outdoor	C		P				C	C	C			
Anhydrous Ammonia Storage Facility	C										C	**4.1**
Animal Keeping	P			P			C					**4.1, 4.2**
Apiculture (Beekeeping)	P			C	C	C	C		P	P		**4.3**
Auction Mart	C								C	C	P	
Auction Mart (non-livestock)	C								P	P	P	

USE	AG	OS	IN	RR	RG	RM	GD	CM	CH	EL	EH	U.S.S.
Automotive and Recreation Vehicle Sales and Service							C	C	P	P	P	
Bed and Breakfast	P			P	P	P	P					**4.4**
Boat Dock, Private	P											**4.5**
Boat House	P											**4.5**
Boat Port	P											**4.5**
Body Modification Service							C	C	P			
Camping / Tenting Ground	C	C					C		C			**4.6**
Cannabis Cultivation	C									C	C	
Cannabis Processing	C								C	C	C	
Cannabis Sales							C	C	C	C		
Casino / Gaming Centre									C			
Cemetery	C	P	P									
Child Care Facility			P				P	P	P	P	P	
Child Care, Home-Based	P			P	C	C	C					**4.7**
Club, Private or Public		C	P				P	P	P	P		
Commercial Service							P	P	P	P	P	
Commercial Storage	C								P	P	P	
Communication Facility	C								C	P	P	
Community Garden		P	P	P	P	P	P	P				**4.8**
Community / Recreation Centre or Facility	C	P	P				P	P		P		
Cryptocurrency Processing Facility	C								C	C		**4.9**
Dwelling, Accessory				C	C		C	P	C	P	P	**4.14**
Dwelling, Farm	P											**4.20**
Dwelling, Single-Unit	P			P	P	P	P					**4.11**
Dwelling, Two-Unit					P	P	P					**4.13**

USE	AG	OS	IN	RR	RG	RM	GD	CM	CH	EL	EH	U.S.S.
Dwelling, Three-Unit					C	P	C	P				**4.13**
Dwelling, Multi-Unit						P	C	P				**4.13**
Dwelling, Secondary Suite	P		P	P	P	P	P	P	P	P	P	**4.15**
Drive-Through Facility							C	C	P			**4.16**
Earth-Moving Contractor	P								P		P	
Educational Service			P				P	P		P		
Emergency Service	P								P	P	P	
Food / Drink Establishment							P	P	P	P	P	
Forestry	C											
Fuel, Bulk Sales and Storage	C								C		C	
Funeral Chapel / Mortuary / Crematorium	C						C	C	P	P	P	
Gallery / Museum / Historic Site	P	P	P				P	P	P			
Garden Centre / Nursery								P	P			
Golf Course / Country Club	C	P										
Grain Terminal	P								P			**4.1**
Hazardous Bulk Storage and Sales	C										C	**4.1**
Home-Based Business	P		C	P	P	P	P	P	P	P		**4.17**
Home Industry	C			C	C	C	C					**4.18**
Hospital / Clinic / Dental / Medical / Optical Facility			P				P	P				
Hotel / Motel							P	P	P	P		
Junk / Scrap Yard	C										C	**4.19**
Library / Cultural Facility		P	P				P	P	P	P		
Liquor Sales	C						P	P	P	P		
Livestock Operation, 10 AU > 299 Animal Units	P											**4.20**
Livestock Operations, +300 Animal Units	C											**4.20**

USE	AG	OS	IN	RR	RG	RM	GD	CM	CH	EL	EH	U.S.S.
Manufacturing							C	C		P	P	
Micro-Brewery / Distillery / Winery							P	P	P	P	P	
Mining and Extraction	C						C			C		**4.1, 4.21**
Mobile Food Service	P	P	P				P	P	P	P	P	
Mobile/Manufactured Home / Tiny Home	P			C	C		C					**4.22**
Mobile/Manufactured Home / Tiny Home Park				C		C	C					**4.23**
Motor Vehicle Towing											P	
Non-hazardous Bulk Storage and Sales, Exterior	P								P	C	P	
Non-hazardous Bulk Storage and Sales, Interior	P								P	P	P	
Office			P				P	P	P	P		
Off-Leash Dog Area		C	C	C	C	C	C	C				
Outdoor Display							P	P	P			**4.24**
Outfitting Cabin and Lodge	P											
Park / Plaza / Square / Playground		P	P	P	P	P	P	P				
Parking, Surface Lot		P	P						P	P	P	
Pavilion		P	P				C	C				
Personal Service Shop, unless otherwise listed							P	P		P		
Pet Boarding	C			C			C	C	C	C		**4.1**
Pet Care Service	P			C	C	C	P	P	P	P		
Picnic Shelter	P	P	P				P	P				
Place of Worship			P						P			
Public Works Yard	P								P	P	P	
Recycling Depot	C								P	P	P	
Rehabilitation / Healing Centre			P			P	C					
Residential Care / Assisted Living Facility			P			P	P					

USE	AG	OS	IN	RR	RG	RM	GD	CM	CH	EL	EH	U.S.S.
Retail							P	P	P	P	P	
Rooming / Boarding House, 6 or less suites	P					P	C			P	P	
Rooming / Boarding House more than 6 suites	C					C	C			C	C	
Scientific Research and Development Service	P		P							P	P	
Service Station									P	P	P	**4.28**
Sewage Treatment Plant / Lagoon	P											**4.1**
Shipping Container	P		P	C	C		C	C	C	P	P	**4.29**
Short-Term Rental	C			C	C	C	C	C				**4.30**
Solar Collector	P	P	P	P	P	P	P	P	P	P	P	**4.31**
Stables / Equestrian Establishment	P			P								**4.1, 4.32**
Storage, Indoor	C								P	C	P	
Storage, Outdoor	P								P	C	P	**4.25**
Telecommunication Tower	C		C	C	C	C	C		C	C	C	
Testing Laboratory	P		P							P	P	
Trades and Contracting Facility	C						P	P	P	P	P	
Trucking Establishment and Operation	P								P	P	P	
Utilities	P	P	P	P	C	P	P	P	P	P	P	
Veterinary Service	P						P	P	P	P		
Waste Disposal Ground/Site	P											**4.1**
Water Treatment Plant / Reservoir	P										P	**4.1**
Wholesale Business and Warehousing									P	P	P	
Wildlife and Heritage Conservation Area / Nature Reserve	C											
Wind Energy Generating System, Commercial	C	C	C	C	C	C	C	C	C	C	C	**4.35**
Wind Energy Generating System, On-site/Rooftop	C	C	C	C	C	C	C	C	C	C	C	**4.36**

3.3 ACCESSORY BUILDINGS AND STRUCTURES

a) In addition to the Accessory Uses above, the following Accessory Buildings or Structures are permitted in all zones, unless otherwise noted:

ACCESSORY BUILDING OR STRUCTURE	U.S.S.
Accessory off-street parking and loading areas	**7.1**
Antennas	
Deck, patio, ramp, and gazebo	
Detached garage	**4.10**
Portable garage	**4.27**
Private garden house, play structure, greenhouse, or conservatory	
Private swimming pool (open or enclosed)	**4.33**
Private pond	
Garbage and recycling storage areas	**6.5**
Signs	**6.7- 6.11**
Structures related to agricultural activities - permitted only in the **AG** zone	
Structures related to resource activities	
Tool house, shed, or other similar building	

b) The number of accessory buildings shall be limited to three (3) in the **RR, RG, RM, GD** and **CM** zones.

c) Accessory buildings and structures shall be limited to boat houses, boat ports, saunas, gazebos, picnic shelters, pavilions, storage buildings, pump houses, docks, and shoreline decks when erected between a principal building and a navigable waterway.

3.4 TEMPORARY USES, BUILDINGS AND STRUCTURES

The following Temporary Uses, Buildings or Structures are permitted in all zones subject to the maximum frequency requirements below and the applicable Use Specific Standards in Section 2.4:

TEMPORARY USE	U.S.S.	MAXIMUM FREQUENCY
Canvas Buildings and Event Tents over 645 sq ft (60 sq m)		n/a
Construction Trailer or Building	**4.34**	n/a
Emergency Residence		60 days per year
Farmers Market		Three (3) consecutive days
Fundraising Event		Two (2) consecutive days Seven (7) times per year
Seasonal Sales		60 days per year
Outdoor Special Event		Three (3) consecutive days Four (4) times per year
Garage, rummage, yard sale		Three (3) consecutive days Two (2) times per year
Outdoor car wash		Two (2) consecutive days Seven (7) times per year

PART 4: USE-SPECIFIC STANDARDS

Regardless of whether a use is allowed as a permitted or a conditional use, and regardless of the zoning district in which the use is located, the following standards for specific uses must be met, except as otherwise provided in this By-law or by a conditional use or variance order:

4.1 SETBACK DISTANCES

The following mutual separation distances shall be established between uses outlined below:

Uses		Setback Distance
Airport Operation	Any Building or Structure	500 ft (152.4 m)
	Dwelling	1,000 ft (304.8 m)
Anhydrous Ammonia Storage Facility	Dwelling	1,640 ft (500 m)
	Any Industrial building	450 ft (137.2 m)
	Right-of-Way, Municipal Road, Provincial Road or Highway	330 ft (100.0 m)
	School, Hospital, Recreation Facility, Institutional Residence	5,000 ft (1,500 m)
	Water Treatment Facility or Reservoir	5,000 ft (1500 m)
	Any Designated Area	5,000 ft (1500 m)
Animal Keeping	Dwelling	164 ft (50.0 m) [a]
Grain Terminal	Dwelling	500 ft (152.4 m)
Hazardous Bulk Storage and Sales	Dwelling	500 ft (152.4 m)
	Right-of-Way, Municipal Road, Provincial Road or Highway	328 ft (100.0 m)
Livestock Operations	See Subsection 4.20	
Mining and Extraction	Dwelling	500 ft (152.4 m)
Pet Boarding	Dwelling	2,640 ft (804.7 m) [b]
Sewage Treatment Site / Lagoon	Dwelling	1,500 ft (457.2 m)
Stables / Equestrian Establishments	Dwelling	164 ft (50.0 m) [a]
Waste Disposal Site	Dwelling	1,320 ft (402.3 m) [c]
Water Treatment Facility or Reservoir	Dwelling	500 ft (152.4 m)
	Any Industrial building	200 ft (61.0 m)

a) Other than the owner of the animals
b) Unless confined within a building or structure
c) Unless for an abandoned site it can be demonstrated by licensed engineer that methane gas generation will not create a problem in the building to be erected.

4.2 ANIMAL KEEPING

Animal Keeping shall be subject to the following regulations:

a) The minimum site area shall be 5.0 ac (2.0 ha).

b) The number of animals kept on one site shall not meet or exceed 10 animal units cumulative across species (see Animal Units table, Section 4.20)

c) A maximum of 2.5 animal units (cumulative across species) is permitted for every 5.0 ac (2.0 ha) of site area.

d) Within the maximum animal unit requirements above, the following maximums of livestock may be kept on site.

Animal	Maximum Per Acre	Maximum Allowed Per Site
Chickens	4	64
Ducks	4	64
Geese	4	64
Turkeys	1.5	24
Dairy Cows	0.5	8
Beef Cows	0.5	8
Hogs	0.5	8
Sheep	1	16
Goats	1	16
Horses	0.5	8
Ponies	0.5	8

e) The keeping of livestock must adhere to all other local, provincial, and federal health and agriculture regulations in addition to the standards in this By-law.

f) Any ground-level structure intended for the keeping of animals must maintain a minimum setback of 15 ft (4.5 m) from any site line.

g) Animal feed must be properly stored in enclosed vessels, and areas or enclosures intended for the keeping of animals must be properly cleaned and maintained to prevent odours from spreading onto abutting properties.

4.3 APICULTURE (BEEKEEPING)

Apiaries shall be subject to the following regulations:

a) Shall be considered as a conditional use when proposed to be located within 1 mile (1.6 km) of an **RR, RG, RM** and **GD** zones.

b) In the **RR** zone, no hives shall be located within 25 ft (7.5 m) of a site line unless located in compliance with either of the following:

   (i) The hive's base is set at a minimum height of 8 ft (2.5 m) above grade.

(ii) It is located behind a solid fence or hedge 6 ft (2 m) in height located parallel to an adjacent property line and extending a minimum of 20 ft (6.1 m) horizontally behind the hive in either direction.

c) Every landowner who allows the keeping of bees on their property has the duty to ensure the maintenance of the beehives. The bees must be requeened if they swarm or show signs of aggressive behaviour.

4.4 BED AND BREAKFAST

Bed and Breakfasts shall be subject to the following regulations:

a) No more than four (4) guestrooms shall be used for the bed and breakfast operation.

b) One (1) additional on-site parking spot shall be provided for each bedroom that is used for the bed and breakfast operation.

c) Signs shall follow the regulations for home-based businesses.

d) Shall be registered and compliant with the Bed and Breakfast Association of Manitoba

4.5 BOAT HOUSE, PORT, AND DOCK

Boat Houses, Ports, Slips and Docks shall be subject to the following regulations:

a) Only one (1) Boat House is permitted per lot.

b) A Boat House shall not exceed 900 sq ft (83.6 sq m) in area, measured independently of any other accessory building, use, or structure.

c) Roofs of a flat roofed single-storey Boat House may be used as a completely open sundeck with a perimeter protective guard.

d) A second storey on a Boat House may be used as a Sleep Cabin.

e) Boat Houses and Boat Ports shall not project more than 50 ft (15.2 m) from the high water mark.

f) Boat Docks shall not project more than 65 ft (19.8 m) the high water mark.

4.6 CAMPING AND TENTING GROUND

Camping and Tenting Grounds shall be subject to the following regulations:

a) No more than one (1) camp space or recreational vehicle may be permitted on a site.

b) Must provide a roadway with an all-weather surface that serves all dwellings with a driving surface a minimum of 13 ft (4.0 m) wide.

c) Must provide storage of refuse in a sanitary manner at a location not more than 500 ft (152.4 m) from any camping space.

d) Must provide clear numbered identification of each camping space.

e) Must provide a centrally located recreation area equivalent to a minimum area of 215 sq ft (20.0 sq m) per camping space.

4.7 CHILD CARE, HOME-BASED

Home-based Child Care for more than four (4) children shall be subject to the following regulations:

a) The provider must be a resident and be licensed by the Province of Manitoba as a home-based child care provider.

b) Shall be limited to no more than 12 persons being cared for.

c) Limited to a single detached dwelling.

d) May employ a maximum of two (2) non-residents.

e) An outdoor play space may be provided which shall be completely enclosed by a fence with a minimum height of 4 ft (1.2 m) and any gates in the fencing shall be self-closing with a lockable latch to prevent unauthorized exiting.

f) Any in-ground or above-ground pools and hot tubs must be fenced separately from the outdoor play space, and have a locked gate, or other locked device.

g) Must provide a pick-up/drop-off area, which may be a driveway, sufficient to ensure the safety of people when entering and leaving the premises.

4.8 COMMUNITY GARDEN

Community Gardens shall be subject to the following regulations:

a) Community gardens shall not be larger than 25,000 sq ft (2,320 sq m), except in the **AG** zone.

b) Accessory buildings for community gardens must meet the accessory dimensional standards for the zone in which they are located.

4.9 CRYPTOCURRENCY PROCESSING FACILITY

Cryptocurrency Processing Facilities shall be subject to the following regulations:

a) Council may require that the owners enter into a development agreement and that they be required to replace the capacity used from the electrical power grid.

4.10 DETACHED GARAGE

Detached Garages shall be subject to the following regulations:

a) Where an accessory building is used for the storage of a vehicle in any Urban Community Designated Areas, the wall containing the vehicular access door shall be set back a minimum of 6 ft (1.8 m) from a public lane or street.

b) For a corner side yard, the wall containing the vehicular access door shall be set back a minimum of 9 ft (2.7 m) from a public lane or street.

c) A detached garage may be located in the front of a principal building where a lot has frontage on a navigable waterway.

4.11 DOG RUN

a) Dog Runs shall be permitted in the side and rear yard, only.

b) Dog Runs shall be subject the following regulations:

(i) Constructed with a solid non-see-through material on the side which faces/adjoins the neighbouring property line, and which faces the front yard.

(ii) In the side yard dog runs may be constructed to the property line.

(iii) In the rear yard dog runs may not be constructed within 2 ft (0.6m) of the property line.

(iv) Failure to comply with the requirements of this Section respecting the location and construction of a dog run shall constitute an offense under this By-Law.

4.12 DWELLING, SINGLE-UNIT

Dwellings shall be subject to the following regulations:

a) The minimum dwelling unit area in all zones shall be 800 sq ft (74 sq m).

b) Recreational vehicles, travel trailers, trucks, busses, shipping containers, coaches, or other moveable equipment used for an accommodation shall not be used in lieu of a Dwelling.

4.13 DWELLING, TWO-UNIT, THREE-UNIT, AND MULTI-UNIT

Dwellings shall be subject to the following regulations:

a) The minimum dwelling unit area in all zones shall be 800 sq ft (74 sq m).

b) Two-Unit, Three-Unit and Multi-Unit Dwellings shall have no required side yard on a side that shares a party wall with a building on an adjacent site.

c) Recreational vehicles, travel trailers, trucks, busses, shipping containers, coaches, or other moveable equipment used for an accommodation shall not be used in lieu of a Dwelling.

Subdivision of Attached Dwellings

A site may be subdivided into two (2) or more attached single-unit dwellings provided that:

d) Any new site line shall, where possible, be a straight line between the front and rear site lines, located in such a manner that the party wall of two (2) adjacent units shall form part of the new site line.

e) Each site created shall have frontage on a street, public lane or other means of legal access as may be approved by Council.

f) Each site created shall provide parking in accordance with requirements for single-unit dwellings.

g) All applicable Building By-law provisions shall be complied with.

h) Any new interior dwelling unit site created shall have a minimum site area of 2,000 sq ft (185.8 sq m) per dwelling unit and a minimum site width of 20 ft (6.1 m).

i) Any new end dwelling unit site created shall have a minimum site area of 2,500 sq ft (232.3 sq m) per dwelling unit and a minimum site width of 20 ft (6.1 m).

j) No side yard is required along the party wall.

4.14 DWELLING, ACCESSORY

Accessory Dwellings shall be subject to the following regulations:

a) Dwellings are an accessory use above the first storey or in the rear portion of the main floor of a permitted principal commercial use.

b) Dwellings for caretakers are an accessory use in conjunction with a permitted principal industrial use subject to the following conditions:

   (i) The dwelling unit must be occupied only by the owner/operator or site watchperson or caretaker for the principal business located on site.

   (ii) The dwelling unit must be located within the primary building.

   (iii) A minimum of two (2) on-site parking spaces must be provided, in addition to the parking required for the principal business.

   (iv) The maximum floor area shall not exceed 20% of the primary use floor space, up to a maximum of 600 sq ft (55.7 sq m).

   (v) A building permit will be required for the development of a caretaker's residence and the development must conform to the Manitoba Building Code.

   (vi) Only one (1) caretaker's dwelling is allowed per lot.

4.15 DWELLING, SECONDARY SUITES

Secondary Suites shall be subject to the following regulations:

a) Not more than one (1) attached or detached secondary suite shall be permitted on a single parcel.

b) The dimensional standards below exclude the area covered by stairways.

c) The following dimensional standards apply to Secondary Suites

Type	Minimum Floor Area	Maximum Floor Area
Attached Secondary Suite	320 sq ft (29.7 sq m)	The lesser of: 860 sq ft (80 sq m), *or* 40% total habitable floor space of the principal building
Detached Secondary Suite Separate Structure	320 sq ft (29.7 sq m)	530 sq ft (49.2 sq m)
Detached Secondary Suite Garage (above or beside)	320 sq ft (29.7 sq m)	640 sq ft (59.5 sq m)

d) Detached secondary suites must follow the setback standards for accessory buildings and structures unless otherwise noted.

e) The maximum allowable height of a detached secondary suite structure is 22 ft (6.7 m).

f) Roof top decks and balconies shall be allowed as part of a secondary suite above a detached Garage only where the deck or balcony faces a lane or a flanking public road.

g) Windows shall generally be placed and sized such that they minimize overlook into yards and windows of abutting properties.

h) Secondary suites must have an entrance separate from the entrance to the principal dwelling, either from a common indoor landing, or directly from the side or rear of the structure.

4.16 DRIVE-THROUGH FACILITY

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

a) For restaurants with a drive-up service window, a minimum of three (3) stacking spaces before the order box, three (3) stacking spaces between the order box and pick-up window, and one (1) out-bound stacking space shall be provided.

b) For self-service car washes, a minimum of one (1) in-bound and one (1) out-bound stacking spaces shall be provided for each service bay.

c) For automatic car washes, a minimum of two (2) in-bound and one (1) out-bound stacking spaces shall be provided for each service bay.

d) For financial services and automated teller machines, a minimum of three (3) stacking spaces before the ATM or window, and one (1) out-bound stacking space shall be provided.

e) All stacking spaces shall be a minimum of 18 ft (5.5 m) long and 10 ft (3.1 m) wide.

f) Stacking lanes shall provide sufficient space for turning and maneuvering.

4.17 HOME-BASED BUSINESS

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

a) Shall be conducted by a resident or residents of the dwelling unit to which the Home-Based Business is secondary

b) May employ a maximum of three (3) non-resident persons.

c) Outdoor storage of goods shall be allowed only in the rear yard. The location of all exterior processing and storage shall be subject to Council approval.

d) Not have more than 25% of the total floor area of buildings on the site or 8,000 sq ft (37.2 sq m), whichever is lesser, devoted to the business.

e) Work or activity must be conducted entirely within the principal building or accessory building and no outside sales or display are permitted.

f) Have a maximum of one (1) non-illuminated business sign, either freestanding or affixed to the wall of a principal or accessory building, not exceeding:

   (i) 32 sq ft (3 sq m) in the **AG** and **AL** zones.

   (ii) 10 sq ft (0.9 sq m) in all other zones.

g) The proponent of the Home-Based Business must obtain a development permit before establishing or expanding a Home-Based Business on a site.

h) In the case of rental premises, the proponent will be required to obtain the permission of the owner of the premises before a development permit will be issued.

4.18 HOME INDUSTRY

Home Industries shall be subject to the following regulations:

a) Shall be conducted by a resident or residents of the dwelling unit to which the Home Industry is secondary.

b) May employ a maximum of:

   (i) 10 non-resident persons in the **AG** zone.

   (ii) Five (5) non-resident persons in the **GD** and **RR** zones.

   (iii) Two (2) non-resident persons in all other zones.

c) No processing or outside storage of goods should be allowed, except for the **AG** zones. The location of all exterior processing and storage shall be subject to Council approval in the **AG** zones.

d) Not have more than 25% of the total floor area of buildings on the site or 400 sq ft (37.2 sq m), whichever is lesser, devoted to the industry.

e) No floor restrictions shall apply in the **AG** zones.

f) Have a maximum of one (1) business sign, either freestanding or affixed to the wall of a principal or accessory building, not exceeding:

   (i) 32 sq ft (3 sq m) in the **AG** zones.

   (ii) 10 sq ft (0.9 sq m) in all other zones where Home Industries are allowed.

g) Must not produce any offensive noise, vibration, traffic, smoke, dust, odour, glare, heat, or electrical interference as determined by the Designated Officer.

4.19 JUNK / SCRAP YARD

Junk / Scrap Yards shall be subject to the following regulations:

a) Any outdoor storage areas shall be screened from view from any public roadway, and from adjacent sites, by building walls, landscape materials, berms, fences or a combination of these.

b) Outdoor storage areas are not permitted in any required yard setbacks.

4.20 LIVESTOCK OPERATION

Livestock Operations shall be subject to the following regulations:

a) All Livestock Operations approvals shall be subject to the requirements of *The Planning Act*.

b) Operations meet the separation distances as stipulated in the development plan and based on the animal unit (AU) calculations and criteria outlined the tables in this section.

c) Livestock operations requiring conditional use approval may be subject to the following conditions, if imposed by Council:

   (i) Measures to ensure conformity with the development plan, secondary plan and By-law.

   (ii) Either or both of the following measures to reduce odours from the operation:

      - Covering manure storage facilities.
      - The establishment of shelterbelts.

   (iii) Enter into a development agreement regarding one or more of the following:

      - The timing of construction.
      - The control of traffic.
      - The construction and maintenance of roads, fencing, landscaping, drainage works, shelterbelts.
      - The payment of a sum of money to Council to be used by Council to construct any of the items mentioned above.

d) An application for approval of a livestock operation involving 300 or more animal units (cumulative across species) shall:

   (i) Be sent to the minister for referral to the Technical Review Committee for review.

   (ii) Be subject to the measures to implement the recommendations of the Technical Review Committee.

Animal Units by Category of Livestock

Source: Appendix 1, Provincial Planning Regulation 81/2011 The Planning Act (C.C.S.M. c. P80)

ANIMAL	TYPE	ANIMAL UNITS PRODUCED BY ONE ANIMAL	NUMBER OF ANIMALS TO PRODUCE ONE AU
Dairy	Milking Cows, including associated livestock	2	0.5
Beef	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
Hogs	Sows, farrow to finish	1.25	0.8
	Sows, farrow to weanling	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
Chickens	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
Turkeys	Broilers	0.01	100
	Heavy Toms	0.02	50
	Heavy Hens	0.01	100
Horses	Mares, including associated livestock	1.333	0.75
Sheep	Ewes, including associated livestock	0.2	5
	Feeder Lambs	0.063	16

Specialty Animals by Category of Livestock

ANIMAL AND TYPE	ANIMAL UNITS PRODUCED BY ONE ANIMAL	NUMBER OF ANIMALS TO PRODUCE ONE AU
Alpacas, llamas	0.17	6
Bison – cows and associated livestock	1.25	0.8
Ducks - growing for meat	0.017	58
Ducks - mature	0.024	42
Emu	0.06	16
Geese - growing for meat	0.024	42
Geese - mature	0.045	22
Goats - miniature	0.22	4.5
Goats – mature	0.14	7
Goats – plus associated livestock	0.2	5
Horses - large	1	1
Horses - small to medium	0.667	1.5
Horses - miniature	0.222	4.5
Mink	0.005	219
Ostrich	0.14	7
Ponies - all	0.4	2.5
Rabbits – does (includes associated bucks and litters)	0.1	10

Any livestock not included in the tables within this Section should be confirmed for animal units and quantity allowances with the Designated Officer.

SIZE OF LIVESTOCK OPERATIONS IN ANIMAL UNITS (A.U.)	SEPARATION DISTANCE IN FEET (METRES) FROM SINGLE RESIDENCE		SEPARATION DISTANCE IN FEET (METRES) FROM DESIGNATED AREAS	
	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	656 (200)	328 (100)	2,625 (800)	1,739 (530)
101 - 200	984 (300)	492 (150)	3,937 (1,200)	2,625 (800)
201 - 300	1,312 (400)	656 (200)	5,249 (1,600)	3,511 (1,070)
301 - 400	1,476 (450)	738 (225)	5,906 (1,800)	3,937 (1,200)
401 - 800	1,640 (500)	820 (250)	6,561 (2,000)	4,364 (1,330)
801 – 1,600	1,968 (600)	984 (300)	7,874 (2400)	5,249 (1,600)
1,601 – 3,200	2,297 (700)	1,148 (350)	9,186 (2800)	6,135 (1,870)
3,201 – 6,400	2,625 (800)	1,312 (400)	10,499 (3,200)	6,988 (2,130)
6,401 - 12,800	2,953 (900)	1,476 (450)	11,811 (3,600)	7,874 (2,400)
>12,800	3,281 (1,000)	1,640 (500)	13,123 (4,000)	8,760 (2,670)

- Mutual separation distances to single residences will be measured to the building itself.
- Separation distances to designated areas will be measured to the boundaries of the designated areas found in the Development Plan, not the buildings within.

a) All lawfully established, existing livestock operations within the areas identified above, at the date of adoption of this by-law, shall be deemed to be Conditional uses and expansion of existing livestock operation will require a Conditional Use process.

b) Where a livestock operation is located within 2,640 ft (804.7 m) of one or more livestock operation(s) and under affiliated ownership as prescribed in provincial regulation, and are of the same type of livestock, or where they share common infrastructure such as manure storage facilities, they shall be deemed to be one (1) combined operation.

c) No manure storage facility shall be constructed or located without first obtaining the required permit from the Province and must adhere to provincial setbacks.

d) No Farm Dwelling other than the dwelling of the operator of a livestock production operation shall be erected within 800 ft (243.8 m) of a livestock production operation.

e) No Farm Dwelling other than the dwelling of the operator of a livestock production operation shall be erected within 250 ft (76.0 m) of an accessory livestock confinement facility.

4.21 MINING AND EXTRACTION

Mining and Extraction shall be subject to the following regulations:

a) All Mining and Extraction approvals shall be subject to the requirements of *The Planning Act*.

b) Before a development permit is issued, an applicant must provide the Municipality with the following:

   (i) In the case of Crown quarry minerals, proof of the issuance of a Provincial Lease or Casual Permit under Provincial Regulations, registration for a private quarry (if applicable) or proof of insurance of a mineral lease or mining claim in non-quarry mineral extraction also requires a municipal development permit.

   (ii) A plan showing areas and means for goods and waste transportation.

   (iii) A site plan showing the operation, the manner in which extraction or development will occur, the means of visual buffering and noise and dust protection.

   (iv) A plan for the rehabilitation and intended use(s) of the site upon completion of the operation phase, subject to provincial regulations.

c) No building or structure shall be constructed or located within an area (a buffer of 492 ft (150.0 m)) which has been designated as a high or medium quality aggregate area by the Province, unless the site has been further reviewed by the Province and a recommendation provided which would allow development to proceed.

4.22 MOBILE/MANUFACTURED HOME / TINY HOME

Mobile/Manufactured Home and Tiny Homes shall be subject to the following regulations:

a) Must be either approved by conditional use, or located in a designated trailer park, mobile home park/tiny home areas.

b) All mobile/manufactured homes and tiny homes, even those constructed outside the Municipality, must meet the structural standards in *The Buildings and Mobile Homes Act*.

c) The minimum dwelling unit area for a tiny home shall be 200 sq ft (18.6 sq m)

d) A mobile/manufactured home and tiny home, when located permanently on a site, shall:

   (i) Be placed and anchored on a permanent foundation in accordance with the *CSA Z240.10.1 Site Preparation, Foundation, and Anchorage for Manufactured Homes* standard.

   (ii) Have skirting that screens the view of the foundation supports or wheels.

   (iii) Be connected to municipal and water services when such services are available on site.

e) All accessory structures and/or buildings such as porches, additions, carports, private garages and storage facilities shall be painted or prefinished and maintained, and will complement the main structure.

4.23 MOBILE/MANUFACTURED / TINY HOME PARK

Mobile/Manufactured Home and Tiny Home Parks shall be subject to the following regulations:

a) Shall contain a minimum of 10 mobile/manufactured home spaces.

b) Shall meet the structural standards in *The Buildings and Mobile Homes Act*, even those constructed outside the Municipality.

c) Mobile/Manufactured homes when located permanently on a site, shall:

   (i) Be placed and anchored on a permanent foundation.

   (ii) Have skirting that screens the view of the foundation supports or wheels.

   (iii) Be connected to municipal and water services when such services are available on site.

d) All accessory structures and/or buildings such as porches, additions, carports, private garages and storage facilities shall be painted or prefinished and maintained, and in the opinion of Council, will complement the main structure.

e) A roadway with a driving surface a minimum of 16.5 ft (5 m) wide with an all-weather surface that serves all dwellings that meets the municipal roadway lighting and surface water drainage standards shall be provided.

f) Clear identification of each dwelling space and its boundaries shall be provided.

g) An application must be accompanied with a detailed site plan, including:

   (i) Location of the site boundaries.

   (ii) Foundations, pads, or mobile home sites.

   (iii) Accessory buildings.

   (iv) Internal roads.

   (v) Sidewalks and active transportation paths.

   (vi) Vehicle parking.

   (vii) Systems supplying electrical power, water, and sewage disposal.

4.24 OUTDOOR DISPLAY

Outdoor Displays shall be subject to the following regulations:

a) If a parking area line abutting a public right of way is used as a vehicle display area for automobiles, light trucks, motorcycles, boats, recreational vehicles, off-road vehicles, or similar items, a wheel stop for each vehicle must be installed with a minimum 2.5 ft (.8 m) setback minimum from the property line.

4.25 OUTDOOR STORAGE

Outdoor Storage shall be subject to the following regulations:

a) No rubbish, salvage materials, junk, hazardous waste materials, including inoperable vehicles and parts thereof and any combustible matter shall be openly stored, allowed to accumulate or kept in the open unless otherwise allowed in this By-law.

b) If an outdoor storage area is used only for outdoor storage, and not for operations and maintenance related to the principal use or structure, the outdoor storage area must be

located to the rear of a line adjacent to and parallel with the front wall of the principal building.

c) If the outdoor storage area is also used for operations and maintenance related to the principal use or the structure, then the outdoor storage area must be located to the rear of a line adjacent to and parallel with the rear wall of the principal building.

d) Outdoor storage of sand, gravel, soil, or other loose aggregate is prohibited within 300 ft (91.4 m) of the boundary of the **RG, RM** and **RR** zones.

e) Outdoor storage areas shall be surfaced with the same or similar material of the public right-of-way to which the outdoor storage area takes access from.

f) When outdoor storage areas are gravel surfaces, the gravel surface shall be treated with bio-degradable herbicide and dust inhibitor to limit the generation of weeds and dust and shall be maintained thereafter to the satisfaction of the Designated Officer.

g) Outdoor storage is not permitted in any required yard setbacks.

h) All loading, service, garbage and recycling, outdoor storage areas, and approach aprons shall be located to the rear or sides of the principal building and shall be screened from view from any public roadway, and from adjacent sites, by building walls, landscape materials, berms, fences or a combination of these.

4.26 PLANNED UNIT DEVELOPMENT

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.

b) Development shall be planned in accordance with a site plan which permits flexibility in siting of buildings, mixture of land uses, usable open spaces, and the preservation of significant historic and natural features.

c) Development shall also be designed in accordance with building codes, fire codes and safety regulations.

d) A detailed Concept Plan and Analysis that addresses the following shall be required:

   i) Impact on municipal infrastructure, including wastewater and transportation systems.

   ii) Impact on surrounding neighbourhoods and the natural environment.

   iii) Detailed plan for lot grading, drainage, and landscaping.

   iv) Other information as requested by Council.

e) The use regulations and dimensional standards shall be regulated through a Development Agreement.

4.27 PORTABLE GARAGE

Portable Garages shall be subject to the following regulations:

a) Not allowed within the required front yard of a site.

b) Shall meet the requirements for accessory building side and rear yard requirements.

c) Shall not exceed the height restrictions for accessory buildings in the zone in which it is located.

d) Shall be kept in good condition. Any rip in the fabric must be repaired.

4.28 SERVICE STATION

Service Stations shall comply with the following regulations:

a) All pump islands and underground storage tanks shall be located a minimum of 20 ft (6.1 m) from any boundary of the site, parking area on the site, or laneways intended to control traffic circulation on the site, not including canopies situated above said pumping islands.

b) Pump islands or fuelling stations are not permitted in a required parking area.

c) A minimum of five (5) in-bound and three (3) out-bound stacking spaces shall be provided for each service bay.

d) All stacking spaces shall be a minimum of 18 ft (5.5 m) long and 10 ft (3.1 m) wide.

e) All stacking spaces shall be located so as not to block or interfere with the smooth flow of 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.

4.29 SHIPPING CONTAINER

Shipping Containers shall be subject to the following regulations:

a) A shipping container used for storage must meet the requirements for accessory buildings in the zone in which it is located.

b) Shipping containers must not exceed the maximum height for accessory buildings for the zone.

c) Shipping containers shall not be stacked in any Urban Community Designated Areas.

d) A shipping container used as a Dwelling construction material must meet the requirements for Dwelling Units in the zone in which it is located (as well as the requirements necessary to receive a building permit).

e) A shipping container may be used for temporary storage or emergency purposes, provided it meets the requirements for temporary buildings and structures in this By-law.

f) A shipping container may be used for purposes other than those described above (e.g., commercial uses) if it meets the other requirements for that use in this By-law as well as the requirements necessary to receive a building permit.

g) A shipping container shall be kept in good condition, be a consistent neutral colour, and relatively free of rust.

h) Must obtain a development permit and are subject to all applicable fees.

4.30 SHORT-TERM RENTAL

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

a) The short-term rental shall be shared with the primary occupants of the Dwelling.

b) If the short-term rental is within a household without the full-time primary occupants, (i.e., within a vacant dwelling) it is considered a Conditional Use that requires Council approval.

c) Short-term rentals may require a permit from the Municipality.

4.31 SOLAR COLLECTOR

Solar Collectors shall be subject to the following regulations:

a) Any solar collector not connected to a building shall adhere to the same setbacks and height restrictions for accessory buildings in the zone in which the installation is situated.

b) A roof or wall-mounted solar collector shall not exceed, in size, the total square footage of the principal structure.

c) A solar collector that is mounted on a roof may project a maximum of 6.5 ft (1.5 m) from the surface of the roof and must not extend beyond the outermost edge of the roof.

d) A solar collector that is mounted on a wall may project a maximum of 2 ft (0.6 m) from the surface of that wall and must be located a minimum of 8 ft (2.4 m) above grade.

4.32 STABLE / EQUESTRIAN ESTABLISHMENT

Stables / Equestrian Establishments shall be subject to the following regulations:

a) The minimum site area shall be 5.0 ac (2.0 ha).

b) The maximum site area shall be 20.0 ac (8.1 ha).

c) The number of horses kept on one (1) site shall not meet or exceed 4.0 animal units and 0.5 horses per acre, up to a maximum of 8 horses.

d) Horses shall be kept enclosed by fences or corral, which may be nonopaque.

e) Equestrian Establishments may be allowed as an accessory use subject to the following conditions:

   (i) A maximum of three (3) non-resident employees shall be permitted on site.

   (ii) The hours of operation must be limited to between 9:00 am and 6:00 pm, 6 days a week.

   (iii) Not more than three (3) students for every one (1) horse may attend at a time.

   (iv) There shall be no signage, other than a non-illuminated sign of less than 16 sq ft (1.5 sq m) in size.

4.33 SWIMMING POOL AND HOT TUB

Permanent Swimming Pools, Hot Tubs and similar structures capable of holding water to a depth of greater than 2 ft (0.6 m) shall be subject to the following regulations:

a) Shall be allowed as a permitted accessory use to a residential use, recreational or commercial development.

b) Shall not be permitted in any required front yard.

c) Must meet the siting requirements of accessory structures for the zone in which they are located.

d) The pool area shall be protected by a fence with lockable gates and a minimum height of 6 ft (1.83 m) to prevent unauthorized entry. The fence and gate must be constructed to prevent a child from climbing over or crawling underneath and maintained in good repair.

e) Hot tubs shall have a walkable cover.

f) Shall comply with the requirements under *The Public Health Act*.

4.34 TEMPORARY CONSTRUCTION TRAILER OR BUILDING

Temporary Construction Trailers or Buildings shall be subject to the following regulations:

a) Shall be on a site in connection with construction or development provided that a development permit is issued and valid for the construction and development of the site.

b) Shall only be used for the following purposes:

   (i) Office space for the contractor, developer, or project supervisor

   (ii) Storage of construction materials and equipment

   (iii) Temporary placement of asphalt and concrete batch plant

c) The following shall be a Conditional Use:

   (i) Temporary accommodation for a caretaker, security guard or construction worker

   (ii) Temporary accommodation for the landowner and family during the construction of a Dwelling unit on the same site for a maximum 12-month period

4.35 WIND ENERGY GENERATING SYSTEM TOWER (COMMERCIAL)

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

a) Shall be set back no less than 1.5 times the total turbine height from the property line and any public road or railway right of way

b) Shall be set back no less than 100 ft (30.5 m) from a water body or waterway

c) The minimum separation distance between a commercial wind energy generating system tower and the nearest habitable building shall be 1,640 ft (500.0 m).

d) Shall contain no commercial advertising other than the manufacturer's or owner's name or logo

e) Shall contain no artificial lighting other than the lighting that is required by federal and provincial regulation

f) As part of their development permit application, proponents for Wind Generation System must submit a detailed site plan showing the location of all wind generating devices, associated accessory buildings or structures, electrical lines (above or below ground) on-site roads and driveways providing access to the public road system

4.36 WIND ENERGY GENERATING SYSTEM (ON-SITE / ROOFTOP)

On-site / Rooftop Wind Energy Generating Systems shall be subject to the following regulations:

a) Shall be set back at least 20 ft (6.1 m) from the front building line, or, in the case of corner lots, at least 15 ft (4.5 m) from the front and side lot line.

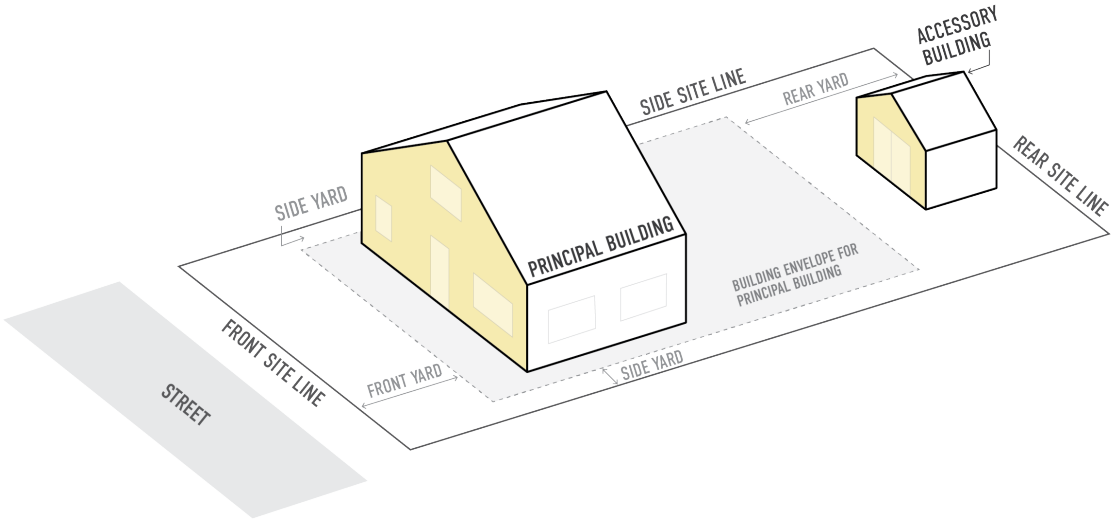
b) Shall be limited to a total turbine height of no more than 15 ft (4.5 m) above the rooftop.

c) Shall be safely and securely attached to the rooftop in compliance with the National and Provincial Building Codes.

PART 5: DIMENSIONAL STANDARDS

5.1 DIMENSIONAL STANDARDS

a) 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 the dimensional standards described in the following Dimensional Standards Table or elsewhere in this By-law.



ZONE	USE	SITE				YARD			FORM	
		AREA (MIN.)	WIDTH (MIN.)	COVERAGE (MAX)	FRONT (MIN.)	SIDE INTERIOR (MIN.)	SIDE EXTERIOR (MIN.)	REAR (MIN.)	HEIGHT (MAX.)	
AG	Agricultural / Livestock	80 ac [a] (32.4 ha)	1,000 ft (304.8 m)	-	125 ft (38.1 m)	25 ft (7.6 m)	25 ft [f] (7.6 m)	25 ft (7.6 m)	-	35 ft (10.7 m)
	All Other **AG** Uses	2 ac (0.8 ha)	200 ft (61.0 m)	-	125 ft (38.1 m)	25 ft (7.6 m)	25 ft [f] (7.6 m)	25 ft (7.6 m)	-	-
	Accessory Buildings / Structures	-	-	-	125 ft (38.1 m)	25 ft (7.6 m)	25 ft [f] (7.6 m)	25 ft (7.6 m)	-	-
OS	All **OS** Uses	-	-	70%	40 ft (12.2 m)	5 ft (1.5 m)	15 ft [f] (4.6 m)	25 ft (7.6 m)	2 storey	35 ft (10.7 m)
	Accessory Buildings / Structures	-	-	-	25 ft (7.6 m)	5 ft (1.5 m)	15 ft [f] (4.6 m)	25 ft (7.6 m)	1 storey	15 ft (4.6 m)
IN	All **IN** Uses (Serviced)	5,000 sq ft (464.5 sq m)	50 ft (15.2 m)	50%	20 ft (6.1 m)	10 ft (3.0 m)	15 ft (4.6 m)	30 ft (9.1 m)	4 storey	60 ft (18.3 m)
	All **IN** Uses (Unserviced)	2 ac (0.8 ha)	75 ft (22.9 m)	50%	20 ft (6.1 m)	15 ft (4.6 m)	20 ft (6.1 m)	30 ft (9.1 m)	3 storey	45 ft (13.7 m)
	Accessory Buildings / Structures	-	-	-	20 ft (6.1 m)	15 ft (4.6 m)	15 ft (4.6 m)	15 ft (4.6 m)	1 storey	15 ft (4.6 m)
RR	All **RR** Uses (Serviced)	1 ac (0.4 ha)	100 ft (30.4 m)	40%	125 ft (38.1 m)	10 ft (3.0 m)	15 ft (4.6 m)	25 ft (7.6 m)	2 storey	35 ft (10.7 m)
	All **RR** Uses (Unserviced)	2 ac (0.8 ha)	200 ft (61.0 m)	40%	125 ft (38.1 m)	25 ft (7.6 m)	25 ft (7.6 m)	25 ft (7.6 m)	2 storey	35 ft (10.7 m)
	Accessory Buildings / Structures	-	-	-	25 ft (7.6 m)	5 ft (1.5 m)	5 ft (1.5 m)	5 ft [e] (1.5 m)	1 storey	15 ft (4.6 m)
RG	All **RG** Uses (Serviced)	5,000 sq ft (464.5 sq m)	50 ft (15.2 m)	50%	25 ft (7.6 m)	5 ft [c] (1.5 m)	10 ft (3.0 m)	25 ft (7.6 m)	2 storey	35 ft (10.7 m)
	All **RG** Uses (Unserviced)	13,000 sq ft (1,210 sq m)	100 ft (30.4 m)	50%	25 ft (7.6 m)	5 ft [c] (1.5 m)	10 ft (3.0 m)	25 ft (7.6 m)	2 storey	35 ft (10.7 m)
	Accessory Buildings / Structures	-	-	-	25 ft (7.6 m)	5 ft (1.5 m)	5 ft (1.5 m)	5 ft [e] (1.5 m)	1 storey	15 ft (4.6 m)
RM	Dwelling, Multi-unit	8,000 sq ft [b] (743 sq m)	100 ft (30.5 m)	50%	25 ft (7.6 m)	8 ft (2.4 m)	15 ft [d] (4.6 m)	25 ft (7.6 m)	3 storey	45 ft (13.7 m)

ZONE	USE	SITE				YARD			FORM	
		AREA (MIN.)	WIDTH (MIN.)	COVERAGE (MAX)	FRONT (MIN.)	SIDE INTERIOR (MIN.)	SIDE EXTERIOR (MIN.)	REAR (MIN.)	HEIGHT (MAX.)	
	All other **RM** Uses	5,000 sq ft (464.5 sq m)	50 ft (15.2 m)	50%	25 ft (7.6 m)	5 ft [c] (1.5 m)	10 ft (3.0 m)	25 ft (7.6 m)	2 storey	35 ft (10.7 m)
	Accessory Buildings / Structures	-	-	-	25 ft (7.6 m)	5 ft (1.5 m)	5 ft (1.5 m)	5 ft [e] (1.5 m)	1 storey	15 ft (4.6 m)
GD	Dwelling, Multi-unit (Serviced)	8,000 sq ft [b] (743 sq m)	100 ft (30.5 m)	50%	25 ft (7.6 m)	8 ft (2.4 m)	15 ft (4.6 m)	25 ft (7.6 m)	3 storey	45 ft (13.7 m)
	All **GD** Uses (Serviced)	5,000 sq ft (464.5 sq m)	40 ft (12.2 m)	50%	25 ft (7.6 m)	5 ft [c] (1.5 m)	15 ft (4.6 m)	25 ft (7.6 m)	2 storey	35 ft (10.7 m)
	All **GD** Uses (Unserviced)	13,500 sq ft (1,254 sq m)	100 ft (30.5 m)	50%	25 ft (7.6 m)	15 ft (4.6 m)	25 ft (7.6 m)	25 ft (7.6 m)	2 storey	35 ft (10.7 m)
	Accessory Buildings / Structures	-	-	-	25 ft (7.6 m)	5 ft (1.5 m)	5 ft (1.5 m)	5 ft [e] (1.5 m)	1 storey	15 ft (4.6 m)
CM	All **CM** Uses	2,500 sq ft [b] (232 sq m)	25 ft (7.6 m)	-	10 ft (3.0 m)	0 ft (0 m)	0 ft (0 m)	20 ft (6.1 m)	4 storey	60 ft (18.3 m)
	Accessory Buildings / Structures	-	-	-	n/a	0 ft (0 m)	0 ft (0 m)	20 ft (6.1 m)	1 storey	15 ft (4.6 m)
CH	All **CH** Uses (Serviced)	1 ac (0.4 ha)	75 ft (23 m)	-	25 ft (7.6 m)	10 ft (3.0 m)	25 ft (7.6 m)	20 ft (6.1 m)	4 storey	60 ft (18.3 m)
	All **CH** Uses (Unserviced)	2 ac (0.8 ha)	200 ft (61.0 m)	-	50 ft (15.2 m)	25 ft (7.6 m)	25 ft (7.6 m)	0 ft (0 m)	3 storey	45 ft (13.7 m)
	Accessory Buildings / Structures	-	-	-	25 ft (7.6 m)	15 ft (4.6 m)	25 ft (7.6 m)	5 ft (1.5 m)	1 storey	15 ft (4.6 m)
EL	All **EL** Uses	-	-	-	40 ft (12.2 m)	5 ft (1.5 m)	15 ft (4.6 m)	25 ft (7.6 m)	2 storey	35 ft (10.7 m)
	Accessory Buildings / Structures	-	-	-	40 ft (12.2 m)	5 ft (1.5 m)	15 ft (4.6 m)	25 ft (7.6 m)	1 storey	15 ft (4.6 m)
EH	All **EH** Uses (Serviced)	1 ac (0.4 ha)	75 ft (22.8 m)	-	50 ft (15.2 m)	10 ft (3.0 m)	25 ft (7.6 m)	20 ft (6.1 m)	4 storey	60 ft (18.3 m)
	All **EH** Uses (Unserviced)	2 ac (0.8 ha)	200 ft (61.0 m)	-	50 ft (15.2 m)	25 ft (7.6 m)	25 ft (7.6 m)	0 ft (0 m)	3 storey	45 ft (13.7 m)

ZONE	USE	SITE				YARD			FORM	
		AREA (MIN.)	WIDTH (MIN.)	COVERAGE (MAX)	FRONT (MIN.)	SIDE INTERIOR (MIN.)	SIDE EXTERIOR (MIN.)	REAR (MIN.)	HEIGHT (MAX.)	
	Accessory Buildings / Structures	-	-	-	50 ft (15.2 m)	25 ft (7.6 m)	25 ft (7.6 m)	0 ft (0 m)	1 storey	15 ft (4.6 m)
ALL	Parks/ Plaza/ Squares/ Playgrounds	1,000 sq ft (93 sq m)	50 ft (15.2 m)	-	25 ft (7.6 m)	5 ft (1.5 m)	5 ft (1.5 m)	15 ft (4.6 m)	2 storey	35 ft (10.7 m)

a) 80 acres (32.4 ha) shall include land taken for a highway road allowance, drainage ditch or right-of-way and excepted from the certificate of title or consists of two (2) legal subdivisions which abut each other, and the resulting parcel abuts on a highway or is being consolidated with an adjoining parcel of land which abuts on a highway.

b) The minimum required site area for a Multi-Unit Dwellings shall increase by an additional 1,000 sq ft (93 sq m) for each additional dwelling unit greater than three (3) units.

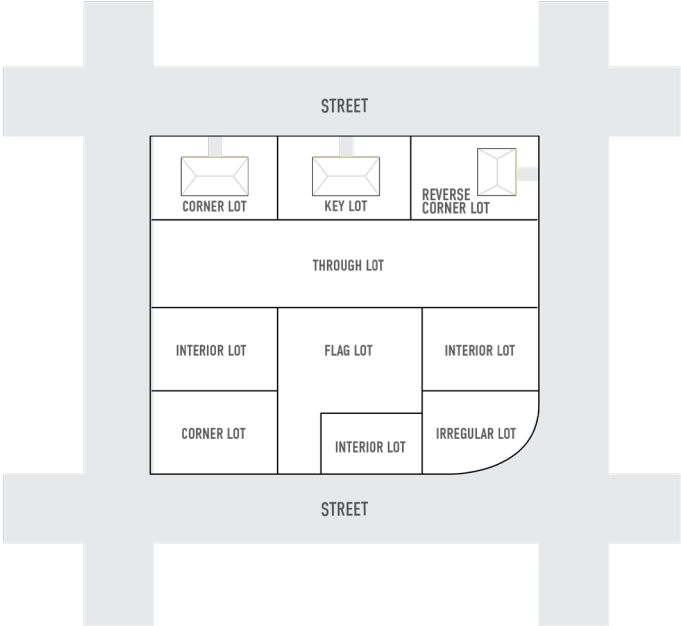
c) Where an interior site is not adjacent to a lane, one of the side yards of a Dwelling shall be a minimum of 10 ft (3.0 m) in width to accommodate any required vehicular parking space or to provide for vehicular access to the rear of the site. This requirement shall not apply where a garage or carport is attached to the principal building.

d) Where the side wall does not contain windows of a habitable room, the minimum required side yard may be 10 ft (3.0 m).

e) When located entirely to the rear of the principal building and/or where the rear site line is not adjacent to a public lane, the minimum required rear and side yard for accessory buildings and structures shall be 3 ft (1.0 m).

f) Where a side or rear yard is adjacent to a municipal road, that yard shall be 125 ft (38.1 m).

5.2 SITE AREAS AND YARDS



a) All yards and other open spaces required for any use shall be located on the same site as the use.

b) The Designated Officer may require any corner lot, odd-shaped lot, or Planned Unit Development to provide an additional front yard or yards other than that required, having regard to the orientation and access of adjacent developments.

Corner Lots

a) In the case of a corner lot, the front yard shall be the yard abutting the front lot line.

Double Frontage Sites / Through Lots

a) The Designated Officer may require a through lot to provide a front yard on each public roadway, other than a lane, provided that at least one (1) front yard shall be provided.

b) Where a site has frontage along two (2) more or less parallel streets, the following provisions shall apply:

   (i) Where the site depth is greater than 200 ft (61.0 m), both site lines which abut these streets shall be considered to be front site lines, and the adjacent yards shall both be considered to be required front yards.

   (ii) Where the site depth is 200 ft (61.0 m) or less, only one site line shall be considered to be the front site line, and this determination shall be made by the Designated Officer, based on the arrangement of existing buildings in the immediate area.

Unconventional Sites

a) Where a site is of such unique configuration that the required yards cannot be ascertained, the Designated Officer may designate the location of the required yards.

b) The location and required dimensions of such yards shall be consistent with the intent of the yards specified for the zone within which the site is located.

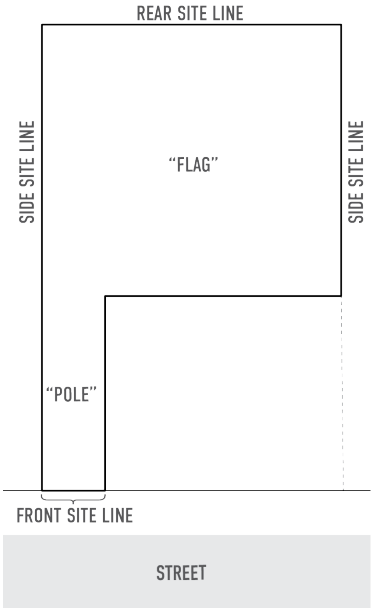
Flag Lots

a) Where flag lots have been created prior to the effective date of this By-law, the following standards apply:

(i) The minimum width of the strip of land used to provide driveway access to the buildable portion of the flag lot shall be 20 ft (6.1 m).

(ii) Within the access strip, the owner must erect and maintain a property address sign meeting the other standards in this By-Law.

(iii) The lands adjacent to the intersection of the access driveway and the right-of-way of the public street or lane must comply with the other standards in this By-Law.



b) The creation of new flag lots is prohibited unless:

(i) The lands proposed for flag lot access are located in the **RR, AG,** and **GD** zone.

(ii) The lands proposed for flag lot development are located more than 150 ft (45.7 m) from the nearest existing or planned public street or lane.

(iii) A Designated Officer determines that there is no feasible alternative way to provide access to such lands.

Party Walls

a) A building divided into units of residential, commercial, or industrial uses may be subdivided along vertical party walls to permit the sale of individual units.

b) The applicable side yard requirements shall be considered fulfilled for those side site lines contained within the party walls.

Site Reduced

a) Where a use is established on a site and a site area or site width or required yard is reduced below the minimum requirements of this By-law by virtue of the development of a public work, street or public utility, the affected site area, site width and required yard shall be deemed to conform to the requirements of this By-law.

b) Where new buildings or structures are proposed, the required yards shall be determined by the location of actual site boundaries.

5.3 INFILLING

a) Where sites comprising 80% or more of the entire frontage of the block are developed with buildings, the average front yard depths established by such buildings shall establish the minimum front yard depths for the entire frontage of the block provided such average is less than the minimum front yard required in the zone in which the site is located.

5.4 WATER BODY LOTS

a) The lot line abutting a navigable waterway shall be the front lot line.

b) Development shall incorporate a setback distance of 100 ft (30.5 m) for developments to the top-of-bank of any nearby waterbody or watercourse, with a height not less than 5 ft (1.5 m) above the ordinary high-water mark of the waterbody.

c) Development shall be directed away from all lands which would, within a 50-year period, be eroded or become unstable due to the action of water contained in an adjacent waterway or water body, unless proven otherwise by a geotechnical report from an engineering investigation shows these limits may be reduced.

d) Development shall be directed away from lands which would be subject to being flooded by a 200-year flood, a recorded flood exceeding the 200-year flood, or a flood specified by the Province of Manitoba in areas of protected flood control works.

e) In areas where the specific flood, erosion and bank instability hazards have not been determined, new principal buildings and structures shall be set back from all water bodies at a distance an engineering investigation shows that these limits should be established, and at the discretion of the local planning authority, and/or the applicable provincial authority.

f) The setbacks limiting development adjacent to water bodies established above may be reduced subject to geotechnical, engineering or environmental assessment by a professional engineer, and at the discretion of the local planning authority, and/or the applicable provincial authority.

g) Where a lot is separated from a navigable waterway by land owned by the Municipality or the Province, the lot shall be considered for the purpose of permitted land uses and required setbacks in this Zoning By-law as if it abuts the navigable waterway.

h) No minimum yard setbacks are required on the lot line that abuts a navigable waterway when the accessory use is a minimum of 20 ft (6.1 m) from the principal structure, except one side yard setback of 15 ft (4.6 m) is required and one side yard of 5 ft (1.5 m) for the accessory building.

i) A minimum side and rear yard setback of 5 ft (1.5 m) is required for the accessory buildings.

j) The accessory buildings shall not have a building length, when measured along a rear lot line along a road, that is greater than 40% of the lot width.

5.5 COMMERCIAL YARDS ABUTTING RESIDENTIAL ZONES

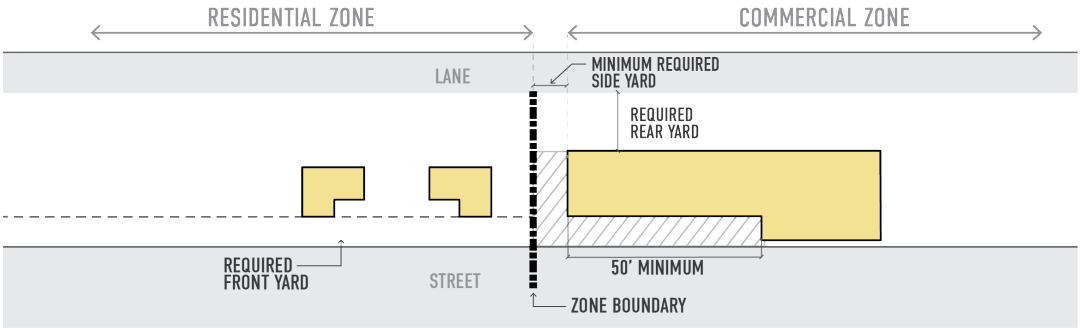
a) Where a side site line in the **CH** or **CM** zones abuts a side site line on an adjacent **RG** or **RM** zone:

(i) The front yard minimum requirement of the adjacent **RG** or **RM** zone shall extend for a minimum of 50 ft (15.2 m) within the **CH** or **CM** zone.

(ii) The side yard in the **CH** or **CM** zone shall be 10 ft (3.1 m).

(iii) A solid fence 6.0 ft (1.8 m) in height shall be provided and maintained along the side site line abutting the **RG** or **RM** zone extending from the front side site line to the depth of the front yard.

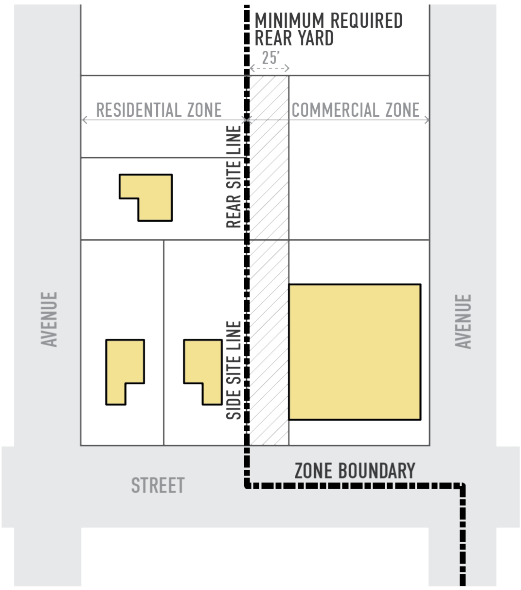
(iv) Outdoor storage, outdoor operations, and loading spaces shall not be permitted within this side yard.



b) Where a rear yard line in the **CH** or **CM** zones abuts a side or rear site line in an adjacent **RG** or **RM** zone:

(i) The rear yard in the **CH** or **CM** zone shall be 25 ft (7.6 m).

(ii) A solid fence 6.0 ft (1.8 m) in height shall be provided and maintained along the site line abutting the **RG** or **RM**.



5.6 INDUSTRIAL YARDS ABUTTING RESIDENTIAL ZONES

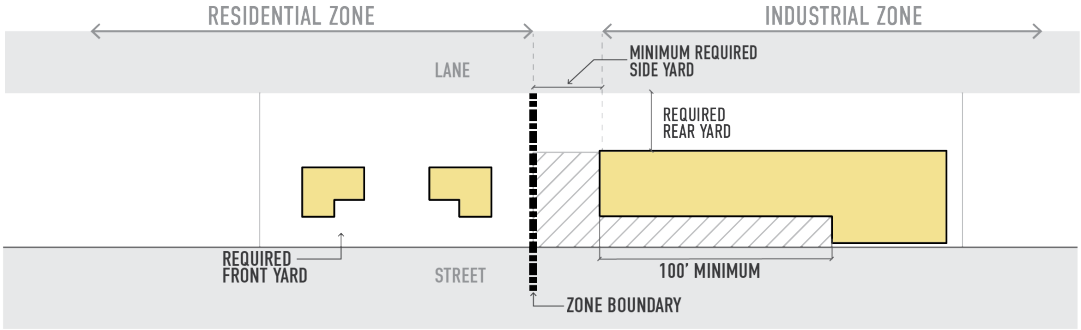
a) Where a side site line in the **EL** or **EH** zones abuts a side site line on an adjacent **RG** or **RM** zone:

(i) The front yard minimum requirement of the adjacent **RG** or **RM** zone shall extend for a minimum of 100 ft (30.5 m) within the **EL** or **EH** zone.

(ii) The side yard in the **EL** or **EH** zone shall be 25 ft (7.6 m).

(iii) A solid fence 6.0 ft (1.8 m) in height shall be provided and maintained along the side site line abutting the **RG** or **RM** zone extending from the front side site line to the depth of the front yard.

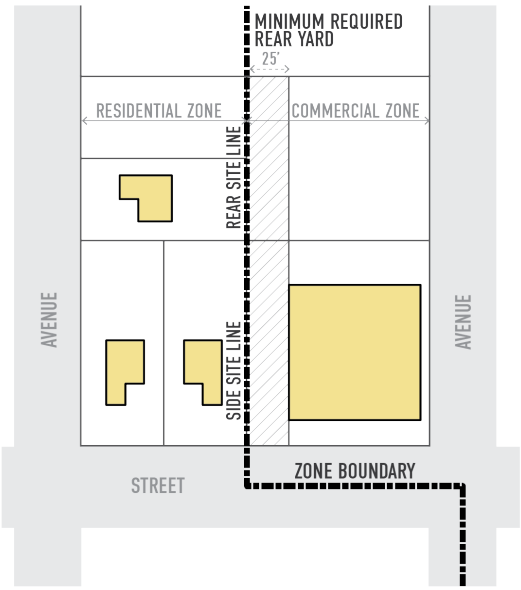
(iv) Outdoor storage, outdoor operations, and loading spaces shall not be permitted within this side yard.



b) Where a rear yard line in an **EL** or **EH** zones abuts a side or rear site line in an adjacent **RG** or **RM** zone:

(i) The rear yard in the **EL** or **EH** zone shall be 50 ft (15.2 m).

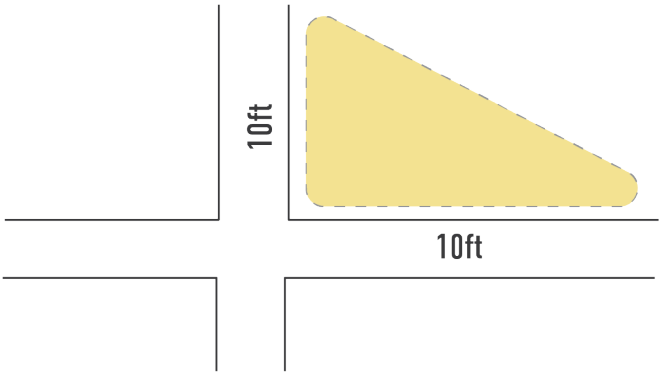
(ii) A solid fence 6.0 ft (1.8 m) in height shall be provided and maintained along the site line abutting the **RG** or **RM** zone.



5.7 CORNER VISION TRIANGLES

a) Corner vision triangles shall be maintained at the street corners of all sites located adjacent to street intersections.

b) The corner vision triangle shall be a triangular area measured 10 ft (3.0 m) from the street corner of the site along each site line adjacent to the street.



c) No wall, fence, hedge, shrub, or other landscaping feature which would substantially diminish the visibility of motorists shall be allowed to exceed a height of 3 ft (0.9 m) within these corner vision triangles.

5.8 RAILWAYS

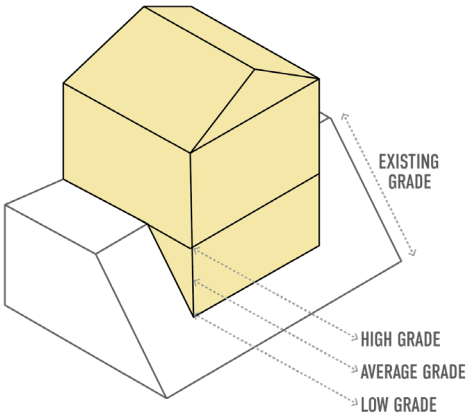
a) No residential development shall be permitted within 984 ft (300.0 m) of a freight rail yard, 98 ft (30.0 m) of a railway main line, or within 49 ft (15 m) of a branch line or spur line, measured from the property line of the railway to the face of the residential building.

b) The required side or rear yard shall be 0 ft (0 m) for those structures which require railway service for loading or unloading.

5.9 PUBLIC AIRCRAFT LANDING AREAS

a) Any proposal to establish any building or structure which exceeds a building height of 10 ft (3m), or to establish a shelterbelt or similar obstruction within the flight approaches of any public aircraft landing area for 1 mile (1.6 km) shall be subject to Council approval.

5.10 BUILDING GRADE AND FLOODING



a) Development is prohibited on land that is within 2 ft (0.6 m) of the high-water mark of the 200-year design flood, a recorded flood exceeding the design flood, or a flood specified by Manitoba Transportation and Infrastructure, unless an engineering report showing the development, with flood protection, may occur without creating any additional risks is submitted to the Municipality at the time of application for a development permit.

b) 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 through a drain, ditch, or swale.

c) No person shall proceed with any work that may alter or otherwise change the grading of a lot or property in any manner that may affect the existing or established storm water runoff from that or any adjacent property without first obtaining a development permit.

5.11 RIPARIAN AND WETLAND AREAS

a) No development shall occur within the area 100 ft (30.5 m) upslope from the normal high-water mark of a natural water body, waterway, wetland, or a third (or higher) order drain, except if the development is permitted as an exception below.

b) No development shall occur within 50 ft (15.2 m) of a first or second order drain, or artificially created retention pond, except if the development is permitted as an exception below.

Exceptions to Riparian Setbacks

a) Developments that create minor disturbances to the natural vegetative cover of riparian areas (such as docks, boathouses, and pathways) may be allowed within the riparian and wetland area, provided no more than 25% of the length of a lot's shoreline is affected.

Protection of Important Areas

a) No development shall occur 100 ft (30.5 m) upslope from the normal high-water mark of a water body or waterway identified in the Development Plan as being socially, historically, or culturally important, being designated under an enactment, or containing unique aquatic assemblages and species.

b) The natural vegetative cover must be retained or rehabilitated within these areas.

No Alteration of Wetlands

a) Development shall not result in alteration to permanent, semi-permanent or coastal wetlands by the consolidation of wetlands or by ditching, filling, pumping, subsurface drainage, or other works or means, unless it is for the purpose of flood mitigation.

b) Flood mitigation must maintain the natural boundaries of permanent, semi-permanent, or coastal wetlands.

5.12 PROJECTIONS IN REQUIRED YARDS

a) Required yards shall be free of buildings, except accessory buildings which must conform to the other requirements of this By-law.

b) Wheelchair ramps (or similar accessibility structures) are not subject to the restrictions for required yards.

c) Open, unenclosed stairs and landings may extend into the required yards for not more than 50% of the required yard depth, up to a maximum of 5 ft (1.5 m), whichever is lesser.

d) Enclosed projections of a building, including chimneys, alcoves, and bay windows may extend into a required yard up to 50% of the required yard depth to a maximum projection of 5 ft (1.5 m), whichever is the lesser, provided that no more than 10 sq ft (0.9 sq m) of area within any required yard is occupied by these types of projection.

e) Landscaping features such as driveways, sidewalks, and patios at grade level, ornamental plantings, fences, and other decorative features are permitted within any required yard.

f) Air conditioning units, pool filters, pumps and heaters may not extend into the required front yard. In the side and rear required yard, they must be a minimum 10 ft (3.0 m) measured laterally from operable window of a habitable room on an adjoining lot

5.13 DECKS, PATIOS, BALCONIES, PATIO COVERS, SUNROOMS, SCREEN ENCLOSURES

a) Unenclosed and covered decks, patios, and balconies 2 ft (0.6 m) or less in height (as measured from the underside of the joists to the ground) may extend into all required yards.

b) Enclosed decks, patios and balconies with sunroom or screen enclosures shall have the dimensional standards of the principal building apply when attached to the principal building and the dimensional standards of detached accessory structures apply when detached from the principal building.

PART 6: DESIGN STANDARDS

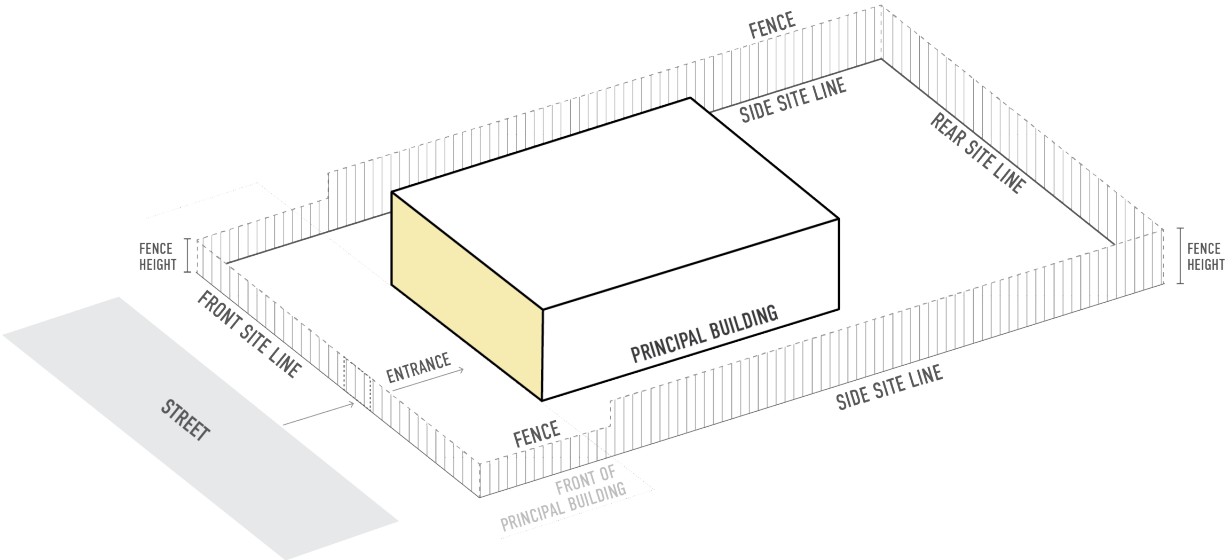
6.1 FENCES

a) Fences and horticulture landscape features, including hedges that create a fence like effect, are permitted in all required yards and can be placed up to the property line.

b) Fences shall be limited in height in the setbacks for corner lot site triangles as prescribed elsewhere in this By-law.

6.2 FENCE HEIGHT

a) Fence height is measured from the highest part of the fence to the point where the fence post enters grade. Where a fence is located on top of a retaining wall, the height to the fence shall include the height of the retaining wall measured from the finished grade.



b) No fence or hedge shall exceed the following heights:

YARD	AG	OS	IN	RR	RG	RM	GD	CM	CH	EL	EH
Front Yard	4 ft (1.2 m)	10 ft (3.0 m)	4 ft (1.2 m)	4 ft (1.2 m)	4 ft (1.2 m)	4 ft (1.2 m)	4 ft (1.2 m)	4 ft (1.2 m)	4 ft (1.2 m)	4 ft (1.2 m)	4 ft (1.2 m)
Side Yard	6.6 ft (2.0 m)	10 ft (3.0 m)	6.6 ft (2.0 m)	6.6 ft (2.0 m)	6.6 ft (2.0 m)	6.6 ft (2.0 m)	6.6 ft (2.0 m)	6.6 ft (2.0 m)	6.6 ft (2.0 m)	6.6 ft (2.0 m)	6.6 ft (2.0 m)
Rear Yard	6.6 ft (2.0 m)	10 ft (3.0 m)	8.0 ft (2.4 m)	6.6 ft (2.0 m)	6.6 ft (2.0 m)	6.6 ft (2.0 m)	6.6 ft (2.0 m)	8.0 ft (2.4 m)	8.0 ft (2.4 m)	8.0 ft (2.4 m)	8.0 ft (2.4 m)

c) Notwithstanding the above, the maximum height of a fence or a hedge for a public utility service site, hazardous use, or public park shall be 10 ft (3.0 m).

6.3 FENCE MATERIALS AND MAINTENANCE

a) Fences shall:

(i) Not be electrified, except as an accessory to a permitted industrial or agricultural use in the **AG** zone.

(ii) Not contain barbed wire, except as an accessory to a permitted industrial or agricultural use in the **AG, CH, EL** and **EH** zones. Only the top 2.0 ft (0.6 m) of the fence may be barbed.

(iii) Not contain scrap metal, wood pallets, or industrial waste material.

(iv) Be constructed of wood or PVC products, concrete, ornamental block, brick, metal or a combination of those materials. Any other material shall be subject to an illustration by an engineer, architect or landscape architect to the satisfaction of the Designated Officer.

b) Notwithstanding the above, a snow fence is allowed to be erected on a temporary basis between November 1 and April 15 of the following year, provided the snow fence is properly maintained, and located a minimum of 10 ft (3.0 m) from any property line.

c) No fence shall be maintained or caused to be maintained in a damaged or disrepair state or condition by reason of fire, decay or otherwise; and all fences shall be constructed or caused to be constructed in a sound manner and shall be maintained by painting or other suitable means and shall be straight and true.

d) No fence shall be maintained or caused to be maintained such that it encroaches on or over a public right-of-way or sidewalk thereby creating a hazard to or impede the passage of pedestrians or vehicular traffic.

6.4 OUTDOOR FIRE PIT, WOOD BURNING STOVE, OR BARBECUE

a) Where an outdoor wood stove or furnace is established for heating of the principal building or structure, it shall be considered as part of such building or structure and all yard requirements of a principal building shall apply in the applicable zone.

b) All outdoor wood burning stoves and furnaces are subject to the following provisions:

(i) Shall be supported by a non-combustible base or foundation that is designed according to the manufacturer's instructions to support the weight of the appliance.

(ii) The non-combustible base must in all cases extend a minimum of 1 ft (0.3 m) in all directions from the appliance on all sides.

c) All outdoor wood burning areas in residential zones are subject to the following provisions:

(i) Shall be located at least 10 ft (3.0) from the base of any tree, hedge, fence, combustible building or structure.

(ii) Shall not be located in a front yard.

(iii) Shall be located at least 30 ft (9.1 m) from a pipeline, public utility, transmission corridor, or public right-of-way.

(iv) Shall not be used for burning of refuse, yard waste, or other non-wood materials.

6.5 GARBAGE AND RECYCLING STORAGE AREAS

a) Garbage and recycling bins shall be fully enclosed by a brick, concrete or wood barrier that is at least 6 inches above the top of the garbage container.

b) Garbage and recycling enclosures are permitted in the side yard when less than 5 ft (1.5 m) in height, and in the rear yard when adjacent to a lane and less then 5 ft (1.5 m) in height.

c) Garbage and recycling enclosures shall not be permitted in the front or side yards in the **RG, RM** and **RR** zones.

d) Garbage and recycling enclosures shall not be permitted:

   (i) Within 20 ft (6.1 m) of a **CH** or **CM** zone where it abuts an adjacent **RG** or **RM** zone.

   (ii) Within 30 ft (9.1 m) of an **EL** or **EH** zone where it abuts an adjacent **RG** or **RM** zone.

   (iii) Within 10 feet (3.0) of an **IN** zone where it abuts an adjacent **RG** or **RM** zone.

e) Garbage and recycling enclosures may be located in the rear yard where a lot has frontage on a navigable waterway.

6.6 LIGHTING

a) Wall mounted lights must have fully shielded luminaries to direct light downward.

b) No person may install or maintain a light source that is directed outward toward property boundaries or adjacent rights-of-way.

c) Lighting must be directed downward except for low-voltage architectural, landscape and decorative lighting, which is subject to subsection below.

d) Architectural, landscape and decorative lighting may be directed upward to illuminate flags, statues or any other objects but must use a narrowly directed light whose light source does direct light onto adjacent residential properties.

e) All light sources must be shielded to prevent glare.

f) Lighting used to illuminate accessory off-street parking areas shall be arranged and shielded so as not to reflect directly onto residential lots.

Height of Lighting Standards

g) Within the **RG, RM** and **RR** zones, the maximum permitted height of light poles is 20 ft (6.1 m).

h) Within the **IN, GD, CM, CH, EL,** and **EH** zones, the maximum permitted height of light poles is 25 ft (7.6 m) when within 50 ft (15.2) of any **RG, RM** and **RR** zone.

Prohibited Lighting

i) No person shall install or maintain strobe lights that are visible from another property, unless required by a governmental aviation authority.

j) No person shall install or maintain red, blue, or yellow rotating lights designed to imitate lighting on police, fire, or emergency vehicles that are visible from another property.

6.7 SIGNS

a) All signs shall comply with the minimum yard requirements for accessory structures in the zone in which they are to be located or erected.

b) No sign or sign structure shall be erected at any location where it may interfere with or obstruct the view of any street, intersection, or railroad grade crossing, or be confused with any authorized traffic sign, signal, or device.

c) No rotating beam, beacon or flashing illumination resembling an emergency light shall be used in connection with any sign display.

d) No sign or sign structure shall be erected or maintained on, over or above any land or right-of-way belonging to the Municipality without approval from the Municipality and a Development Permit.

e) The placing of signs within the controlled area of a Provincial Road or Provincial Trunk Highway shall require a permit from the applicable provincial authority.

f) All signs and sign structures shall be kept in good repair and in a proper state of preservation.

g) Signs which have become obsolete because of discontinuance of the operation or activity or are not maintained in good condition or repair shall be repaired, removed, or relocated by the property owner within 30 days following notice by the Designated Officer.

h) Sign surface area includes the entire area of the smallest rectangle that encloses the extreme limits of any writing or symbol, background colour or material, and any embellishment of the supporting structure forming part of the display.

6.8 SIGNS NOT REQUIRING A DEVELOPMENT PERMIT

The following signs shall not require a development permit. However, they must still comply with any applicable standards in this By-law:

a) Signs posted by duly constituted public authorities in the performance of their public duties.

b) Commemorative or memorial signs or tablets.

c) Temporary signs.

d) Awning signs with signage originally incorporated in the design or awning material.

e) Residential on-site identification signs or warning signs (such as “Private Property” signs and similar) not exceeding 3 sq ft (0.3 sq m) each in surface area.

f) Temporary and/or mobile signs required for direction and convenience of the public, including signs identifying restrooms or parking entrances, not exceeding 5.0 sq ft (0.5 sq m) in sign surface area.

6.9 TEMPORARY SIGNS

a) Temporary signs permitted on public property are limited to public service announcements, real estate, political campaigns, construction, directional signage, garage sales and community events such as fundraisers and sporting events, or at the discretion of the Designated Officer.

b) A Temporary Signs are permitted providing that:

   (i) The sign does not exceed 16 sq ft (1.5 sq m) in area, unless otherwise approved by the Designated Officer.

   (ii) The sign indicates the date of the event.

   (iii) The sign is not placed within 50 ft (15.2 m) of an uncontrolled intersection or a traffic circle.

   (iv) The sign is not placed more than seven (7) days in advance of the event.

   (v) The sign is removed within 36 hours of the event, unless otherwise approved by the Designated Officer.

6.10 DIGITAL SIGNS

a) All signs with flashing lights or digital images are prohibited within 100 ft (30.5 m) of RR, RG or RM zones

b) Digital signs are not permitted in a required yard abutting a RR, RG or RMzone.

c) Digital signs are not permitted for home-based businesses.

d) No Mobile Sign shall have any digital component.

e) If a component fails or malfunctions in any way or fails to operate as indicated on the approved permit, the sign owner shall ensure that the sign is turned off until all components are operating as required.

f) A digital sign shall be equipped with automatic dimming technology that automatically adjusts the sign's brightness in direct correlation with ambient light conditions so that the electronic sign is not a nuisance or safety issue as determined by the Designated Officer.

g) Sound, live video feed and the broadcasting of television programs or movies is not permitted.

h) Images must have a minimum hold time of 6 seconds. Transitions must remain at a consistent brightness level.

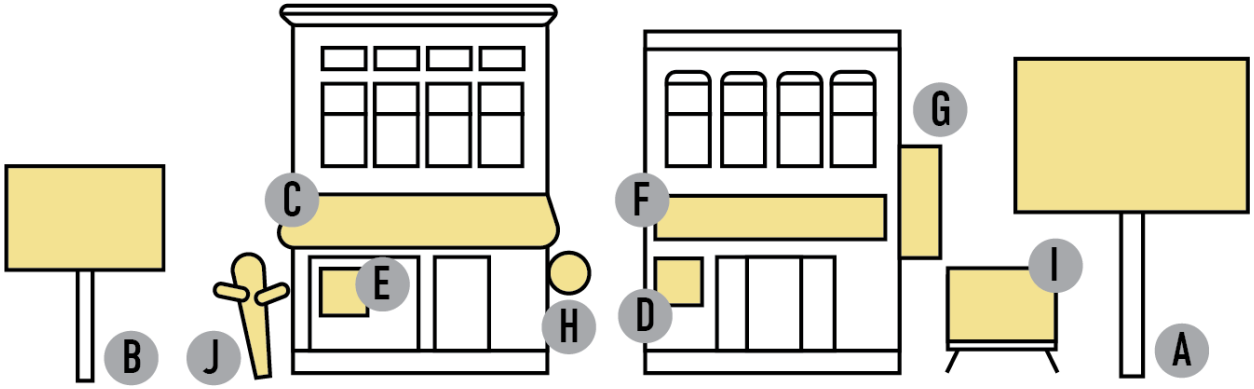
i) Copy must not be shown in a manner that requires the message to be viewed or read over a series of sequential messages on a single digital sign or sequenced on multiple digital signs.

j) Copy must not involve any visible effects, including but not limited to blinking, intermittent, or flashing light or the illusion of such effects.

k) Transitions must not involve any visible effects, including but not limited to blinking, intermittent, or flashing light or the illusion of such effects.

l) Signs in the **CM** zone require Main Street Revitalization approval.

6.11 SIGN STANDARDS



TYPE OF SIGN		PERMITTED IN ZONES	MAXIMUM SIGN FACE AREA	HEIGHT	OTHER CONDITIONS	PERMIT REQUIRED
A	**Free-Standing (Large) / Advertising / Billboard**	EL, EH, CH	325 sq ft (30.0 sq m)	35 ft (10.7 m) above grade maximum	Side and front yard set back: 50% the height of the sign Not allowed in any Yards Abutting Residential Zones	Yes
	Free-Standing (Small)	AG	130 sq ft (12.0 sq m)	25 ft (7.6 m) above grade maximum	Not permitted for home-based businesses	Yes
B		OS, IN, GD	100 sq ft (9.3 sq m)	8 ft (2.4 m) above grade maximum	Side and front yard set back: 5 ft (1.5 m) minimum	
		CM	50 sq ft (4.7 sq m)	8 ft (2.4 m) above grade maximum		
C	**Awning**	ALL	10% of the area of the wall to which awning is affixed	n/a	Not permitted for home-based businesses	No
D	**Wall (Small)**	ALL	5 sq ft (0.5 sq m)	n/a	n/a	No

TYPE OF SIGN		PERMITTED IN ZONES	MAXIMUM SIGN FACE AREA	HEIGHT	OTHER CONDITIONS	PERMIT REQUIRED
E	**Window**	ALL	5 sq ft (0.5 sq m)	n/a	Shall not exceed 30% of window.	No
F	**Wall (Large) / Fascia**	AG, EH, OS, IN, CH, EL	25% of the area of the wall to which sign is affixed.	n/a	n/a	Yes
		CM	10% of the area of the wall to which sign is affixed, up to 325 sq ft (30.0 sq m)	n/a	n/a	
G	**Projecting (Large)**	IN, GD, CM, CH, EL, EH	25 sq ft (2.3 sq m) maximum area for a single face	9 ft (2.7 m) minimum above-grade to the bottom edge of the sign	Must not project more than 6.5 ft (2.0 m) from the wall to which the sign is affixed.	Yes
H	**Projecting (Small)**	ALL	5 sq ft (0.5 sq m) maximum area for a single face	9 ft (2.7 m) minimum above-grade to the bottom edge of the sign	Must not project more than 5 ft (1.5 m) from the wall to which the sign is affixed. Not permitted for home-based businesses	Yes
I	**Mobile**	IN, GD, CM, CH, EL, EH	50 sq ft (4.7 sq m) maximum area for a single face	n/a	n/a	Yes, must be renewed annually
J	**Inflatable**	ALL	n/a	18 ft (5.5 m) above grade maximum	Only one (1) inflatable sign shall be permitted per site. May only be displayed for no more than 15 days within a 6-month period. Not permitted for home-based businesses	No

PART 7: PARKING AND VEHICLE STORAGE

7.1 MINIMUM PARKING

a) Accessory off-street parking spaces shall be provided according to the minimum number of spaces as calculated below.

b) All accessory off-street parking spaces shall be located on the same site as the principal use, unless specifically permitted to locate elsewhere. There are no parking requirements for uses/zones not included in the table.

c) Where more than one type of principal use is located within a single site, the number of parking spaces required is reduced to 80% of the spaces required for each use.

USE / USE CLASS	ZONES	MINIMUM SPACES	UNIT
Bed and Breakfasts, Hotels and Similar Uses	All applicable	1.5	Per individual suite or bedroom
Dwelling, Single-Unit	All applicable	1.0	Per dwelling unit
Dwelling, Two-Unit	RG, GD	1.0	Per dwelling unit
	RM	0.5	Per dwelling unit
Dwelling, Three-Unit	All applicable	0.66	Per dwelling unit
Dwelling, Multi-Unit	RM, GD	0.8	Per dwelling unit
	CM	0.5	Per dwelling unit
	RM, GD, CM	Plus 0.3 visitor spaces	Per dwelling unit over 14 dwelling units
Educational Services (Elementary School)	All applicable	1.5	Per classroom
Educational Services (High School)	All applicable	4.0	Per classroom
Educational Services (Other)	All applicable	3.0	Per 1,075 sq ft (100 sq m) of gross floor area [b]
Hospital	All applicable	1.0	Per 1,075 sq ft (100 sq m) of gross floor area [b]
Residential Care / Assisted Living Facility	All applicable	0.25	Per sleeping unit or bed
		Plus 1.0	Per 1,075 sq ft (100 sq m) of gross floor area [b] used for medical, health or personal service
		Plus 0.2 visitor space	Per sleeping unit or bed over 14 required parking stalls
All Other CM Uses	CM	0.0	N/A
All CH, EL, EH Uses	CH, EL, EH	0.8	Per 1,075 sq ft (100 sq m) of gross floor area [b]

a) A fraction of 0.5 or more of a parking space shall be counted as 1 parking space.
b) Gross floor area excluding any area used for parking within the principal building and any area used for incidental service storage, mechanical equipment, or similar uses.
c) Includes portables.

7.2 OFF-STREET LOADING

a) At least one (1) loading space shall be provided for each non-residential building over 10,000 sq ft (929 sq m) in the **CH, EL** and **EH** zones.

b) Each loading space shall have a minimum width of 10 ft (3.1 m), a minimum length of 30 ft (9.1 m) and a minimum vertical clearance of 14 ft (4.3 m), and each space shall be visibly designated and marked.

c) Loading spaces shall not be located within any required front or exterior side yards, and shall not overlap with any required parking spaces, driveways, or aisle ways.

7.3 ACCESSIBLE PARKING

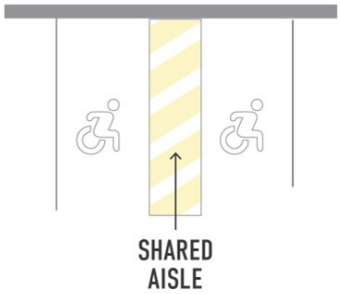
a) Accessible parking spaces for non-residential uses shall be provided according to the minimum number of spaces specified by the table below.

NUMBER OF OFF-STREET PARKING SPACES ON A ZONING SITE	MINIMUM NUMBER OF BARRIER-FREE PARKING SPACES
0 – 4	0
5 – 25	1
26 – 50	2
51 – 75	3
76 – 100	4
101+	4 plus 1 for every 50 additional spaces, to a maximum of 10 spaces

b) Each accessible parking space shall have a minimum width of:

(i) 8.25 ft (2.5 m) in addition to a 6.5 ft (2.0 m) wide access aisle if the parking space is perpendicular to the roadway.

(ii) 11.5 ft (3.5 m) if the parking space is parallel to the roadway



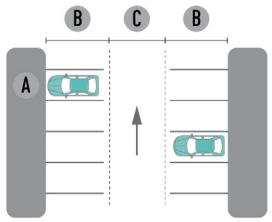
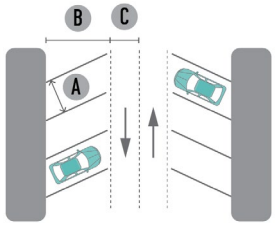
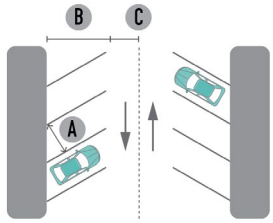
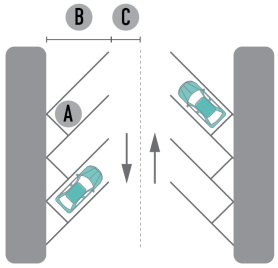
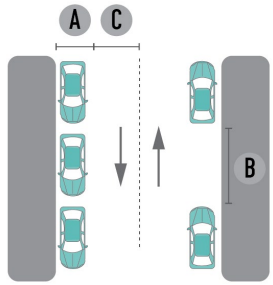
c) Accessible parking spaces shall be located as part of the shortest accessible route, or within 200 ft (61.0 m) of major building entrances used by residents, employees or the public.

d) Accessible parking spaces must include signage reserving the space for use by persons with disabilities using the International Pictogram of Access.

e) At least one (1) curb ramp must be located within 100 ft (30.5 m) of the parking space closest to each entrance to a principal or accessory building that is not a service entrance.

7.4 PARKING LAYOUT

a) Off-street parking spaces shall meet the following parking stall and aisle specifications:

		MINIMUM STALL		MINIMUM AISLE WIDTH (C)	
CONFIGURATION	ANGLE	WIDTH (A)	LENGTH (B)	TWO-WAY	ONE-WAY
	75° - 90° (Head-In)	9 ft (2.8 m)	18 ft (5.5 m)	24 ft (7.3 m)	24 ft (7.3 m)
	60° - 75° (Angled)	9 ft (2.8 m)	18 ft (5.5 m)	24 ft (7.3 m)	18 ft (5.5 m)
	45° - 60° (Angled)	9 ft (2.8 m)	18 ft (5.5 m)	24 ft (7.3 m)	13 ft (4.0 m)
	30° - 45° (Angled)	9 ft (2.8 m)	18 ft (5.5 m)	24 ft (7.3 m)	12 ft (3.7 m)
	0° (Parallel)	9 ft (2.8 m)	22 ft (6.7 m)	24 ft (7.3 m)	12 ft (3.7 m)

b) An accessory parking area must comply with the minimum yard requirements for the zone in which the parking area is located.

c) The length of each parking space shall be exclusive of access driveways, aisles, ramps and columns, and office or work areas.

d) Where access to a parking space is directly from a lane, the width of the lane adjacent to said parking space may be computed as part of the aisle width required for said parking space.

e) Design of parking areas and access drives need to address safe pedestrian circulation routes, lighting, aesthetic appearance, service vehicle access, and snow removal.

f) The off-street parking area shall be provided with an access drive with a minimum width of 10 ft (3.0 m) to a street or lane. Except as provided for in c), an aisle or driveway shall not mean a street or lane.

7.5 RESIDENTIAL DRIVEWAYS

a) For all Dwellings in the **RR, RG, RM** and **GD** zones, vehicles may be parked on a driveway:

   (i) In the front yard leading to a parking space inside an attached garage.

   (ii) In the front yard leading to a parking space in the side yard next to the principal building leading to a parking space or detached garage.

   (iii) In the rear yard as accessed directly from a public lane at the rear of the dwelling.

b) A maximum of two (2) vehicles may be parked on a driveway in the front yard leading to a parking space in the principal building or in a side or rear yard, or a maximum of four (4) vehicles if they are parked in tandem.

c) Where a driveway leads from the public road to a garage or carport located on the front facade of a Dwelling, the driveway must be a minimum of 6 ft (1.8 m), measured between the garage door or the edge of the carport closest to the public road and the front property line.

d) In the **RR** zone, the maximum width of driveways shall be 40% of the width of the front lot line.

e) In the **RG** zone:

   (i) The maximum width of driveways shall be 20 feet.

f) In the **RM** zone:

   (i) The maximum width of a driveway cannot exceed 40% of the lot frontage, or 32 feet, whichever is less.

   (ii) The minimum separation distance of 50 feet shall be required between two (2) driveways on one (1) lot.

7.6 SURFACING

a) All accessory off-street parking and loading areas, including the entrances and exits, aisleways and maneuvering areas, shall be maintained with a stable hard surface, such as crushed stone, gravel, crushed brick or tile, cinders, paving stones, asphalt or concrete.

b) When off-street parking and loading spaces are gravel surfaces, the gravel surface shall be treated with biodegradable herbicide and dust inhibitor to limit the generation of weeds and dust, and shall be maintained thereafter to the satisfaction of the Designated Officer.

c) The surface of an accessory off-street parking area and its access driveways shall be designed in such a manner that there will be no free flow of water onto either adjacent properties or along public sidewalks.

7.7 RECREATIONAL VEHICLE / TRAILER PARKING AND STORAGE

Parking and storage for recreation vehicles / trailers (or similar vehicles) shall be subject to the following regulations:

a) The regulations of this section do not apply to recreational vehicles / trailers parked or stored within a Campground.

b) Recreational vehicles / trailers shall not be occupied while parked or stored, unless otherwise allowed in this by-law.

c) One (1) recreational vehicle / trailer belonging to an owner or occupier or guest/visitor of the owner or occupier of the principal Dwelling may be located on the same parcel containing the principal dwelling to be used for temporary accommodation for up to 14 consecutive days two (2) times per year.

d) Recreational vehicles / trailers shall not be stored or occupied within residential subdivisions prior to the occupation of the main dwelling unless it is under a written agreement with the Municipality. This excludes the **AG** zone where it is allowed.

e) Notwithstanding any other provision in this by-law, recreational vehicles / trailers may be stored in a rear yards during winter months, subject to all applicable dimensional standards for accessory structures.

7.8 BOAT PARKING AND STORAGE

Parking and storage for boats (or similar vehicles) shall be subject to the following regulations:

a) The regulations of this section do not apply to any boats parked or stored within a marina, or boat sales or commercial storage, or in conjunction with any permitted dock, boat house or boat port on the same lot.

b) Boats stored in an interior side or rear yard in the **RG** and **RM** zones shall be setback a minimum of 2 ft (0.6 m) from any lot line and the line dividing the side or rear yard from the front yard.

c) Notwithstanding any other provision in this by-law, boats shall only be permitted to be stored in a driveway in the **RG** and **RM** zones between May 1st and October 31st of each year.

PART 8: ADMINISTRATION

8.1 ADMINISTRATION AND ENFORCEMENT

In the administration and enforcement of this By-law, the Municipality shall have all of the powers of inspection, remedy and enforcement provided under Part 12 of *The Planning Act*.

8.2 THE DESIGNATED OFFICER

a) The person appointed as Development Officer by Council shall be a *Designated Officer* for the purposes of *The Planning Act*.

b) Additional Designated Officers have decision making authority as outlined in this By-law.

8.3 ROLES OF THE DESIGNATED OFFICER

The Designated Officer shall have the authority to:

a) Issue development permits and exercise the powers of administration, inspection, remedy, and enforcement provided in Part 12 of *The Planning Act*.

b) 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, to the Designated Officer's knowledge, comply with this By-law, the Building By-law or with any other law.

c) Revoke a development permit where the development permit was issued in error.

d) Make a minor variance order, without the need for a public hearing, for any proposed change that varies:

   (i) Any height, distance, area, size, or intensity of use requirement in this By-law by no more than 10%.

   (ii) The number of parking spaces required by this By-law by no more than 10%.

8.4 DEVELOPMENT PERMITS

When Development Permits are Required

A development permit is required for any of the following, except as otherwise provided for in this By-law:

a) The erection, construction, demolition, enlargement, structural alteration or placing of a building or structure, either permanent or temporary.

b) The establishment of a use of land or a building or structure.

c) The change of a use of land or a building or structure from the existing use to a use which is not a permitted use.

d) The alteration or enlargement of an approved conditional use.

Development Permits and Other Permits

The issuance of a development permit in respect of building or structure does not affect the obligation to obtain a building permit or other permit where required under the building by-law, or another law, by-law, or regulation, for such a building or structure.

When Development Permits are Not Required

a) A development permit is not required for the following:

   (i) Incidental alterations, except when a building permit is required.

   (ii) The erection, construction, enlargement, structural alteration or placing of the following as accessory structures:

   - Fences.
   - Signs, not including advertising signs where they are conditional uses.
   - Outdoor lighting.
   - Flagpoles.
   - Sheds and buildings with a floor area of less than 150 sq ft (13.9 sq m).
   - Garden houses or children's playhouses.
   - Private sewage disposal systems.
   - Private communications facilities.
   - Unenclosed patios at grade level.

b) Despite not requiring a development permit, all items in this provision shall be subject to requirements of this By-law.

Applications for Development Permits

An application for a development permit:

a) Shall be made by the owner or owners of the parcel in question, or by a person authorized in writing by them.

b) Shall be accompanied by plans drawn to scale showing the following:

   (i) The shape and dimensions of the parcel to be used or built on.

   (ii) The location and dimensions of existing buildings and structures and their distances from property lines.

   (iii) The location and dimensions of any proposed building, structure, enlargement, or alteration.

   (iv) The use or uses of each existing and proposed building and structure, or of the land, and the area to be occupied by each use.

   (v) Vehicular access, utility connections.

   (vi) Any other information required by the Designated Officer to determine compliance with, and to provide enforcement of, this By-law.

c) Shall be accompanied by the fee prescribed by the Municipality.

8.5 VARIANCES

Purpose of a Variance

This By-law applies general zoning regulations to the entire Municipality. However, there may be locations where the standards in a zone impose an unreasonable limitation on the development or use of a site due to its particular characteristics, including parcels of land that are odd-shaped or have other physical characteristics that make complying with the requirements of this By-law impractical or unreasonable.

Minor Variances

This By-Law outlines the process for minor variances, without the need for a public hearing, for proposed changes that vary the standards in this By-Law by no more than 10%.

Applying for a Variation Order

Any person who believes that this By-law adversely affects their property rights may apply for an order varying specific provisions of this By-law insofar as they apply to the affected property, in accordance with *The Planning Act*.

General Requirements

a) A building, structure or use established by a variance order prior to the effective date of this By-law shall, subject to the provisions of the variance order, be deemed to conform to this By-law.

b) A variance order shall expire or cease to have any effect if it is not acted upon within 12 months from the date it was made, unless it is renewed before the expiration date at the discretion of Council for an additional period not exceeding 12 months.

8.6 CONDITIONAL USE

Purpose of Conditional Uses

This By-law is based upon the division of the Municipality into zones where the use of the land, buildings and structures are compatible. There are, however, certain uses designated Conditional Uses, which cannot properly be permitted without consideration, in each case, of the impact of those uses upon neighboring land.

Applying for a Conditional Use

Any owner may apply for a Conditional Use in accordance with this By-Law and with the provisions of *The Planning Act*.

General Requirements

a) Approval of a conditional use shall expire or cease to have any effect if it is not acted upon within 12 months from the date it was made, unless it is renewed before the expiry date at the discretion of Council for an additional period not exceeding 12 months.

b) A use that is listed as a conditional use within this By-law, but that lawfully existed prior to the effective date of this By-law, shall be considered a lawfully existing conditional use.

c) Changes to an existing conditional use, such as enlargement, expansion, or extension to occupy a greater floor area or site area upon which said use is located, shall require

conditional use approval except for changes to farm buildings that house livestock as per *The Planning Act*.

d) In the case of aggregate extraction operations, existing pits may be expanded within the site, provided that no new pits are established and provided that said operation was a legally existing conditional use at the effective date of this By-law. The aggregate extraction operation shall otherwise conform to the requirements of the zone in which it is located.

8.7 ZONING MEMORANDA

a) A zoning memorandum may be issued upon application of any person having an interest in land, land use, a building or structure within the area affected by this By-law, stating whether or not the land, building, structure, and use appears to conform with this By-law, in accordance with *The Planning Act*.

b) A request for a zoning memorandum must be accompanied by a Building Location Certificate prepared by a Manitoba Land Surveyor.

8.8 APPLICATIONS

a) An application for a variance, or conditional use, or an amendment to this By-law must be in the proper form and must be accompanied by the fee prescribed by Council.

b) The application must also be accompanied by:

(i) Plans drawn to scale showing the shape and dimensions of the affected property.

(ii) Plans drawn to scale showing the location and dimensions of existing buildings and structures.

(iii) Plans drawn to scale showing the location and dimensions of the proposed building, structure, enlargement, or alteration.

(iv) A description of the use or uses of each existing and proposed building or structure, or of the land and the area to be occupied by each use.

(v) A description of the reason why the variance, conditional use, or amendment to this By-law is being requested.

(vi) Any other information required by the Designated Officer to determine compliance with, and to provide for enforcement of, this By-law.

Fee Schedule

a) The fees shall be as established by Council for any amendment, conditional use, variance, zoning memorandum or non-conforming use certification to this By-law.

b) Council shall by by-law establish a fee schedule for development permits and other charges to be paid by any person for services rendered by any employee of the Municipality.

8.9 DEVELOPMENT AGREEMENT

Where an application is made for an amendment to this By-law, Council may require the owner or the person entitled to be registered as owner of the land, building or structure to which the amendment shall apply, as a condition to its enactment to enter into a development agreement with the Municipality in respect to that land as well as contiguous land owned or leased by the applicant.

PART 9: DEFINITIONS

9.1 DEFINITIONS IN THE PLANNING ACT

Terms not defined in this By-law which are defined in *The Planning Act* have the meaning provided in that act.

9.2 DEFINITIONS IN THIS BY-LAW

Where the following terms appear in this By-law, they have the meaning provided as follows:

A

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

Accessory means a use, building or structure that is naturally and normally incidental, subordinate in purpose or area, or both, and exclusively devoted to the use, building, or structure to which it is accessory. A use shown as a conditional use in the Use Table cannot be accessory to a use shown as a permitted use for the same zone.

Advertising Sign means a sign directing attention to a business, commodity, service, entertainment, or other matter, not conducted, sold, offered, or carried out on the same site (or on an adjacent site under the same ownership) where the sign is maintained.

Agri-Business means an establishment that provides goods or services to the agricultural sector, including (but not limited to) farm equipment and machinery repair shops, feed operations, and commercial seed cleaning plants.

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

Agricultural, Specialized means an agricultural operation in which high value, lower volume, intensively managed agricultural products are produced on a smaller land holding than the minimum size required for general agriculture.

Agri-Industrial means establishments primarily engaged in manufacturing agricultural chemicals, including nitrogenous and phosphoric fertilizer materials; mixed fertilizers; and agricultural and household pest control chemicals.

Agri-Manufacturing means establishments primarily engaged in producing food for human or animal consumption on a large scale in a manufacturing process using agricultural products provided by an agricultural operation.

Aircraft Landing Area includes all open spaces, buildings and structures used in connection with the landing or take-off of aircraft.

Airport Operations means land which is used or intended for the landing or take-off of aircraft and any associated areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, including taxiways, aircraft storage and tie-down areas, hangers, helipads, and other related buildings and open spaces.

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

a) An addition, alteration, removal, reconstruction, or replacement on the non-structural exterior of a residential building.

b) An addition, alteration, removal, reconstruction or replacement of any unroofed driveway, sidewalk, patio, or any accessory building floor.

c) Alteration of non-load bearing interior partitions in all types of buildings.

d) Replacement of, or changes in, the capacity of utility pipes, ducts, or conduits.

e) Replacement and placement of necessary roofing materials, awnings, eaves, overhangs, and related structures provided the area and height of the roof are not increased.

f) The addition and replacement of interior structures such as furnaces, fuel tanks, water heaters, fireplaces, or wood stoves.

g) Replacement of exterior building facades.

Alterations, Structural means any change, which prolongs the life of the supporting members of a building or structure, which includes, but is not limited to, bearing walls, columns, beams, or girders.

Amusement Enterprise, Indoor means a commercial establishment designed and equipped for assembly occupancy uses for the conduct of sports, exercise and/or leisure-time activities within a fully enclosed building.

Amusement Enterprise, Outdoor means an outdoor facility whose main purpose is to provide the general public with entertainment or recreation, with or without charge.

Anhydrous Ammonia Storage Facility means an area for the storage of anhydrous ammonia that is commonly used as a fertilizer, including sales and service.

Animal Keeping means a use where livestock or other animals (excluding pets) less than 10 animal units (cumulative across species) are sheltered, bred, raised, or sold.

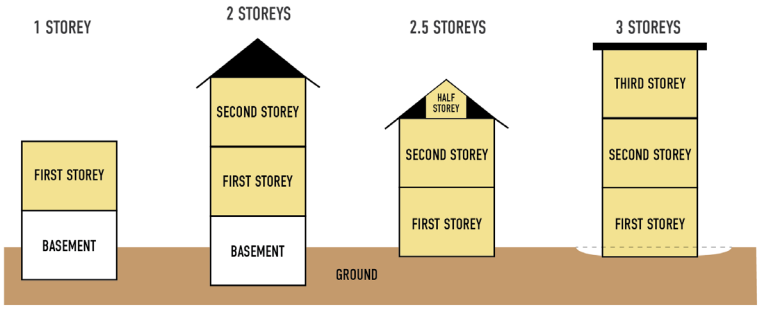
Apiculture (Beekeeping) means establishments primarily engaged in raising bees, collecting and gathering honey, and performing other apiculture activities with two or more hives on the property.

Auction Mart means a development specifically intended for the auctioning of livestock and/or goods and equipment, including temporary storage of such goods and equipment.

Automotive and Recreation Vehicle Sales and Service means the retail sale or rental of new or used automobiles, motorcycles, snowmobiles, tent trailers, utility trailers, boats, travel trailers, or similar light recreational vehicles or crafts, together with servicing and mechanical repair. This includes automobile dealerships, car rental agencies and motorcycle dealerships, transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops, but does not include body repair and paint shops.

B

Basement means a portion of a building between a floor and ceiling that is located partly underground, but with more than half of the floor to ceiling height thereof above the average grade of the adjoining ground.



Bed and Breakfast means a home-based business operated within a principal dwelling that provides short-term temporary lodging (other than a hotel or motel) and may also provide breakfast to guests.

Boarding or Rooming House means a building, other than a hotel or motel, which provides living units with separate sleeping areas and some combination of shared bath or toilet facilities. The building may or may not provide meals to guests for compensation and may or may not have separate shared cooking facilities for residents. Care, treatment, or supervision must not be provided to any resident.

Boat Docks and Boat Houses means a building or part thereof, used by the occupants of the premises primarily for the parking or storage of private boats or other personal watercraft, but does not include living accommodations.

Body Modification Services means a commercial establishment that provides physical body adornment by body piercing or tattooing including scarification and the insertion of implants.

Brewery / Liquor Distillery means a facility that possesses the appropriate license(s) issued by the Province of Manitoba to allow it to produce onsite, sell, and distribute beer or other liquor or distilled spirits. All processes, functions and mechanical equipment directly associated with the production of beer, wine or other liquor must be contained inside a building. A tasting room established in accordance with all Province of Manitoba regulations and licensing requirements for the consumption of beer or other liquor may form part of the craft brewery or distillery. Other associated commercial sales and service uses may be established in conjunction, such as restaurant, drinking establishment or small-scale retail sales for the sale of merchandise associated with the brewery or distillery.

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

Bulk Storage and Sales means a place for the storage or distribution of large quantities of raw materials or industrial-related goods in above-ground containers. This use does not include anhydrous ammonia facilities.

Bus Depot means an area utilized by commercial carriers for pick-up or drop-off of passengers, including loading and unloading areas, shelters, restrooms, concessions, benches, information offices, parking, ticket sales, landscaping, lighting and other such facilities and appurtenances.

Bus Garages and Compounds means a facility where public transportation buses are stored, repaired, and maintained.

C

Camping and Tenting Grounds means a development of land which has been planned and improved 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.

Cannabis means cannabis as defined in *The Cannabis Act*.

Cannabis Cultivation means the growing of cannabis plants, industrial hemp plants (those containing 0.3% THC or more), and harvesting material from those plants, as well as associated activities.

Cannabis Processing means the manufacturing, packaging, and labelling of cannabis products designed for sale to consumers, and the intra-industry sale of these products, including to provincially/territorially authorized distributors, as well as associated activities.

Cannabis Sales means the premises specified in a retail cannabis licence where the retail sale of cannabis is authorized.

Casino/Gaming Centre 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 VLTs.

Cemetery means a development of a parcel of land, primarily a landscaped open space for the entombment of the deceased and may include, as accessory uses, the following: columbaria, crematoria, cineraria mausoleums and mortuaries, when operated in conjunction with and within the boundaries of such cemetery.

Child Care Facility means the provision of childcare services in a provincially licensed facility but not inside a home.

Child Care, Home-Based means the provision of childcare services for no more than 12 children, in a provincially licensed facility accessory to a private dwelling.

Club, Private or Public means a non-profit organization incorporated as such by the Government of Canada or the Government of Manitoba. Includes those facilities licensed/used for the meeting, social, or recreational activities of non-profit philanthropic, social service, athletic, business, or fraternal organizations, without on-site residences. When licensed for the sale of alcoholic beverages by the Government of Manitoba, such a club is considered a “drinking establishment.”

Commercial Services means a use related to the provision of professional, management, administrative, consulting, and financial services, but does not include health 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.

Commercial Storage means a development, which includes a series of enclosed storage bays or lockers, and may include exterior storage sites for recreational vehicles, all of which are intended for rental or lease to the public.

Communications Facilities means outdoor equipment and structures required for the purposes of transmitting or receiving television, radio, microwave, radar, laser, or similar communications signals. These facilities may include, but are not limited to: antennae, aerials, receiving dishes, transmission beacons, masts, and towers.

Community Garden means an area managed by a non-profit organization, a community-based entity, or a public entity where members of the community may grow plants for beautification, education, recreation, community distribution or personal use.

Community/Recreation Centre or Facility means a development for recreational, social, or multiple purpose use with or without fixed seats. Primarily intended for local community purposes.

Controlled Area is defined in *The Transportation Infrastructure Act*.

Control Line is defined in *The Transportation Infrastructure Act*.

Crown means His Majesty the King in the right of the Province.

Cryptocurrency Processing Facility means the operation of specialized computer equipment for the purpose of mining one or more blockchain-based cryptocurrencies. Typical physical characteristics of cryptocurrency mining include specialized computer hardware for mining operations as well as equipment to cool the hardware and operating space. For the purposes of the associated regulations, cryptocurrency mining does not include the exchange of cryptocurrency or any other type of virtual currency nor does it encompass the use, creation, or maintenance of all types of peer-to-peer distributed ledgers.

D

Derelict means: a property or structure that is in a state of disrepair, is abandoned, or neglected.

Designated Area means:

a) Any Urban Community, Principal Community, Rural Community, Lakeside Community or Natural Areas as designated in the *Tri-Roads Planning District Development Plan* By-law

b) Gambler First Nations Reserve

c) Regional Water Treatment Plant in Russell and the wells that provide the raw water at SE-16-21-27W

d) Assiniboia River

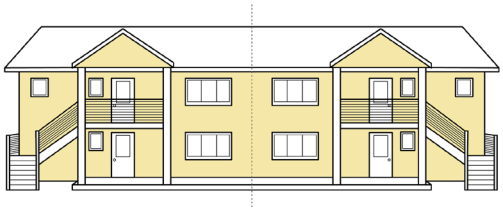
Design Flood means a flood magnitude on a water body that, on average, is expected to occur once during a two-hundred-year period.

Drive-Through Facility means a facility designed to provide goods or services to the persons in standing (as opposed to parked) motor vehicles, including but not limited to a drive-through restaurant or bank.

Dwelling means one or more rooms used or intended to be used as a single housekeeping unit with cooking, sleeping and sanitary facilities. This includes a ready-to-move or modular construction dwelling but does not include mobile/manufactured homes.

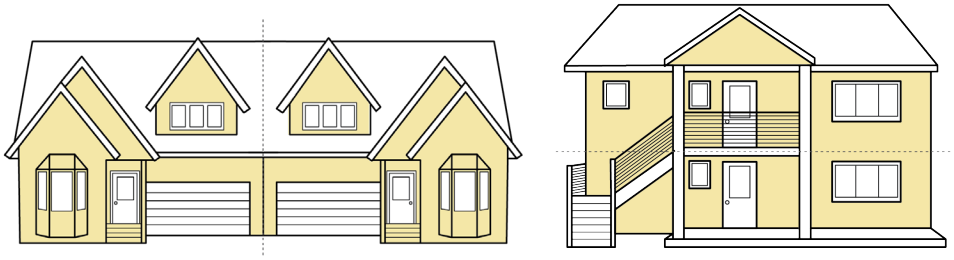
Dwelling, Cottage means a building, located on a single site, containing one (1) dwelling that is intended to be used seasonally or on a part-time basis.

Dwelling, Multi-Unit means a building, located on a single site, containing three (3) or more dwellings (for example, row houses, town houses, or apartment buildings).



Dwelling, Single-Unit means a building, located on a single site, containing one (1) dwelling.

Dwelling, Two-Unit means a building, located on a single site, containing two (2) dwellings (for example, a duplex or a side-by-side).



E

Earth Moving Contractors facilities utilizing earth-moving equipment or heavy machinery that can move and grade soil and rock used for construction work, materials handling, demolition, mining, and any other industry that requires more power than can be provided by humans.

Educational Services means private or public establishments primarily engaged in providing instruction and training in a wide variety of subjects. This instruction and training is provided by specialized establishments, such as schools, colleges, universities, and training centres. They may also offer food and accommodation services to their students.

Emergency Residential Shelter means a facility where emergency temporary lodging is provided to persons who are homeless, due to indigence or disaster, operated by a public or non-profit agency, and where on-site supervision is provided whenever such shelter is occupied.

Emergency Service means a development which is required for the public protection of persons and property from injury, harm, or damage together with the incidental storage of emergency development which is necessary for the local distribution of utility services. Typical uses include police stations, fire stations, and ancillary training facilities.

F

Farmers' Market means an occasional or periodic market held in an open area or in a structure where groups of individual sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, arts and crafts items, and food and beverages dispensed from booths located on-site.

Food and/or Drink Establishment means a building or portion of a building, where the principal purpose is the sale to the public of prepared foods for consumption within the premises or off the site. This use class includes licensed drinking establishments.

Forestry Use means the general raising, harvesting, and cutting of wood, as well as forest renewal and maintenance activities. This use includes sawmills and related uses, including accessory structures.

Fuels/Bulk Sales, and Storage means an establishment or place operated at a fixed location for the storage of large quantities or public sales of gasoline or any other motor vehicle engine fuel.

Funeral Chapel, Mortuary, Columbarium, or Crematorium means a facility for storage and cremation, or a building used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.

Fundraising Event means an activity sponsored by a non-profit organization or public entity for the purpose of raising funds or providing information, other than a special event.

G

Gallery/Museum or Historic Site means a commercial establishment engaged in the sale, loan or display of paintings, sculpture, textiles, antiquities, or other works of art or a permanent facility, open to the public, with or without charge, for the collection and display of paintings, sculpture, textiles, antiquities, or other works of art. This type of use is distinct from and does not include libraries.

Garden Centres/Nurseries means a development used primarily for the raising, storage, and sale of bedding, household, and ornamental plants.

Golf Courses and Country Clubs means a public or private area operated for the purposes of playing golf and includes a club house and associated recreational facilities.

Grade means the average level of finished ground adjoining a building or structure at all exterior walls as determined by the Designated Officer.

Grain Terminal means a facility or area for the temporary storage of grain for transferal to trucks, train cars, or other forms of transportation.

Group Camp means a commercial recreational establishment that may consist of one or more buildings containing single or multi-unit dwellings, cabins, recreational facilities and service facilities that are used on an intermittent and seasonal basis. Other facilities that may be part of the resort development include: a campground, yurts, hotel, retail uses, eating and drinking establishment, marina, dock, boat ramps, golf course, and other outdoor recreational facilities, trails, and similar uses.

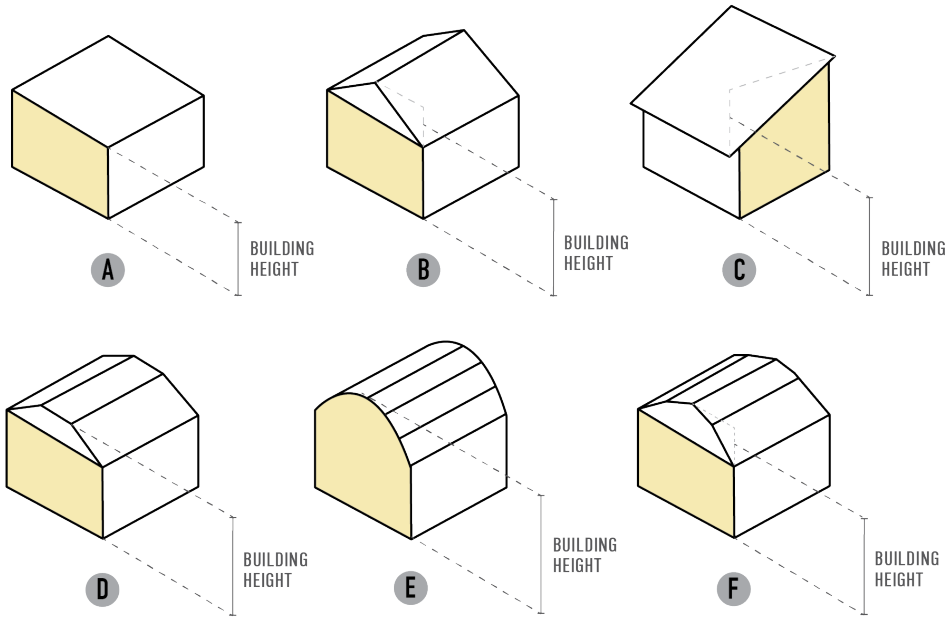
H

Hazardous Bulk Storage and Sales means a place for the storage or distribution of large quantities of hazardous or noxious goods such as farm chemicals, bulk fuel, or fertilizer, in above-ground containers.

Height means the total number of storeys in a building, or the vertical distance measured from grade to:

a) The highest point of the roof surface of a flat roof.

b) The deck or eaves of any other roof type.



Home-Based Business means an occupation or activity operated entirely within or from a dwelling unit by a full-time resident that is accessory to the use of the premises as a dwelling.

Home Industry means a light manufacturing operation that is carried out as a secondary use on the same site as a dwelling.

Hospital / Clinic, Dental, Medical, or Optical Related Facility means an institution or facility that provides medical care or services including consultation, diagnosis, and treatment of patients by medical professionals. This may include administrative offices and staff, waiting rooms, laboratories, pharmacies / dispensaries, operating rooms on an out-patient basis and similar uses.

Hotel or Motel means a building or portion of a building providing temporary accommodation in individual guest rooms or suites for a fee, with or without provision for cooking in any individual guest room or suite.

I

Industrial, Heavy means a use of land that includes the assembly, fabrication, storage, or processing of goods and materials that may have impacts in terms of noise, fumes, odours, or safety hazards outside of the structures in which the use takes place.

Industrial, Light means a use of land that includes the assembly, fabrication, storage, or processing of goods and materials that do not create noise, fumes, odours, safety hazards outside of the structures in which the use takes place.

J

Junk/Scrap Yard means a lot and/or premises for the storage and/or handling and/or sale of scrap, salvaged or used materials, and may include including a secondary sales and service establishment or premises.

K

L

Library / Cultural Facility means a development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use, or a development for the collection, preservation and public exhibition of works or objects of historical, scientific or artistic value.

Liquor Sales means the commercial retail sales of beer, wine, liquor, and similar products.

Livestock Operation means a permanent or semi-permanent facility or non-grazing area where at least 10 animal units of livestock are kept or raised either indoors or outdoors, and includes all associated manure collection facilities, but does not include an auction mart.

M

Manufacturing means establishments primarily engaged in the chemical, mechanical or physical transformation of materials or substances into new products. Related activities, such as the assembly of the component parts of manufactured goods; the blending of materials; and the finishing of manufactured products by dyeing, heat-treating, plating and similar operations are also treated as manufacturing activities. Manufacturing establishments are known by a variety of trade designations, such as plants, factories or mills.

Micro-Brewery / Distillery / Winery means a facility that possesses the appropriate license(s) issued by the Province of Manitoba to allow it to produce onsite, sell, and distribute beer or other liquor or distilled spirits. All processes, functions and mechanical equipment directly associated with the production of beer, wine or other liquor must be contained inside a building. A tasting room established in accordance with all Province of Manitoba regulations and licensing requirements for the consumption of beer or other liquor may form part of the craft brewery or distillery. Other associated commercial sales and service uses may be established in conjunction, such as restaurant, drinking establishment or small-scale retail sales for the sale of merchandise associated with the brewery or distillery.

Mining and Extraction means an area, pit or quarry from which aggregate, stone, minerals, including peat and soil, are removed / extracted.

Mobile Food Services means establishments primarily engaged in preparing and serving meals and snacks for immediate consumption from motorized vehicles or non-motorized carts without limiting the generality of the foregoing, wagons, trailers and trucks.

Mobile/Manufactured Home / Tiny Home means a portable dwelling unit that is designated to be used as living quarters that is capable of being transported on its own chassis and running gear by towing or other means.

Mobile/Manufactured Home / Tiny Home Park means an area that is intended to be used, and is used, for the placing or parking of mobile / manufactured / tiny homes, and includes any auxiliary buildings or other structures or facilities intended for or to be used for cooking, personal cleanliness, washing, health or sanitation, or any one or more or all of those purposes and which has been approved by Council.

Motor Vehicle Towing means establishments primarily engaged in towing motor vehicles. These establishments may offer incidental services, such as tire repair, battery boosting and other emergency road service.

N

Non-hazardous Bulk Storage and Sales, Exterior means the exterior storage of raw industrial related goods and/or non-hazardous materials, but not displayed for sale. Storage of materials in a structure with a roof, but no walls is considered exterior storage.

Non-hazardous Bulk Storage and Sales, Interior means the storage of raw industrial-related goods and/or non-hazardous materials within an enclosed building.

O

Office means the use of a building or a portion of a building for the provision of services to a business, an organization, or to the public. It does not include the manufacturing of any product or the retail sales of goods.

Off-Leash Dog Area means an outdoor fenced facility where residents have the opportunity to exercise and socialize their dogs off leash within a controlled environment.

Outfitting Cabins and Lodges means any land or premises equipped with cottage dwelling(s) used or maintained for accommodation of the public for outdoor recreation purposes related to hunting, fishing, nature pursuits, and like uses.

Outside Display means an outside display of goods and/or materials for sale, accessory to a retail principal use. Merchandise may be directly available to the consumer for purchase.

Outside Storage means an unenclosed area where goods or materials including automobiles, equipment or supplies are stored. Includes storage of materials in a structure with a roof, but no walls, and storage of a shipping container is considered outside storage.

P

Park / Plaza / Square / Playground means a development of land specifically designed or reserved for the general public for active or passive recreational use and includes all natural and man made landscaping, facilities, playing fields, buildings and other structures that are consistent with the general purposes of public parkland, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park. Typical uses include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers and playgrounds and water features.

Parking, Surface Lot means a space on the premises other than streets, used for the temporary parking of motor vehicles.

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.

Pavilion means a non-habitable structure with a roof and no walls associated with a tourist area for the purpose of temporary sheltering people during events and that may also contain enclosed within walls, bathrooms, or shower facilities.

Personal Services means a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects. This includes barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, and dry-cleaning establishments and laundromats. This use does not include Body Modification Establishments.

Pet Boarding means establishments primarily engaged in boarding pet animals, including animal shelters and boarding kennel service.

Pet Care Services means establishments primarily engaged in grooming, daycare and training pet animals, including pet grooming services, pet sitting services, and pet training services.

Picnic Shelter means a non-habitable structure with a roof and support posts without walls that is used for the purposes of picnicking, lounging or food preparation, not for overnight accommodation or storage of chattels.

Place of Worship means a building (ex: a church, chapel, mosque, synagogue, or temple) primarily used for religious purposes.

Planned Unit Development means a land development project planned as an entity in accordance with an overall site plan which permits flexibility in siting of buildings, mix of uses and housing types, useable open spaces, and the preservation of significant natural features.

Portable Asphalt or Concrete Batch Plant means a temporary facility with equipment designed to heat, dry, and mix aggregate to produce paving material and includes stockpiling and storage of bulk materials used in the process.

Portable Garage means a temporary structure intended to store goods or materials that may consist of metal or steel frame and is covered by such material as canvas, plastic, polyethylene, various types of fabric or similar materials.

Principal Use means the primary or predominant activity on any lot or within any building or structure.

Principal Building means a structure on a site used to accommodate the principal use.

Public Utility means a system furnishing water, sewage collection, electricity, electrical charging, telecommunication services, gas, or similar services to properties by means of pipes, lines and other equipment located on or under public roads and other rights-of-way. It does not include private for-profit or commercial-scale wind or solar energy generating systems.

Public Works Yard means any publicly owned or occupied land, building, structure, system, plant or equipment constructed, erected, extended, enlarged, repaired, excavated or employed for the purpose of providing services to the public.

Q

R

Recreational Vehicle means a motor vehicle or trailer that combines transportation with temporary living quarters.

Recycling Depot means a use that serves as a drop-off point for temporary storage and processing of recoverable resources such as newspapers, glassware, plastics, and metal cans. This use category does not include a salvage yard.

Rehabilitation / Healing Centre means a facility licensed or contracted to provide temporary occupancy in order to provide rehabilitation, healing, treatment or counseling services.

Residential Care Facility / Assisted Living Facility means the use of a building for the purpose of providing lodging, meals, care and supervision, or transitional services to persons not related by blood, marriage, or adoption to the operator nor to each other.

Retail means the use of a building or portion of a building where goods, wares, merchandise, or similar items are offered for sale directly to the public.

Rooming and Boarding Houses means an establishment primarily engaged in operating rooming and boarding houses and similar facilities. A building or part of building, used for congregate living, containing Sleeping Units and four (4) or more persons, and where there is no provision of on-site care, treatment or professional services of a physical or mental health nature.

S

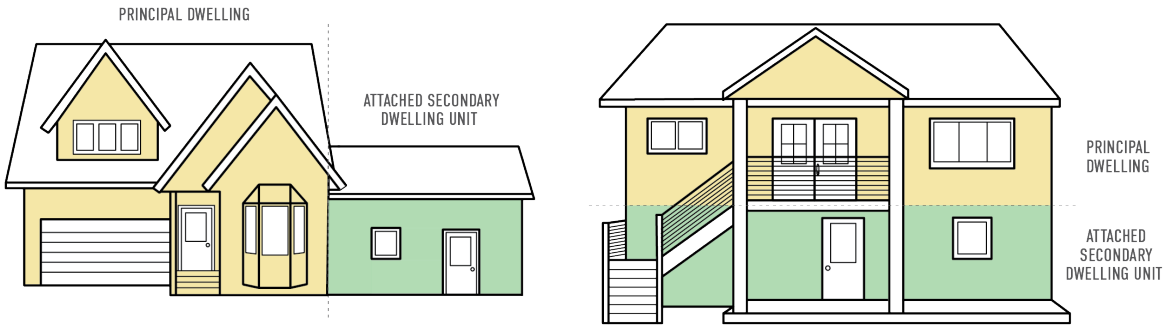
Scientific Research and Development Services means establishments primarily engaged in conducting original investigation, undertaken on a systematic basis to gain new knowledge (research), and in the application of research findings or other scientific knowledge for the creation of new or significantly improved products or processes (experimental development).

Seasonal Sales means the outside sale of seasonal merchandise, other than those sold at a farmer's market, such as Christmas trees, flags, kites, or arts and crafts.

Secondary means a use or structure that takes place on the same site as a principal use or structure that is not naturally and normally carried out as part of that principal use (ex: a daycare in an office building).

Secondary Suites means a second dwelling unit detached from, attached to or within a principal building, that provides basic requirements for living, sleeping, cooking and sanitation.

Attached Secondary Suites



Detached Secondary Suites

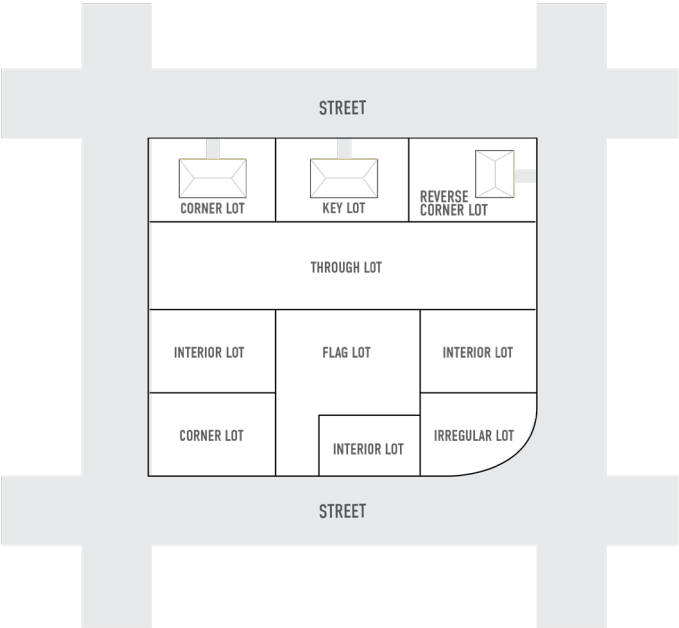
Service Station means the servicing, washing, and repairing of vehicles and the sale of gasoline, other petroleum products and a limited range of vehicle parts and accessories. Service Stations may include Eating and Drinking Establishments.

Sewage Treatment Plants and Lagoons means a facility where wastewater or sewage is treated. It includes, but is not limited to, wastewater treatment plants, tanks, and lagoons.

Shipping Containers mean a prefabricated metal structure designed for use as a storage enclosure and which may be permanent or temporary in nature.

Short Term Rental means a furnished residential building or portion thereof, meant to provide a temporary lodging for compensation for tourists for a minimum of three (3) consecutive nights and a maximum of three (3) consecutive weeks.

Site means a whole lot or block in a registered plan of subdivision, or the aggregate of all contiguous land described in a certificate of title or in more than one (1) certificate of title provided they are in the same ownership.



Site, Corner means a site situated at the intersection of two (2) streets.

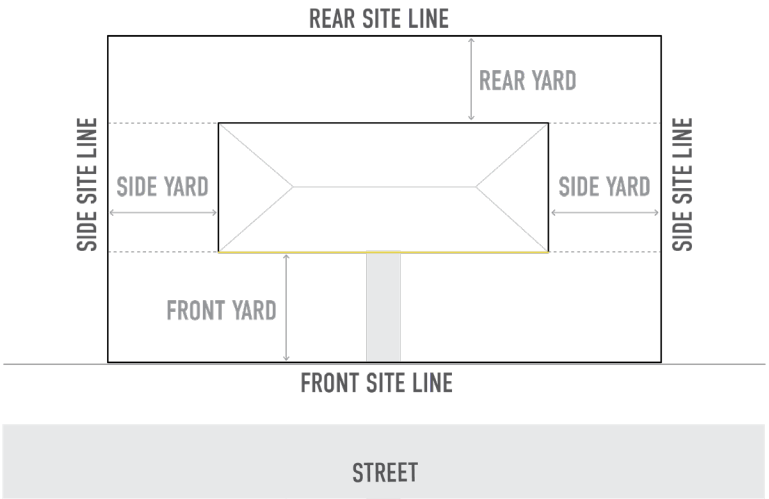
Site, Interior means a site other than a corner site or a through site.

Site, Through means a site having a pair of opposite site lines along two (2) more-or-less parallel streets.

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

Site Coverage means the combined area of all buildings, structures, and paved surfaces on the site as a percentage of the site area, measured at the level of the lowest storey above the grade including all enclosed and insulated decks, sunrooms, porches, and verandas, but excluding seasonal non-insulated structures, open or covered, such as decks, screen porches or veranda, patios at grade, steps, uncovered walks, wheelchair ramps, cornices, eaves, and similar projections.

Site Line means one of the boundaries of a site.



Site Line, Front means that boundary of a site along an existing or designated street. For a through site or corner site, the site lines along both streets shall be deemed front site lines. Where an irregular shaped site cannot have its site lines defined by this definition, the front site line shall be determined by the Designated Officer.

Site Line, Rear means that boundary of a site which is most nearly parallel to the front site line. Where an irregular shaped site cannot have its site lines defined by this definition, the rear site line shall be determined by the Designated Officer.

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

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 ft (3.7 m) from the front site line, whichever is the lesser.

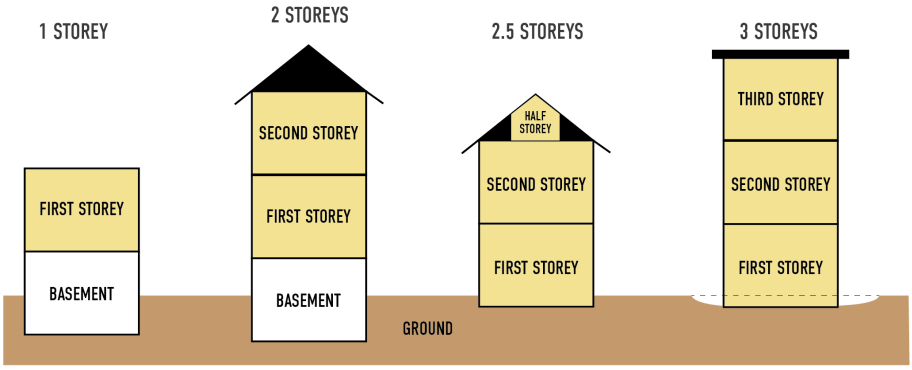
Sleep Cabin means a building accessory to and subordinate to a Cottage Dwelling, that is designed to provide additional sleeping quarters for occasional guests of the owner and without kitchen facilities.

Solar Collector means a panel or other solar energy device with the primary purpose of gathering, storing, and distributing solar energy for electricity generation, space heating, space cooling, or water heating. Solar collectors can be ground anchored or wall-mounted and used for on-site electrical needs or commercial sale and distribution.

Special Event means a transportable group or aggregation or combination of rides, shows, performances, games, or concessions (i.e. carnival, circus, fair, concert, or similar event).

Stables/Equestrian Establishments means a building or land where horses are sheltered, fed, or kept for personal use, or where is used as an educational centre for horse training, handling, or care.

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.



Structure means a thing 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, billboards, light standards, and antennas.

T

Telecommunication Towers means outdoor equipment and structures required for the purposes of transmitting or receiving television, radio, microwave, radar, laser, or similar communications signals. These facilities may include, but are not limited to: antennae, aerials, receiving dishes, transmission beacons, masts and towers.

Temporary Construction Trailer or Building means a portable structure or trailer used for the storage of construction materials and/or the offices or workspaces for construction managers or workers during the time a principal or accessory building is being constructed.

Testing Laboratories means establishments primarily engaged in providing physical, chemical and other analytical testing services. The testing activities may occur in a laboratory or on-site.

Theatre means an establishment devoted to showing motion pictures or dramatic, dance, musical or other live performances.

Tiny Homes means a residential Dwelling that is less than 600 sq ft (55.7 sq m) in area.

Trades and Contracting Facilities means a development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which requires on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office, or technical support service areas shall be accessory to the principal Contractor service use only.

Trucking Establishments and Operations means land, buildings or structures used for the purpose of storing, servicing, repairing, or loading trucks, transportation trailers and buses. This use class includes automotive repair, eating and drinking areas, retail sales, gas bars and/or services stations, which can be considered accessory uses.

U

Utilities means establishments primarily engaged in operating electric, gas and water utilities. These establishments generate, transmit, control and distribute electric power; distribute natural gas; treat and distribute water; operate sewer systems and sewage treatment facilities; and provide related services, generally through a permanent infrastructure of lines, pipes and treatment and processing facilities.

V

Veterinary Clinic means a development used for the care and treatment of animals where the veterinary services primarily involve outpatient care and minor medical procedures.

W

Waste Disposal Grounds / Sites means the land, structure, monitoring devices, and any other improvements on the land used for monitoring, treating, processing, storing or disposing of solid waste, leachate or residuals from solid waste.

Waste Transfer Station means a facility where waste materials are collected in bulk containers for shipment to a landfill site, recycling facility or other waste disposal facility.

Water Treatment Plants and Reservoirs means any facility, either publicly or privately owned and/or operated, where the quality of water is improved through filtering or chemical treatments for distribution.

Wholesale Businesses and Warehousing means a building or structure used for or intended to be used for the bulk storage and distribution facilities of goods, merchandise, or material, and/or a building intended for the wholesale storage or distribution of goods or products with associated retail sales.

Wind Energy Generating System means a device or group of devices such as wind chargers, windmills, or wind turbines, including towers, that convert wind energy into electrical energy for generation of power for sale by a public or commercial enterprise, including all associated accessory facilities.

Wind Energy Generating System, Commercial means a wind energy generating system designed and built to provide electricity for commercial sale and distribution to the electricity grid.

Wind Energy Generating System, On-Site Use means a wind energy generating system intended to primarily serve the electrical needs of the on-site user or consumer (either behind the meter or off-grid) rather than to produce power for resale. Rooftop Wind Energy Generation Systems are a type of On-Site Use Wind Energy Generating System.

Wind Energy Generation System, Rooftop means a roof mounted wind turbine(s) and associated equipment for converting wind energy to power.

Wildlife and Heritage Conservation Areas / Nature Reserves means land that has been designated by Provincial legislation for the protection and conservation of wildlife.

X

Y

Yard means an open area between the exterior wall of a building and the boundaries of the site on which it is located.

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, the depth of which is measured perpendicularly from the nearest wall of the principal building to the side site line.

Yard, Side means the yard extending along the side lot line from the front yard to the rear yard, the depth of which is measured perpendicularly from the nearest wall of the principal building to the side site line.

Yard, Rear means the yard extending along the full length of the rear site line, the depth of which is measured perpendicularly from the nearest wall of the principal building to the rear site line.

Yard, Required means the yard measured from a front, rear, or side site line towards the interior of the site, within which no building or any part of a building may be located, unless permitted herein.

Z

SCHEDULE A: ZONING MAPS

The zones established in Part 3 shall apply within the boundaries of the zones shown on the maps in Schedule A following these rules of interpretation:

a) Boundaries indicated as approximately following the centre-lines of streets, lanes, highways, rivers, or railway or public utility lines or rights-of-way shall follow such lines.

b) Boundaries indicated as approximately following parcel limits as shown on a registered plan or by reference to the Dominion Government Survey shall follow such limits.

c) If a street or lane or railway or public utility right-of-way ('the feature') shown on the Zoning Map is lawfully closed, the land formerly comprising the feature shall be included within the zone of the land which surrounds it. If the said feature included a zone boundary on its centerline, then the zone boundary shall be the former centreline.