



## **RURAL MUNICIPALITY OF MORRIS BY-LAW No. 1713/2015**

BEING a by-law to regulate the use and development of land within the Rural Municipality of Morris, Manitoba

WHEREAS, pursuant to Part 4, Division 1, in Chapter 30 of The Planning Act, L. M. 2005, the Rural Municipality of Morris has adopted a Development Plan;

AND WHEREAS Part 5 of the said Planning Act provides that Municipal Council must adopt a zoning by-law that is generally consistent with the Development Plan By-law and any secondary plan by-law in effect in the municipality;

NOW THEREFORE the Council of the Rural Municipality of Morris, in meeting duly assembled, enacts as follows:

1. The zoning provisions and regulations, attached hereto and forming part of this By-law, are hereby adopted.
2. This By-law shall be known as "The RM of Morris Zoning By-law".

DONE AND PASSED this 12th day of July, 2017 A.D.

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Reeve

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Chief Administrative Officer

READ A FIRST TIME this 11<sup>th</sup> day of March, 2015 A.D.

READ A SECOND TIME this 12<sup>th</sup> day of July, 2017 A.D.

READ A THIRD TIME this 12<sup>th</sup> day of July, 2017 A.D.

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## PART 1 – DEFINITIONS

### 2.1 RULES OF CONSTRUCTION

2.1 (1) The following rules of construction apply to the text of this By-law.

- a) Words, phrases and terms defined herein shall be given the defined meaning.
- b) Words, phrases and terms not defined herein but defined in the Act and the Building, Electrical or Plumbing By-laws of the Rural Municipality (RM) of Morris shall be construed as defined in such Act and By-laws.
- c) Words, phrases and terms neither defined herein nor in the Building, Electrical or Plumbing By-laws of the Rural Municipality of Morris shall be given their usual and customary meaning except where, in the opinion of Council, the context clearly indicates a different meaning.
- d) The phrase "used for" includes "arranged for", "designed for", or "occupied for".
- e) 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" 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 combination; and
  - iii) "either-or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
- f) The word "includes" shall not limit a term to the specified examples, but is intended to extend the meaning of all instances or circumstances of like kind or character.

### 2.2 DEFINITIONS

(1) "**Accessory**" when it is used in this by-law, shall have the same meaning as accessory use.

(2) "**Accessory building**", means a subordinate building located on the same zoning site as the principal building or use, the use of which is incidental and accessory to that of the principal building or use:

- a) "Accessory building, attached," means an accessory building that is attached to this principal building and in determining the required yards; the attached accessory building shall be treated as being part of the main building;

- b) "Accessory building, detached," means an accessory building that is not attached to the principal building and in determining the required yards, the requirements for accessory use, buildings and structures as shown in the Use and Site Requirements shall be used; and
- c) "Accessory building, semi-detached," means an accessory building that is attached to the principal building by a structure such as, but not limited to, a breezeway. The required yards for a semi-detached accessory building shall be determined in the same manner as in paragraph (a) above.

(3) "**Accessory use, building or structure**", means a use, building, or structure which:

- a) is subordinate to, incidental to and serves the principal building, structure or use;
- b) is subordinate in area, extent or purpose to the principal building, structure or use served;
- c) contributes to the comfort, convenience or necessity of occupants of the principal building, structure or use served; and
- d) is located on the same zoning site as the principal building, structure or use served.

(4) "**Act, the**", means *The Planning Act*, being CHAPTER 30 of the Statutes of Manitoba, and amendments thereto.

(5) "**Agricultural activities**", means a use of land for agricultural purposes including cropping, grazing, apiculture, floriculture, horticulture, and animal and poultry husbandry, excepting livestock operations, the operation of agricultural machinery and equipment, including the tillage of land and the application of fertilizers, manure, soil amendments and pesticides, whether by ground or aerial application; the storage, use or disposal of organic wastes for agricultural purposes, including the necessary accessory uses for packing, storing or treating the produce. The operation of any such accessory uses shall be secondary to that of the general agricultural activities.

(6) "**Agriculture crop protection warehouse**" means the facility used to store, blend and/or distribute chemicals used for crop protection and production. Products can include herbicides, insecticides, fungicides, rodenticides and fertilizers, but does not include anhydrous ammonia.

(7) "**Agricultural implement sales and services**", means a building and open area, used for display, sale or rental of new or used farm implements and where repair work is done.

(8) "**Agricultural product storage**" means the temporary storage of any agriculture product for future use, delivery or processing (does not include farm accessory bins).

(9) "**Agriculture, specialized,**" means the use of land for apiculture, floriculture, horticulture, including market gardening, orchards and tree farming, and similar **intensively managed commercial agricultural operations, which may occur on smaller parcels.**

(10) "**Aircraft landing field**" means an area of land utilized to accommodate landing and take-off movements of aircraft for personal use.

(11) "**Airport**", means any area of land or water utilized for the landing or taking off of aircraft and any appurtenant areas which are used for airport buildings or other airport facilities or rights-of-way, including taxiways, aircraft storage and tie-down areas, hangars and other related buildings and open spaces.

(12) "**Alter or alteration**" means a change or modification to an existing building, structure or use which, unless otherwise provided for herein, does not increase the exterior dimensions with respect to height and area.

(13) "**Alteration, incidental**" means:

- a) Changes or replacements in the non-structural parts of a building or structure, including but not limited to the following:
  - i) an addition on the exterior of a building, such as an open porch;
  - ii) alteration of interior partitions in all types of buildings; or
  - iii) replacement of, or changes in, the capacity of utility pipes or ducts.
- b) Changes or replacements in the structural parts of a building or structure, including but not limited to the following:
  - i) adding or enlarging windows or doors in exterior walls;
  - ii) replacement of building facades; or
  - iii) strengthening the load bearing capacity, in not more than ten percent (10%) of the total floor area, to permit accommodation of a specialized unit of machinery or equipment.

(14) "**Alteration, structural**", means the construction or reconstruction of supporting elements of a building or other structure.

(15) "**Animal Units or A.U.**", means the number of animals of a particular category of livestock that will excrete 73 kg of total nitrogen in a 12 month period as set out in TABLE 4-5 of PART 4 of this By-law.

(16) "**Animal Confinement Facility**", means a barn or an outdoor area where livestock are confined by fences or other structures, and includes a seasonal feeding area but does not include a feedlot or a grazing area.

(17) "**Area, the**", means all that land within the boundaries of the RM of Morris.

(18) "**Automobile body shop**", means a building wherein the repair and painting of automobiles takes place.

(19) "**Automobile service station**", means a building or portion thereof and land used for supplying fuel, oil and minor accessories for motor vehicles at retail direct to the customer, and for making repairs, maintenance and storage.

(20) "**Automobile or trailer sales area**", means an area used for the display, sale or rental of new or used automobiles or trailers. Where repairs are made they shall be done within a completely enclosed building, except minor incidental repairs of automobiles or trailers to be displayed, sold or rented on the premises.

(21) "**Automobile wrecking**", means the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

(22) "**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.

(23) "**Bed and Breakfast**" means a building or portion thereof where lodging and/or meals are provided for compensation for person(s) exclusive of the proprietor and family.

(24) "**Body of water**" means any containment of water not entirely contained on land controlled by the livestock operation.

(25) "**Building**", means a building as defined in the Act.

(26) "**Building, main or principal**", means a building in which is conducted the principal use of the site on which it is situated.

(27) "**Building permit**", means a permit issued by a municipality, planning district, or other appropriate authority authorizing the construction or alteration of all or part of any building.

(28) "**Camping and tenting grounds**", means a parcel of land planned and improved to accommodate travel trailers, camping trailers, pick-up coaches, motorized homes, tents, tent trailers or other camping accommodations used for travel, recreational and vacation uses.

(29) "**Carport**", means a building, open on two sides, which is attached to the principle dwelling for the shelter of privately owned automobiles.

- (30) "**Cemetery**", means land for the burial of the dead and dedicated for cemetery purposes, including crematoria, mausoleums and mortuaries, when operated in conjunction with and within the boundaries of the cemetery.
- (31) "**Child care services**", means the provision of care for remuneration or reward to a child apart from his or her parents or guardians.
- (32) "**Church**", mean a building or premises dedicated to religious worship and may include a hall, auditorium, school or day care operated by the church.
- (33) "**Community hall**", means a meeting place for community activities, public organizations, private non-profit clubs or recreational groups.
- (34) "**Conditional use**", means the conditional use of land or building as defined in the Act and as provided for in Section 5 of PART 2, ADMINISTRATION.
- (35) "**Contractors establishment**", means land and/or buildings intended for the storage of equipment and materials and the performance of work related to the provision of contracting businesses such as road building, construction, plumbing, electrical and landscaping.
- (36) "**Council**", means the Council of the Rural Municipality of Morris.
- (37) "**Day-care facility**", means the use of a premise for the care during the day of children not residing on the premises.
- (38) "**Density**", means the total number of dwelling units divided by the total land area to be developed expressed in gross hectares (acres).
- (39) "**Development officer**", means the building inspector or by-law compliance officer appointed by council in accordance with the provisions of the Act.
- (40) "**Development permit**", means a permit issued under the Zoning by-law, authorizing development, and may include a building permit.
- (41) "**Development Plan**", means The Rural Municipality of Morris Development Plan adopted by By-law No. 1713/2015 and amendments thereto.
- (42) "**Drive-in establishment**", means an establishment with facilities for attracting and servicing prospective customers travelling in motor vehicles, which are driven onto the site where the customer may or may not receive service in the vehicle.
- (43) "**Dwelling**", means a building or portion thereof designed for residential occupancy.
- (44) "**Dwelling, farmstead**", means any dwelling which is or has been accessory to a farm operation and is on a parcel which includes or has included associated agricultural buildings, normally in a single cluster enclosed by a shelterbelts.

- (45) "**Dwelling, multiple-family**", means a building containing three (3) or more dwelling units, each unit designed for and used by one (1) family.
- (46) "**Dwelling, single-family**", means a detached building designed used by one (1) family.
- (47) "**Dwelling, two-family**", means a detached or semi-detached building designed for and used by not more than two (2) families, each having exclusive occupancy of a dwelling unit.
- (48) "**Dwelling unit**", means one (1) or more rooms in a building designed for one (1) or more persons as a single housekeeping unit with cooking, eating, living, sleeping and sanitary facilities.
- (49) "**Earthen manure storage facility** ", means a structure built primarily from soil, constructed by excavating or forming dykes, and used to retain livestock manure, which is covered by straw, plastic or other appropriate material and does not include collection basins.
- (50) "**Enlargement**", means the addition to the floor area of an existing building or structure, or an increase in that portion of land occupied by an existing use.
- (51) "**Extension**", means an increase in the amount of floor area used for an existing use, within an existing building.
- (52) "**Family**", means one or more persons related by blood or marriage or common-law marriage, or a group of not more than three (3) persons who may not be related by blood or marriage, living together as a single housekeeping unit. A single housekeeping unit shall be deemed to exist if all members thereof have access to all parts of the dwelling unit.
- (53) "**Farm buildings or structures**", means any buildings or structures existing or erected on land used principally for agricultural activities but not including dwellings.
- (54) "**Feedlot**", means a fenced or enclosed area where livestock are confined solely for the purpose of growing or finishing, and are sustained by means other than grazing, but does not include a seasonal feeding area.
- (55) "**Floodplain**", means all land that would be flooded by the 200-year flood or by a recorded flood exceeding the 200-year flood (the 1997 Flood within the Red River Valley Designated Flood Area).
- (56) "**Garage, private or carport**", means an accessory building or portion of a principal building, if attached, used by the occupants of the premises upon which it is located for the parking or temporary storage of private passenger motor vehicles may also include the incidental storage of other personal property.
- (57) "**Grain storage structure**", means any structure that is designed to store any type of grain, but does not include the typical farm granary.
- (58) "**Groundwater**", means water below the surface of the ground.

(59) "**Home occupation**", means an occupation, trade, profession or craft that is carried on in a dwelling unit or its accessory building and which is clearly incidental or accessory to the residential use of the dwelling.

(60) "**Hotel**", means a building or part thereof wherein accommodation is provided for transient lodgers, in any individual room or apartment, with or without cooking facilities. Permitted accessory uses include, but are not limited to, restaurants, licensed beverage rooms, banquet halls, ballrooms and meeting rooms.

(61) "**Junkyard**", means an area where waste or scrape materials are brought, stored, baled, disassembled or handled, sold, or exchanged and may include metals, paper, rubber and glass. A junkyard includes automobile wrecking but does not include such uses established entirely within an enclosed building.

(62) "**Kennel**", means any premises on which more than two (2) animals are boarded, bred, trained or cared for, in return for remuneration or are kept for the purpose of sale. A kennel shall not include a veterinary clinic, animal hospital or animal pound.

(63) "**Lane**", means a street not over 10.06 M (33 ft.) in width.

(64) "**Livestock**", means animals /poultry not kept exclusively as pets.

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

(66) "**Manufacturing, heavy**", means processing and manufacturing uses, which cannot be classified as light industrial uses, as defined herein.

(67) "**Manufacturing, light**", means processing and manufacturing uses, provided that they do not create safety hazards or noise in excess of average intensity of street and traffic noise in the area in which they are located. The use should not emit smoke, dust, dirt, toxic or offensive odours or gas and the use should not produce heat or glare perceptible from any site line of the site on which the use is located. As a rule, in the agricultural zone, industries in this category should be secondary to the agricultural use, if not, they should be of such a size that they do not create traffic problems or impact negatively on the surrounding area.

(68) "**Manure Management Plan**", means a plan that is prepared on a form approved by the province as required under The Livestock Manure and Mortalities Management Regulation and that provides for the storage and handling of the manure produced in an agricultural operation and the land application, treatment or other acceptable use or disposal of the manure.

(69) "**Manure storage facility**", means a structure, reservoir, earthen storage facility, molehill, or tank for storing livestock manure, but does not include:

- a) field storage;
- b) a vehicle or other mobile equipment used for the transportation or disposal of livestock manure; or
- c) under-barn concrete storage pits used for short-term containment of livestock manure.

(70) "**Mobile home**", means a portable dwelling that is designed for residential occupancy, built upon or having a frame or chassis to which wheels may be attached, which may move it upon a highway. The structure may be jacked up and/or skirted and must conform to the structural standards of *The Building and Mobile Homes Act* and amendments thereto.

(71) "**Motel**", means a building or part thereof, not over two (2) stories in height wherein sleeping accommodation is provided for transient lodgers and in which there is an exit from each room or suite of rooms directly to the outdoors with access to grade level. Permitted accessory uses include, but are not limited to restaurants, licensed beverage rooms, banquet halls, ballrooms and meeting rooms.

(72) "**Non-conformity**", means one, or a combination of one or more of the following:

- a) a site or an area of land;
- b) a building or structure;
- c) a use of a building or structure;
- d) use of land; or
- e) a sign;

which lawfully existed prior to the effective date of this By-law or amendments hereto, but does not conform to the provisions contained within this By-law or amendments hereto.

(73) "**Non-conforming uses**", means any lawful use of a building, structure or land, or portion thereof, which does not conform to any one or more of the applicable use requirements of the zone in which it is located, either on the effective date of this By-law, or amendments hereto.

(74) "**Non-conforming building or structure**", means any lawful building or structure that does not comply with one or more of the applicable site requirements on the effective date of this By-law or amendments hereto.

(75) "**Non-conforming site or parcel**", means any lawful site or parcel of land that does not comply with the site area, width or depth requirements of this By-law, or amendments hereto, and was on record in the Land Titles Office and in separate ownership prior to the effective date of this By-law, or amendments hereto.

(76) "**Non-conforming sign**", means any lawful sign that does not comply with one or more of the applicable site requirements on the effective date of this By-law or amendments hereto.

(77) "**Normal water mark**" means the line where vegetation ceases or where the character of vegetation or soil changes along the edge of a surface watercourse.

(78) "**Owner**", means a person, or agent of such person, who appears by the records of the proper land titles office to have any right, title, estate, or interest in land.

(79) "**Parcel of land**", means the aggregate of all land described in any manner in a Certificate of Title.

(80) "**Pasturing**", means an activity whereby animals obtain sustenance for part of the year by direct consumption of feed grown on the area and manure does not accumulate such that mechanical removal redistribution are required (also known as grazing).

(81) "**Permitted Use**", means the use of land, building or structure provided in this Zoning By-law for which a Development Permit shall be issued upon an application having been made, if the use meets all the requirements of this By-law.

(82) "**Planned unit development**", means a land development project planned as an entity in accordance with a unitary site plan that permits flexibility in siting of buildings, mixture of housing types and land uses, useable open spaces and the preservation of significant natural features.

(83) "**Premises**", means an area of land with or without buildings.

(84) "**Public utility**", means any system, works, plant, equipment or services, which furnishes services and facilities available at approved rates to the public, including but not limited to:

- a) communication, by way of telephone, telegraph, wireless or television;
- b) public transportation, by bus or other vehicle;
- c) production, transmission, delivery or furnishing of water, gas or electricity to the public at large; or
- d) collection of sewage, garbage or other waste.

(85) "**Public utility building**", means a building used by a public utility.

(86) "**Public works yard**", means a site primarily used for the maintenance, repair and storage of equipment, vehicles used by a public utility or government agency in the delivery of its service and may include accessory administrative offices.

(87) "**Repair**", means the renewal or reconstruction of any part of an existing building or structure for the purpose of its maintenance or restoration.

(88) "**Residential care 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 or to each other.

(89) "**Retail business/service**", means the use of a building, structure or site in which goods and/or services are sold directly to the public.

(90) "**Seasonal feeding area**", means an outdoor area, other than a feedlot or grazing area, where

- a) livestock are given their supplemental or total feed requirements on a seasonal basis; and
- b) because of its accumulation, manure must be removed from the area by mechanical means from time to time.

(91) "**Senior citizen home**", means a multiple unit dwelling or a building containing individual rooms where elderly people live independent of personal care.

(92) "**Sign**", means any writing (including letter, word or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol or trademark), banner, pennant or any other figure of similar character which:

- a) is a structure or any part thereof, or is attached to, painted on or in any other manner represented on or in a building or other structure;
- b) is used to identify, direct attention to, or advertise; and
- c) is visible from outside a building but shall not include show windows as such.

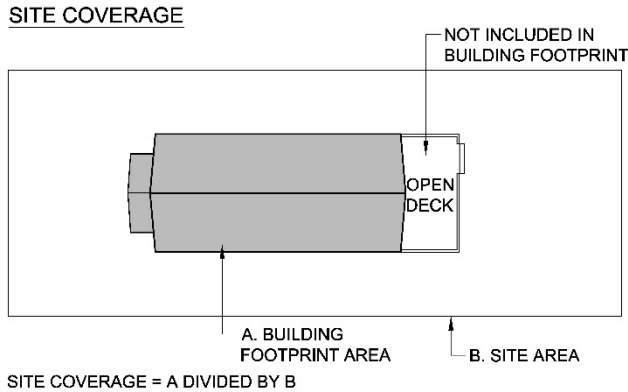
(93) "**Sign, advertising**", means a sign directing attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the same zoning site where the sign is maintained, including a billboard sign.

(94) "**Site**", means a zoning site as defined herein unless indicated otherwise.

(95) "**Site area**", means the computed land area contained within the site lines.

(96) "**Site, corner**", means a site situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding 135 degrees.

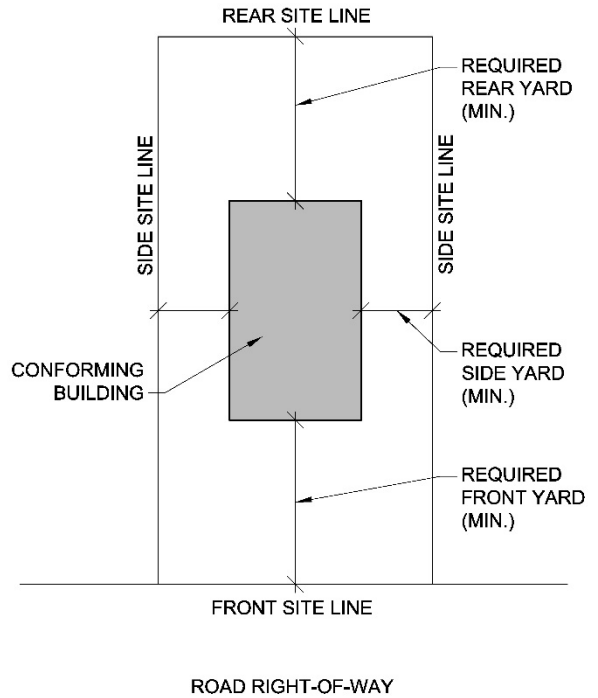
(97) **“Site coverage”** means the percentage of lot area used by buildings or structures.



(98) **"Site frontage"**, means all that portion of a zoning site fronting on a street and measured between side site lines.

(99) **"Site lines"**, means as follows:

- a) "Front site line", means that boundary of a site that is along an existing or designated street. For a corner site the Development Officer may determine the front site line.
- b) "Rear site line", means that opposite boundary of a site that is most nearly parallel to the front site line. In the case of a site in which the side site lines intersect, such as a triangular site, a line 3.05 m (10 ft.) in length within the site, parallel to and at the maximum distance from the front site line.
- c) "Side site line", means a boundary of a site that is not a front or rear site line.
- d) Where an irregular shaped site cannot have its site lines identified by the foregoing definitions, the Development Officer shall determine the front, rear and side site lines.

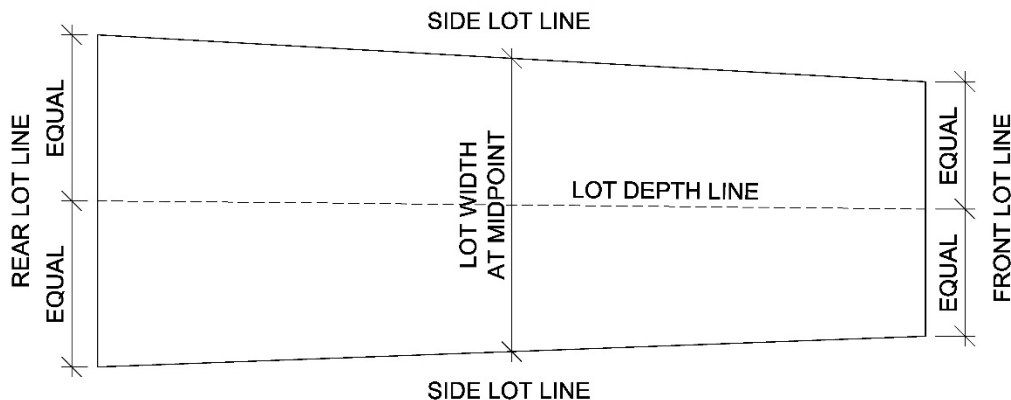


e) The adjacent sketch illustrates the foregoing definitions of site lines.

(100) "**Site requirements**", means some or all of the following:

- a) the area of the zoning site upon which a building is located, and/or the number of dwelling units or rooms within such building in relation to the area of the zoning site;
- b) the location of exterior walls of buildings in relation to site lines, other walls of the same building, legally required windows, and/or other buildings;
- c) all open areas relating to buildings or structures and their relationship thereto; and/or
- d) the size (including height and floor area) of buildings or structures.

(101) "**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 12.2 m (40 ft.) from the front site line, whichever is the lesser.



(102) "**Small Scale Industries**", means light manufacturing, assembly or distribution of ready-made products on a small scale. As a rule, industries in this category are secondary to the agricultural operation, if not, they should not be of such a size that they create traffic problems or impact negatively on the surrounding area.

(103) "**Spread**", means the act or process of distributing something on or over a surface.

(104) "**Stable**", means a private or public detached accessory building for the keeping of cattle, horses, or similar animals owned by the occupants of the premises and not kept for remuneration, hire, or sale.

(105) "**Stockpile**", means the placement or storage in a specific location, in an unnatural manner, so as to create a gradually accumulated reserve of something.

(106) "**Street**", means a public highway, lane, or thoroughfare intended for the purpose of moving vehicular traffic.

(107) "**Structure**", means anything constructed or erected with a fixed location on or below the ground, or attached to something having a fixed location on the ground and includes buildings, walls, fences, signs, billboards, poster panels, light standards and similar items.

(108) "**Surface water**", means any body of flowing or standing water, whether naturally or artificially created, including but not limited to a lake, river, creek, swamp, wetland, or marsh, including ice on any of them, but not including a field drain or dugout on the property of the agricultural operation.

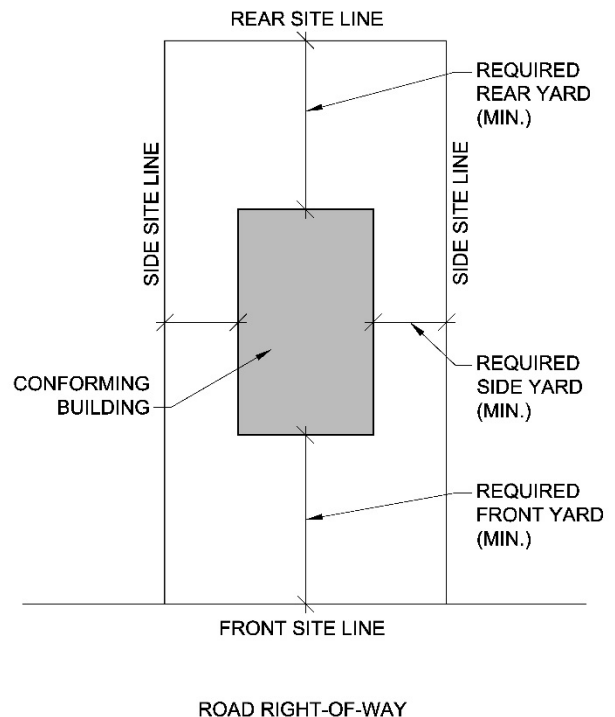
(109) "**Surface watercourse**", means a body of surface water and an area, whether naturally or artificially created, that perennially or intermittently contains surface water, but does not including a dugout or field drains on the property of the agricultural operation.

(110) "**Use**", means:

- a) any purpose for which a building or structure or land may be designed, arranged, intended, maintained or occupied; or
- b) any activity, occupation, business or operation carried on, or intended to be carried on, in a building or structure or on land.

(111) "**Yard**", means an open area, on the same zoning site containing a building or structure which is unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted:

- a) "Required yard", means a yard extending along a site line to a depth or width (measured from the site line) specified in the yard requirements for the zone in which such zoning site is located;
- b) "Required front yard", means a yard extending along the full length of the front site line between the side site lines;
- c) "Required rear yard", means a yard extending along the full length of the rear site line between the side site lines;
- d) "Required side yard", means a yard extending along the side site line from the front yard to the rear yard; and
- e) The sketch to the right illustrates the foregoing definitions of yards.



(112) "**Zoning Site**", means an area of land which:

- a) is occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use or uses thereto, together with such open spaces as are required under the provisions of this By-law;
- b) has frontage on a street or has any lawful means of access satisfactory to the Council;  
and
- c) is of sufficient size to provide the minimum requirements of this By-law for a Permitted or Conditional Use in a zone where the use is located.

### **2.3 MEASUREMENT**

(1) Length, width and area information in this By-law is shown in metric numbers, with Imperial dimensions or areas in brackets.

(2) Abbreviations for dimensions include:

mm	for millimetres	(in.)	for inches
m	for metres;	(ft.)	for feet
sm.	for square metres	(sq. ft.)	for square feet
ha	for hectares	(Ac)	for acres
Km	for Kilometres	(mi.)	for miles

## **PART 2 – ADMINISTRATION**

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## **PART 2 – ADMINISTRATION**

### **3 SCOPE OF THE BY-LAW**

#### **TITLE**

3(1) This By-law shall be known as "The RM of Morris Zoning By-law".

#### **THE AREA**

3(2) The Area to which this Zoning By-law shall apply shall be the entire Rural Municipality (RM) of Morris.

#### **INTENT AND PURPOSE**

3(3) The regulations and provisions established by this By-law are deemed necessary in order to:

- (a) implement the objectives and policies of The Rural Municipality of Morris Development Plan;
- (b) to define and limit the powers and duties of the Council and the Development Officer; and
- (c) to regulate the following:
  - i) all building and structures erected hereafter;
  - ii) all uses of buildings, structures and land established hereafter;
  - iii) all structural alterations or relocations of existing buildings and structures occurring hereafter;
  - iv) all enlargements of or additions to existing buildings, structures or uses; and
  - v) a change of use of land, buildings or structures.

#### **RESPONSIBILITIES OF COUNCIL**

3(4) Council shall be the authority responsible for the enactment of this By-law and subject to the provisions of The Act is responsible for:

- (a) the enactment, repeal and amendment of this By-law;
- (b) administering and enforcing the provisions of this By-law and the provisions of the Act, where applicable;

- (c) considering the adoption of amendments to or the repeal of this By-law;
- (d) consider and issue Variation Orders;
- (e) approving or rejecting Conditional Use applications; and
- (f) establishing a Schedule of Fees as provided for in Section 20 of this PART.

## **4. AMENDMENTS**

### **PROCEDURE**

4(1) Subject to the procedure required under Section 80 of The Act, an amendment might be initiated by a resolution of intention by the Council or by application of one or more owners of the property or their agents within the area proposed to be changed. An application to amend the Zoning By-law and all required information and fees as determined by Council and in accordance with Section 20 of this PART, shall be made to the Council.

### **DECISION BY COUNCIL**

4(2) After giving the By-law amendment first reading Council shall give notice and hold a public hearing according to Section 74 of The Act, at which time it shall review all of the facts presented, and any representation made. It shall make its findings and determination in writing and shall transmit a copy thereof to the applicant. If Council approves the application, it shall proceed with the adoption of the amendment in accordance with the provisions of The Act.

### **OBJECTIONS**

4(3) Subject to the procedures required under Section 77 of The Act, anyone objecting to any amendment which subsequently has been given second reading by Council may file a further objection with the Municipal Board.

### **DEVELOPMENT AGREEMENTS**

4(4) Where an application is made for the amendment of this By-law, the Council may require the owner to enter into an agreement pursuant to Sections 81 and 150 of The Act. The development agreement may be registered in the Land Titles Office in the form of a caveat and shall be discharged when the requirements and conditions of the agreement have been met.

## **5 CONDITIONAL USES**

### **INTENT**

5(1) The development and execution of this By-law is based upon the division of The Area into zones, within which zones the use of land, buildings and structures in relation to the land are substantially compatible. There are certain uses deemed Conditional Uses which, because of

their unique characteristics, cannot properly be classified in any particular zone or zones without consideration of the impact of those uses upon neighbouring land and of the public need for the particular use at the particular location.

## **APPLICATION**

5(2) An application for a Conditional Use shall be processed and approved or rejected in accordance with the provisions of Part 7, Division 1, General Conditional Uses, and Division 2 Large Scale Conditional Use Livestock Operations of The Act.

## **FILING AN APPLICATION**

5(3) The application shall be filed with the Council, or designate, and shall be accompanied by a site plan and other data as the Council may prescribe and such fees as determined by Council.

## **EXPIRY OF APPROVAL**

5(4) The approval of Council in accordance with the provisions of The Act shall expire and cease to have any effect if it is not acted upon within twelve (12) months of the date of the decision. The Conditional Use order can be renewed, prior to the expiry date, for an additional period of twelve (12) months.

## **EXISTING CONDITIONAL USE**

5(5) Where a use is classified as a Conditional Use under this By-law or amendments hereto and legally exists as a Permitted or Conditional Use at the date of the adoption of this By-law or amendments hereto, it shall be considered as an existing Conditional Use.

## **CHANGES TO AN EXISTING CONDITIONAL USE**

5(6) Any change in a Conditional Use shall be subject to the provisions of this section and the appropriate provisions of The Act.

## **REVOKING A CONDITIONAL USE PERMIT**

5(7) Council may revoke an approved Conditional Use permit for a violation of any conditions imposed by it.

## **6 VARIATIONS**

### **VARIATIONS**

6(1) Any person may apply for a Variation Order, in accordance with the provisions of Part 6, Variances, Section 94 of The Act.

6(2) An application for a Variation Order and all required information and fees shall be made to Council or the Development Officer.

6(3) An application for a Variation Order shall be processed and approved or rejected in accordance with the provisions of The Act.

6(4) The Development Officer may, in accordance with the provisions of Section 102 of The Act, grant or refuse, at his/her discretion, a minor variation not to exceed ten (10) percent of the requirements of this by-law governing a front, side, rear or any other yard.

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

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

7(1) Temporary buildings, structures and uses for construction materials or equipment, both incidental and necessary to construction in the same zoning site may be permitted on a temporary basis subject to the issuance of a Development Permit.

7(2) A Development Permit for a temporary building, structure or use shall be subject to such terms and conditions as required by Council or the Development Officer.

7(3) Each Development Permit issued for a temporary building, structure or use shall be valid for a period of not more than six (6) months and may not be renewed for more than two (2) successive periods at the same location.

7(4) In all cases, temporary buildings and structures:

- (a) may be used as an office space for the contractor or developer;
- (b) shall not be used for human habitation, except as temporary accommodation for a caretaker, security or other staff; and
- (c) shall not be detrimental to the public health, safety, convenience and general welfare.

7(5) The following buildings, structures and uses may be permitted to locate on a site on a temporary basis without obtaining a Development Permit:

- (a) temporary signs;
- (b) temporary buildings structures and uses associated with fairs, events, games, exhibitions, public markets, sales in public places, transient traders and similar provided the necessary licenses are obtained as required;
- (c) the placement of temporary structures accessory to a dwelling or mobile home such as playground and sports equipment; and
- (d) temporary use of a residential site for purposes of a garage or yard sale.

## 8 DEVELOPMENT OFFICER

### DUTIES OF THE DEVELOPMENT OFFICER

8(1) The Council shall appoint a Development Officer who, on behalf of the RM of Morris:

- (a) shall issue a Development Permit where the development of land, buildings or structures conforms to the adopted Development Plan, and the requirements of this By-law and amendments thereto, subject to the provisions of Part 10 Development Permits.
- (b) may enter any buildings or premises at all reasonable hours in the performance of his duties with respect to this By-law;
- (c) may issue Development Permits for the temporary use of building, structures, or land pursuant to the provisions of this By-law;
- (d) may issue zoning memoranda or such other documents necessary for the administration and enforcement of this By-law;
- (e) shall allow or refuse such minor variations to the requirements of this By-law as authorized by Section 6(4) of this PART and in accordance with the provisions of Subsection 102 (3) of The Act; and
- (f) shall refer, with his/her recommendations, to Council all applications for Development Permits involving:
  - i) amendments to this By-law;
  - ii) new Conditional Uses and changes to Conditional Uses as per Subsection 5(3) of this PART;
  - iii) variations from zone requirements in excess of that authorized by Subsection 6(4) of this PART;
  - iv) matters requiring the specific approval of council pursuant to this Bylaw; and
  - v) any other items which may require Council's attention.

### DEFER APPROVAL OF PERMITS

8(2) At the request of Council, the Development Officer shall defer approving an application for a Development Permit:

- (a) as provided for in Section 148 of The Act;
- (b) that would result in a violation of this By-law or any by-law of the RM of Morris; or

(c) when any fees are due and owing to the RM of Morris under this By-law.

## **9 DUTIES OF THE OWNER**

### **DUTIES OF THE OWNER**

9(1) Neither the granting of a Development Permit nor the approval of the drawings and specifications nor the inspection made by the Development Officer shall in any way relieve the owner of the responsibility of complying with the requirements of this By-law or of any relevant by-laws of the RM of Morris.

9(2) Every owner shall:

- (a) in accordance with Part 12, Section 175 of The Act, permit the Development Officer to enter any building or premises at any reasonable time for the purpose of administering or enforcing this By-law and shall not molest, obstruct or interfere with the Development Officer in the discharge of his duties under this By-law;
- (b) after the Development Application has been approved and the permit issued, obtain the written approval of the Development Officer before doing the work at variance with the approved documents filed; and
- (c) be responsible for obtaining where applicable, from the appropriate authorities, permits or licenses relating to the buildings, grades, sewers or water supply systems, plumbing, signs, blasting, street, occupancy, electrical, highways, and all other permits required in connection with the proposed work.

## **10 PERMITS**

### **PERMITS REQUIRED**

10(1) The owner or his/her agent shall obtain all necessary permits as required by Council and other government agencies.

### **DEVELOPMENT PERMIT**

10(2) An application for a Development Permit is required for the following:

- (a) the erection or construction or placement of any permanent building, structure, dwelling, or mobile home, except fences or light standards;
- (b) the addition, extension, structural alteration or conversion of any building or structure;
- (c) the relocation or removal or demolition of any building or structure;

- (d) the use of vacant land, buildings or structures; and
- (e) a change in use of land, buildings, or structure.

## **DEVELOPMENT PERMIT NOT REQUIRED**

10(3) The following developments shall not require a Development Permit; however, such developments must comply with all provisions of this By-law, any other applicable by-laws of the Municipality and all required Provincial setbacks and/or permits:

- (a) the carrying out of work or maintenance or repair to any building or structure, provided that such works do not include structural alterations or major renovations;
- (b) the erection, construction or the maintenance of gates, fences, walls or other means of enclosures less than 1.83 m (6 ft.) in height;
- (c) the temporary uses of a site or the erection or construction of temporary buildings or structures excepted under Section 7 of this PART;
- (d) the construction or maintenance of that part of a public works placed in or upon a public works easement;
- (e) the carrying out by the RM of Morris any operation for the maintenance or improvement of a public works, including the inspection, repair or renewal thereof;
- (f) the erection, placement, enlargement, structural alteration, relocation or use of any building or structure not exceeding 11.15 s m (120 sq. ft.) that is normally incidental or accessory to a dwelling as the principal building or use;
- (g) general landscaping and the planting or removal of trees and hedges intended as a shelterbelt or buffer, except where said landscaping results in a change in the average grade of the site by 150 mm (6 in.) or more in height;
- (h) the construction or erection of permitted non-illuminated signs; and
- (i) the operation of a Home Occupation in accordance with Section 24 of PART 3 of this By-law.

## **DEVELOPMENT PERMIT REQUIREMENTS**

10(4) In addition to the requirements of any by-law of the RM of Morris or any other Provincial regulations, all applications for a Development Permit shall be in a form prescribed by Council. No person shall erect, locate, relocate, use, or occupy any building, land or structure contrary to any development permit or the material furnished in the support of the application.

## **BUILDING PERMITS REQUIRED**

10(5) In addition to a Development Permit, the owner or his/her agent shall obtain any Building Permits required by the RM of Morris Building By-law prior to any construction:

- (a) Building Permits are required for all buildings and structures in all areas of the Municipality including Agricultural areas in order to address, site requirements, fire codes, safety and environmental considerations.
- (b) Plans prepared by a Professional Engineer shall be submitted to the Municipal Building Inspector for all residential, commercial and industrial buildings over 92.90 s m (1000 sq. ft.) in area.

## **EXISTING BUILDING PERMITS**

10(6) Unless otherwise provided for herein, Building Permits issued prior to the effective date of this By-law shall be considered valid for the purpose of this By-law provided all the conditions under which the permit was issued are complied with.

## **BUILDING TO BE MOVED**

10(7) No building or structure shall be moved or relocated in whole or in part to any other location unless every portion of the building or structure is made to conform to all the regulations of this By-law applying to the zone in which it is located.

## **11 NON-CONFORMITIES**

### **NON-CONFORMING USES, BUILDINGS OR STRUCTURES**

11(1) A Non-conforming Use and a Non-conforming Building or Structure shall be regulated in accordance with and subject to the provisions of Sections 86 to 93 of The Act, unless otherwise provided for herein.

### **EXISTING NON-CONFORMING BUILDINGS**

11(2) All buildings and structures lawfully existing at the effective date of the adoption of this Zoning By-law are deemed to conform to the site regulations and parking and loading requirements of the zone in which the buildings and structures are situated. Any expansion, addition, relocation or reconstruction of the said buildings and structures shall conform to the site regulations and parking and loading requirements of the zoning district in which they are located unless varied by a Variation Order.

### **REPAIR OR REBUILDING**

11(3) Pursuant to the provisions of Sub-section 89 (2) of The Act, where a building or structure that does not conform to the provisions of the Zoning By-law, is damaged or destroyed to an extent of fifty (50) percent or more of the replacement value of the building above its foundation,

said building or structure may be repaired or rebuilt, but only in conformance with this By-law or amendments.

### **INCIDENTAL ALTERATIONS**

11(4) Incidental alterations as defined in this by-law may be made to a building containing a non-conforming use provided such building or use is not expanded contrary to Sub-section 89 (1) of The Act.

### **NON-CONFORMING PARCEL**

11(5) No building or structure shall be erected on a non-conforming parcel of land unless:

- (a) the required yards are provided as set forth in the Use and Site Requirements of the zone in which the parcel of land is located; or
- (b) a Variation Order for such yard requirements is granted.

### **CHANGES**

11(6) Council may permit the following changes to existing non-conforming buildings, structures, uses or parcels of land by Variation Order as per Subsection 98 (1) of The Act:

- (a) maintenance, reconstruction in compliance with Subsection 11(3), structural alteration, or addition to a building or structure provided that yard, site coverage and parking requirements of the subject zone are complied with;
- (b) erection or location of a Permitted or Conditional Use building, structure or use on a non-conforming parcel;
- (c) erection or location of permitted accessory buildings, structures and uses in accordance with TABLE 3-1 of this By-law; and
- (d) enlargement or re-subdivision of a non-conforming parcel having the effect of reducing the existing non-conformity.

Where any of the above changes do not result in the elimination of the non-conformity, the subject building, structure, use or parcel shall retain its non-conforming status as per Subsection 11(1) above.

### **CERTIFICATE AND FEES**

11(7) Council shall determine any fees paid to the Development Officer for the issuance of a Non-conforming Use Certificate in accordance with the provisions of Subsection 71 (1) of The Act.

## **12 INTERPRETATION AND APPLICATION**

### **MINIMUM REQUIREMENTS**

12(1) In their interpretation and application, the provisions of this By-law shall be held to be the minimum requirements to satisfy the intent and purpose as set forth herein.

### **RELATION TO OTHER BY-LAWS AND REGULATIONS**

12(2) Whenever provisions of any by-law of the RM of Morris or any other requirements of the Provincial or Federal Governments impose overlapping regulations on the use of land or buildings or site regulations or contain any restrictions covering any of the same subject matter contained herein, the most restrictive or highest requirement shall govern.

### **PREVIOUS VIOLATIONS**

12(3) Unless otherwise provided for herein, an existing building, structure or use which was illegal under the provisions of any by-law in force on the effective date of this Zoning By-law, and amendments thereto, shall not become or be made legal solely by reason of the adoption of this By-law. To the extent that, and in any manner that, said illegal building structure or use is in conflict with the requirements of any bylaw, said building, structure or use remains illegal hereunder.

### **SITE REDUCED**

12. (4) Wherever a requirement of site area, width, frontage, depth of required yard is reduced below the minimum requirements of this By-law by virtue of a highway, road allowance, drain, right-of-way or the Section survey, such site shall be deemed to conform to the requirements of this By-law. Site reductions resulting from subdivisions made by any owner shall not qualify for this exception.

## **13 OTHER PROVISIONS**

### **PLANNING COMMISSIONS**

13(1) A Planning Commission may be established in accordance with the provisions of Division 3, Sections 31 to 39 of The Act.

### **PUBLIC UTILITIES AND SERVICES**

13(2) Nothing in this By-law shall be so interpreted as to interfere with the construction, maintenance and operation to the facilities of any public utility, as defined by this Bylaw or public service such as police and fire protection, provided that the requirements of such public utility or public service is of a standard compatible with the adjacent area and that any building or structure erected in any zone complies with the yard and area requirements applicable to the zone.

## **PUBLIC MONUMENTS AND STATUARY**

13(3) Nothing in this By-law shall be so interpreted as to interfere with the maintenance or erection of monuments, statuary, and similar structures.

## **SAND, GRAVEL OR MINERAL EXTRACTION OPERATIONS**

13(4) Establishment of new or expansion of existing sand, gravel or mineral operations are subject to a Development Agreement with Council.

## **BASEMENT DWELLING UNIT**

13(5) A basement dwelling unit shall comply with the provisions of this by-law, the *Buildings and Mobile Homes Act*, and any other by-law or Act having jurisdiction.

## **ENFORCEMENT**

13(6) The enforcement of this By-law, or any resolution or Order enacted by the Council under the Act or any regulation made thereunder shall be in accordance with the provisions of the Act.

## **14 DEVELOPMENT AGREEMENT WITH COUNCIL**

### **NEED FOR DEVELOPMENT AGREEMENT**

14(1) Where an application is made for a Zoning Amendment or for Subdivision Approval and any of the following activities are necessary:

- (a) construction of a public street to give access to the proposed development;
- (b) the installation of utilities or other public works to serve the proposed development;
- (c) the provision of associated features or facilities such as those outlined in Section 150 of the Act; or
- (d) the provision of a dedication or a general levy, if required;

Council may require that the applicant enter into a Development Agreement prior to final approval.

### **REGISTRATION**

14(2) The Development Agreement pursuant to Subsection 14(1) may be registered in the Land Titles Office in the form of a caveat against the Certificate of Title for the land that is the subject of the Development Agreement.

## **DISCHARGE**

14(3) Council shall discharge a caveat registered pursuant to subsection 14 (2) when the requirements and conditions of the agreement have been met.

## **15 FEE SCHEDULE**

### **AMENDMENT FEES**

15(1) An application for an amendment to this By-law shall be accompanied by:

- (a) an application fee;
- (b) an undertaking by the applicant to pay to the Municipality such disbursements incurred by the Municipality in processing the application; and
- (c) a deposit of an amount determined by Council to be applied towards the total disbursements to be incurred.

### **OTHER FEES**

15(2) The Council pursuant to the requirements of The Act shall establish fees for Variation Orders, Conditional Use Orders, Development Permits, Non-conforming Certificates and Zoning Memorandums.

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## **PART 3 – LAND USE AND DEVELOPMENT PROVISIONS**

### **16 INTENT AND PURPOSE**

16(1) The provisions of this PART are intended to apply to all zones within the RM of Morris except wherein stated.

### **17 GENERAL SITE PROVISIONS**

#### **ZONING SITE**

17(1) No development shall take place and the Development Officer shall issue no Development Permit, unless the development occurs on a zoning site as defined in this By-law.

#### **BUILDING GRADE**

17(2) No building or structure, requiring a Building Permit, shall be erected without first consulting with the Development Officer as to grade for the building or structure to be erected. More specifically:

- a) Any building or structure proposed within the Red River Valley Designated Flood Area must be in compliance with the flood-proofing requirements of the Provincial Water Resources Administration Act Regulation 59/2002, Designated Flood Area Regulations. Any permanent structures within the Designated Flood Area must obtain a Designated Flood Area Permit from Water Management, Planning and Standards, Manitoba Infrastructure.
- (b) Any dwelling or barn proposed within the RM of Morris outside the Red River Valley Designated Flood Area must be erected at an elevation of 0.305 m (1 ft.) above the lowest road elevation adjacent to the affected parcel of land; and
- (c) Within the Urban Centres the average grade of any site shall not be raised or lowered by 150 mm (6 in.) or more without the approval of the Development Officer. When allowing the raising or lowering of the grade by 150 mm (6 in.) or more, the Development Officer shall take into consideration flood level information, street elevation, installation of services, elevations of adjacent sites, drainage, appearance and other pertinent factors.

#### **BUILDINGS PER SITE**

17(3) Except where otherwise provided (e.g. mobile home parks, strip malls), there shall be only one main building or one main use on a zoning site. For example, a Residential zoning site shall contain only one (1) single-family dwelling or one (1) two-family dwelling, and their accessory buildings, structures and uses.

## **SUBDIVIDING LAND**

17(4) All subdivisions must be consistent with the policies and provisions of the R.M. of Morris Development Plan By-law, and except as otherwise provided for in the By-law, no parcel of land should hereafter be divided into sites unless each resultant site conforms to the requirements of this By-law.

## **SITE REQUIREMENTS**

17(5) Except as otherwise provided herein, the owner should maintain the minimum site area, site width, site depth, yards and other open spaces required for any use in any zone. Furthermore, the minimum site area, site width, site depth, yards and open space allocated to a use as required by this By-law shall not by virtue of change of ownership, or for any other reason, be used to satisfy the minimum site area, site width, site depth, yards or other open space requirements for any other use.

## **VIOLATION OF PROVISIONS**

17(6) No building or structure shall be added to, altered, enlarged, or reconstructed, and no site shall be reduced in area or yard requirements if such addition, reconstruction, enlargement, reduction or alteration will cause violation of any provisions of this By-law.

## **PUBLIC WORKS**

17(7) A site area, site width, or required yard reduced below the minimum requirements of this By-law by virtue of any public works shall be deemed to conform to the requirements of this By-law provided the necessary variations are obtained.

## **MUNICIPAL SERVICES**

17(8) All principal buildings or structures constructed on a site within urban areas and served by public/private sewer or water distribution shall be connected to such services.

## **BUILDING RELOCATION**

17(9) No building or structure shall be moved or relocated in whole or in part to any other location unless every portion of the building or structure is made to conform to all the requirements and regulations of this by-law applying to the zone in which it is to be located.

## **MULTIPLE USES**

17(10) Where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be satisfied. Where there is conflict such as in the case of site area and frontage, the higher or more stringent requirement shall prevail.

## 18 ACCESSORY BUILDINGS, STRUCTURES AND USES

### GENERAL

18(1) Accessory buildings, structures and uses shall be Permitted on the same zoning site as the main building, structure or use subject to the provisions of this section and the USE AND SITE REQUIREMENTS of the zone in which the accessory buildings, structures and uses are to be located.

### LOCATION AND USE

18(2) Accessory buildings and structures, except as otherwise regulated in this By-law, shall be subject to the following regulations:

- (a) where the accessory building or structure is attached to a main building or structure, it shall be subject to, and shall conform to, all regulations of this By-law applicable to the main building or structure; where the main building or structure is a Conditional Use, so is the accessory building or structure;
- (b) detached accessory buildings or structures shall not be located in any required front yard;
- (c) in no instances shall an accessory building or structure be located within the right-of-way of a dedicated easement; and
- (d) no accessory building or structure shall be erected prior to the erection of the main building or structure, except where it is necessary for the storage of tools and materials for use during construction of the main building or structure.

### TYPES PERMITTED

18(3) Permitted types of accessory buildings and structures are subject to the following regulations:

- (a) Portable structures in the Urban Residential or General Development zoning districts, shall:
  - i) require a Development Permit;
  - ii) be subject to all of the regulations governing accessory buildings and structures;
  - iii) be located a minimum of 3.05 m (10 ft.) to the rear of the primary dwelling, with a maximum area of 18.58 sm. (200 sq. ft.) and a maximum height of 3.66 m (12 ft.), and

- iv) be designed by a qualified manufacturer, and installed in accordance with the manufacturer's instructions.
- (b) Portable Structures in an Industrial zoning district shall be subject to all of the regulations governing an accessory building or structure.
- (c) No portable structures of any kind shall be allowed in any other zoning district.
- (d) Temporary buildings and uses in all zoning districts, shall:
- i) require a Development Permit subject to such terms and conditions as may be established by Council or the Development Officer, which shall be valid for a period of not more than 6 months;
  - ii) have an area not exceeding 92.90 sm. (1,000 sq. ft.) and a height of one story or 3.66 m (12 ft.);
  - iii) not be used for human habitation, except as temporary accommodation for a caretaker, watchman or construction workers;
  - iv) not be detrimental to public health, safety, convenience and general welfare, nor detract from the aesthetic value of the neighbourhood, and
  - v) may include uses such as office space for a developer, contractor or engineer.
- (e) Storage/shipping containers in an Urban Residential and General Development zoning district may be located on a residential property subject to the following conditions
- i) such containers shall meet the site requirements of an accessory building or structure;
  - ii) containers must be painted a neutral colour that will blend in with the surroundings; paint shall cover all decals and advertising logos;
  - iii) maximum container size shall be 2.44 m (8 ft.) in width and 6.10 m (20 ft.) in length;
  - iv) only one container may be located on a residential property;
  - v) containers shall be located to the rear of the main building, and
  - vi) on a corner lot a container shall be placed as close as possible to the interior side yard for an accessory building.
- (f) Storage/shipping containers in Industrial or Agricultural zoning districts may be located on an industrial or agricultural property subject to the following conditions:

- i) such containers shall meet the site requirements of an accessory building or structure;
  - ii) containers must be painted a neutral colour that will blend in with the surroundings; paint shall cover all decals and advertising logos;
  - iii) maximum of ten (10) containers may be located on an industrial property;
  - iv) maximum stacking height of three containers, which must be securely fastened together;
  - v) containers shall be located to the rear of the main building, and
  - vi) on a corner lot containers shall be placed as close as possible to the interior side yard for an accessory building.
- (g) Heights of accessory buildings and structures in an UR or GD zoning districts shall be a maximum of 4.57 m (15 ft.).
- (h) Only owner-occupiers of the principal dwelling shall be permitted to install a temporary dwelling or mobile home:
- i) which shall be placed on a concrete pad or a post foundation only, and removed immediately upon cessation of the approved occupancy.
- (i) Accessory dwelling units in non-residential and General Development zoning districts: in the “AC”, “C”, “M” and “GD” zoning districts, an accessory dwelling unit for the owner/operator is Permitted when contained within the same building as the main use, provided that:
- i) no more than fifty (50) percent of the total building floor area is occupied by the dwelling unit; and
  - ii) the dwelling unit is not located in the front half of the main floor area facing the street.

18(4) Accessory buildings, structures and uses shall be limited to those listed on TABLE 3-1 ACCESSORY USE TABLE, except where, in the opinion of Council, a similar accessory building, structure or use would be compatible with the character and use of the subject zone.

### TABLE 3-1 ACCESSORY USE TABLE

Legend: P Permitted  
 C Conditional  
 - Not Permitted

USE, BUILDING OR STRUCTURE	ZONE							
	AG	AR	RR	AC	UR	C	M	GD
<b>A. WHEN INCIDENTAL TO AN AGRICULTURAL OPERATION</b>								
1. Aircraft Landing Field	P	P	-	-	-	-	-	-
2. Dwelling or Mobile Home, ancillary to an Agricultural use	P	P	-	-	-	-	-	-
3. Farm Buildings, including barns, grain bins and similar structures	P	P	-	-	-	-	-	-
4. *Small Private Wind Turbines (WEGS) (Note 2)	P	P	P	P	-	P	P	P
<b>B. WHEN INCIDENTAL OR ACCESSORY TO A DWELLING, MOBILE HOME OR DWELLING UNIT</b>								
1. Children's Playhouse, Private Greenhouse, Summerhouse or Conservatory, Private Swimming Pool, (See Subsection 24(5))	P	P	P	-	P	-	-	P
2. Gardens and Incidental Outdoor Storage for materials associated with a Residential use.	P	P	P	-	P	-	-	P
3. Home Occupations (See Section 19)	P	P	P	-	P	-	-	P
4. Keeping of domestic animals with associated buildings and structures, for personal use, up to 0.618 A. U. per ha. (0.25 A.U. per Ac)	P	P	P	-	-	-	-	-
5. Miscellaneous Structures, such as playground and sports equipment, laundry poles and platforms, flagpoles and birdhouses, pads for mechanical or electrical equipment and similar uses.	P	P	P	P	P	P	P	P
6. Permanent Outdoor Barbeques, and similar cooking facilities	P	P	P	-	P	-	-	P
7. Private Garage, carport, covered patio, tool house, shed or similar building for storage of domestic equipment and supplies	P	P	P	-	P	-	-	P

USE, BUILDING OR STRUCTURE	ZONE							
	AG	AR	RR	AC	UR	C	M	GD
4. *Small Private Wind Turbines (WEGS) Note 2	P	P	P	-	-	P	P	P
* In all areas where wind generation is a Permitted Use, the front, side and rear yard dimensions shall be greater than 1.5 times the height of the tower.								
<b>C. WHEN GENERALLY INCIDENTAL OR ACCESSORY TO ALL USES, EXCEPT AS OTHERWISE NOTED</b>								
1. Off-street Parking and Loading areas	P	P	P	P	P	P	P	P
2. On-site Signs (See Section 21)	P	P	P	P	P	P	P	P
3. Open Space, including athletic fields, park areas, play areas and similar	P	P	P	-	P	-	-	P
4. Private Reception Equipment such as satellite dishes, television and radio antenna, aerials and similar	P	P	P	P	P	P	P	P
5. Refuse/garbage storage areas and structures	P	P	P	P	P	P	P	P
6. Shelterbelts, fences, hedges, lighting fixtures and similar landscape architectural features	P	P	P	P	P	P	P	P
7. Temporary Buildings and Uses, including offices for developers, contractors and engineers	C	C	C	C	C	C	C	C
<b>D. WHEN INCIDENTAL OR ACCESSORY TO SPECIFIC USES, OR IN CERTAIN ZONES AS NOTED</b>								
1. Administrative and business offices	P	P	-	P	-	P	P	P
2. Any building or structure, excluding dwellings and mobile homes, necessary for the operation, maintenance and administration of a Permitted or Conditional Use (Note 1)	P	P	-	P	-	P	P	P
3. Fuel Pumps and associated structures when incidental to a service station	-	-	-	P	-	P	P	P
4. Off-site Signs (See Section 21), subject to the approval of Council	P	P	-	P	-	P	P	P

USE, BUILDING OR STRUCTURE	ZONE							
	AG	AR	RR	AC	UR	C	M	GD
5. Production, processing, cleaning, servicing, altering, testing, repair or storage of goods normally incidental to an operation conducted by the owners	P	P	-	P	-	P	P	P
6. Retail Business/Service and other permitted/conditional commercial uses, when incidental to the main Commercial or Industrial use	-	-	-	P	-	P	P	P
7. Sales and Service Areas associated with a retail business/service	P	P	-	P	-	P	P	P
8. Storage Compounds, storage of goods used in or produced by activities on site unless excluded by other provisions herein	P	P	-	P	-	P	P	P
9. Portable Structures	-	-	-	-	P	-	P	C
10. Private Sewage Disposal and Water Supply Systems, where municipal services are not available or feasible, subject to all necessary approvals	P	P	P	P	P	P	P	P
11. Single-family Dwelling, or Dwelling Unit, for the owner/operator, or for commercial/industrial site security or caretaker, as necessary, except when a dwelling is the main use	P	P	-	P	-	P	P	P
12. Storage / Shipping Containers	-	-	-	-	P		P	C

(Note 1) In cases where the main building or structure is a Conditional Use, the accessory building or structure is also a Conditional Use.

(Note 2) Permits are required from Manitoba Infrastructure or the Highway Traffic Board for any structure/construction (including wind turbines, plant facilities, transmission lines, etc.) proposed within the control area of a provincial highway. Wind turbine generator towers should be setback sufficiently from the provincial highway right-of-way so that if the structure should fail, the highway right-of-way will not be impacted.

### 19 HOME OCCUPATIONS

For the purpose of this By-law, home occupations shall be further categorized as "Urban Home Occupations" and "Rural Home Occupations".

It is recognized that home occupations in rural areas are often different in nature to those encountered in urban settings. Rural Home Occupations are often farm related or are more industrial in nature and are needed by many farmers as a secondary source of income. Generally

the increased distance between neighbours lessens the impact of noise, sight and odours thereby allowing a wider range of activities in rural settings.

Council recognizes that both Urban and Rural Home Occupations are a vital part of the rural economy but some guidelines are necessary to ensure that they are of a nature that will not have a negative impact on the surrounding area and will not directly compete with established commercial or industrial areas within the Municipality or adjacent towns.

## **URBAN HOME OCCUPATIONS**

19(1) Subject to the issuance of a Development Permit, a Home Occupation shall be Permitted as an Accessory Use to the principal dwelling or mobile home provided that:

- (a) it shall be limited to those uses, which do not interfere with the rights of other residents to quiet enjoyment of their neighbourhood;
- (b) it shall not create a nuisance by way of dust, noise, vibration, smoke, odour, litter, light of heat nor shall it create or cause any fire hazard electrical interference or traffic congestion in the neighbourhood;
- (c) in the case of retail sales or distribution it offers articles for sale that are limited to those produced therein or articles that are produced elsewhere, but are pre-packaged and held only on a temporary basis for distribution to customers;
- (d) it is carried on in a dwelling unit or mobile home or its permitted accessory buildings solely by the members of the family residing there without the employment of other persons;
- (e) there shall be no exterior display, no external storage of materials, containers or finished or unfinished products and no other exterior indication that the building is being utilized for any other purpose other than that of a dwelling, except for a home occupation sign;
- (f) the site provides for the off-street parking of all vehicles associated with the residence and the home occupation; and
- (g) no more than 27.87 sm. (300 sq. ft.) or 25% of the gross floor area, whichever is the greater, shall be devoted to home occupations in any dwelling unit or mobile home or accessory building.

Urban types of Home Occupations shall generally include: home day-care, business, and professional or organization offices, crafts and hobbies, private tutoring or lessons, hair stylists, bed & breakfast and similar uses.

## **RURAL HOME OCCUPATIONS**

19(2) Subject to the issuance of a Development Permit, a Home Occupation may be Permitted as an Accessory Use to a dwelling or mobile home in the "AG" General Agricultural Zone, "AR" Restricted Agricultural Zone, and "RR" Rural Residential Zone provided that:

- (a) the Home Occupation is limited to indoor and outdoor uses that do not interfere with the rights of other residents to enjoyment of their area;
- (b) the creation of dust, noise, vibration, smoke, odour, litter, light or heat are limited so that these effects do not extend beyond the limits of the subject site so as to cause interference with adjacent property and uses; nor shall it create or cause any fire hazard, electrical interference or other hazardous effect;
- (c) in the case of retail sales, the Home Occupation offers commodity sales that are limited to those produced or repaired on the premises; some outdoor work, product display, signage and storage of materials or products associated with the home occupation may be permitted; and
- (d) the site provides for on-site parking and loading areas for all vehicles associated with the dwelling or mobile home and the Home Occupation.

Rural types of Home Occupations generally include farm-related sales and service, machinery and auto repair, welding, carpentry, bed & breakfast and other trades and similar uses directly serving the rural population.

A Home Occupation to be located in the "AG", "AR", and "RR" zones shall be subject to Conditional Use approval, when it does not comply with the requirements of clauses (a) to (g) inclusive of Subsection 19(1), above. Conditional Use applications for Home Occupations adjacent to the provincial highway system will be sent to Manitoba Infrastructure for review.

## **PRIMARY BUSINESS**

19(3) If, in the opinion of Council, a Home Occupation is no longer a secondary use, or contravenes or exceeds the requirements outlined in Subsections 19 (1) or (2) as applicable, it shall be considered evidence that the Home Occupation has become a primary business. In this case, it shall not be allowed to expand if the subject zone does not provide for such a primary business, and shall be encouraged to relocate to an appropriate zone within the Municipality.

## **20 YARDS**

### **GENERAL REQUIREMENTS**

20(1) Except as herein provided, the following provisions shall apply in all zones to ensure adequate yards and setbacks:

- (a) the yard requirements shall be as set forth in the USE AND SITE REQUIREMENTS of each zone;
- (b) all yards and other open spaces required for any use shall be located on the same site as the use;
- (c) where permitted in this By-law, a building containing more than one unit with common party walls, such as a semi-detached two-family dwelling, row housing, or businesses shall be considered as one (1) building occupying one (1) site for the purpose of side yard regulations;
- (d) minimum required yards contained in this By-law do not relieve the owner from compliance with Manitoba Infrastructure and Transportation, Highway Traffic Board or Manitoba Building Code requirements where said requirements demand greater setbacks; and
- (e) on a corner site, no fence, wall, hedge, shrubs or other landscape features shall be placed in such a manner as to produce a fence effect or visual barrier hazardous to vehicle and pedestrian traffic. Plantings proposed within 15.24 m. (50 ft.) of the right-of way of a declared Provincial Trunk Highway and/or Provincial Road requires a permit from Manitoba Infrastructure.

## **YARDS, EXCEPTIONS**

### **20(2) Minimum Front Yard Depths and Permitted Features**

- (a) Where sites comprising forty (40) percent or more of the frontage of the block are developed with buildings, the average front yard depth established by such buildings shall establish the minimum front yard depths for the entire frontage of the block.
- (b) The following features and accessory buildings, structures and uses may be permitted to project into or locate in the following yards:
  - (i) in any required yard:
    - Agricultural cropping
    - Landscape features (trees, shrubs, plants)
    - Public works equipment
    - Lighting fixtures and other landscape architectural features
    - Signs
    - Unenclosed outdoor display of commodities and products normally sold on the site provided the display is not permanent and is visually attractive
    - Architectural features such as eaves, gutters, chimneys, bay windows, awnings and fire escapes provided they project no closer than 0.61 m (2 ft.) to any site line
    - Fences and hedges up to 1.22 m (4 ft.) height in any front yard and 1.83 m. (6 ft.) height in any side or rear yard

- Parking and loading spaces
- Recreation areas/golf courses, excluding associated buildings
- Uncovered walks and driveways
- Guardrails for ramps
- Universal Access Ramps
- Temporary Buildings, Structures and Uses;

(ii) in required rear or side yard:

- incidental storage of materials, refuse/garbage bins and structures
- open unenclosed and uncovered stairs, balconies, porches or decks attached to the main building may project up to 3.05 m (10 ft.) into the required rear yard;

(iii) a shelterbelt is an accessory use that may be placed in any required yard; however, since shelterbelts can create snow-drifting problems on roads or highways, new plantings shall be placed 15.24 m (50 ft.) off all municipal road allowances and obtain the necessary permits from Manitoba Infrastructure if proposed within 15.24 m (50 ft.) from the edge of the right-of way of a declared Provincial Trunk Highway and/or Provincial Road.

## 21. SIGN REGULATIONS

21(1) The regulations herein are designed to establish a minimum control of signs as accessory structures. Such control is deemed essential to promote the health, safety, and general welfare by reducing hazards to pedestrian and vehicular traffic, and by preventing unsightly and detrimental development having a blighting influence upon residential, commercial, industrial and other uses.

21(2) The following provisions shall apply to all signs erected or maintained within the LUD and villages, except wherein otherwise stated:

- (a) 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. No rotating beam, beacon or flashing illumination resembling an emergency light shall be used in connection with any sign display;
- (b) no sign or sign structure shall be erected or maintained on, over or above any land or right-of-way belonging to the LUD or villages unless such right is established by agreement with Council;
- (c) in areas adjacent to residential zones, freestanding signs shall not obstruct the light to or view from a window of a habitable room;

- (d) the placing of signs within the control lines and circles of a Provincial Trunk Highway or Provincial Road shall require a permit from the Manitoba Infrastructure and/or Highway Traffic Board; and
- (e) flashing signs are not permitted within Residential zones or within 30.5 m. (100 ft.) of the boundaries of Residential zones.

21(3) The following provisions shall apply to all signs erected or maintained within the RM of Morris:

- (a) no sign shall be placed in a manner, which would obstruct visibility at an intersection of two roads or a road and a railway;
- (b) no sign or sign structure shall be erected on, over or above any land or road allowance belonging to the Municipality unless such right is established by agreement with Council; and
- (c) no sign shall be erected or placed in such a manner as to prevent the normal maintenance or interfere with the public safety.

21(4) All signs and sign structures shall be kept in good repair and in a proper state of preservation. Signs that have become obsolete because of discontinuance of the operation of activity or are not maintained in good condition or repair shall be repaired, removed or relocated within thirty (30) days following notice by the Development Officer.

21(5) Permitted signs may be constructed without a permit; however, this shall not relieve the owner or person in control of such signs from erecting and maintaining the signs in safe condition.

## **22 DEVELOPMENT RESTRICTED**

### **UNSUITABLE FOR DEVELOPMENT**

22(1) Notwithstanding the provisions contained in this By-law, Council may prohibit or restrict the development of an area of land for a use Permitted in a zone if the area has been identified either by Council or other agencies as being subject to flooding, erosion, bank instability, landslide, subsidence, marshy or unstable, or otherwise hazardous or unsuitable for the proposed development and use by virtue of its soil or topography.

### **NOXIOUS OR OFFENSIVE USES**

22(2) 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 unless the use is Permitted in the subject zone or satisfactory measures are undertaken to mitigate or eliminate such effects.

## **23. PUBLIC SERVICES**

### **PUBLIC MONUMENTS**

23(1) Nothing in this By-law shall be so interpreted as to interfere with the maintenance and erection of public monuments, statuary and similar historic or memorial markers.

### **PUBLIC WORKS**

23(2) Nothing in this By-law shall be so interpreted as to interfere with the construction, maintenance and operation of the facilities of any public works, as defined by this By-law, or public service such as police and fire protection provided that the requirements of such public works or public services is of a standard compatible with the adjacent area and that any building or structure erected in any zone complies with the yard and area requirements applicable to the zone.

## **24 OTHER PROVISIONS**

### **SUBDIVISION OF EXISTING ATTACHED DWELLINGS**

24(1) A site with a two-family attached dwelling or row-type dwelling located thereon may be subdivided into two or more sites provided that:

- (a) 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 adjacent units shall form part of the new site line;
- (b) each site created shall have frontage on a street other than a lane;
- (c) each site created shall provide not less than one (1) on-site parking space having access directly to either a public lane or street;
- (d) the Permitted use for each site created shall be for one attached single-family dwelling unit only;
- (e) all applicable provisions of the RM of Morris Building By-law shall be complied with; and
- (f) notwithstanding the minimum requirements of the "UR" and "GD" zones, any new site created pursuant to this subsection shall have a minimum site area of 185.8 sm. (2,000 sq. ft.) and a minimum frontage of 6.1 m. (20 ft.). No side yard is required along a party wall.

## MOBILE HOMES

24(2) All mobile homes to be located within the RM of Morris shall meet all structural standards as determined by *The Buildings and Mobile Homes Act* and regulations therein and shall comply with the following:

- (a) within each Urban Centre, mobile homes will only be permitted in a mobile home park, a mobile home subdivision or other residential lots specifically designated for mobile homes. If a mobile home park or specifically designated area does not exist, mobile homes can be placed on lots intended for single-family dwellings, and
- (b) all mobile homes must be inspected by the RM of Morris Building Inspector and be in compliance with the *RM of Morris Mobile Home By-law* and all subsequent amendments.

## MOBILE HOME PARKS

24(3) All proposals to establish or expand a mobile home park shall require the approval of Council. Scaled and dimensioned plans of the mobile home park shall be submitted to Council for approval and shall show mobile home spaces, internal roads and walkways, buffers, storage and recreation areas, drainage, sewer and water services as required.

## FUTURE ROAD ALLOWANCE

24(4) No building or structure shall be erected upon any land designated for a future road allowance by Council. Any development adjacent to said future road allowance should comply with the requirements of the By-law as if the said future road allowance was already in existence.

## PRIVATE SWIMMING POOLS AND HOT TUBS

24(5) Swimming Pools and Hot Tubs

- (a) This Section applies to private and semi-private swimming pools, hot tubs and similar structures when accessory to a main residential use.
- (b) Outdoor pools and hot tubs shall comply with yard requirements for Accessory Buildings, Structures and Uses as set forth in the relevant USE AND SITE REQUIREMENTS. Notwithstanding the above requirements no outdoor pool or hot tubs shall be located closer than 1.52 m. (5 ft.) to any side or rear site line.
- (c) All outdoor pools and hot tubs shall be completely enclosed with a fence or other suitable barrier constructed or erected in accordance with the following:
  - i) it shall have a minimum height of 1.83 m. (6 ft.) including gates which shall be self-closing and equipped with a lockable latch to prevent unauthorized entry;

- ii) there shall be no openings other than an entry to a building or a gate and it shall be constructed so as to prevent a child from crawling under either the fence or gate;
  - iii) where other than chain link is used, the outside surface of the enclosure shall be relatively smooth so as not to provide foot or toe holds; and
  - iv) the enclosure surrounding an outdoor pool shall be maintained in good repair.
- (d) Notwithstanding the provisions of Subsection 20(2) of this PART open decks and open stairways associated with outdoor pools or hot tubs may project to any side or rear site line.
- (e) Semi-private pools, when not located on a single-family dwelling site nor used solely by the occupants of the dwellings or their guests are subject to the regulations governing swimming pools under *The Public Health Act*.
- (f) Nothing in this subsection shall relieve any such structure from complying with spatial, structural, electrical, plumbing, health and safety or operational requirements contained in regulations under *The Buildings and Mobile Homes Act*, *The Public Health Act* or other applicable statutes.

## **SATELLITE DISHES**

24(6) Satellite dishes and related equipment shall be subject to the following regulations:

- (a) satellite dishes located at ground level or above ground on a freestanding structure shall be located to the rear of the rear wall of the main building or structure;
- (b) satellite dishes are permitted on the roof of either the main building or the roof of a suitable accessory building such as a garage;
- (c) except in the "AC", "C", and "M" zones, satellite dishes and related equipment shall neither contain any advertising signs or devices nor shall they be illuminated; and
- (c) where a person can demonstrate to the satisfaction of Council that a satellite dish complying with these regulations is unable to receive proper reception, Council may waive the above requirements.

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# PART 4 – LAND USE ZONES

## 25 ZONING

### ESTABLISHMENT OF ZONES

25(1) In order to carry out the intent and purposes set forth in subsection 3(3) of PART 2 ADMINISTRATION; the following zones are hereby established:

- "AG" General Agricultural Zone**
- "AR" Restricted Agricultural Zone**
- "RR" Rural Residential Zone**
- "AC" Agro-Commercial Zone**
- "UR" Urban Residential Zone**
- "C" Commercial Zone**
- "M" Industrial Zone**
- "GD" General Development Zone**

### ZONING MAPS

25(2) The locations and the boundaries of the zones listed in Subsection 25. (1), above are shown upon Zoning Maps attached hereto, marked as SCHEDULE "A" to this Bylaw.

Said Zoning Maps form part of this By-law. All notations, references and other information shown thereon, together with any amendments made by amending bylaws from time to time and shown thereon, together with any amendments to boundaries in the case of any street, lane or public utility right-of-way closing, as provided in this section, shall be as much a part of the By-law as if the matters and information set forth by the said Zoning Maps were full described herein.

### DIMENSIONS AND SCALE

25(3) The scale and all dimensions of the Zoning Maps are in metres (m).

### REGISTERED PLANS

25(4) All plan references on Zoning Maps pertain to plans filed in the Winnipeg Land Titles Office.

### ABBREVIATIONS

25(5) The abbreviations noted on the Zoning Maps mean the following:

- (a) "Rge." means Range;
- (b) "RM of Morris" means the Rural Municipality of Morris;
- (c) "Sec." means Section;
- (d) "T.P." or "Twp." means Township;

- (e) "E.P.M." or "E" means east of the Principal Meridian;
- (f) "W.P.M." or "W" means west of the Principal Meridian;
- (g) "P.R." means Provincial Road; and
- (h) "P.T.H." means Provincial Trunk Highway.

## **INTERPRETATION OF ZONE BOUNDARIES**

25(6) In the interpretation of the boundaries of the zones as shown on the Zoning Maps, the following rules shall apply:

- (a) heavy broken lines represent the zone boundaries. Where the zone boundary is broken by the name of a street, it shall be construed that the boundary continues through the name of the street;
- (b) notwithstanding that streets, lanes and public utility rights-of-way may be within zones boundaries, the regulations contained in this By-law shall not be deemed to be applicable to said street, lanes and public utility rights-of-way;
- (c) boundaries indicated as following the centrelines of streets, highways or lanes should be construed to follow such centrelines;
- (d) boundaries indicated as following lot, site or property holding lines on a registered plan shall be construed as following such lots, site and property holding lines
- (e) boundaries indicated as following the Municipality's limits shall be construed as following the Municipality's limits;
- (f) boundaries indicated as following the centerlines of railway lines or railway rights-of-way or public utility lines or rights-of-way shall be construed to be midway between the main tracks or the centre of the right-of-way, as the case may be;
- (g) if a street, lane or government road allowance shown on the Zoning Map is lawfully closed, the land formerly comprising the street, lane or government road allowance shall be included within the zone of the adjoining land provided that if the said street, lane or government road allowance was a zone boundary between two or more different zones, the new zone boundary shall be the former centreline of the closed street, lane or government road allowance; and
- (h) boundaries indicated as going through the middle of a Section shall be construed as following the Quarter-section limits.

## 26 INTERPRETATION OF ZONE REQUIREMENTS

### INTERPRETATION

26(1) In their interpretation and application the provisions of this By-law, shall be held to be the minimum requirements, except wherein otherwise noted.

### USES

26(2)

(a) The "USE AND SITE REQUIREMENTS" sections of this By-law, list all uses that are:

- (i) "P" - Permitted; or
- (ii) "C" - Conditional;

in respective zones. All listed uses shall be interpreted in accordance with PART 1 - DEFINITIONS; shall be dealt with in accordance with procedures outlined in PART 2 - ADMINISTRATION and shall be subject to the provisions contained in PART 3 - LAND USE AND DEVELOPMENT PROVISIONS.

(b) No land shall be used or occupied and no building or structure shall be erected, altered, used, relocated or occupied hereafter for any use in any zone in which such land, building or structure is located other than a use listed in the subject zone USE AND SITE REQUIREMENTS TABLES.

### USES NOT LISTED

26(3) Uses of land, buildings, or structures not listed in the USE AND SITE REQUIREMENTS TABLES may be allowed if:

- (a) the use was lawfully established prior to the effective date of this By-law, in which case, the use shall be dealt with as a Non-conforming Use, structure or building in accordance with Section 11 of PART 2 - ADMINISTRATION; or
- (b) the use, in the opinion of Council, falls into a general use category established in the zone. Such uses shall be Permitted uses where the general use category is "Permitted" and Conditional Uses where the general use category is "Conditional" in that zone.

### SITE REQUIREMENTS

26(4) Site and other requirements shall be as set forth in the USE AND SITE REQUIREMENTS TABLES and text of this PART. The requirements set forth therein shall apply to all uses, structures or buildings.

## MEASUREMENTS

26(5) If the conversion between metric and Imperial measurements pertaining to a Development Permit Application is not exactly as prescribed in this By-law, the Development Officer may apply metric or Imperial measurement to the Development Permit application.

## 27 RURAL ZONES

### INTENT AND PURPOSE

27(1) The following Rural Zones are hereby established in order to carry out the intent and purpose as described below:

**"AG" General Agricultural Zone:** this zone provides for general agricultural activities, including grain production, pasturage and specialized agriculture, including dairy, apiculture, market gardening, horticulture, silviculture and livestock operations on a commercial scale. The General Agricultural zone also provides flexibility to accommodate a variety of agricultural related and resource based uses through the Conditional Use process.

**"AR" Restricted Agricultural Zone:** this zone provides for agricultural uses similar to the General Agricultural Zone however, due to the proximity to Urban Centres, Rural Residential development areas and waterways, certain uses that may conflict with these areas, such as livestock operations (LO), are more restricted.

**"RR" Rural Residential Zone:** this zone provides for the development of low density single-family dwellings and/or mobile homes utilizing on-site sewer and water services within the rural areas. It may also include other uses that are compatible with the residential character of this zone.

**"AC" Agro-Commercial Zone:** this zone provides for agricultural related retail and commercial services and manufacturing outside of the Urban Centres. These agro-related services and manufacturing are generally unsafe or unsuitable within an Urban Centre and do not require the level of services typically provided in urban Commercial or Industrial areas. This zone is primarily intended for areas designated as an Agro-related Commercial/Industrial Park in the Development Plan.

### USE AND SITE REQUIREMENTS

27(2) General Agricultural Zone

- (a) The following use and site requirements shall apply in the **"AG" General Agricultural Zone** as referenced in TABLE 4-1:

## TABLE 4-1 "AG" GENERAL AGRICULTURAL USE AND SITE REQUIREMENTS

Uses (Section Reference)	Minimum Requirements				
	Site Area in ha. (Ac)	Site Width in m. (ft.)	Front Yard in m. (ft.)	Side Yard in m. (ft.) (Note 1)	Rear Yard in m. (ft.)
<b>PERMITTED USES:</b>					
Accessory uses, buildings/structures (See Sec. 18)	n/a	n/a	38.1 (125')	7.62 (25')	7.62 (25')
Agricultural activities (See Sec. 20(2) for shelterbelts)	16.187 (40 Ac)	182.88 (600')	38.1 (125')	7.62 (25')	7.62 (25')
Dugouts and water ponds	n/a	n/a	38.1 (125')	15.24 (50')	15.24 (50')
Farmstead dwellings (Note 2)	0.809 (2 Ac)	60.96 (200')	38.1 (125')	7.62 (25')	7.62 (25')
Livestock Operations (LO) producing no more than fifty (50) Animal Units (Sec. 28(1) to 28(10))	16.187 (40 Ac)	182.88 (600')	50.0 (164')	50.0 (164')	50.0 (164')
LO on a site area of less than 16.187 ha (40 Ac), which existed prior to the adoption of this By-law, and producing no more than 1.24 A.U. per ha (0.5 A.U. per Ac) of on-site area (See Sec. 28(1) to 28(10)) (Note 3)	n/a	n/a	50.0 (164')	50.0 (164')	50.0 (164')
Specialized agricultural activities such as apiculture, nurseries, greenhouses and research facilities	4.047 (10 Ac)	91.44 (300')	38.1 (125')	15.24 (50')	15.24 (50')
<b>CONDITIONAL USES:</b>					
Abattoirs and meat packing/processing	2.023 (5 Ac)	91.44 (300')	38.1 (125')	30.5 (100')	30.5 (100')
Agricultural auction markets	2.023 (5 Ac)	91.44 (300')	38.1 (125')	15.24 (50')	15.24 (50')
Agricultural crop protection warehouse	2.023 (5 Ac)	91.44 (300')	38.1 (125')	15.24 (50')	15.24 (50')
Agricultural exhibition grounds	2.023 (5 Ac)	91.44 (300')	38.1 (125')	7.62 (25')	7.62 (25')
Agricultural related commercial uses (e. g. implement sales and services)	2.023 (5 Ac)	91.44 (300')	38.1 (125')	7.62 (25')	7.62 (25')
Aircraft landing fields and airports	4.047 (10 Ac)	60.96 (200')	38.1 (125')	15.24 (50')	15.24 (50')
Anhydrous ammonia facilities	2.023 (5 Ac)	91.44 (300')	38.1 (125')	15.24 (50')	15.24 (50')
Asphalt plants/ concrete plants	2.023 (5 Ac)	91.44 (300')	38.1 (125')	15.24 (50')	15.24 (50')
Automobile/farm equipment wrecking and body shops	4.047 (10 Ac)	91.44 (300')	38.1 (125')	7.62 (25')	7.62 (25')

Uses  (Section Reference)	Minimum Requirements				
	Site Area in ha. (Ac)	Site Width in m. (ft.)	Front Yard in m. (ft.)	Side Yard in m. (ft.) (Note 1)	Rear Yard in m. (ft.)
Billboard advertising signs	n/a	n/a	38.1 (125')	7.62 (25')	7.62 (25')
Bulk fuel storage and sales	2.023 (5 Ac)	91.44 (300')	38.1 (125')	15.24 (50')	15.24 (50')
Cemeteries (NOTE 4)	0.809 (2 Ac)	60.96 (200')	38.1 (125')	7.62 (25')	7.62 (25')
Contractor establishments	0.809 (2 Ac)	60.96 (200')	38.1 (125')	7.62 (25')	7.62 (25')
Earthen manure storage facility for Livestock Operations	32.375 (80 Ac)***	304.8 (1000')	132.7 (328')	132.7 (328')	132.7 (328')
Feed mill and seed cleaning	2.023 (5 Ac)	60.96 (200')	38.1 (125')	15.24 (50')	15.24 (50')
Golf courses with associated buildings	2.023 (5 Ac)	91.44 (300')	38.1 (125')	7.62 (25')	7.62 (25')
Grain terminals/elevators	4.047 (10 Ac)	91.44 (300')	38.1 (125')	7.62 (25')	7.62 (25')
Hay and straw storage & processing sites	8.094 (20 Ac)	121.92 (400')	38.1 (125')	15.24 (50')	15.24 (50')
Lagoons or open pits for the storage and/or treatment of domestic sewage	8.094 (20 Ac)	121.92 (400')	38.1 (125')	30.5 (100')	30.5 (100')
LOs producing more than fifty (50) Animal Units (See Sec. 28(3) to 28(12))	16.187 (40 Ac)	182.88 (600')	50.0 (164')	50.0 (164')	50.0 (164')
LOs on a site area of less than 16.187 ha. (40 Ac), which existed prior to the adoption of this By-law, and producing more than 1.24 A. U. per ha. (0.5 A.U. per Ac) of on-site area. (See Sec. 28(1) to 28(10))	n/a	n/a	50.0 (164')	50.0 (164')	50.0 (164')
Parks/recreation areas, public/private camps, and museums/historic sites	0.809 (2 Ac)	60.96 (200')	38.1 (125')	7.62 (25')	7.62 (25')
Public works yard, public utilities/communication	0.405 (1 Ac)	60.96 (200')	38.1 (125')	7.62 (25')	7.62 (25')
Schools, churches & community halls	1.619 (4 Ac)	76.2 (250')	38.1 (125')	7.62 (25')	7.62 (25')
Sand and gravel extraction/processing	4.047 (10 Ac)	91.44 (300')	38.1 (125')	15.24 (50')	15.24 (50')
Small-scale agro-related industries	2.023 (5 Ac)	91.44 (300')	38.1 (125')	15.24 (50')	15.24 (50')
Solid waste disposal facilities	n/a	n/a	100 (328')	30.48 (100')	30.48 (100')
Stables & riding academies	2.023 (5 Ac)	91.44 (300')	38.1 (125')	15.24 (50')	15.24 (50')

Uses  (Section Reference)	Minimum Requirements				
	Site Area in ha. (Ac)	Site Width in m. (ft.)	Front Yard in m. (ft.)	Side Yard in m. (ft.) (Note 1)	Rear Yard in m. (ft.)
Storage, handling and/or processing facilities for grains, vegetables and pulse crops	2.023 (5 Ac)	91.44 (300')	38.1 (125')	15.24 (50')	15.24 (50')
Trucking establishments	0.809 (2 Ac)	60.96 (200')	38.1 (125')	7.62 (25')	15.24 (50')
Veterinary clinics, animal kennels & pounds	0.809 (2 Ac)	60.96 (200')	38.1 (125')	7.62 (25')	7.62 (25')

**Notes and Exceptions**

- i) Note 1 – Side Yard when adjacent to a Municipal Road Allowance: the side yard shall be increased to 38.1 m. (125 ft.)
- ii) Note 2 – Parcel Size when a Farmstead Dwelling Site is Subdivided: the residual parcel must be 16.187 ha (40 Ac) or 90% of the original parcel size, whichever is the larger. Provided no additional titles result, this residual can be achieved by consolidation with an adjacent parcel.
- iii) Note 3 – Existing Livestock Operations: may be allowed to expand on an existing site of less than 32.375 ha (80 Ac), provided they comply with all environmental regulations and setbacks.
- iv) The control areas adjacent to the Provincial highways may affect all yard requirements.
- v) Note 4- Newly siting facilities of this type shall generally be directed to existing communities but existing uses may be allowed in the “AG” General Agricultural Zone/ “AR” Restricted Agricultural Zone.

**USE AND SITE REQUIREMENTS**

27(3) Restricted Agricultural Zone

(b) The following use and site requirements shall apply in the "AR" **Restricted Agricultural Zone** as referenced in TABLE 4-2:

# TABLE 4-2 "AR" RESTRICTED AGRICULTURAL USE AND SITE REQUIREMENTS

Uses  (Section Reference)	Minimum Requirements				
	Site Area in ha (Ac)	Site Width in m. (ft.)	Front Yard in m. (ft.)	Side Yard in m. (ft.) (Notes 1 and 2)	Rear Yard in m. (ft.)
<b>PERMITTED USES:</b>					
Accessory uses, buildings/structures (See Sec. 18)	n/a	n/a	38.1 (125')	7.62 (25')	7.62 (25')
Agricultural activities (See Sec. 20(2) for shelterbelts)	16.187 (40 Ac)	182.88 (600')	38.1 (125')	7.62 (25')	7.62 (25')
Dugouts and water ponds	n/a	n/a	38.1 (125')	15.24 (50')	15.24 (50')
Farmstead dwellings (Note 3)	0.809 (2 Ac)	60.96 (200')	38.1 (125')	7.62 (25')	7.62 (25')
The keeping of animals (pasturing, domestic use) up to a maximum of 20 Animal Units or 1.24 A.U. per ha (0.5 A.U. per Ac) of site area, whichever is less.	n/a	n/a	50.0 (164')	50.0 (164')	50.0 (164')
Specialized agricultural activities such as apiculture, nurseries, greenhouses and research facilities	4.047 (10 Ac)	91.44 (300')	38.1 (125')	15.24 (50')	15.24 (50')
<b>CONDITIONAL USES:</b>					
Conditional Uses listed for the "AG" Zone Except Livestock Operations (LO) SEE TABLE 4-1					
Replacement or modernization of a LO, which lawfully existed prior to the adoption of this By-law (See Sec. 28(1) to 28(10))	16.187 (40 Ac)	182.88 (600')	50.0 (164')	50.0 (164')	50.0 (164')
A one-time expansion (up to 20%) of a LO, which lawfully existed prior to the adoption of this By-law (See Sec. 28(1) to 28(10))	16.187 (40 Ac)	182.88 (600')	50.0 (164')	50.0 (164')	50.0 (164')

### Notes and Exceptions

- i) Note 1 – Side Yard when adjacent to a municipal road allowance, the side yard shall be increased to 38.1 M. (125 ft.).
- ii) Note 2 – Side Yard when adjacent to a Provincial Highway/Road: the required Provincial permit(s) shall establish the side yard.

- iii) Note 3 – Parcel Size when a Farmstead Dwelling Site is Subdivided: the residual parcel must be 16.187 ha (40 Ac) or 90% of the original parcel size, whichever is the larger. Provided no additional titles result, this residual can be achieved by consolidation with an adjacent parcel.
- iv) The control areas adjacent to the Provincial Highways may affect all yard requirements.
- v) Permits are required from the Highway Traffic Board or Manitoba Infrastructure for any structure/construction proposed within the control areas adjacent to the provincial highway system.

**USE AND SITE REQUIREMENTS**

27(4) Rural Residential Zone

(c) The following use and site requirements shall apply in the "RR" Rural Residential Zone as referenced in TABLE 4-3:

**TABLE 4-3 "RR" RURAL RESIDENTIAL USE AND SITE REQUIREMENTS**

Uses  (Section Reference)	Minimum Requirements					
	Site Area in ha. (Ac) (Note 1)	Site Width in m. (ft.)	Front Yard in m. (ft.) (Notes and 3)	Side Yard in m. (ft.) (Notes 4 and 5)	Rear Yard in m. (ft.)	
<b>PERMITTED USES:</b>						
Accessory uses, buildings/structures (See Sec. 18)	n/a	n/a	22.86 (75')	7.62 (25')	7.62 (25')	
Single-family dwellings/mobile homes	0.809 (2 Ac)	60.96 (200')	22.86 (75')	7.62 (25')	7.62 (25')	
Single-family dwellings/mobile homes with the keeping of domestic animals (See Sec. 28. (9))	1.619 (4 Ac)	91.44 (300')	22.86 (75')	15.24 (50')	15.24 (50')	
Parks & recreation areas	0.202 (0.5 Ac)	n/a	22.86 (75')	7.62 (25')	7.62 (25')	
Public utilities/services (See Sec.13)	0.202 (0.5 Ac)	n/a	22.86 (75')	7.62 (25')	7.62 (25')	
<b>CONDITIONAL USES:</b>						
Cemeteries	0.809 (2 Ac)	60.96 (200')	22.86 (75')	15.24 (50')	15.24 (50')	
Child care services	0.809 (2 Ac)	60.96 (200')	22.86 (75')	7.62 (25')	7.62 (25')	
Churches and community halls	0.809 (2 Ac)	60.96 (200')	22.86 (75')	15.24 (50')	15.24 (50')	
Convenience store/post office	0.809	60.96	22.86	7.62	7.62	

Uses  (Section Reference)	Minimum Requirements				
	Site Area in ha. (Ac) (Note 1)	Site Width in m. (ft.)	Front Yard in m. (ft.) (Notes 2 and 3)	Side Yard in m. (ft.) (Notes 4 and 5)	Rear Yard in m. (ft.)
	(2 Ac)	(200')	(75')	(25')	(25')
Relocation of existing dwellings/mobile homes	0.809 (2 Ac)	60.96 (200')	22.86 (75')	7.62 (25')	7.62 (25')

**Notes and Exceptions**

- i) Note 1 – Site Area: subject to the appropriate environmental review and approval for the private sewage disposal system.
- ii) Note 2 – Front Yard when fronting on a Municipal Road Allowance: the front yard shall be increased to 38.1 m. (125 ft.). See Sec 20. (2).
- iii) Note 3 – Front Yard when fronting on a Provincial Road/Highway: the required provincial permit(s) shall establish the front yard.
- iv) Note 4 –Side Yard when adjacent to a Municipal Road Allowance: the side yard shall be increased to 38.1 m. (125 ft.).
- v) Note 5 – Side Yard when adjacent to a Provincial Road/Highway: the required provincial permit(s) shall establish the side yard.
- vi) The control areas adjacent to the Provincial highways may affect all yard requirements.
- vii) Permits are required from the Highway Traffic Board or Manitoba Infrastructure for any structure/construction proposed within the control areas adjacent to the provincial highway system.

**USE AND SITE REQUIREMENTS**

27. (5) Agro-commercial Zone

(d) The following use and site requirements shall apply in the "**AC**" **Agro-commercial Zone** as referenced in TABLE 4-4:

# TABLE 4-4 "AC" AGRO-COMMERCIAL USE AND SITE REQUIREMENTS

Uses  (Section Reference)	Minimum Requirements				
	Site Area in ha. (Ac) (Note 1)	Site Width in m. (ft.)	Front Yard in m. (ft.) (Note 2)	Side Yard in m. (ft.) (Note 2)	Rear Yard in m. (ft.)
<b>PERMITTED USES:</b>					
Accessory uses, buildings/structures (See Sec. 18)	n/a	n/a	15.24 (50')	3.048 (10')	3.048 (10')
Agricultural activities	n/a	n/a	n/a	n/a	n/a
Agricultural crop protection warehouse (excluding anhydrous ammonia)	0.405 (1 Ac)	60.96 (200')	15.24 (50')	7.62 (25')	7.62 (25')
Agricultural implement sales & services	0.405 (1 Ac)	60.96 (200')	15.24 (50')	7.62 (25')	7.62 (25')
Auction marts (excluding livestock)	0.405 (1 Ac)	60.96 (200')	15.24 (50')	3.05 (10')	7.62 (25')
Contractor's establishment	0.202 (0.5 Ac)	45.72 (150')	15.24 (50')	7.62 (25')	7.62 (25')
Greenhouses	0.202 (0.5 Ac)	45.72 (150')	15.24 (50')	7.62 (25')	7.62 (25')
Light manufacturing	0.202 (0.5 Ac)	45.72 (150')	15.24 (50')	7.62 (25')	7.62 (25')
Lumber yards	0.202 (0.5 Ac)	45.72 (150')	15.24 (50')	7.62 (25')	7.62 (25')
Public utilities/ communication facilities	0.202 (0.5 Ac)	30.48 (100')	15.24 (50')	3.05 (10')	7.62 (25')
Public works yard	0.405 (1 Ac)	60.96 (200')	15.24 (50')	3.05 (10')	7.62 (25')
Storage handling and/or processing facilities for grains, vegetables and pulse crops	0.809 (2 Ac)	60.96 (200')	15.24 (50')	15.24 (50')	15.24 (50')
Storage buildings and warehousing	0.405 (1 Ac)	60.96 (200')	15.24 (50')	7.62 (25')	7.62 (25')
Veterinary clinics, animal kennels & pounds	0.202 (0.5 Ac)	45.72 (150')	15.24 (50')	7.62 (25')	7.62 (25')
<b>CONDITIONAL USES:</b>					
Anhydrous ammonia sales and storage	1.214 (3 Ac)	60.96 (200')	22.86 (75')	15.24 (50')	15.24 (50')
Asphalt and concrete batching plants	0.809 (2 Ac)	60.96 (200')	15.24 (50')	15.24 (50')	15.24 (50')
Automobile wrecking establishments	0.809 (2 Ac)	60.96 (200')	15.24 (50')	15.24 (50')	15.24 (50')
Bulk fuel storage and sales	1.214 (3 Ac)	60.96 (200')	22.86 (75')	15.24 (50')	15.24 (50')

Uses  (Section Reference)	Minimum Requirements				
	Site Area in ha. (Ac) (Note 1)	Site Width in m. (ft.)	Front Yard in m. (ft.) (Note 2)	Side Yard in m. (ft.) (Note 2)	Rear Yard in m. (ft.)
Feed mill and seed cleaning operations	0.809 (2 Ac)	60.96 (200')	15.24 (50')	15.24 (50')	15.24 (50')
Heavy manufacturing	0.405 (1 Ac)	60.96 (200')	15.24 (50')	15.24 (50')	15.24 (50')
Livestock auction marts	0.809 (2 Ac)	60.96 (200')	22.86 (75')	15.24 (50')	15.24 (50')
Maintenance yards and machine shops	0.202 (0.5 Ac)	45.72 (150')	15.24 (50')	7.62 (25')	7.62 (25')
Rendering plants and abattoirs	0.809 (2 Ac)	60.96 (200')	22.86 (75')	15.24 (50')	15.24 (50')
Truck terminals	0.405 (1 Ac)	60.96 (200')	15.24 (50')	7.62 (25')	7.62 (25')
Welding, machinery and repair shops	0.202 (0.5 Ac)	45.72 (150')	15.24 (50')	7.62 (25')	7.62 (25')

**Notes and Exceptions**

- i) Note 1 – Site Area: subject to environmental review and approval for the private sewage disposal system.
- ii) Note 2 – Yards when adjacent to a Provincial Road/Highway, the required provincial permit(s) shall establish these yard(s).
- iii) The control areas adjacent to the Provincial highways may affect all yard requirements.

**28 REGULATION OF LIVESTOCK OPERATIONS**

**LIVESTOCK ANIMAL UNIT TABLE**

28(1) Any reference in this By-law to Animal Units (A.U.) shall use TABLE 4-5 ANIMAL UNIT TABLE to determine the number of animals permitted. For the purposes of this By-law any and all animal types will be included in the calculation of size for any given site or Livestock Operation.

**LIVESTOCK OPERATIONS IN GENERAL AGRICULTURAL ZONE**

- 28(2) (a) New and expanding Livestock Operations shall not exceed a maximum size of twelve hundred (1200) Animal Units in the “AG” General Agricultural Zone.
- (b) New and expanding Livestock Operations on at least 16.187 ha. (40 Ac) of land and producing no more than fifty (50) Animal Units, is a Permitted Use, subject to compliance with all siting and mutual separation requirements and meeting all provincial regulatory requirements regarding manure storage and application to land.

- (c) Livestock operations larger than 50 AU will require a minimum parcel size of 80 acres.
- (d) However, the keeping of animals **for** domestic use with 1.24 A. U. or less per ha. (0.5 Animal Unit or less per Ac) of site area will be Permitted on parcels of less than 16.187 ha. (40 Ac). The keeping of animals for domestic use is outlined in 28(7).
- (e) New and expanding Livestock Operations shall be a Conditional Use in the "AG" General Agricultural Zone when:
  - i) the operation will produce in excess of fifty (50) Animal Units (A.U.);
  - ii) the operation will produce in excess of 1.24 A.U. per ha. (0.5 Animal Unit per Ac) on sites of less than 40 acres.
- (f) Any new livestock operation **of** a size of greater than or equal to 50 A.U. require a minimum site area of 32.375 ha. (80 Ac). Existing Livestock Operations may be allowed to expand on an existing site of less than 32.375 ha. (80 Ac) provided they comply with all environmental regulations and setbacks.

## **LIVESTOCK OPERATIONS IN RESTRICTED AGRICULTURAL ZONE**

### 28(3) Livestock Operations in Restricted Agricultural Zone

- (a) New Livestock Operations will not be allowed to establish in the "AR" Restricted Agricultural Zone. However, the keeping of animals for domestic use up to a maximum of twenty (20) Animal Units or 1.24 A.U. per ha (0.5 Animal Unit per Ac) of site area, whichever is the lesser, will be Permitted.
- (b) The replacement of an existing Livestock Operation that is destroyed or damaged shall be a Conditional Use in the "AR" Restricted Agricultural Zone.
- (c) The one-time expansion of an existing Livestock Operation (up to 20%) shall be a Conditional Use in the "AR" Restricted Agricultural Zone, if the Livestock Operation meets the separation distances outlined in 28(7) of this Zoning By-law.

## **CONDITIONAL USE APPLICATION**

### 28(4) Conditional Use Application for Livestock Operation

- (a) When considering a Conditional Use Application for a Livestock Operation, Council shall take into consideration:
  - i) the type and size of the Livestock Operation;
  - ii) Manure Management System (i.e. handling and storage, etc.);

- iii) manure application system (i.e. application site, etc.);
- iv) nature of area (treed, open crop, soil types, water table, etc.);
- v) prevailing winds;
- vi) traffic impact;
- vii) neighbouring land uses, distances to non-compatible uses, etc.;
- viii) the land base under ownership and agreement;
- ix) the Farm Practices Guidelines for Manitoba;
- x) any Technical Review Committee Report; and
- xi) the Livestock Manure and Mortalities Regulations;

#### **LIVESTOCK OPERATION SITING CRITERIA**

28(5) In the case of both permitted and conditional livestock operations:

- (a) no manure storage facility shall be located within 100 m (328 ft.) of any property line of the land affected by a Livestock Operation;
- (b) no confined livestock area shall be located within 100 m (328 ft.) of any property line of the land affected by a Livestock Operation, and
- (c) no confined livestock area shall be located within 100 m (328 ft.) of any surface watercourse, body of water, spring or well.

Note: Requirements 28 (5) (a) to (c) are Regulations under *Manitoba Regulation 42/98* and therefore cannot be varied.

**MINIMUM SEPARATION DISTANCES FOR SITING LIVESTOCK OPERATIONS**

Size of Livestock Operations in Animal Units	Separation Distances in Meters (Feet) from a Residence		Separation Distances in Meters (Feet) from a Designated Area	
	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	200 (656)	100 (328)	800 (2,625)	530 (1,739)
101-200	300 (984)	150 (492)	1200 (3,937)	800 (2,625)
201-300	400 (1,312)	200 (656)	1600 (5,249)	1070 (3,511)
301-400	450 (1,476)	225 (738)	1800 (5,906)	1200 (3,937)
401-800	500 (1,640)	250 (820)	2000 (6,561)	1330 (4,364)
801-1,600	600 (1,968)	300 (984)	2400 (7,874)	1600 (5,249)
1,601-3,200	700 (2,297)	350 (1,148)	2800 (9,186)	1870 (6,135)
3,200-6,400	800 (2,625)	400 (1,312)	3200 (10,499)	2130 (6,988)
6,401-12,800	900 (2,953)	450 (1,476)	3600 (11,811)	2400 (7,874)
>12,800	1000 (3,281)	500 (1,640)	4000 (13,123)	2670 (8,760)

**EXCEPTIONS TO LIVESTOCK REQUIREMENTS**

28(6) The following are not subject to the requirements for Livestock Operations:

- (a) livestock auction markets and livestock transportation operations;
- (b) livestock as an accessory use unless 10 AU or greater in number;
- (c) agricultural fairs; or
- (d) livestock sale yards, in which livestock may be kept for a period not exceeding ten (10) days.

**LIVESTOCK AS AN ACCESSORY USE**

28(7) The keeping and raising of a few animals for personal use is not considered a Livestock Operation under this By-law; it is considered an accessory use and is regulated under the USE AND SITE REQUIREMENTS in the subject zones. However, the number of Animal Units allowed is less than 10 AU and must adhere to the criteria spelled out in TABLE 3-1 ACCESSORY USE TABLE.

## **NOTICE OF PUBLIC HEARING FOR LIVESTOCK OPERATIONS**

28(8) In addition to the notice provisions in The Planning Act, any Conditional Use Application to establish or expand a Livestock Operation, shall give the following Public Hearing notice:

- (a) 50 to 100 A.U. send notice by regular mail to landowners within 400 m. ( $\frac{1}{4}$  mile) of the animal confinement facility;
- (b) 101 to less than 300 A.U. send notice by regular mail to landowners within 1600 m (1 mile) of the animal confinement facility; and
- (c) 300 A.U. and greater. all earthen manure storage facilities send notice by regular mail to landowners within 3 km (1.9 mile) of the animal confinement facility.

**TABLE 4-5 ANIMAL UNIT TABLE**

<b>Type of Livestock</b>	<b>Detail</b>	<b>A.U. Produced by One Animal</b>	<b>Number of Animals Producing One A.U.</b>
<b>Dairy</b>	Milking cows, including associated livestock	2.000	0.5
<b>Beef</b>	Beef cows, including associated livestock	1.250	0.8
	Backgrounder	0.500	2
	Summer pasture/replacement heifers	0.625	1.6
	Feeder cattle	0.769	1.3
<b>Hogs</b>	Sows, farrow to finish	1.250	0.8
	Sows, farrow to weaning	0.25	4
	Sows, farrow to nursery	0.313	3.2
	Weanlings	0.033	30
	Growers/finishers	0.143	7
	Boars (artificial insemination operations)	0.200	5
<b>Chickens</b>	Broilers	0.0050	200
	Roasters	0.0100	100
	Layers	0.0083	120
	Pullets	0.0033	300
	Broiler breeder pullets	0.0033	300
	Broiler breeder hens	0.0100	100
<b>Turkeys</b>	Broilers	0.010	100
	Heavy toms	0.020	50
	Heavy hens	0.010	100
<b>Horses</b>	Mares, including associated livestock	1.333	0.75
<b>Sheep</b>	Ewes, including associated livestock	0.200	5
	Feeder lambs	0.063	16
<b>Other livestock or operation type</b>	(Please inquire with your regional agricultural engineer or livestock specialist)		

Source: Farm Practice Guidelines

## 29 URBAN ZONES

### INTENT AND PURPOSE

29(1) The following Urban zones are hereby established in order to carry out the intent and purpose as described below:

**"UR" Urban Residential Zone:** this zone provides sufficient land in suitable locations to accommodate residential and other compatible uses in the Urban Centres in the RM of Morris, in keeping with the provisions of the Development Plan. This zone provides for single-family housing but also includes duplexes, row housing and other types of higher density residential development. The Urban Residential Zone also provides for other uses such as churches, parks and recreation facilities that are compatible with the general residential character of the zone.

**"RR" Rural Residential Zone:** this zone provides for the development of low density single-family dwellings and/or mobile homes utilizing on-site sewer and water services within the dyke area of the LUD of Rosenort. This zone is intended to accommodate the demand for large-lot residential development within a flood-protected area. See Table 4-3 in the Rural Zones for use and site requirements.

**"C" Commercial Zone:** this zone provides for commercial development within the Urban Centres in the RM of Morris. This commercial zone encourages the existing central commercial areas to be multi-functional in nature and develop as the intensive retail, business, social, and cultural centre of the community. This zone also provides for businesses requiring large site areas for retail and service on land adjacent to the highway system within the existing Urban Centres.

**"M" Industrial Zone:** this zone provides for manufacturing, processing, distribution, transportation and warehouse uses that present minimum conflict with other uses within the Urban Centres in the RM of Morris. The industrial areas are not clearly defined in these small Urban Centres, therefore this zone provides for a mix of industrial and commercial uses, which provides flexibility and local decision-making.

**"GD" General Development Zone:** this zone includes residential, commercial and industrial development under one zone to provide maximum flexibility in the smaller Urban Centres of Lowe Farm and Sperling. To minimize land use conflict, the Urban Centre policies of the RM of Morris Development Plan will be used when making a decision on all development proposals.

### "UR" USE AND SITE REQUIREMENTS

#### 29(2) Urban Residential Zone

The following use and site requirements shall apply in the **"UR" Urban Residential Zone** as referenced in TABLE 4-6:

# TABLE 4-6 "UR" URBAN RESIDENTIAL USE AND SITE REQUIREMENTS

Uses	Minimum Requirements				
	Site Area in ha. (Ac)	Site Width in m. (ft.)	Front Yard in m. (ft.)	Side Yard in m. (ft.) (Notes 1 & 2)	Rear Yard in m. (ft.)
<b>PERMITTED USES:</b>					
Accessory uses, buildings/structures (See Sec. 18) (Note 3)	n/a	n/a	9.14 (30')	0.61 (2')	3.05 (10')
Child care services/day care facilities	668.90 sm. (7,200 sq. ft.)	18.30 (60')	9.144 (30')	1.52* (5')	7.62 (25')
Single-family dwellings/mobile homes (serviced) (Notes 4, 5 and 6)	668.9 sm. (7200 sq. ft.)	18.288 (60')	9.144 (30')	1.52 * (5')	7.62 (25')
Single-family dwellings/mobile homes (un-serviced) (Note 4)	0.809 ha (2 Ac)	60.96 (200')	22.86 (75')	7.62 * (25')	7.62 (25')
Two-family dwellings (Notes 5 and 6)	836.13 sm. (9,000 sq. ft.)	22.86 (75')	9.14 (30')	1.52 * (5')	7.62 (25')
Parks, playground and recreation areas	222.97 sm. (2400 sq. ft.)	6.1 (20')	n/a	n/a	n/a
<b>CONDITIONAL USES:</b>					
Cemeteries	1672.25 sm. (18,000 sq. ft.)	45.72 (150')	9.14 (30')	7.62 * (25')	7.62 (25')
Churches, community halls, cultural facilities	1858.06 sm. (20,000 sq. ft.)	30.48 (100')	9.14 (30')	4.57 (15')	7.62 (25')
Institutional Buildings, including hospitals, schools, personal care homes and senior citizen homes	2229.67 sm. (24,000 sq. ft.)	60.96 (200')	9.14 (30')	4.57 (15')	7.62 (25')
Mobile home parks and subdivisions (Sec. 24(2) and 24(3))	0.4 ha (1 Ac)	76.20 (250')	9.14 (30')	4.57 (15')	7.62 (25')

Uses	Minimum Requirements				
	Site Area in ha. (Ac)	Site Width in m. (ft.)	Front Yard in m. (ft.)	Side Yard in m. (ft.) (Notes 1 & 2)	Rear Yard in m. (ft.)
Multiple-family dwellings (Note 6)	929.03 sm. (10,000 sq. ft.)	30.48 (100')	9.14 (30')	4.57 (15')	7.62 (25')
Public utilities/communication facilities	557.42 sm. (6,000 sq. ft.)	15.24 (50')	9.14 (30')	3.05 (10')	7.62 (25')
Recreation facilities/bldgs. (rinks, pools)	1672.25 sm. (18,000 sq. ft.)	45.72 (150')	9.14 (30')	4.57 (15')	7.62 (25')
Relocation of existing single-family dwellings	668.90 sm. (7,200 sq. ft.)	18.29 (60')	9.14 (30')	1.52 (5')	7.62 (25')

**Notes and Exceptions**

- i) Note 1 – Corner Side Yard: when located on a corner site, the minimum side yard on the street side of the site shall be 3.66 m (12 ft.) for all principal and accessory buildings and structures.
- ii) Note 2 – Party Wall: when a two-family dwelling or row house is subdivided along a party wall, the side yard along the party wall shall be 0 m (0 ft.).
- iii) Note 3 – Accessory Buildings or Structures: over 4.57 m (15 ft.) in height require Conditional Use approval by Council.
- iv) Note 4 – Mobile Homes: must be located in a mobile home park, subdivision or specifically designated lots, if available.
- v) Note 5 – Site Area: the area provided is for four dwelling units; site area must increase by 92.9 sm. (1,000 sq. ft.) for each additional unit.
- vi) Note 6 – Residential Lot Coverage: for serviced single-family and two-family dwellings shall be 50%.
- vii) Control Areas: control areas adjacent to the Provincial highways may affect all yard requirements.

- viii) Permits are required from the Highway Traffic Board or Manitoba Infrastructure for any structure/construction proposed within the control areas adjacent to the provincial highway system.

**“C” USE AND SITE REQUIREMENTS**

29(3) Commercial Zone

The following use and site requirements shall apply in the **“C” Commercial Zone** as referenced in TABLE 4-7:

**TABLE 4-7 “C” COMMERCIAL USE AND SITE REQUIREMENTS**

Uses  (Section Reference)	Minimum Requirements				
	Site Area in ha. (Ac)	Site Width in m. (ft.)	Front Yard in m. (ft.) (Notes 1 and 2)	Side Yard in m. (ft.) (Note 3)	Rear Yard in m. (ft.)
<b>PERMITTED USES:</b>					
Accessory uses, buildings/structures (See Sec. 18)	n/a	n/a	15.24 (50')	1.53 (5')	3.048 (10')
Churches and community halls	1858.06 sm. (20,000 sq. ft.)	30.48 (100')	15.24 (50')	3.05 (10')	7.62 (25')
Hotels and motels	3716.12 sm. (40,000 sq. ft.)	60.96 (200')	15.24 (50')	3.05 (10')	7.62 (25')
Public and government buildings/offices	464.52 sm. (5,000 sq. ft.)	15.24 (50')	15.24 (50')	1.53 (5')	7.62 (25')
Public utilities/communication facilities	(3,000 sq. ft.)	15.24 (50')	15.24 (50')	3.05 (10')	6.10 (20')
Retail business/services	464.52 sm. (5,000 sq. ft.)	15.24 (50')	15.24 (50')	1.53 (5')	7.62 (25')
Restaurants and coffee shops	464.52 sm. (5,000 sq. ft.)	15.24 (50')	15.24 (50')	1.53 (5')	7.62 (25')
<b>CONDITIONAL USES:</b>					

Uses  (Section Reference)	Minimum Requirements				
	Site Area in ha. (Ac)	Site Width in m. (ft.)	Front Yard in m. (ft.) (Notes 1 and 2)	Side Yard in m. (ft.) (Note 3)	Rear Yard in m. (ft.)
Anhydrous ammonia sales and storage	3716.12 sm. (40,000 sq. ft.)	60.96 (200')	15.24 (50')	3.05 (10')	7.62 (25')
Automobile sales/service stations	(15,000 sq. ft.)	30.48 (100')	15.24 (50')	7.62 (25')	7.62 (25')
Contractor establishments	0.809 (2 Ac)	60.96 (200')	38.1 (125')	7.62 (25')	7.62 (25')
Dairies/creameries and hatcheries	929.03 sm. (10,000 sq. ft.)	30.48 (100')	15.24 (50')	7.62 (25')	7.62 (25')
Drive-in establishments	929.03 sm. (10,000 sq. ft.)	30.48 (100')	15.24 (50')	7.62 (25')	7.62 (25')
Entertainment and amusement facilities	464.52 sm. (5,000 sq. ft.)	15.24 (50')	15.24 (50')	1.53 (5')	7.62 (25')
Light manufacturing (completely within a building)	929.03 sm. (10,000 sq. ft.)	30.48 (100')	15.24 (50')	3.05 (10')	7.62 (25')
Lumber yards (no exterior storage)	929.03 sm. (10,000 sq. ft.)	30.48 (100')	15.24 (50')	1.53 (5')	7.62 (25')
Mobile home/travel trailer sales & service	1858.06 sm. (20,000 sq. ft.)	30.48 (100')	15.24 (50')	3.05 (10')	7.62 (25')
Multiple-family dwellings	929.03 sm. (10,000 sq. ft.)	30.48 (100')	15.24 (50')	4.57 (15')	7.62 (25')
Public works yard, garages and car washes	464.52 sm. (5,000 sq. ft.)	15.24 (50')	15.24 (50')	3.05 (10')	7.62 (25')
Storage buildings and warehousing	464.52 sm. (5,000 sq.	15.24 (50')	15.24 (50')	1.53 (5')	7.62 (25')

Uses  (Section Reference)	Minimum Requirements				
	Site Area in ha. (Ac)	Site Width in m. (ft.)	Front Yard in m. (ft.) (Notes 1 and 2)	Side Yard in m. (ft.) (Note 3)	Rear Yard in m. (ft.)
	ft.)				
Truck terminal and freight stations	3716.12 sm. (40,000 sq. ft.)	60.96 (200')	15.24 (50')	7.62 (25')	7.62 (25')
Veterinary clinics, animal kennels & pounds	464.52 sm. (5,000 sq. ft.)	15.24 (50')	15.24 (50')	4.57 (15')	7.62 (25')

**Notes and Exceptions**

- i) Note 1 – Front Yard when fronting a Municipal Road Allowance: shall be increased to 38.10 m (125 ft.).
- ii) Note 2 – Front Yard when located in the Central Business District: the minimum required front yard could be reduced to 0 m (ft.) to provide direct access to buildings from public sidewalks.
- iii) Note 3 – Side Yard when located in the Central Business District: the minimum required side yard can be reduced to 0 m (ft.) to allow for common walls and strip mall type development.
- iv) The control areas adjacent to the Provincial highways may affect all yard requirements.
- v) If located adjacent to a provincial highway, the storage of anhydrous ammonia should be located at least 100 meters from the edge of the highway right-of-way.

**“M” USE AND SITE REQUIREMENTS**

29(4) Industrial

The following use and site requirements shall apply in the “M” Industrial Zone as referenced in TABLE 4-8:

## TABLE 4-8 “M” INDUSTRIAL USE AND SITE REQUIREMENTS

Uses  (Section Reference)	Minimum Requirements				
	Site Area in ha. (Ac)	Site Width in m. (ft.)	Front Yard in m. (ft.)	Side Yard in m. (ft.)	Rear Yard in m. (ft.)
<b>PERMITTED USES:</b>					
Accessory uses, buildings/structures (See Sec. 18)	n/a	n/a	7.62 (25')	1.53 (5')	3.048 (10')
Building materials storage, handling and sales	929.03 (10,000 sq. ft.)	30.48 (100')	7.62 (25')	7.62 (25')	7.62 (25')
Bulk fuel storage and sales	1858.06 sm. (20,000 sq. ft.)	45.72 (150')	15.24 (50')	7.62 (25')	7.62 (25')
Car wash and service stations	929.03 (10,000 sq. ft.)	30.48 (100')	7.62 (25')	4.57 (15')	7.62 (25')
Contractor's establishments and retail sales	464.52 sm. (5,000 sq. ft.)	15.24 (50')	7.62 (25')	3.05 (10')	7.62 (25')
Light manufacturing (completely within a building)	929.03 (10,000 sq. ft.)	30.48 (100')	7.62 (25')	3.05 (10')	7.62 (25')
Public utilities/communication facilities	(3000 sq. ft.)	15.24 (50')	7.62 (25')	3.05 (10')	6.10 (20')
Public works yard and garages	929.03 (10,000 sq. ft.)	30.48 (100')	7.62 (25')	4.57 (15')	7.62 (25')
Warehousing and wholesale buildings	464.52 sm. (5,000 sq. ft.)	15.24 (50')	7.62 (25')	3.05 (10')	7.62 (25')
<b>CONDITIONAL USES:</b>					
Abattoirs, meat/food processing & packing	929.03 (10,000 sq. ft.)	30.48 (100')	7.62 (25')	7.62 (25')	7.62 (25')
Agricultural crop protection warehouse (excluding anhydrous ammonia)	929.03 (10,000 sq. ft.)	30.48 (100')	7.62 (25')	7.62 (25')	7.62 (25')

Uses  (Section Reference)	Minimum Requirements				
	Site Area in ha. (Ac)	Site Width in m. (ft.)	Front Yard in m. (ft.)	Side Yard in m. (ft.)	Rear Yard in m. (ft.)
Automobile body shop/automobile wrecking	1393.55 sm. (15,000 sq. ft.)	30.48 (100')	7.62 (25')	7.62 (25')	7.62 (25')
Building materials manufacturing & sales	1393.55 sm. (15,000 sq. ft.)	30.48 (100')	7.62 (25')	7.62 (25')	7.62 (25')
Dairies/creameries and hatcheries	929.03 (10,000 sq. ft.)	30.48 (100')	7.62 (25')	7.62 (25')	7.62 (25')
Feed mill and seed cleaning operations	3716.12 sm. (40,000 sq. ft.)	60.96 (200')	15.24 (50')	15.24 (50')	15.24 (50')
Light manufacturing (exterior storage)	929.03 (10,000 sq. ft.)	30.48 (100')	7.62 (25')	7.62 (25')	7.62 (25')
Heavy manufacturing	1858.06 sm. (20,000 sq. ft.)	45.72 (150')	7.62 (25')	7.62 (25')	7.62 (25')
Truck terminals and freight stations	2787.09 sm. (30,000 sq. ft.)	60.96 (200')	15.24 (50')	7.62 (25')	15.24 (50')
Sand and gravel extraction and/or processing	3716.12 sm. (40,000 sq. ft.)	91.44 (300')	15.24 (50')	15.24 (50')	15.24 (50')
Storage, handling and/or processing facilities for grains, vegetables and pulse crops	1858.06 sm. (20,000 sq. ft.)	45.72 (150')	15.24 (50')	15.24 (50')	15.24 (50')

## “GD” USE AND SITE REQUIREMENTS

### 29(5) General Development

The following use and site requirements shall apply in the “GD” **General Development Zone** as referenced in TABLE 4-9:

# TABLE 4-9 “GD” GENERAL DEVELOPMENT USE AND SITE REQUIREMENTS

Uses	Minimum Requirements				
(Section Reference)	Site Area in sm. Or ha. (sq. ft. or Ac)	Site Width in m. (ft.)	Front Yard in m. (ft.)	Side Yard in m. (ft.) (Notes 1 and 2)	Rear Yard in m. (ft.)
<b>PERMITTED USES:</b>					
Accessory uses, buildings/structures (See Sec. 18) (Note 3)	n/a	n/a	9.14 (30')	0.61 (2')	3.048 (10')
Child care services/ day care facilities	668.90 sm. (7,200 sq. ft.)	18.29 (60')	9.14 (30')	1.53 (5')	7.62 (25')
Single-family dwellings/mobile homes (serviced/un-serviced) (Note 4 and 5)	668.90 sm./ 0.81 ha (7,200 sq. ft./ 2 Ac)	18.29/ 60.96 (60'/ 200')	15.24/ 22.86 (30'/ 75')	1.53/ 7.62 (5'/ 25')	7.62 (25')
Two-family dwellings (Note 5)	836.13 sm. (9,000 sq. ft.)	22.86 (75')	9.14 (30')	1.53 (5')	7.62 (25')
Parks, playground & recreation areas	222.97 sm. (2400 sq. ft.)	6.10 (20')	n/a	n/a	n/a
<b>CONDITIONAL USES:</b>					
Agricultural produce storage and processing	0.40 ha (1 Ac)	76.20 (250')	9.14 (30')	4.57 (15')	7.62 (25')
Cemeteries	1,672.25 sm. (18,000 sq. ft.)	45.72 (150')	9.14 (30')	7.62 (25')	7.62 (25')
Churches, halls, cultural facilities /public buildings	1,114.84 sm. (12,000 sq. ft.)	30.48 (100')	9.14 (30')	4.57 (15')	7.62 (25')
Institutional Buildings, including hospitals, schools, personal care homes and senior citizen homes	2,229.67 sm. (24,000 sq. ft.)	60.96 (200')	9.14 (30')	4.57 (15')	7.62 (25')

Uses  (Section Reference)	Minimum Requirements				
	Site Area in sm. Or ha. (sq. ft. or Ac)	Site Width in m. (ft.)	Front Yard in m. (ft.)	Side Yard in m. (ft.) (Notes 1 and 2)	Rear Yard in m. (ft.)
Light Manufacturing (incl. auto and farm machinery)	929.03 sm. (10,000 sq. ft.)	30.48 (100')	9.14 (30')	4.57 (15')	7.62 (25')
Mobile home parks & subdivisions (Sec. 24 (2)&(3))	0.405 (1 Ac)	76.20 (250')	9.14 (30')	4.57 (15')	7.62 (25')
Multiple-family dwellings (Note 6)	929.03 sm. (10,000 sq. ft.)	30.48 (100')	9.14 (30')	4.57 (15')	7.62 (25')
Public utilities/communication facilities	557.42 sm. (6,000 sq. ft.)	15.24 (50')	9.14 (30')	3.05 (10')	7.62 (25')
Recreation facilities/bldgs. (rinks, pools)	1,672.25 sm. (18,000 sq. ft.)	45.72 (150')	9.14 (30')	4.57 (15')	7.62 (25')
Retail Stores (Note 7)	557.42 sm. (6,000 sq. ft.)	15.24 (50')	9.14 (30')	1.53 (5')	7.62 (25')
Truck terminals/freight stations	1,858.06 sm. (20,000 sq. ft.)	60.96 (200')	15.24 (50')	15.24 (50')	15.24 (50')

**Notes and Exceptions**

- i) Note 1 – Side Yard when located on a Corner Site: the minimum side yard on the street side of the site shall be 3.66 m (12 feet) for all principal and accessory buildings and structures.
- ii) Note 2 – Side Yard when a Two-family Dwelling or Row House is Sub-divided along a Party Wall: the party wall side yard shall be 0 m (ft.)
- iii) Note 3 – Accessory Building Size: any accessory building over 4.57 m (15 ft.) in height requires Conditional Use approval by Council.
- iv) Note 4 – Mobile Homes: must be located in a mobile home park, subdivision or specifically designated lots, if available.
- v) Note 5 – Residential Lot Coverage: for serviced single-family and two-family dwellings shall be a maximum of 50%.

- vi) Note 6 – Site Area: the area provided is for four dwelling units; site area must increase by 92.9 sm. (1000 sq. ft.) for each additional unit.
- vii) Note 7 – Side Yard when located in the Central Business District: the minimum required side yard can be reduced to 0 m (ft.) to allow for common walls and strip mall type development and the required front yard could be reduced to 0 to provide direct access to buildings from public sidewalks.
- viii) The control areas adjacent to the Provincial highways may affect all yard requirements.

#### 29(6) Parking and Loading

- (a) Each developed Urban Residential, Commercial, Industrial, and General Development lot must provide accessory off-street parking spaces for all principal and accessory uses, appropriate to the specific use types.
- (b) Where noted, or as appropriate, include bicycle parking: 1 lockable space per every 10 required automobile parking spaces. Bicycle spaces should be located with convenient access to major building entrances. Provide employee showers and change room spaces where more than three bicycle spaces are provided for institutional, commercial and industrial uses.
- (c) Provide parking spaces to meet the following layout standards:
  - i) accessory off-street parking must be provided with a minimum driveway width of 2.44 m (8 ft.), having access to a street, road or public lane;
  - ii) no parking space shall be permitted within 3.05 m (10 ft.) of a window;
  - iii) all parking spaces shall be visible from the principal building main entrance;
  - iv) provide lighting for multi-family and non-residential parking areas;
  - v) provide a site plan clearly showing all parking areas with all multiple residential, commercial or industrial building plans.
- (d) Urban Residential parking spaces shall be provided as follows:
  - i) Single-family detached dwellings, two-family dwellings and mobile homes: a minimum of one parking space per dwelling unit, and a maximum of six (6) per dwelling unit.
  - ii) Multi-family dwellings: a minimum of 1.5 parking spaces per dwelling unit, with ten percent allocated to unassigned guest parking. Include bicycle parking.
  - iii) Seniors homes, day care centres: 1 guest parking space for every 10 residents/children but not less than one space; plus 1 parking space for every 3 employees on the largest shift. Include bicycle parking.
  - iv) Churches, places of worship, funeral chapels: 1 per every 5 seats in the principal assembly area but not less than 10 spaces.

- v) Schools: a minimum of 1 parking space for every 2 faculty and 1 for every 4 employees, plus 1 for every 10 Senior High School students. Include bicycle parking.

(e) Commercial parking spaces shall be provided as follows:

- i) Office: 1 per 70 sm. (753.5 sq. ft.) of floor area. Include bicycle parking.
- ii) Restaurant: 1 per every 10 sm. (107.6 sq. ft.) of floor area. Include bicycle parking.
- iii) Retail sales; personal services; auto parts, repairs and service: 1 per every 25 sm. (269 sq. ft.) of floor area over 185.8 sm. (2,000 sq. ft.), with a minimum of 1 parking space.
- iv) Fuel sales: 1 parking space for every 50 sm. (538 sq. ft.) of floor area over 185.8 sm. (2,000 sq. ft.), plus 1 for every 3 employees on maximum work shift.

(f) Industrial parking spaces shall be provided as follows:

- i) All industrial uses: 1 parking space for every 92.9 sm. (1,000 sq. ft.) of gross floor area, but not less than 2 spaces.

(g) General Development parking spaces should be provided consistent with the specific uses identified in 29(6) parts d), e) and f).

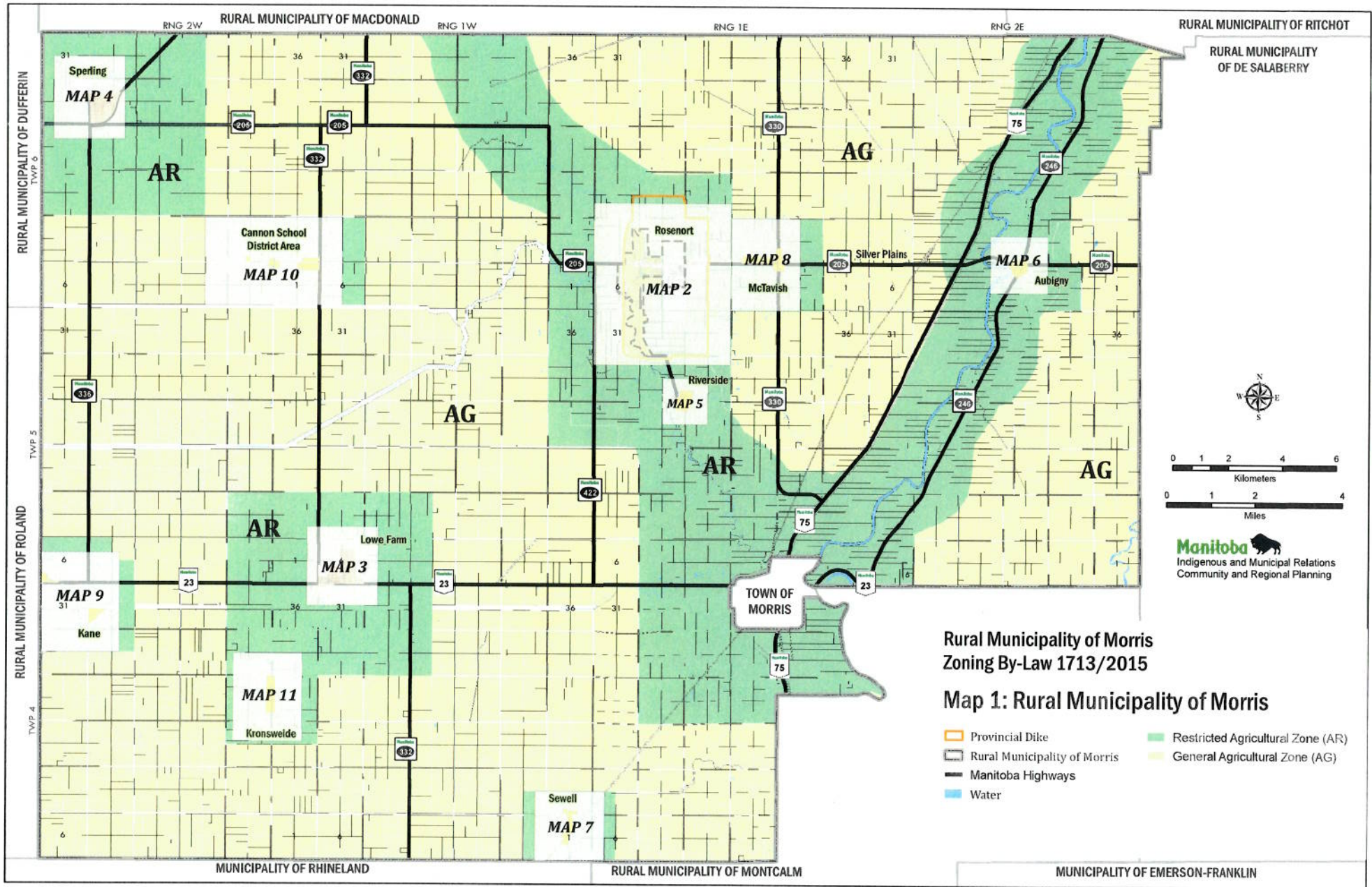
(h) Typical parking space dimensions:

- i) at 75 to 90 degrees shall be a minimum of 2.70 m wide (8.85 ft.) and 6.10 m (20 ft.) long with a minimum clearance of 2.44 m. (8 ft.);
- ii) angle parking from 50 to 74 degrees shall be a minimum of 3.0 m wide (10 ft.) and 5.5 m (18 ft.) long with a minimum clearance of 2.44 m. (8 ft.);
- iii) parallel parking spaces should be 2.50 m (8.2 ft.) wide and 7.0 m (23 ft.) long with a minimum clearance of 2.44 m. (8 ft.);
- iv) accessible parking spaces at 75 to 90 degrees shall be a minimum of 3.66 m wide (12 ft.) and 6.1 m (20 ft.) long.

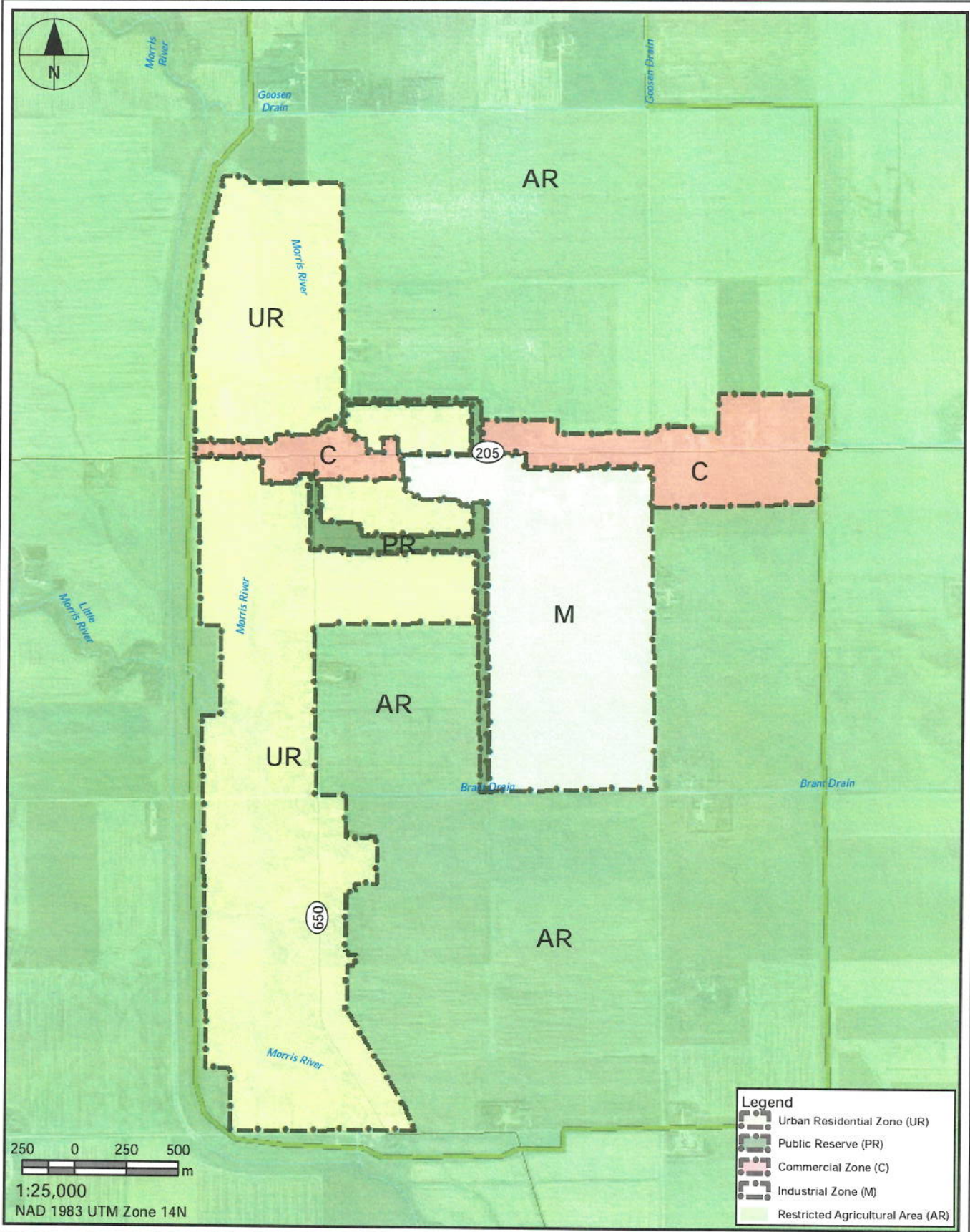
(i) The maximum width of a residential driveway shall be 7.3 m (24'), or 30% of total lot frontage, whichever is less.

(j) Provide accessible parking spaces in a ratio of 1 for every 25 parking spaces for the first 100 parking spaces; 1 for every 50 for 101 to 200 spaces, and 1 per every 100 thereafter.

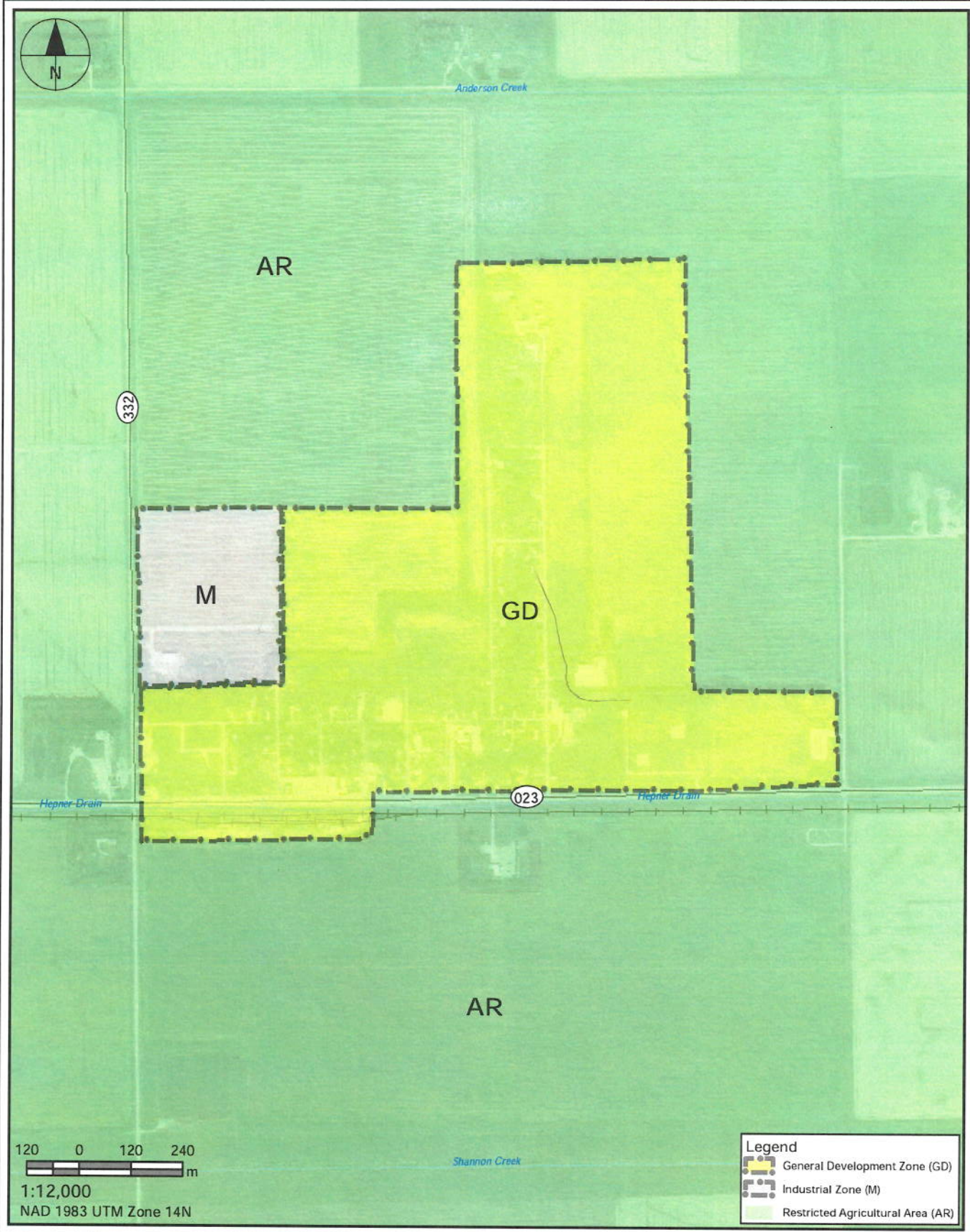
(k) Screen parking areas with low fencing or plantings in all areas visible from surrounding streets.



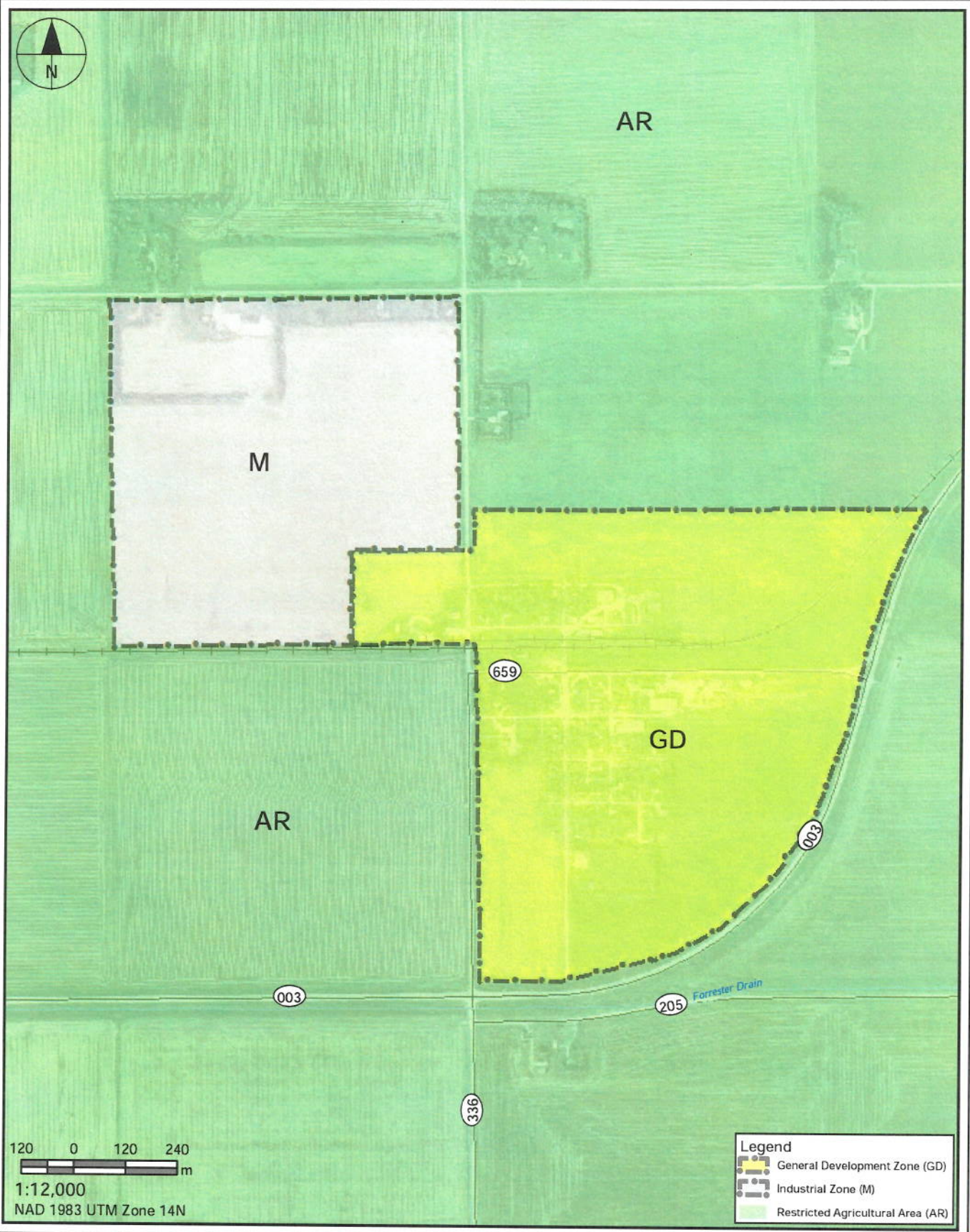
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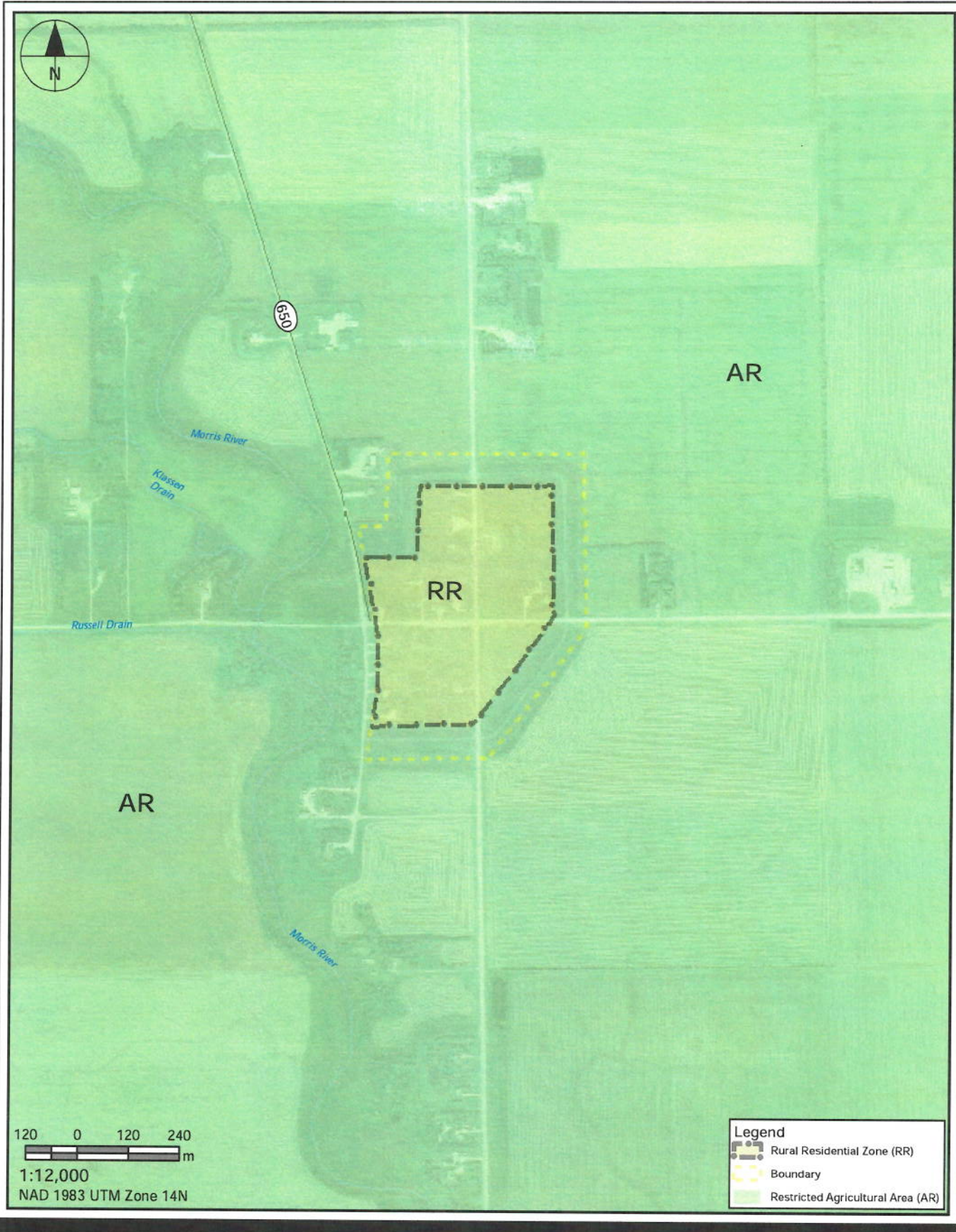


RM of Morris  
Zoning By-law



Sperling

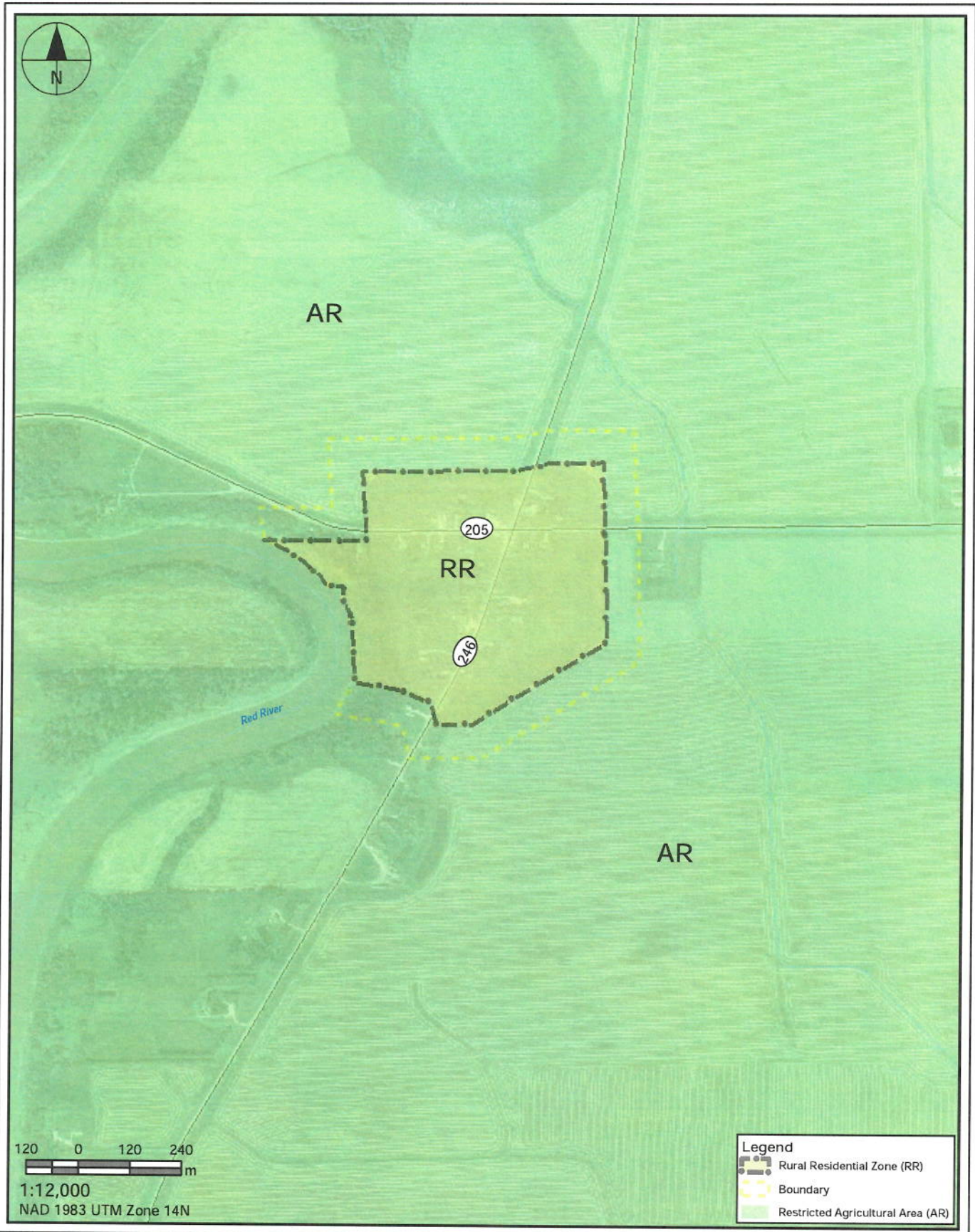
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Designer:  
Project Management Initials:  
Last saved by: CLOUSTONC (2015-09-28) (Last Plotted: 2013-02-21)  
Filename: P:\60286216\60286216\_01V1\_ZONINGMAPS.MXD



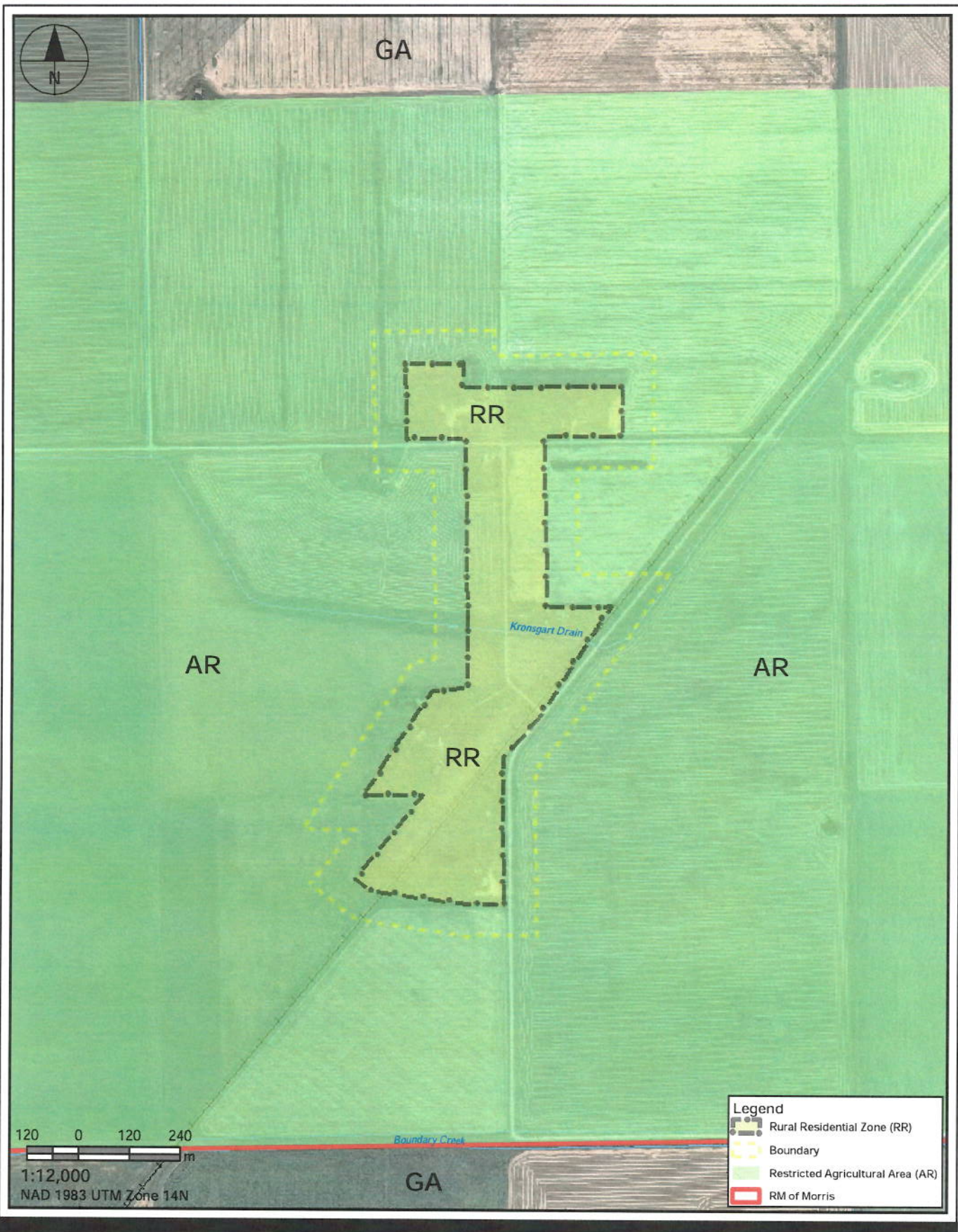
RM of Morris  
Zoning By-law

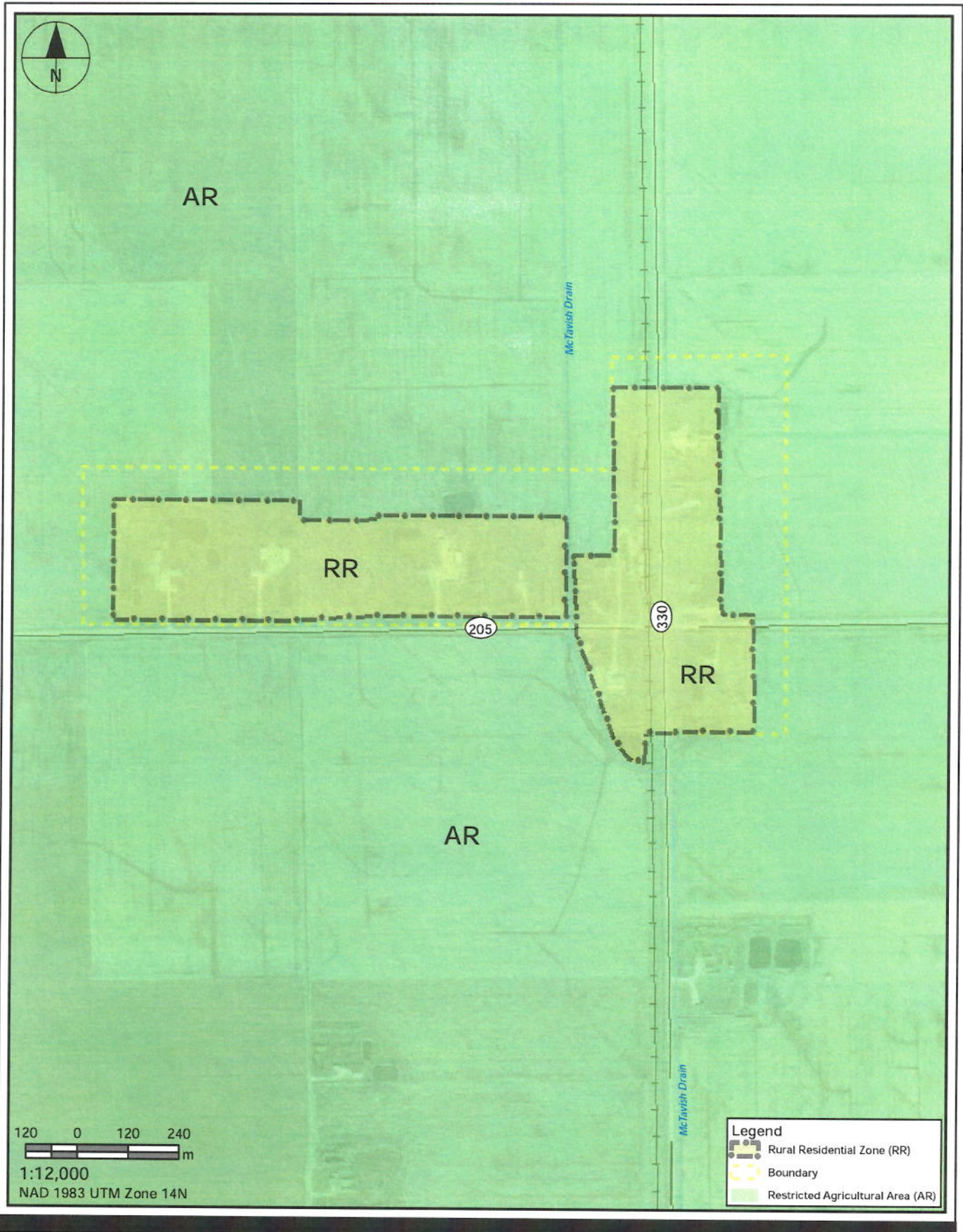


Riverside



AMSI A 215.9mm x 279.4mm  
Approved:  
Checked:  
Designer:  
Project Management Initials:  
Last saved by: CLOUSTONC (2015-09-28) Last Plotted: 2013-02-21  
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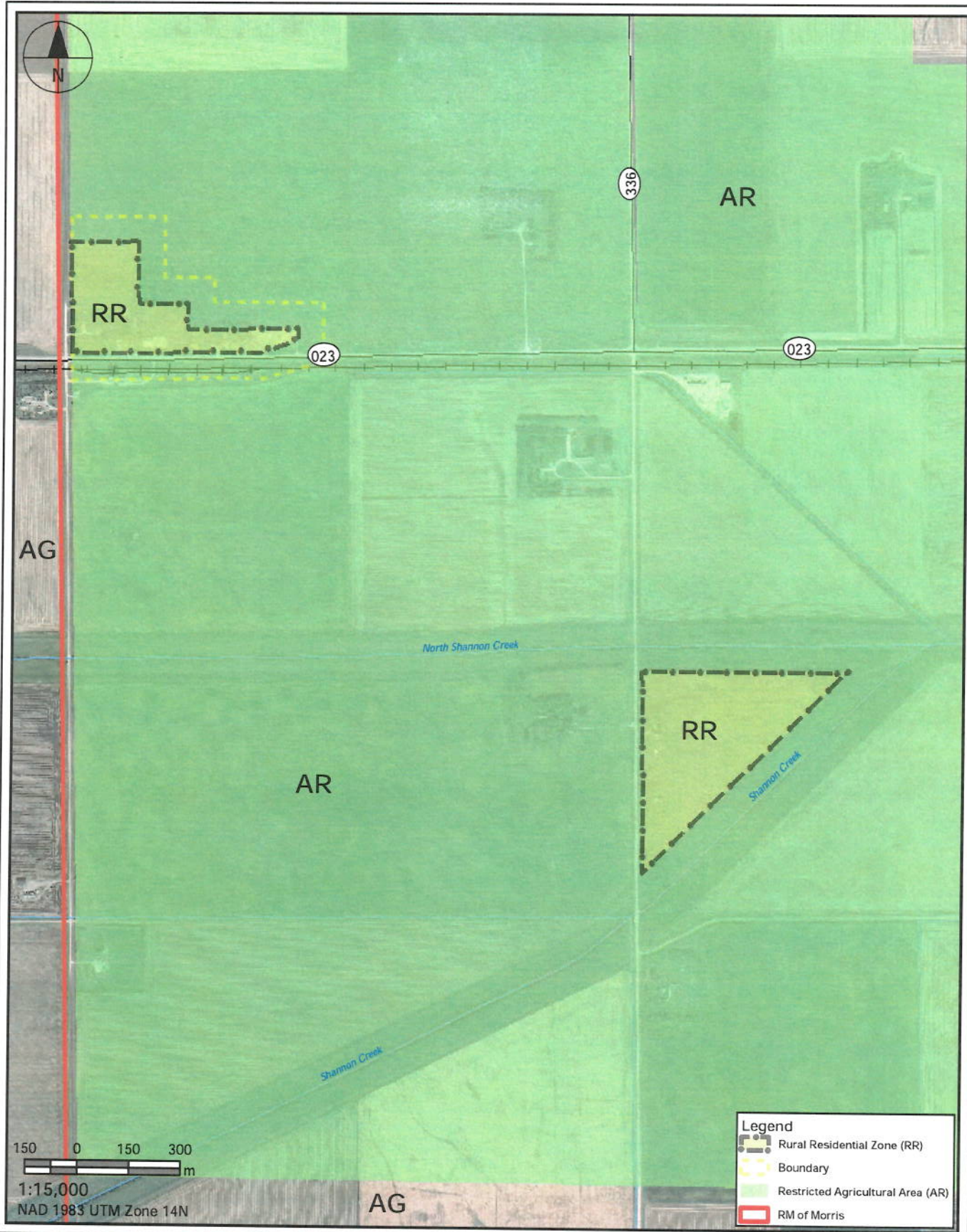




120 0 120 240  
m  
1:12,000  
NAD 1983 UTM Zone 14N

**Legend**  
 Rural Residential Zone (RR)  
 Boundary  
 Restricted Agricultural Area (AR)

ANSI A 215.9mm x 279.4mm  
 Approved:  
 Checked:  
 Designer:  
 Project Management Initials:  
 Last saved by: CL OUSTONC (2015-09-28) Last Plotted: 2013-02-21  
 Filename: P:\60286216\6000-CADD\GIS WIP\MXD\ZONING\RP1\G002\_60286216\_01V1\_ZONINGMAPS.MXD



RM of Morris  
 Zoning By-law



Kane

