SOUTHWEST
FORWARD TOGETHER

Municipality of Deloraine-Winchester Zoning By-law

Prepared by: Richard + Wintrup Planning and Development

September 2022

By-Law No. 22-004

Deloraine Winchester

R+W
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Municipality of Deloraine-Winchester Zoning By-law No. 22-004

A by-law of the Municipality of Deloraine-Winchester to regulate the use and development of land within the Municipality of Deloraine-Winchester.

WHEREAS, Section 68 of *The Planning Act* provides that the council of a municipality must enact a zoning by-law, which is generally consistent with a development plan and any secondary plan by-law in effect in the municipality;

AND WHEREAS, pursuant to the provisions of Part 4 of *The Planning Act*, the Board of the Southwest Planning District has adopted a Development Plan;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Deloraine-Winchester in meeting duly assembled, enacts as follows:

1. The Zoning By-law No. 22-004 attached in Schedules A, B and C, is hereby adopted.
2. The By-law shall be known as the MUNICIPALITY OF DELORAINE-WINCHESTER BY-LAW.
3. By-law No. 92-030 of the Rural Municipality of Winchester as amended, is repealed.
4. By-law No. 13-86 of the Town of Deloraine as amended, is repealed.
5. This By-law shall come into force on this 15th day of September, 2022.

DONE AND PASSED by the Council of the Municipality of Deloraine-Winchester duly assembled at Deloraine in the Province of Manitoba, this 14th day of September, 2022.

Municipality of Deloraine-Winchester

READ A FIRST TIME this 11th day of May 2022.

READ A SECOND TIME this 31st day of August, 2022.

READ A THIRD TIME this 14th day of September, 2022.

REEVE

CAO

List of Amendments

This is the Municipality of Deloraine-Winchester No. 22-004 as amended, and prepared for the purpose of convenience only. For accurate reference, the original of this by-law and any other municipal by-law should be consulted. Copies of original Municipality of Deloraine-Winchester by-laws are available at offices of the Municipality of Deloraine-Winchester.

The following table lists all of the amending by-laws to the [Municipality of Deloraine-Winchester] By-law, by by-law number, in ascending numerical order, beginning with the adoption of this By-law. This list is updated on a regular basis.

22-004	Municipality of Deloraine-Winchester BY-LAW	DD/MM/YR
Municipality of Deloraine-Winchester Zoning By-law amended by:		
By-Law No.	Affected Site/Provisions Description	Adoption Date

Schedule A: Zoning By-law

1. Scope and Applicability 1

1.1. Title 1
1.2. Effective Date 1
1.3. Scope 1
1.4. Application 1
1.5. Compliance 2
1.6. Transition From Previous By-law 3

2. Zoning Regulations: 4

2.1. Access and Frontage 4
2.2. Water and Wastewater Infrastructure Connections 6
2.3. Moving and Demolition Structures 6
2.4. Excavation, Stripping, and Grading 6
2.5. Lands Subject to Flooding 7
2.6. Lands Subject to Erosion or Bank Instability 8
2.7. Setbacks along Water Bodies 8
2.8. Standards for Cottages 10
2.9. Standards for Campgrounds or RV Parks 10
2.10. Setbacks from Provincial Trunk Highways and Roads 11
2.11. Setbacks from Public Services 11
2.12. Setbacks from Railways 11
2.13. Setbacks from Airports 12
2.14. Setbacks from Oil and Gas Extraction 13
2.15. Setbacks from Pipelines, Transportation, and Transmission Lines 14
2.16. Setbacks Reduced by Subdivision 14
2.17. Setbacks for Condominium, Consolidated Lot Developments, and Planned Unit Developments (PUD) 14
2.18. Setbacks for Infill Dwellings 15
2.19. Setbacks for Corner Lots 16
2.20. Setbacks for Through Lots 17
2.21. Setbacks Corner Lot Sight Triangle Area 18
2.22. Setbacks for Flag Lots 19

2.23. Setbacks for Commercial or Industrial near Residential Land-Uses 20
2.24. Permitted Projections into Setbacks 21
2.25. Permitted in Front and Rear but Not Side Yards 26
2.26. Permitted Projections Above the Height Limit 26
2.27. Temporary Buildings, Structures, and Uses 27
2.28. Cover-all Buildings and Fabric Buildings 29
2.29. Shipping Containers (Sea Cans) 30
2.30. Accessory Buildings, Structures and Uses 31
2.31. Garages and Carports 34
2.32. Home Enterprises 35
2.33. Fences And Hedges 41
2.34. Decks, Patios, Balconies, Patio Covers, Sunrooms, Screen Enclosures 42
2.35. Pools And Hot Tubs 43
2.36. Outdoor Fire Pit, Wood Burning Stove, or Barbecue 44
2.37. Lighting 45
2.38. Apiculture (Beekeeping) 45
2.39. Livestock 47

3. Parking, Loading, and Signage 55

3.1. Minimum Parking Requirements 55
3.2. Parking Reductions 57
3.3. Parking Stall Widths and Lengths; and Aisle Specifications 58
3.4. Parking and Storage of Boats, Recreational Vehicles and Trailers 63
3.5. Parking and Storage of Large Vehicles in Residential Zones 64
3.6. Parking and Storage of Unlicensed Motor Vehicles 64
3.7. Parking Standards for Residential Zones 65
3.8. Parking Standards for Non-Residential Zones 66
3.9. Outside Vehicle Display Areas 67
3.10. Outside Storage 68
3.11. Outside Storage of Hazardous Uses [Dangerous Goods] 69
3.12. Loading Space Requirements 70
3.13. Surfacing of Parking and Loading Areas 71
3.14. Drive-Through Facility 72
3.15. Signage Regulations 73

4. Provisions for Infill Residential Housing 83

4.1. Accessory Dwelling Units 83
4.2. Conversion of Residential Buildings 86
4.3. Dwellings on Corner Lots 87
4.4. Rooming and Boarding Houses.....88
4.5. Community Care Facilities.....89
4.6. Flag Lots.....89
4.7. Splitting Attached Dwellings on to Separate Lots.....90
4.8. Bungalow Clusters.....93
4.9. Bungalow Courts 94
4.10. Dwelling Unit, Live Work 97
4.11. Dwelling Units, Commercial Zones.....97
4.12. Dwelling Units, Industrial and Institutional Zones.....98
4.13. Dwelling Units, Agriculture Limited Zones 98
4.14. Mobile Homes and Mobile Units.....99
4.15. Not Considered Dwelling Unit 100

5. Zoning Lands and Land-Uses 102

5.1. Classification of Uses.....102
5.2. Land-Use Lexicon: Uses of Land Defined 102

6. Zoning Districts.....126

6.1. Establishing Zones for Land-Uses.....126
6.2. Allowable Uses: Permitted and Conditional 127
6.3. Bulk Regulations.....127
6.4. Planned Development Overlay Districts.....127
6.5. Land-Use Table 129
6.6. Agriculture General – AG 139
6.7. Agriculture Limited – AL.....140
6.8. Open Space – OS.....140
6.9. Institutional – IN 141
6.10. Seasonal Recreation General – SRG.....142
6.11. Seasonal Recreation Commercial – SRC.....144
6.12. Residential First Density – R1 145

6.13. Residential Second Density – R2 147
6.14. Residential Mobile Home – RMH 149
6.15. Commercial Main Street – CM 150
6.16. Commercial Highway – CH..... 151
6.17. Industrial General – M 152

Schedule B: 155

Map 1 – Municipality of Deloraine-Winchester
Map 2 – Deloraine
Map 3 – Turtle Mountain Tourism Area

List of Tables

2.14.1. Table 1: Minimum Separation Distances for Oil and Gas Extraction 13
2.24.1. Table 2: Permitted Projections into Required Setbacks 22
2.38.1. Table 3: Maximum Density Of Bee Colonies 47
2.39.2. Table 4: Animal Units by Hobby Farm Animal Type 48
2.39.7. Table 5: Animal Units by Category of Livestock 51
2.39.9. Table 6: Minimum Separation Distances for Siting Livestock Operations 53
3.1.1. Table 7: Required Parking Stalls 55
3.3.1. Table 8: Parking Stall Widths and Lengths; and Aisle Specifications 59
3.3.3. Table 9: Accessible Parking Stall Requirements 62
3.12.1. Table 10: Loading Space Requirements 71
3.14.1. Table 11: Required Drive-Through Queuing Spaces 73
3.15.4. Table 12: District Specific Sign Regulations 80
6.1.1. Table 13: Zoning Districts 126
6.5.2. Table 14: Land-Uses - Permitted, Conditional and Accessory 130
6.6.3. Table 15: "AG" Bulk Standards 139
6.7.3. Table 16: "AL" Bulk Standards 140
6.8.3. Table 17: "OS" Bulk Standards 141
6.9.3. Table 18: "IN" Bulk Standards 142
6.10.3. Table 19: SRG Bulk Standards 143
6.11.3. Table 20: SRC Bulk Standards 144
6.12.3. Table 21: "R1" Bulk Standards 145
6.13.3. Table 22: "R2" Bulk Standards 147
6.14.3. Table 23: RMH Bulk Standards 149
6.15.3. Table 24: "CM" Land Use 150
6.16.3. Table 25: "CH" Bulk Standards 151
6.17.3. Table 26: "M" Bulk Standards 152

List of Figures

Figure 1: Determined Front Yard Setbacks for Infill Dwellings 16
Figure 2: Corner Lot Sight Triangles 17
Figure 3: Corner Lot Sight Triangles 18
Figure 4: Flag Lot Setbacks 19
Figure 5: Example Projections into Required Yards (Permitted and Not Permitted). 25
Figure 6: Typical Deck Elevation Plan 43
Figure 7: Parking Stall and Aisle Way Dimensions, Angled 59
Figure 8: Parking Stall and Aisle Way Dimensions, Parallel 60
Figure 9: Parking Stall and Aisle Way Dimensions, 90^{O} 60
Figure 10: Accessible Parking Stall and Walk Aisleway Dimensions 62
Figure 11: Splitting Semi-Detached Dwellings On To Separate Lots 92
Figure 12: Splitting Multiple Attached Dwellings On To Separate Lots 93
Figure 13: Bungalow Cluster 94
Figure 14: Bungalow Court, Parking 96
Figure 15: Bungalow Court, Loop Lane 96

1. Scope and Applicability

1.1. Title

This by-law shall be known as the **Municipality of Deloraine-Winchester Zoning By-law** and may be cited by its long title (Municipality of Deloraine-Winchester Zoning By-law), its short title ("Zoning By-law" or "ZBL"), or its by-law number "By-law No. 22-004", and any such citation is to be taken as meaning this by-law as amended.

1.2. Effective Date

This by-law comes into force on the fifteenth day (15th) of September 2022.

1.3. Scope

1.3.1. This By-law shall apply to all the lands in the Municipality of Deloraine-Winchester as indicated on Map 1 of Schedule B of this By-law.

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

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

1.3.4. This By-law does not apply to lands and resources that fall under the purview of the Crown; Provincial Parks designated by the Legislative Assembly of Manitoba; Manitoba Hydro works as defined under *The Manitoba Hydro Act*; National Parks designated by Parliament; Railway activities and railway lands operated by a railway company under the legislative authority of Parliament; Pipelines as defined in the *Federal Legislation*; First Nations' reserve lands as designated by Parliament; Radiocommunication and Broadcasting Antenna Systems as regulated under *Federal Legislation*.

1.4. Application

1.4.1. This by-law implements the planning policies of the ***Southwest Forward Together Development Plan By-law 01-2021*** (Development Plan).

1.4.2. This by-law regulates:

a. All uses of buildings, structures, and lands.

b. The construction, erection, or placement of buildings, structures, or mobile or modular homes.

c. The enlargement, alteration, relocation, or conversion of buildings or structures.

d. The establishment, change, extension, and enlargement of uses of lands, buildings, or structures.

1.5. Compliance

USE AND DEVELOPMENT OF LAND AND BUILDINGS MUST COMPLY

1.5.1. No land, building, or structure shall be used or occupied, and no building or structure shall be used, occupied, constructed, erected, altered, enlarged, relocated, removed, demolished, or placed except in accordance with this Zoning By-law.

1.5.2. No development or use of land or a building may take place or be maintained except in conformity with this By-law and with any development agreement, variance, conditional use approval, condition or permit issued under this By-law.

1.5.3. The duty to comply with this By-law is imposed on the owner of a parcel or a building and on any person who has charge or control of the parcel or building, whether as lessee, tenant, occupier, agent or otherwise.

1.5.4. The approval of a development application, the issuance of a development permit, the approval of drawings and specifications, or completion of inspections does not relieve a person from the responsibility to comply with this By-law or any other by-law.

1.5.5. Buildings, structures, and uses which were lawfully in existence before this by-law, or before an amendment to it came into effect, may continue to exist in accordance with the provisions of *The Planning Act*.

RESTRICTIONS IN OTHER BY-LAWS OR FEDERAL AND PROVINCIAL LAWS

1.5.6. Whenever a provision of another by-law, or an agreement with the Municipality or a law or regulation of the Provincial or Federal Governments, contains a restriction governing the same subject matter contained in this Zoning By-law, or imposes contradictory regulations with respect to uses, buildings, or structures, the most restrictive or highest standard shall prevail.

1.5.7. Nothing in this Zoning By-law shall exempt any person from complying with the requirements or from obtaining any license, permission, permit, authority, or approval required by this by-law or any other by-law of the municipality or any law of Canada or the Province of Manitoba. Where requirements in this by-law are in conflict with those

of other municipal, provincial, or federal requirements, the more stringent regulations shall prevail.

1.5.8. A declaration by a court of competent jurisdiction that a section, clause or provision of this Zoning By-law, including anything shown on the Zoning Map is invalid, shall not affect the validity of the By-law or any part of the By-law other than the section, clause, or provision, or part of the Zoning Map declared to be invalid.

1.6. Transition From Previous By-law

1.6.1. Zoning By-Law Transitions

(1) Development permits for buildings or structures that were in compliance with the previous Zoning By-law prior to the effective date of this By-law shall be permitted if acted upon within 12 months of issuance.

(2) The adoption of this by-law shall not prevent any actions to abate, nor pending or future prosecution of, violations under the former zoning by-law, provided said violations are also violations of this By-law.

(3) A Variance Order or Conditional Use Order issued more than two years and one day prior to the effective date of this By-law is hereby repealed unless the order contains one or more conditions that remain in effect.

(4) Any use of land or a building lawfully in existence under applicable laws, plus a Variance or Conditional Use Order or both, upon enactment of this By-law and repeal of that order or orders shall be deemed to comply with this By-law to the extent and for the period of time authorized by such order(s).

(5) Any use lawfully in existence prior to this By-law, which did not require a Conditional Use Order prior to this By-law, but that would require a Conditional Use Order to comply with this By-law, shall be deemed to have a Conditional Use Order sufficient to create compliance with this By-law provided that no addition, enlargement or expansion is approved as a Conditional Use under this By-law.

(6) A development for which final approval was granted prior to the effective date of this By-law may be completed in accordance with the provisions of the Zoning By-law under which it was approved, or the approved plan, subdivision documents, and any other approved order, permits and conditions.

2. Zoning Regulations:

Effecting Site Areas and Governing Land-Uses

2.1. Access and Frontage

2.1.1. Public Right-Of-Way

(1) Uses allowed under this By-Law shall only be established, erected or constructed on lands that have frontage on, and unobstructed, safe and convenient access to:

a. **Registered Road** – a registered **road allowance** is a public road that is developed as an all-weather road and is maintained year round.

b. **Proposed Road** – a proposed **road allowance** is an unimproved public road that is to be registered or is already registered, which will be developed as an all-weather road and maintained year round, for which a road development agreement has been entered into with the Municipality for the construction of the proposed road.

c. **Condominium Plan** – where the units created through a bare land condominium plan have a common element, as defined in *The Condominium Act (Manitoba)*, as the private access route connected to either (a) or (b) above.

2.1.2. Land Locked Parcels Permitted

(1) Notwithstanding access and frontage requirements listed herein, developments may be allowed on lands without direct access or frontage:

a. Where the land has access onto a public road being provided by way of a caveat or master or declaratory easement registered and maintained in perpetuity on title in favour of the subject land with the owners of other lands so as to ensure cross-access at all times by motor vehicles.

b. Where the land is deprived of frontage on a public road as a result of land acquisition or expropriation by an authority having the power of expropriation or acquisition, or authorization pursuant to Provincial Legislation, subject to access onto a registered road being provided by way of an existing private right-of-way registered on title in favour of the subject lot.

c. Where the land abuts lands held by the Municipality or the Province for future road-widening or public reserve purposes, subject to access onto a registered road being provided by way of an existing private right-of-way registered on title in favour of the subject lot, and subject to compliance with other applicable requirements of this Zoning By-law as if said future road allowance was already in existence.

d. Where the land is to accommodate advanced exploration projects as defined in the Mines and Minerals Act.

e. Where the land is intended to be held by the Municipality or the Province for future road-widening, future road allowance, existing heritage resource use, as a development control strip or for public reserve purposes.

f. Where the land abuts a navigable waterway, or is adjacent to a water body only being separated by land held by the Municipality, the Province or is a road allowance.

g. Where the land is a Development Control Strip.

h. Where the land and its resources fall under the purview of the Crown.

2.1.3. Seasonal Public Roads

(1) Notwithstanding access and frontage requirements listed herein, developments that are cottages, or land-uses intended to be used seasonally or on a part-time basis may be allowed where the land abuts or is traversed by a seasonally maintained public road; however, owners of said lands should not expect the same level of municipal services as owners of lands with frontage and access to a registered road allowance that is developed as an all-weather road and is maintained year round.

2.1.4. Future Public Roads

(1) No building or structure shall be erected upon any proposed **road allowance** that is to be registered and developed under a Development Agreement. Any development adjacent to a proposed **road allowance** shall comply with the requirements of this By-law as if the future public road was already physically in existence.

2.1.5. Access to Provincial Highways

(1) All development proposed adjacent to Provincial Trunk Highways and Provincial

Roads shall comply with the regulations and controls stipulated in Provincial Legislation and other policies established by the Province of Manitoba, and set out in the ***Southwest Forward Together Development Plan***.

2.2. Water and Wastewater Infrastructure Connections

(1) All principal buildings, and all dwelling units constructed or erected on land served by municipal drinking water systems, or wastewater management systems, shall be connected to such systems; or shall be required to construct a new private well or private drinking water system based on Provincial Legislation.

(2) Drinking water systems or wastewater management system connections shall be made within the time limit specified in a Development Agreement or a by-law.

(3) Where municipal drinking water systems, or wastewater management systems are not available, or cannot be extended in a fiscally sound manner as determined by the Development Officer, private services may be permitted.

2.3. Moving and Demolition Structures

(1) No person shall move any structure or part thereof off his/her property to any other location unless that structure or part is made to conform to the provisions of this By-law applicable to the zone to which it is to be moved.

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

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

2.4. Excavation, Stripping, and Grading

(1) For the purpose of this Section, excavation shall mean excavation other than for construction or building purposes, including but not limited to, sand and gravel mining, top soil stripping, and construction of artificial water bodies.

(2) The removal of topsoil, or other organic surface material on lands designated for agricultural use shall not be permitted unless approval has been granted by the

Development Officer. This is not intended to restrict excavation for the purposes of water control works, road construction, building sites or similar work, or gaining access to aggregate and other quarry minerals.

(3) A person wishing to excavate, strip or grade land in any zone shall provide the following details in a development application:

a. The location and area of the site on which the excavation, stripping or grading is to take place;

b. The existing land use and vegetation;

c. The type and dimensions of the excavation to be made, and the effect on existing drainage patterns; and

d. The condition in which the excavation is to be left when the operations is complete, or the final disposition to be made of the area from which the topsoil is to be removed, including the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling or lessening the creation of erosion or dust.

(4) The Development Officer shall consider every application for a permit to excavate land, and shall not issue a permit unless he or she is satisfied that:

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

b. The operation will not affect the integrity of water control features, such as a drainage ditch; and

c. The operations are one which, in the opinion of the Development Officer, is reasonably necessary for the use and development of the land in question.

2.5. Lands Subject to Flooding

(1) No building or structure shall be erected upon lands subject to flooding, which means lands that:

a. Is inundated by floods up to and including the **200 year flood**, or the flood of record, whichever is greater;

b. Has a known history of flooding; or

c. Experiences flooding during a flood event of a magnitude specified by the Province in areas protected by flood control works.

2.6. Lands Subject to Erosion or Bank Instability

(1) No building or structure shall be erected upon lands subject to erosion or bank instability, which means lands that:

a. Within a 50 year period, the lands would be eroded or become unstable due to the action of water contained in an adjacent water body; or

b. Lands where actual effects of such hazards have occurred, are occurring, or have been predicted by engineers to occur.

2.7. Setbacks along Water Bodies

Notwithstanding other sections of this by-law, the following provisions shall apply:

2.7.1. Principal Buildings and Structures along Water Bodies

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

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

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

2.7.2. Accessory Buildings and Structures along Water Bodies

(1) The lot line abutting the **navigable waterway** shall be the rear lot line.

(2) **Accessory buildings** and structures shall be limited to boat house, boat port, sauna, gazebo, picnic shelter, pavilion, storage building, pump house, dock, shoreline deck when erected between a principal building and a navigable waterway, including for commercial and industrial uses. The following provisions shall apply:

(3) No minimum yard setbacks are required on the lot line that abuts a navigable

waterway when the accessory use is a minimum of **20 feet** from the principal structure, except one side yard setback of **15 feet** is required and one side yard of **5 feet** for the accessory building.

(4) Only one of a boat house or boat port is permitted per lot, which shall not exceed **900 square feet** in area, measured independently of any other accessory building, use, or structure permitted in this section.

(5) Roofs of a flat roofed single-storey boat house may be used as a completely open sundeck with a perimeter protective guard.

(6) A second storey on a boat house may be used as **Sleep Cabin** or an **Accessory Dwelling Unit**.

(7) Site Plan Approval shall be required by the Development Officer prior to the issuance of any building or development permits, for the on-site locations and designs of all parking areas, private approaches, garbage areas, and fencing, all of which shall be maintained to the satisfaction of the Development Officer.

(8) Notwithstanding other sections of this By-law, detached accessory buildings and structures may be located in the rear yard along a road where a lot has frontage on a navigable waterway. The following provisions shall apply:

a. A minimum side and rear yard setback of **4 feet** is required for the accessory buildings.

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

c. Site Plan Approval shall be required by the Development Officer prior to the issuance of any building or development permits, for the on-site locations and designs of all parking areas, private approaches, garbage areas, and fencing, all of which shall be maintained to the satisfaction of the Development Officer.

(9) Notwithstanding other sections of this Zoning By-law, garbage and recycling enclosures may be located in the rear yard where a lot has frontage on a navigable waterway. The following provisions shall apply:

a. Plans showing the location and the exterior design of the garbage enclosures, and vehicular approaches shall be submitted, reviewed and

approved by the Development Officer prior to the issuance of any permits.

2.8. Standards for Cottages

(1) A **cottage** development must meet the following standards:

a. The minimum size of a cottage shall be **480 square feet**.

b. Recreational vehicle (RV), mobile homes, travel trailers or other moveable equipment used for an accommodation shall not occupy or be parked in lieu of cottage structure on sites designated for a cottage unless approved as a Conditional Use. All cottages must be permanent, fixed, non-portable structures.

c. Site Plan Approval shall be required by the Development Officer, prior to the issuance of any building or development permits, for the on-site locations and designs of all parking areas, private approaches, garbage areas, and fencing, all of which shall be maintained to the satisfaction of the Development Officer.

2.9. Standards for Campgrounds or RV Parks

(1) A campground or recreational vehicle (RV) park must meet the following standards:

a. More than one camp space or recreational vehicle (RV) may be permitted on a zoning site in a campground RV park.

b. A campground or RV park must provide a roadway with an all-weather surface that serves all dwellings with a driving surface a minimum of **20 feet wide**.

c. A campground or RV park must provide storage of refuse in a secured garbage enclosure at a location not more than **500 feet** from camping spaces.

d. A campground or RV park must provide clear numbered identification of each camping space.

a. A campground or RV park must provide a centrally located recreation area equivalent to a minimum area of **215 square feet** per camping space.

(2) Recreational vehicle (RV), travel trailers or other moveable equipment used for an accommodation shall not occupy or be parked in lieu of cottage structure on

sites designated for a cottage unless a temporary use permit has been issued.

2.10. Setbacks from Provincial Trunk Highways and Roads

(1) Any structure/construction proposed above, below or at ground level, or a proposal to change or intensify the use of an existing structure, within **125 feet** from the edge of the right-of-way of provincial trunk highways or provincial roads, or within the control circles of a **Provincial Road Intersections**; and any tree, shrub, or hedge within **50 feet**, requires a permit from the Provincial Government.

(2) Energy Generating System shall be setback 1.5 times of the total height of the structure from the provincial highway right-of-way.

2.11. Setbacks from Public Services

Notwithstanding other sections of this by-law, the following provisions shall apply:

2.11.1. Drinking Water Systems And Wastewater Infrastructure

(1) No new residential developments shall be located within **1,500 feet** of the boundary line of a public waste water treatment lagoon.

(2) No new industrial developments shall be located within **200 feet** of a Water Treatment Plant building as measured from the building face.

(3) No new developments shall be located within **2,650 feet** of the boundary line with the wells or a reservoir that provides the raw water to a Water Treatment Plant for a public drinking water system.

2.11.2. Waste Disposal Grounds

(1) No building shall be constructed within 1,320 feet of the property line of any active or abandoned landfill as measured from the wall of the building unless:

a. a Certified Professional Engineer of Manitoba determines that there will be no migration of methane gas; and

b. Approval has been obtained from the Provincial Government.

2.12. Setbacks from Railways

Notwithstanding other sections of this by-law, the following provisions shall apply:

(1) A habitable space in new residential structures shall be setback from the property line of railway operations, as measured from the habitable space in the structure, as follows:

a. Freight Rail Yard: **984 ft.**

b. Main Line: **98 ft**.

c. Branch Line: **49 ft**.

d. Spur Line: **49 ft**.

(2) Notwithstanding the above, non-habitable spaces within principal structures, non-habitable principal structures, and non-habitable spaces in detached accessory structures and uses, as well as **agricultural operations** may be allowed if the underlying zoning standards for setbacks provide for such.

2.13. Setbacks from Airports

Transport *Canada - TP 1247- Land Use in the Vicinity of Aerodromes* indicates that potentially highly incompatible land-uses with airports are Putrescible waste landfills, food waste hog farms, fish processing/packing plants, Horse racetracks, Wildlife refuges, and Waterfowl feeding stations.

Notwithstanding other sections of this Zoning By-law, the following provisions shall apply:

(1) The following land-uses are not permitted within 3,280 feet of the Deloraine Airport [TC LID: CJJ4] as measured from the edge of the runway:

a. Food waste hog farms;

b. Fish processing/packing plants;

c. Horse racetracks;

d. Wildlife refuges; or

e. Waterfowl feeding stations.

(2) ***Province of Manitoba Standards For Landfills In Manitoba (2016)*** indicates the setback requirements for **waste disposal grounds** to the airport shall be **9 miles** (**47,520 feet)**.

2.14. Setbacks from Oil and Gas Extraction

Notwithstanding other sections of this By-law, the following provisions shall apply:

(1) Meet the separation distances as stipulated in the criteria outlined in metres in **Table 1: Minimum Separation Distances for Oil and Gas Extraction**.

2.14.1. Table 1: Minimum Separation Distances for Oil and Gas Extraction

To: / From:	i.Well	ii.Flame Type Equipment	iii.Internal Combustion Engine		iv.Flare Pit & Flare Stack	v.Oil Storage Tank	vi.Surface Improvement Except Well Flow Line or Road Allowance	vii.Water Covered Area	viii.Road Allowance
			Air Shut Off	No Air Shut Off					
(a) Well	16	82	16	32	82	82	246	328	147
(b) BOP Manifold	9.8	---	---	---	49	---	---	---	147
(c) BOP Control Room	49	---	---	---	49	---	---	---	147
(d) Flame Type Equipment	82	---	---	---	82	82	---	---	147
(e) Drilling Fluid Pit or Tank	16	82	---	---	32	---	246	328	147
(f) Flare Pit and Flare Stack	82	82	16	32	---	---	328	328	147
(g) Emergency Storage Pit	82	82	---	---	82	---	246	328	147
(h) Service or Test Tank	82	82	16	32	82	---	246	328	147
(i) Oil Storage Tank	82	82	16	32	82	---	246	328	147
(j) Vented Salt Water Tank	32	16	16	16	82	---	246	328	147
(k) Process Vessel	82	---	---	---	82	82	246	328	147

Note: The distances in this table are expressed in metres.

Source: Schedule C, Drilling and Production Regulation 111/94, THE OIL AND GAS ACT (C.C.S.M. c. O34).

2.15. Setbacks from Pipelines, Transportation, and Transmission Lines

Notwithstanding other sections of this by-law, the following provisions shall apply:

(1) The habitable space in new residential structures shall be setback, as measured from the habitable space in the structure, a minimum **50 feet** from the property line of a right-of-way or corridor established for pipeline transportation or transmission lines in excess of 115 kilovolts.

(2) Notwithstanding the underlying zoning, secondary uses independent from the utility infrastructure, such as active and passive recreation, **agriculture operations**, community gardens, other utilities and uses such as parking lots and outdoor storage are allowed on transmission corridor lands, where compatible with surrounding land uses. However, a proponent should be aware of the primacy of the transmission and distribution facilities and that such secondary uses require technical approval from the transmission provider.

2.16. Setbacks Reduced by Subdivision

(1) Where an existing building or structure's setback is reduced or proposed to be reduced by a subdivision of land, and the proposed new setback for the building contravenes the required setback regulations of this By-law, a variance shall be required.

(2) Where an existing building or structure's setback is reduced or proposed to be reduced by a subdivision of land, any new structures constructed on the lots shall be subject to all the zoning by-law regulations regarding setbacks.

2.17. Setbacks for Condominium, Consolidated Lot Developments, and Planned Unit Developments (PUD)

(1) Where two or more abutting lots owned by the same entity are consolidated for the purpose of development, the internal lot lines of the original lots shall not be construed to be lot lines for the purposes of any zoning regulations, provided that development on the consolidated lots complies with all applicable regulations of this By-law.

(2) Where a comprehensive plan of condominium has received draft plan approval, the lands to which the draft approved plan of condominium is to be located shall be deemed to be one lot for the purposes of applying the provisions of the By-law. Zoning provisions for building setbacks to the lot lines shall apply only to the

external lot lines of the overall plan of condominium, not to internal lot lines resulting from the registration of any phase of a plan of condominium.

(3) Where a comprehensive Planned Unit Development [PUD] has received draft plan approval, the lands shall be deemed to be one lot for the purposes of applying the provisions of the By-law. Zoning provisions for building setbacks to the lot lines shall apply only to the external lot lines of the overall PUD, not to internal lines resulting from the registration of any phase of a PUD.

2.18. Setbacks for Infill Dwellings

Notwithstanding other sections of this By-law, the following provisions shall apply:

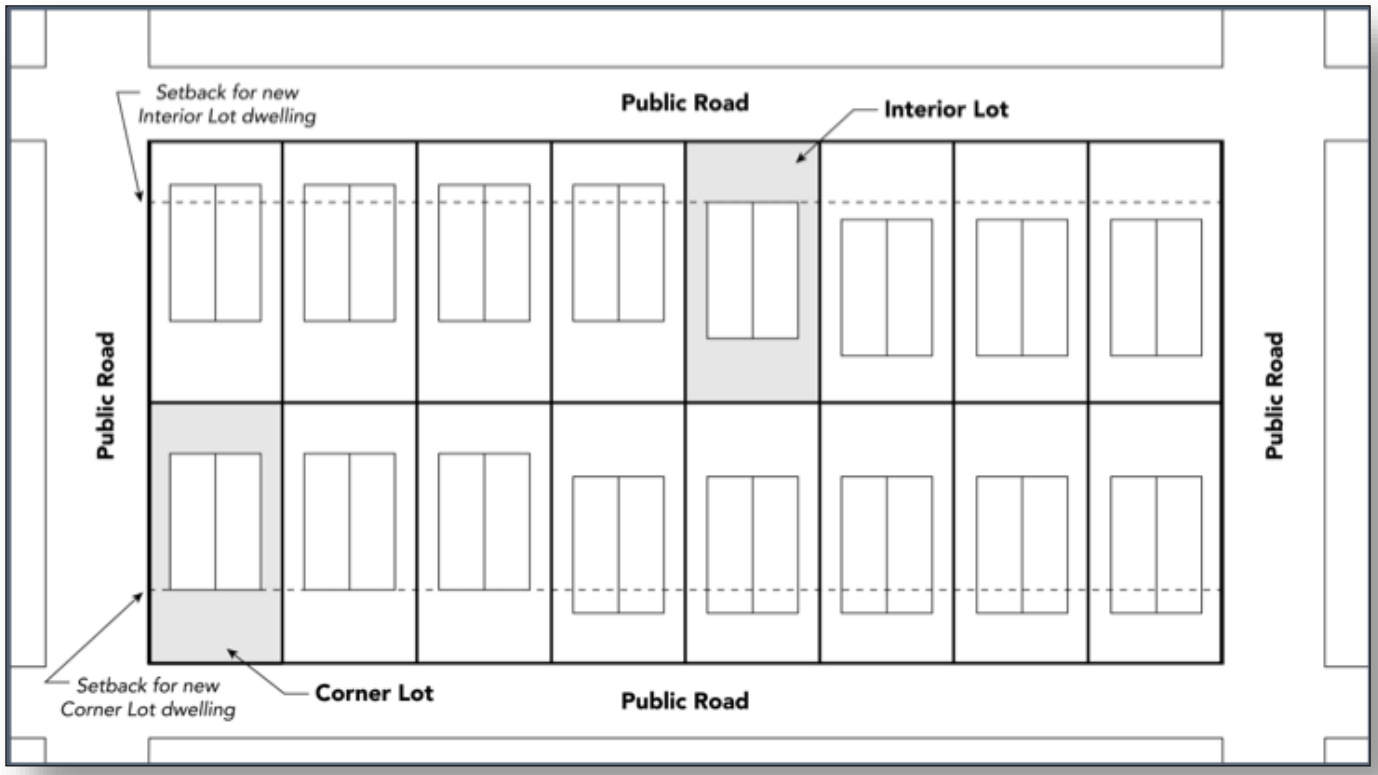
(1) Where any new dwelling as a principal building or addition to any type of dwelling in a principal building is proposed within a street block where at least **80 percent** of the lots have been developed with dwelling units in principal structures, and the front yard setback required by the regulations for the underlying zoning district is inconsistent with the majority of existing front yard setbacks for the developed dwellings on the street block:

a. In the case of **interior lots**, the new structure shall be developed with a front yard consistent with the average of the existing front yards facing the same public road and within the same side of the block the new dwelling is being erected.

b. In the case of a **corner lot**, the average of the front yard setback for the two nearest lots on each side of the reverse corner lot; or for corner lots all the lots facing the same public road on the same block may be used for calculating the allowed setback.

c. In the case of a **key lot**, the average of the yard setbacks of the two nearest properties on each side of the key lot.

Figure 1: Determined Front Yard Setbacks for Infill Dwellings



2.19. Setbacks for Corner Lots

Notwithstanding other sections of this By-law, the following provisions shall apply:

(1) In the case of a **corner lot**, the shorter lot line abutting a public road shall be the front lot line:

a. Where the lot lines abutting a public road have the same length, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.

(2) Notwithstanding Clause (1) above, the Development Officer may require any corner lot to provide an additional Front Yard or Yards other than that required, having regard to the orientation and access of any development, and the Front Yard requirements of adjacent properties.

2.19.1. Setbacks for Reverse Corner Lots

(1) The front yard setback of the **key lot** shall denote the exterior side yard setback of the reverse corner lot for a distance of **20 feet** from the edge of the common property line. After **20 feet,** the setback will revert to the rear yard setback.

2.20. Setbacks for Through Lots

(1) Notwithstanding any other provisions in this Zoning By-law, for any **through lot** that is not also a corner lot, the minimum required front yard setback applies on each public road in accordance with the provisions of the zone in which the lot is located and the minimum required rear yard setback does not apply.

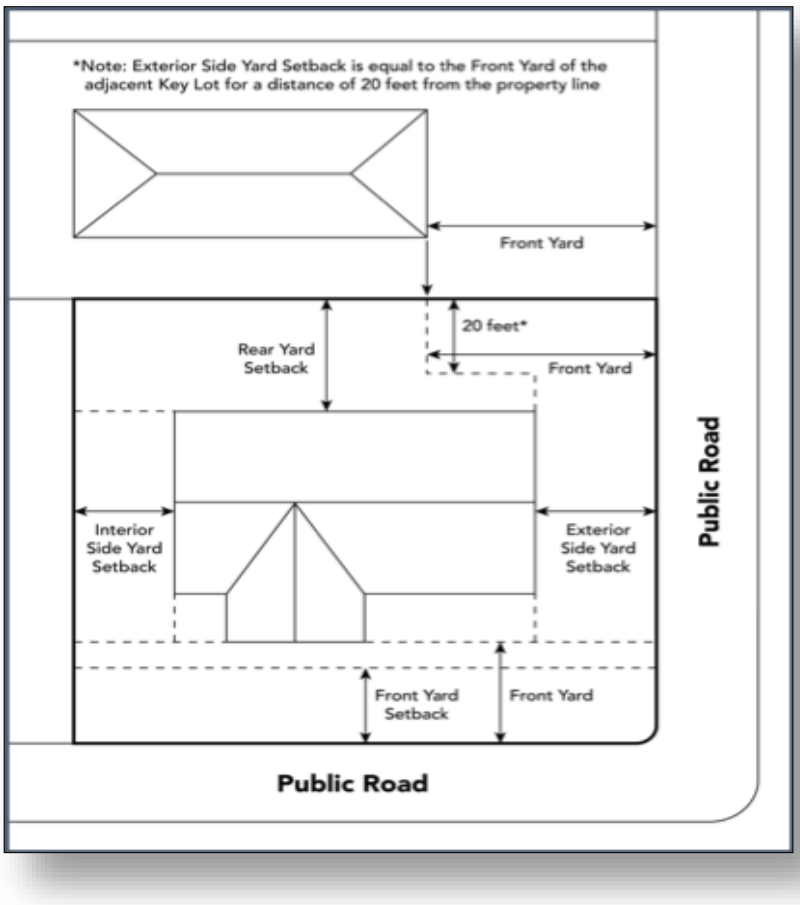
(2) Where a **through lot** is also a **corner lot**:

a. The shorter lot line abutting a public road shall be the front lot line; and

b. Where the lot lines abutting a public road have the same length, the lot line

c. where the principal access to the lot is provided shall be deemed to be the

Figure 2: Corner Lot Sight Triangles



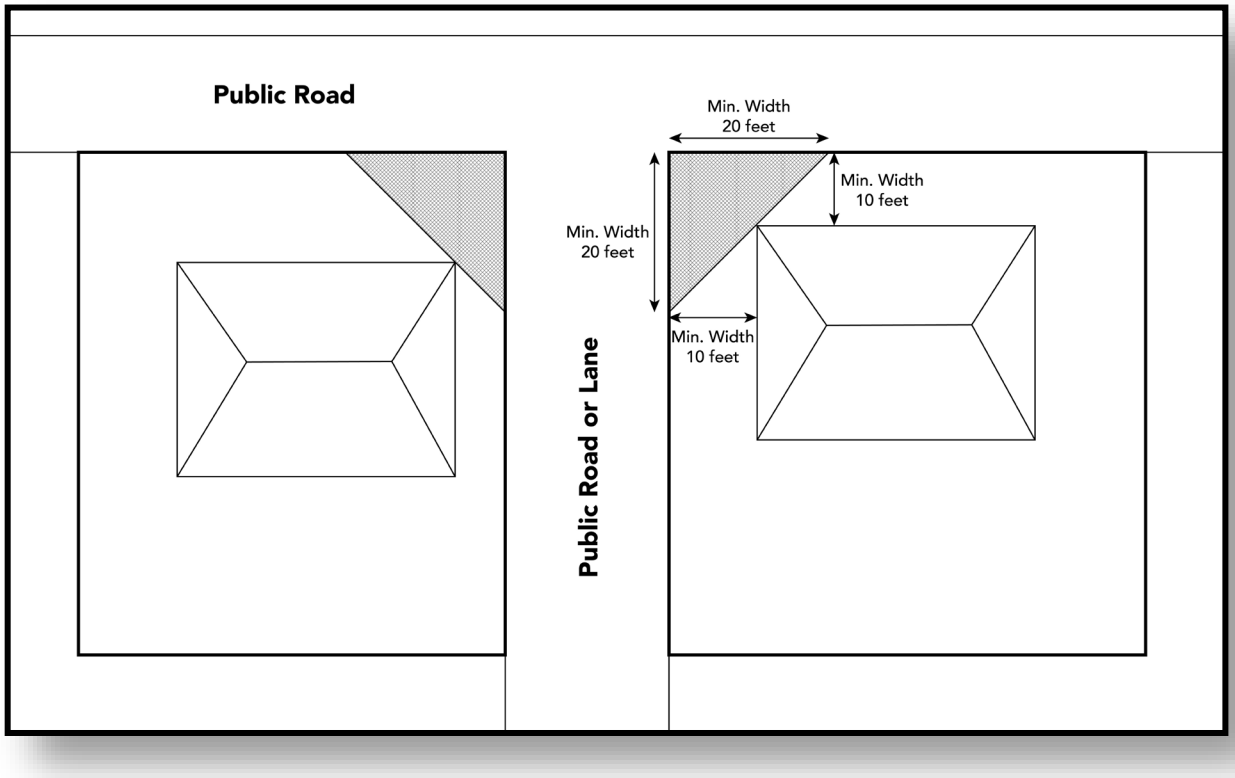
d. front lot line, and the exterior side yard setback, rear yard setback and the sight triangle provisions apply.

2.21. Setbacks Corner Lot Sight Triangle Area

Notwithstanding other sections of this Zoning By-law, the following provisions shall apply to all zones, excluding the **CM zone**:

(1) On any **corner lot**, no building or structure shall be erected, and no fence, hedge, shrub, bush, tree or other plant shall be permitted to a height greater than **3 ft** above the grade of the roadways that abut the lot, within a triangular area formed by the part of the lot lines measured along each property line from the intersection of those lines at the corner of the property closest to the public road corner and a line joining points on the property lines at a distance of **20 ft** from the point of intersection.

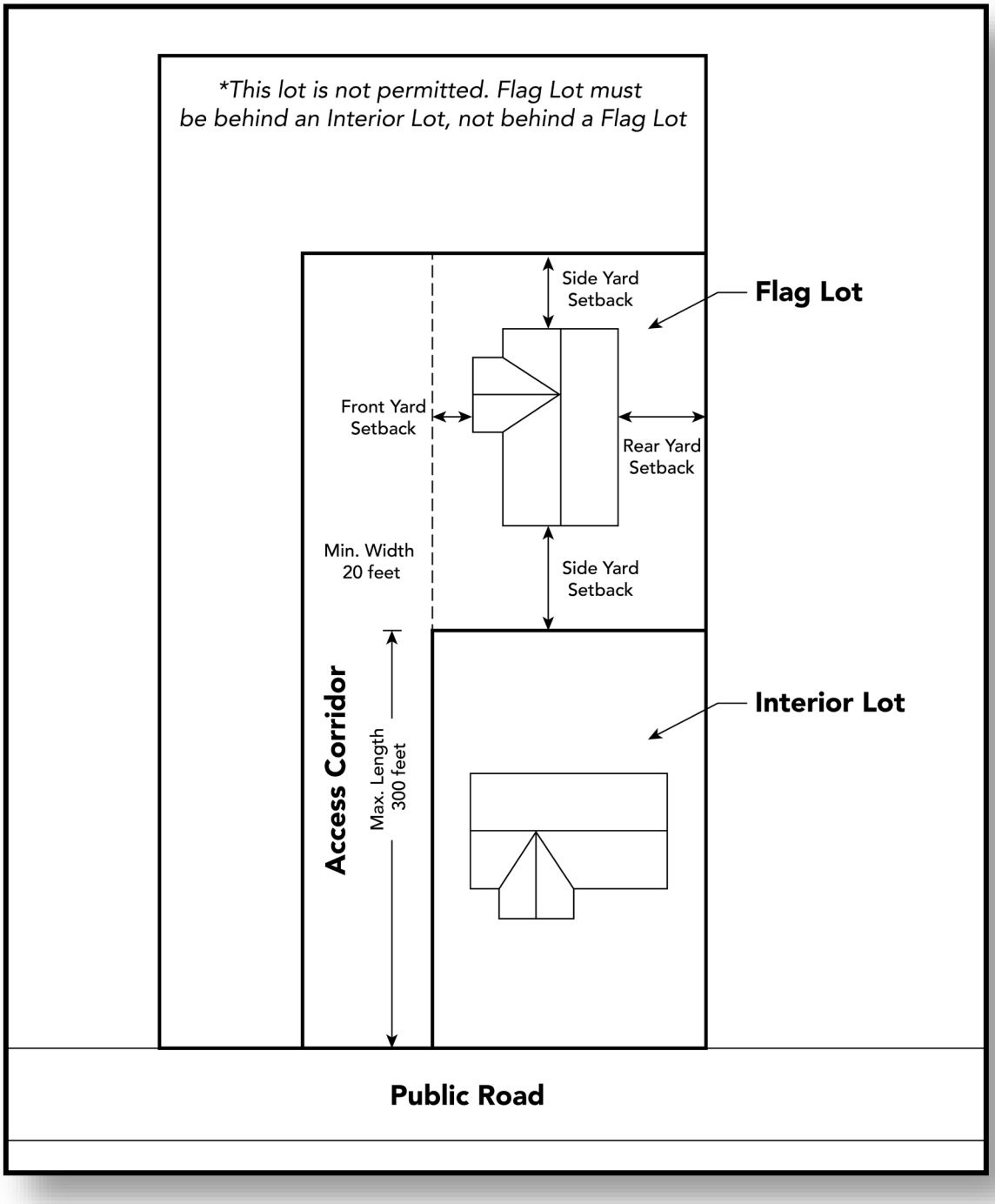
Figure 3: Corner Lot Sight Triangles



2.22. Setbacks for Flag Lots

Notwithstanding other sections of this by-law, the front yard setback for the flag portion of the lot shall be measured from a **20 foot** access corridor of the pole portion of the lot where the access corridor is not included in the distance measurement.

Figure 4: Flag Lot Setbacks



2.23. Setbacks for Commercial or Industrial near Residential Land-Uses

The following shall not apply to residential land-uses in industrial or commercial zones, and shall not apply to the Main Streets Area:

(1) Notwithstanding any other provisions of this By-law, where a lot in any **Commercial Zone** or **Industrial Zone** shares a common property line abutting a residential land-use, the following provisions shall apply:

a. A setback of **20 feet** must be provided along the common lot line in the commercial zoning district.

b. A setback of **30 feet** must be provided along the common lot line in the industrial zoning district.

c. If the adjoining residential land-use front yard setback requirement is greater than the underlying commercial or industrial zoning district front yard setback, the minimum front yard setback shall be the same as the front yard requirement for the adjoining residential land-use, for a minimum distance of **50 feet** from the common property line.

d. The required yard setbacks must be landscaped and must not be used for parking areas or loading areas, outside storage, garbage enclosures, or commercial or industrial activities of any kind.

e. Notwithstanding the above, an enclosed portion of a principal building on lands zoned commercial or industrial may extend to the common property lines if the underlying zoning standards for setbacks provide for such.

(2) Notwithstanding any other provisions of this By-law, where a lot in any **Commercial Zone** or **Industrial Zone** is adjacent to a residential land-use, separated only by a public right-of-way, the following provisions shall apply:

a. A setback of **5 feet** must be provided along the property line in the commercial zoning district that is adjacent to the residential land use.

b. The setback must be landscaped and must not be used for parking areas or loading areas, outside storage, garbage enclosures, or commercial or industrial activities of any kind.

c. Notwithstanding the above, an enclosed portion of a principal structure on lands zoned commercial or industrial may extend to the property line, if the underlying zoning standards for setbacks provide for such.

2.24. Permitted Projections into Setbacks

(1) This section does apply to:

a. The projection of any listed feature into the minimum required building setback from Water Bodies, Public Services, Railways, Pipelines, Transportation and Transmission Lines; and Accessory buildings.

(2) This section does not apply to:

a. Setbacks for Commercial and Industrial near Residential Land-Uses;

b. Setbacks from Provincial Trunk Highways and Roads; and

c. Setbacks for Corner Lot Sight Triangle Area.

(3) Should the projection exceed the size allowed for that type of projection, the projection is then considered to be the principal building when attached to the principal building; and the dimensional standards of detached accessory structures apply when the projection is detached from the principal building, as such, variances are required to alleviate compliance with the setback regulations.

(4) Permitted Projections. Despite any other provision to the contrary, the following features are permitted to project into a required setback in accordance with **Table 2: Permitted Projections into Required Setbacks**.

2.24.1. Table 2: Permitted Projections into Required Setbacks

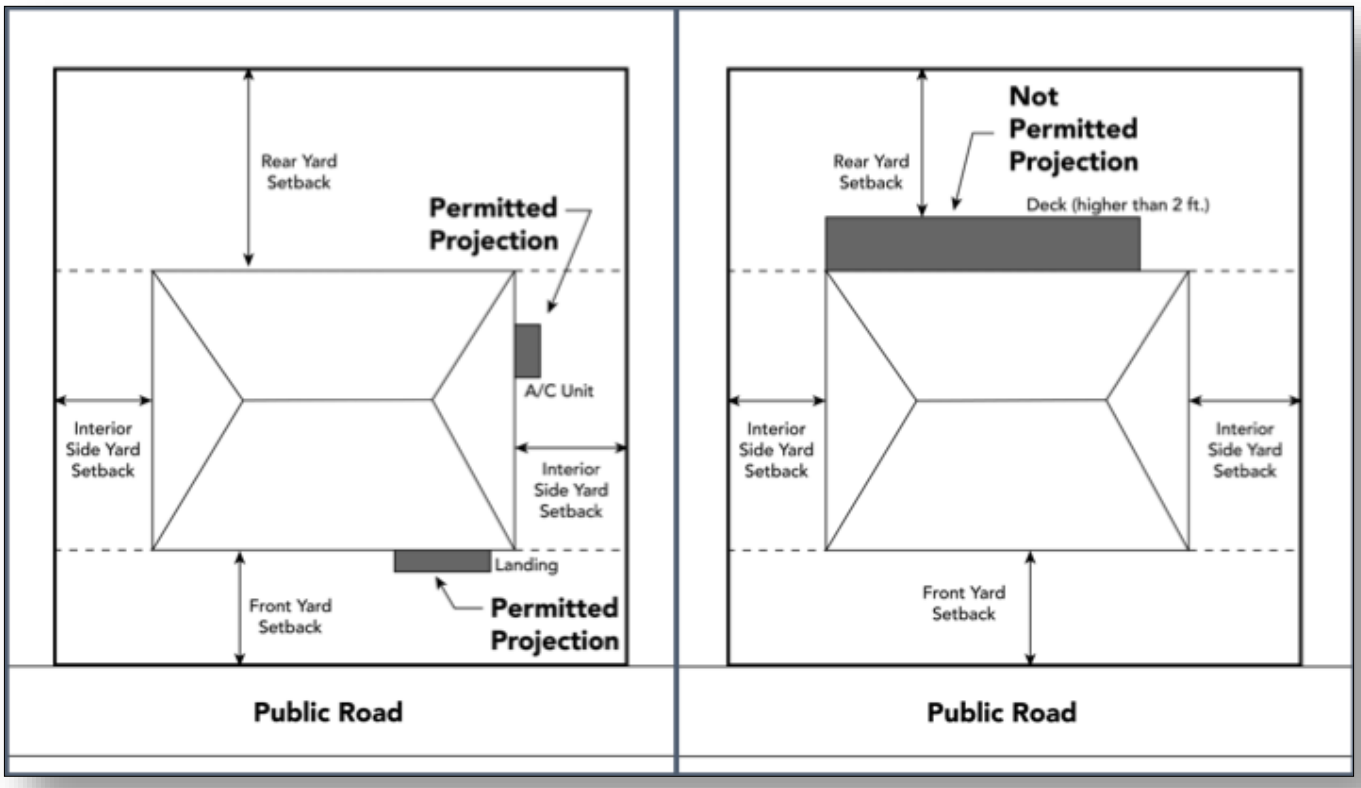
Feature	Projections Permitted		
	i.Front Yard	ii.Side Yard	iii.Rear Yard
a) **Alcoves, bay, oriel windows, vestibules, and similar additions creating livable floor area, limited to one storey**	5 feet	4 feet, but no closer than 1 foot to property line.	5 feet
b) **Air conditioning units, Pool filters, pumps and heaters**	NOT PERMITTED	PERMITTED only in interior side yards and a minimum 10 feet measured laterally from operable window of a habitable room on an adjoining lot.	PERMITTED, and a minimum 10 feet measured laterally from operable window of a habitable room on an adjoining lot.
c) **Balconies**	5 feet	5 feet but no closer than 1 foot to property line.	5 feet
d) **Open arbours, trellises, landscape architectural features, flag poles, lighting fixtures and lamp posts**	PERMITTED, but no closer than 1 foot to property lines.		
e) **Basketball hoops**	NOT PERMITTED		PERMITTED

Feature	Projections Permitted		
	i.Front Yard	ii.Side Yard	iii.Rear Yard
f) Clotheslines, clothesline poles	NOT PERMITTED	PERMITTED	
g) Cantilevers	No more than 3 feet projection and no more than 10 feet along a building wall.		
h) Chimneys/chases, and fireplaces	No more than 3 feet projection provided that any projection is not closer than 1 foot from the side or rear site line.		
i) Fences and Hedges	PERMITTED		
j) Eaves and eaves trough	2 feet [1 foot for an eave and 1 foot for an eavestrough].		
k) Exterior wall finishes including brick and stone facing	1 foot		
l) Garbage Enclosures (Commercial and Multi-Dwelling Land-uses)	NOT PERMITTED	PERMITTED when less than 5 feet in height.	PERMITTED when adjacent to a lane and less than 5 feet in height.
m) Ornamental structures: Veranda, porches, sills, belt courses, portico, shade projections, awnings, canopies, cornices, pilasters or similar incidental building architectural features.	3 feet but no closer than 1 foot to side lot line.		

Feature	Projections Permitted		
	i.Front Yard	ii.Side Yard	iii.Rear Yard
n) **Parking Spaces, Parking Aisleways, Queuing spaces.**	NOT PERMITTED except in Commercial Highway zone.	NOT PERMITTED except in Residential zones.	PERMITTED
o) **Open Patios and Decks**	PERMITTED, when height is 2 feet or less.		
p) **Pools And Hot Tubs**	NOT PERMITTED	No closer than 5 feet to side or rear lot line.	
q) **Roofs over exterior entrances (may not be enclosed except by railing)**	5 feet but no closer than 1 foot from side lot line.		
r) **Unclosed walks, wheelchair landings and ramps.**	PERMITTED		
s) **Unenclosed stoops, porches, landings, steps, landings, and fire escapes**	Maximum depth = 5 feet unless maximum height equal to or less than 2 feet.	No closer than 2 feet to side lot line if height exceeds 2 feet. PERMITTED if 2 feet in height or less.	PERMITTED if 2 feet in height or less.

Feature	Projections Permitted		
	i.Front Yard	ii.Side Yard	iii.Rear Yard
t) **Energy Generating System**	NOT PERMITTED	NOT PERMITTED, and 15 feet from the exterior side lot line of corner lot.	PERMITTED

Figure 5: Example Projections into Required Yards (Permitted and Not Permitted).



2.25. Permitted in Front and Rear but Not Side Yards

(1) Any building or structure, or projection that is permitted in a front or rear yard setback; or where the front or rear yard setback has no requirement in the underlying zoning district regulations, the building or structure, or projection shall still adhere to any applicable side yard setback requirements.

2.26. Permitted Projections Above the Height Limit

(1) The maximum height limits do not apply to the structures listed below, or to any other similar structures that may require a height in excess of maximum height limits in order to serve their intended purpose, unless otherwise specified in this By-law and provided these structures are erected only to such height or area as is necessary to accomplish the purpose they are to serve:

a. Barn, silo, or other accessory buildings or structures associated with an **agricultural operation**;

b. Chimney, smokestack or flues;

c. Clock tower, church spire, steeple or belfry;

d. Construction equipment during the construction process;

e. Mechanical and service equipment or penthouse, elevator or stairway penthouses not exceeding **10 feet** above the roof deck;

f. Flag pole with a flag of a country or government;

g. Grain elevators, terminals, feed mills, seed plants;

h. Hydro and other utility transmission and distribution towers, Utility poles and high voltage transmission lines;

i. Landscaped areas, roof-top gardens and terraces and associated safety guards and access structures;

j. Ornamental dome, skylight, cupola, gables or parapet not exceeding **5 feet** above the roof deck;

k. Television, radio or telecommunication antenna, excluding a satellite dish or tower antenna accessory to a permitted use in a residential zone;

l. Water tower;

m. **Energy Generation Systems** on the roof shall be no more than **15 feet** above the rooftop.

2.27. Temporary Buildings, Structures, and Uses

(1) Temporary buildings, structures or uses may be permitted in all zones on a non-permanent basis for up to **12 months** subject to the issuance of a development permit under the following conditions:

a. A development permit for a temporary building, structure or use shall be subject to such terms and conditions as required by Council.

b. Each development permit issued for a temporary building, structure or use shall be valid for a period of **not more than 12 months** and may not be renewed for more than two successive periods at the same location.

(2) The following temporary buildings, structures or uses shall be permitted in all Zones when the use specific standards are met:

a. Temporary buildings, structures, and uses are permitted on a site in connection with the construction or maintenance of public services, and only for the following purposes:

i. Office space for the contractor, developer, or project supervisor;

ii. Temporary accommodation for a caretaker, security guard or construction workers;

iii. Temporary placement of asphalt and concrete batch plants; or

iv. Storage of construction materials and equipment.

b. Temporary uses including garage sales, fundraising events, outdoor car washes, real estate sales offices and model sales homes, and Temporary Emergency Residence.

c. Temporary placement of an RV or mobile home on site where a development and building permit has been issued for construction of the principal dwelling on the same site.

(3) The following temporary buildings, structures or uses shall not be permitted in any **Residential Zones**:

a. Temporary uses including farmers' markets, special events, seasonal sales, **Retail Trade** and **Retail Store**.

(4) Temporary building used as a classroom is permitted only on a site where an elementary or secondary schools land-use already exists.

(5) **Retail Trade** as a Temporary Use shall not be permitted longer than **3 days.**

(6) **Retail Trade** as a Temporary Uses shall not exceed **400 square feet**.

(7) **Retail Trade** as a Temporary Uses shall be limited to the items allowed as **Retail Store**.

2.27.1. Temporary Buildings Use Specific Standards

(1) Temporary buildings, structures, and uses shall not be detrimental to public health, safety, convenience, and general welfare.

(2) The temporary buildings, structures, and uses must not result in permanent alterations to the site.

(3) All temporary signs associated with the temporary use or structure must be removed when the activity ends.

(4) The temporary use or structure must not violate any applicable conditions of approval that apply to a principal use on the site.

(5) Temporary buildings, structures, and uses established under this By-law in connection with construction or development of a site, shall be removed within one (1) month of the completion of construction or development on the site unless otherwise noted in this By-law.

(6) Temporary buildings and structures shall not exceed **1,000 square feet** in gross floor area and **13 feet** in height.

(7) The temporary building, structure or use shall be located in compliance with the setback requirements as specified in this By-law for accessory buildings except:

a. Temporary buildings, structures or uses may be located in the front yard of a principal building with a minimum setback of **3 feet** from the front property line; and

b. Temporary buildings, structures or uses may be located on a site with no principal buildings and with a minimum setback of **3 feet** from the front property line.

(8) Temporary buildings or structures used as **Real Estate Sales Offices** and **Model Sales Homes** shall not be used as a dwelling during the time it is being used as a real estate sales office or model home.

2.27.2. Permit Required for Temporary Buildings and Uses

(1) 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 and approval pursuant to the **Development Procedures Section** of this By-law.

(2) Each development permit issued for a temporary building, structure or use shall be valid for a period of not more than 12 months.

2.27.3. Permit Exemptions for Temporary Buildings and Uses

(1) The following temporary uses are exempt from the requirement for development permit approval, provided that the proposed temporary use complies with the Use Specific Standards of temporary buildings, structures, and uses:

a. Garage, rummage or yard sales up to a maximum of **2 weekends per year**, for a maximum of **3 days** each.

b. Outdoor car washes lasting no more than 2 consecutive days, 7 times per year.

c. Outdoor special events (carnival, circus, fair, outdoor performing artists, festivals, sports competitions, or similar events) lasting no more than 3 consecutive days, 4 times per year.

d. Fundraising events lasting no more than 2 consecutive days, 7 times per year.

e. Seasonal Sales such as Christmas trees, flags, kites, fruits, vegetables, or arts and crafts that are limited to a maximum of **60 days** in each calendar year.

f. Farmer's Market held in an open area or in a structure where groups of individual sellers offer for sale to the public such items as specialized lines of food products, fresh produce, seasonal fruits, fresh flowers, arts and crafts items, or food and beverages dispensed from booths located on-site, limited to between **April 1 to October 31**.

g. Temporary Emergency Residence where interim lodging is provided to persons who are displaced from their homes due to fire, flood or natural disaster, limited to a maximum of 60 days.

2.28. Cover-all Buildings and Fabric Buildings

(1) Cover-all Buildings and Fabric Buildings may be stored or used in a **residential zoning district** subject to following:

a. Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site location(s) of the Cover-all Buildings and Fabric Building(s) and the exterior finishing materials for the structures, all of which shall be maintained to the satisfaction of the Development Officer.

b. Must be located in the side or rear yard and located behind the front of the principal dwelling and in conformity with all setback requirements for accessory use on the subject property.

(2) The gross floor area of **Cover-all Buildings** and **Fabric Buildings** shall be counted in determining the **maximum Lot Coverage** allowed on a lot.

2.29. Shipping Containers (Sea Cans)

(1) Shipping containers mean an intermodal container designed and built for intermodal freight transport and shall only be permitted where outdoor storage, rail terminals and rail yards, truck terminals are permitted by right; and are allowed for **agricultural operations**.

(2) Shipping containers may serve as temporary buildings or structures on a site in connection with construction, seasonal sales, farmer's markets, outdoor special events, and Exploration Projects [Advanced].

(3) A shipping container when used as a temporary structure shall:

a. Be used exclusively for the storage of goods and materials and shall not be used as a garage, or as human habitation.

b. Meet the setback requirements for **temporary structures**.

c. Site Plan Approval shall be required by the Development Officer and the Board, prior to the issuance of any building or development permits, for the on-site locations and designs of all parking areas, private approaches, garbage areas, and fencing, all of which shall be maintained to the satisfaction of the Development Officer.

(4) Shipping containers may be permanently stored or used in a **R1 or R2** zoning district subject to the following:

a. Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site location(s) of the shipping container(s) and the exterior finishing

materials for the shipping container(s), all of which shall be maintained to the satisfaction of the Development Officer.

(2) Shipping containers shall not be permanently stored or used in an **AG**, **AL**, or **RR** zoning district, unless approved as a Conditional Use, and subject to the following:

a. Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site location(s) of the shipping container(s) and the exterior finishing materials for the shipping container(s), all of which shall be maintained to the satisfaction of the Development Officer.

(6) The gross floor area of Shipping Containers shall be counted in determining the maximum Lot Coverage allowed on a lot.

2.30. Accessory Buildings, Structures and Uses

(1) **Accessory** building, structure or use means a **subordinate** building, structure or use which is incidental and accessory to the **principa**l building, structure or use, and located on the same site as the principal building, structure or use.

(2) A development permit for an accessory buildings or structures shall be required unless otherwise noted in this By-law, and subject to such terms and conditions as required by Council.

(3) An accessory use is allowed in any zone if:

a. It is on the same lot as the principal use to which it is accessory; and

b. It exists to aide and contribute to the principal use to carry out the function of that principal use.

(4) Accessory developments are permitted when accessory to a permitted use.

(5) Accessory developments are conditional when accessory to a conditional use.

(6) If a question arises as to whether a particular accessory use or structure is included within the land-use categories or use types of this Zoning By-law, the Development Officer must make the determination as described in the section **Classification of Uses.**

(7) Detached accessory buildings, structures or uses shall cease to be allowed on a site when a principal building or land-use also ceases, unless otherwise provided

in this By-law as a temporary building or use.

2.30.1. Attached to Principal Building

(1) Where the accessory building or structure is attached to the principal building by a roof, floor (except slab on grade or foundation), or an open or enclosed structure, the accessory building shall be located in compliance with the setback requirements for the principal building as specified in the bulk table for each zone.

2.30.2. Construction Before Principal Building or Structure

(1) Detached accessory buildings or structures may be constructed before construction of the principal building, structure or use on the same site, subject to:

a. The accessory building being fully finished on the exterior in a manner that is compatible with the character of the surrounding area;

b. The number of accessory buildings or structures being limited to one (1) before construction of the principal building, structure or use; and

c. The detached accessory buildings or structures remains without the principal building or use for not longer than one (1) year.

(2) Detached accessory buildings or structures constructed before the development of the principal building, structure or land-use may be used for the following uses:

a. As a temporary building for uses in connection with construction or development on the site as outlined **Temporary Buildings, Structures and Uses**;

b. Parking of motor vehicles;

c. Storage of domestic equipment and supplies;

d. Storage required for an **agricultural operation**;

e. Private wastewater management system;

f. Private drinking water system; or

g. To accommodate **Exploration Projects [Advanced]** as defined in **the *Mines and Minerals Act*.**

(3) Detached accessory buildings or structures being used as temporary buildings in

connection with construction or development on a site, shall not be subject to removal within one (1) month of the completion of construction or development of a principal use or building, but shall cease to be used as a temporary building.

2.30.3. Performance Standards for Accessory building, structure or use

(1) Site Plan Approval shall be required by the Development Officer and the Board, prior to the issuance of any building or development permits, for the on-site locations and designs of all parking areas, private approaches, garbage areas, and fencing, all of which shall be maintained to the satisfaction of the Development Officer.

2.30.4. Location on the Lot for Accessory building, Structure or Use; and Building Separation between Accessory Buildings

(1) Detached accessory buildings, excluding detached decks, above ground pools and hot tubs, shall be located a minimum of **3 feet** clear of all projections from other detached accessory buildings.

2.30.5. Easement or Right-of-Way

(1) Detached accessory buildings and structures shall not be located within a dedicated easement or right-of-way.

2.30.6. Setbacks from Lot Lines

(1) Detached accessory buildings and structures shall be located in accordance with the following:

a. Shall not be permitted in the front yard setback of a principal building.

b. When a detached accessory buildings or structures built to the rear of the principal structure, it shall not come closer than **4 feet** to the side property line and **4 feet** from the rear property lines, unless the rear property line abuts a rear public lane in which case the rear yard setback shall be **3 feet**.

c. The cumulative gross floor area for all detached accessory structures on the lot shall not exceed **12.5%** of the total building coverage area of the lot.

d. A **one (1) foot** overhang is permitted within the required setbacks from the property lines to the wall of the detached accessory structures. Eavestrough may be added to the permitted **one (1) foot** overhang.

(2) If a detached accessory structure is not located to the rear of the rear wall of the

principal building, the minimum setbacks of the principal building apply to that portion of the structure not to the rear of the rear wall of the principal building.

(3) For the purpose of this regulation, the rear wall of the principal building is the wall furthest from the wall with the facade facing the fronting public road.

2.30.7. Height of Accessory building, Structure or Use

(1) Detached accessory buildings and structures shall not exceed **14 feet** in height except in association with a **Garage Suite** or with **agricultural operations** where accessory structures may exceed this height.

2.30.8. Building Coverage of Accessory building, Structure or Use

(1) The cumulative gross floor area of all Detached accessory buildings and structures shall be counted in determining the maximum **Lot Coverage** allowed on a lot.

2.31. Garages and Carports

Garages and carports are detached accessory buildings or structures that shall be constructed as follows:

(1) Where a driveway leads from the public road to a garage or carport located on the front facade of a dwelling, such driveway must be a minimum of **23 feet** in length. Driveway length is measured between the garage door or the edge of the carport closest to the public road and the front property line.

(2) Individual driveways leading from a shared private lane to each dwelling unit must be at least **23 feet** long, as measured between the front of the garage or carport and the closest pavement edge of the shared private lane.

(3) The maximum height allowable for a garage, carport or any accessory structure is **13 feet** as determined for different roof styles as shown in this By-law except for a garage that contains a **Garage Suite** in which case the maximum height shall be **22 feet**.

(4) The cumulative gross floor area of garages, carports and any other accessory structures on the lot shall be counted along with the gross floor area of the principal structure in determining the maximum Lot Coverage on a lot.

2.31.1. Location on the Lot

(1) Garages and carports shall be located in accordance with the following:

a. When a garage or carport is built to the rear of the principal structure, it

shall not come closer than **5 feet** to the side property line and **5 feet** to the rear property line unless the rear property line abuts a public lane in which case the rear yard setback shall be **3 feet**.

b. A **one (1) foot** overhang is permitted within the required setbacks from the property lines to the wall of the garage or carport posts. Eavestrough may be added to the permitted **one (1) foot** overhang.

c. Garage or carport may be located in the front of a principal building where a lot has frontage on a **navigable waterway**.

2.31.2. Attached to Principal Building

(1) Where the garage or carport is attached to the principal building by a roof, floor (except slab on grade or foundation), or an open or enclosed structure, the garage or carport shall be located in compliance with the setback requirements for the principal building as specified in the bulk table for each zone except for the driveway length requirements as stated above in this section.

(2) Where the garage or carport is not located to the rear of the rear wall of the principal building, the minimum setbacks of the principal building apply to that portion of the structure not to the rear of the rear wall of the principal building.

2.31.3. Performance Standards for Garages and Car Ports

(1) The design of the exterior finishing materials, and construction of garages and carports shall be to the satisfaction of the Development Officer or Council who shall require, as far as reasonably practicable, that materials will be used which ensure that the standard of the garage or carport will be similar to, or better than, the standard of surrounding principal buildings.

a. Site Plans showing the location and the exterior design of the accessory buildings and driveways shall be submitted, reviewed and approved by the Development Officer.

2.32. Home Enterprises

This section shall not apply to an **agricultural producer** operating an **Agricultural Operation** or **Agri-Tourism** in the **Agricultural General Zone. Home Enterprises** are accessory land-uses to the principal land-use, a dwelling unit, and are regulated in such a manner to ensure the scale of the home enterprise does not dominate and surpass the primary, principal land-use.

2.32.1. Requirements For All Home Enterprises

(1) Shall be operated by an occupant of the dwelling unit.

(2) The exterior residential character of the dwelling unit should not be altered or changed in any way as a result of the home enterprise.

(3) The home enterprise shall not create or become a nuisance by way of noise, fumes, dust, odour, traffic or otherwise interfere with the enjoyment of the residential amenities of the surrounding neighbourhood.

(4) Where a home enterprise is located completely below the first storey of a **Dwelling Unit** (other than stairways or a common landing), the below grade floor area (excluding the area covered by stairways) shall not exceed the gross floor area of the first storey of the associated principal dwelling.

(5) Any portion of a home enterprise located below the first storey of a Dwelling Unit shall not be used in calculating the maximum size of the home enterprise.

(6) Where a home enterprise is developed completely or partially above grade, the floor area (excluding the area covered by stairways) of the home enterprise in the principal structure shall not exceed **25%** of the gross floor area of the building containing the associated principal dwelling, nor **400 square feet** whichever is the lesser.

(7) Where a home enterprise is developed in a detached accessory building, the floor area of the home enterprise shall not exceed the building envelope of a **detached accessory building** allowed on the site.

(8) Where a home enterprise is developed in a detached accessory building, any overhead doors visible from an adjacent lot or site containing a residential use must remain closed when not being used for entry or exit of vehicles.

(9) Shall not include adult entertainment; dating and escort service; body modification; on-site auto body painting, body repairs, or other repairs to automobiles, trucks, boats, trailers, or motorized vehicles; vehicle towing operations; dispatch centres for auto-oriented services; sales of firearms or ammunition; any business utilizing radio transmission equipment; any business storing or retailing petroleum or liquefied petroleum gas; any business storing fertilizer or dangerous goods; and any business engaged in the sales and rental of automobiles, light trucks or motorcycles.

(10) Shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.

(11) Two or more home enterprises per dwelling unit may be allowed, and shall be deemed as a single home enterprise subject to all the applicable regulations for a single home enterprise.

(12) Should a **home occupation** and a **home based business** both be established in a dwelling unit where the underlying zoning allows such uses, the regulations of each type of **home enterprise** shall apply though the cumulative above grade floor area shall not exceed the maximum restrictions of a home based business.

(13) May allow greenhouse, nursery and floriculture production including **Food crops grown under cover**; **Other food crops grown under cover**; **Nursery and floriculture production**; **Nursery and tree production**; **Floriculture production** but shall not allow **Mushroom production**.

(14) Individuals or an immediate family member or employee(s) of the individual who sells produce grown in Manitoba shall not require a licence, permit or approval.

(15) Customers may attend only five (5) days a week, unless otherwise noted.

(16) Not more than two (2) customers may attend at one time, unless otherwise noted.

(17) Where a home enterprise is within the controlled area of a provincial highway (as described in 2.8(1) Setbacks from Provincial Trunk Highways and Roads), a permit may be required from the Province to change or intensify the use of an existing structure or to intensify the use of an existing access to a provincial highway (excluding those portions where the local jurisdiction is responsible for access and structure setbacks).

2.32.2. Home Occupations

(1) Where **home occupations** are permitted subject to the individual zones, the following shall apply:

a. The maximum size of a home occupation, above grade in both principal and accessory structures is **25%** of the gross floor area of the principal building.

b. Must not have non-resident employees.

c. There shall be no outside storage or display of materials, containers, or finished products, and no mechanical equipment used except that of a type

used for housekeeping purposes and/or recreational hobbies.

d. Work or activity must be conducted entirely within the principal building or accessory building.

e. Where a home occupation is the office of a veterinarian, physician, or dentist, the use shall be for consultation and emergency treatment only and not as a clinic or hospital.

f. There shall be no signage, other than **one (1) non-illuminated sign** of less than **2 square feet** in size, attached to the principal building, to indicate to persons outside that any part of the dwelling is being used for a purpose other than residential.

g. Where a home occupation is a **Home-Based Child Care** that cares for more than **four (4) children**, the use must comply with the following requirements:

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

   ii. Limited to no more than **12 persons** being cared for.

   iii. Limited to a **single-detached dwelling**.

   iv. Two non-resident assistants may operate in and from the dwelling.

   v. An outdoor play space may be provided which shall be completely enclosed by a fence with a minimum height of **5 ft** and any gates in the fencing shall be self-closing with a lockable latch to prevent unauthorized exiting.

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

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

   viii. Home-Based Child Care facilities are not subject to the maximum floor area restrictions of home occupations.

   ix. Home-Based Child Care facilities are not subject to the restrictions on the number of customers, and may allow customers seven (7) days per

week.

h. Where a home occupation is a **Bed and Breakfast,** the use must comply with the following requirements:

i. The bed and breakfast shall form part of a **single detached dwelling**, either in the principal or accessory building.

ii. A new bed and breakfast shall meet the provisions of the zone in which it is located.

iii. A bed and breakfast shall only be operated by a live-in owner with a maximum of **four (4) guest rooms**.

iv. A bed and breakfast shall not change the residential character of an existing dwelling unit.

v. Bed and breakfast facilities are not subject to the maximum floor area restrictions of home occupations.

vi. May allow customers seven (7) days per week.

i. No business related materials, including machinery or commercial vehicles, shall be visible at any time on any lot upon which a home occupation is carried out, nor shall any machinery or commercial vehicles be parked or stored on the lot unless completely enclosed within a building.

(2) Where a home occupation is within the controlled area of a provincial highway (as described in 2.10 Setbacks from Provincial Trunk Highways and Roads), a permit may be required from the Province to change or intensify the use of an existing structure or to intensify the use of an existing access to a provincial highway (excluding those portions where the local jurisdiction is responsible for access and structure setbacks).

2.32.3. Home Based Businesses

(1) Where home based businesses are allowed subject to the underlying zone, the following shall apply:

a. The maximum size of a home based business, above grade in both principal and accessory structures, and outside of the structures shall be a cumulative **5% or 8,000 square feet**, which is lesser, of the total lot area.

b. A maximum of three non-resident employees shall be permitted on site.

c. A maximum of one licensed motor vehicle, which may be a commercial vehicle, between **10,000 pounds and 33,000 pounds** gross vehicle weight rating (GVWR) is allowed on the lot provided that the vehicle:
   i. Is parked further from the public road than the front wall of the structure,
   ii. Is either parked in an enclosed structure or shielded from view from adjacent properties through the use of landscaping or fencing,
   iii. The width of the driveway, or any area dedicated to off-street parking on the premises, shall **not exceed 40%** of the width of the front lot line, and
   iv. There is no semi-trailer parking or storage on-site.

d. Sales areas are restricted to within the principal dwelling unit and accessory buildings only with no outside display.

e. A **maximum 2%** of the total lot shall be permitted to be used for **outdoor storage** associated with the home based business.

f. **Outdoor storage** shall be located behind the rear wall of the principal building. For the purpose of this regulation, the rear wall of the principal building is the wall furthest from the wall with the facade facing the fronting public road.

g. **Outdoor storage** shall be screened from view from any abutting public road or abutting property with an opaque screen or fence, with a min. height of **6 feet**.

h. A **maximum 2%** of the total lot area shall be permitted to be used for **outdoor activities** associated with the home based business.

i. **Outdoor activities** shall be located behind the rear wall of the principal building. For the purpose of this regulation, the rear wall of the principal building is the wall furthest from the wall with the facade facing the fronting public road.

j. **Outdoor activities** shall be screened from view from any abutting public road or abutting property with an opaque screen or fence, with a minimum height of **6 feet**.

k. The hours of operation of **outdoor activities** shall be limited to between 9:00 am and 6:00 pm; six (6) days a week.

l. There shall be no signage, other than one (1) non-illuminated sign of less than **8 square feet** in size, to indicate to persons outside that any part of the dwelling is being used for a purpose other than residential.

m. No part of any garage or accessory building used for a home based business shall be located closer than **82 feet** from any dwelling unit (other than a dwelling of the owner or occupant), **50 feet** from the site boundary and **164 feet** from a public road.

2.33. Fences And Hedges

(1) Fences shall not include barbed wire fences except in **Agricultural, Industrial** and **Commercial Highway** zones where three (3) strands of barb wire are permitted on-top of the allowable fence height; and shall not include electric fences except in **agricultural zones**.

(2) Fences and horticulture landscape features including hedges that create a fence like effect, shall be permitted in all yard setbacks.

(3) Fences and hedges in **residential zones** or **Commercial Main Street zone** shall not be higher, measured from the general ground level **1.6 feet back** of the property line of the site on which the fence or hedge is to be constructed, than:

a. **4 feet** in a required front yard; and

b. **6.6 feet** in a required side or rear yard.

(4) Fences and hedges in any **Industrial** or **Commercial Highway zones** shall not be higher, measured from the general ground level **1.6 feet** back of the property line of the site on which the fence or hedge is to be constructed, than:

a. **4 feet** in a required front yard;

b. **6.6 feet** in a required side yard; and

c. **8 feet** in a required rear yard.

(5) Notwithstanding the above, the maximum height of a fence or hedge located in an **Institutional District, Open Space District**, public utility service site, **hazardous use**, or public park shall be **10 feet**.

(6) Where a fence or a hedge (excluding **agricultural operation's** fencing) is located within the controlled area of a provincial highway (as described in 2.10 Setbacks from Provincial Trunk Highways and Roads),, a permit may be required from the

Province.

2.33.1. Fence Design Standards

(1) Permitted materials for the construction of fences in **any zoning district** shall include:

a. Wood or PVC products;

b. Concrete; Brick; or Ornamental block;

c. Metal;

d. Combination of the above materials; or

e. Any other material, subject to an illustration by a certified engineer, architect or landscape architect to the satisfaction of the Development Officer or Council; and

f. Shall not contain scrap metal or industrial waste material.

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

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

2.34. Decks, Patios, Balconies, Patio Covers, Sunrooms, Screen Enclosures

(1) Unenclosed decks, patios and balconies, shall be permitted in any front, side yard or rear yard setback when **2 feet** or less in height as measured from the ground to the deck floor.

Figure 6: Typical Deck Elevation Plan

(2) Covered decks, patios and balconies shall be permitted in any front, side yard or rear yard setback when **2 feet** or less in height as measured from the ground to the deck floor.

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

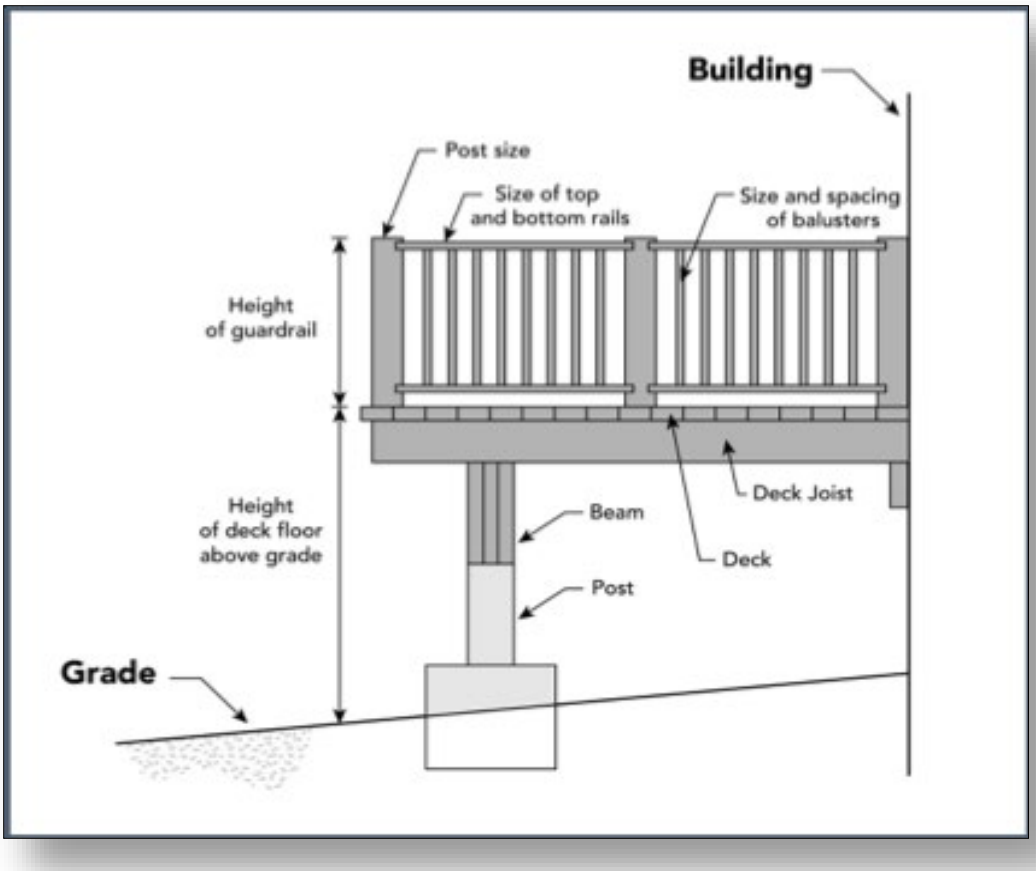
2.35. Pools And Hot Tubs

(1) Private swimming pools and hot tubs shall comply with the regulations listed hereunder.

2.35.1. Encircling Fence

(1) Shall be completely enclosed by a fence with a minimum height of **6 feet**, or a sunroom, and shall comply with the ***Manitoba Building Code*.**

(2) A principal or accessory building may be utilized to effectively enclose any pool.



(3) Any gates in the fencing shall be a minimum height of **5 feet** and shall be self-closing with a lockable latch a minimum of **2 feet** above ground to prevent unauthorized entry.

(4) Fencing and gates must be constructed in a manner to prevent a child from crawling underneath to access the yard.

(5) Fencing shall be so constructed that all horizontal or diagonal structural members shall be located on the inside or pool side of the fence.

(6) A hedge shall not be used as or considered to be a fence for the purpose of this section.

2.35.2. Location on Site

(1) Shall provide a minimum of **2 foot** rear and side yards setbacks.

2.35.3. Setbacks for Pool Equipment

(1) Pool filters, pumps and heaters and the like may project into any side or rear yard setback provided that the projection is not closer than **1 foot** from the side or rear site line, and the minimum distance from filters, pumps, heaters, or related equipment to an operable window of a habitable room on an adjoining lot is **10 feet** (measured laterally).

2.36. Outdoor Fire Pit, Wood Burning Stove, or Barbecue

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

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

a. Shall be supported by a non-combustible base or foundation that is designed according to the manufacturer's instructions to support the weight of the appliance. The non-combustible base must in all cases extend a minimum of 1 foot in all directions from the appliance on all sides.

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

a. Shall be located at least **10 feet** from the base of any tree, hedge, fence, combustible building or structure.

b. Shall not be located in a front yard.

c. Shall be located at least **30 feet** from a pipeline, public utility, transmission corridor, or public right-of-way.

2.37. Lighting

(1) Lighting requirements are:

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

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

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

d. Architectural, landscape and decorative lighting may be directed upward to illuminate flags, statues or any other objects but must use a narrowly directed light whose light source does not direct light onto adjacent residential properties;

e. All light sources must be shielded to prevent glare; and

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

2.37.1. Height of Light Standards

(1) Within any residential zoning district, the maximum permitted height of light poles is **20 feet**.

(2) Within any commercial or manufacturing zoning district, the maximum permitted height of light poles is **25 feet** when within **50 feet** of residential uses.

2.37.2. Prohibited Lighting

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

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

2.38. Apiculture (Beekeeping)

(1) The maximum density of bee colonies shall be relative to lot size using **Table**

3: Recommended Maximum Density Of Bee Colonies.

(2) The following requirements must be met for Beekeeping:

a. In non-Agricultural Zoning Districts, beehives, also known as apiaries, shall only be sited in the rear yard.

b. In non-Agricultural Zoning Districts, the setback distance from all property lines for beehives cannot be less than **25 feet**.

c. In Agricultural Zoning Districts, beehives cannot be sited less than **82 feet** from all public roads and property lot lines.

d. Beehives shall maintain a minimum setback distance of **82 feet** from any dwelling unit (other than a dwelling of the owner or occupant).

e. Beehives shall not be located within **330 feet** of a **Child Day-Care Services, Community Care Facilities, Community Centre, Community Health Centres, Educational Services, Fitness and Recreational Sports Centres, Golf Courses and Country Clubs, Pavilion, Picnic Shelter, Pet care services, Place of Worship, Recreational and Vacation Camps, Restaurants**, and **Sports Arena/Stadiums** facilities.

f. A regular source of water with an unimpeded path shall be provided for the bees on the same property as the beehives.

g. Beehives shall be on a site or in a yard completely encircled by a fence or a hedge with a minimum height of **6 feet**, when the beehive is less than **330 feet** from a property line. A principal or accessory building may be utilized as a part of the encircling fence to enclose the beekeeping structures.

h. Beehives shall be located so that the entrance to the hives face away from adjacent property dwellings.

2.38.1. Table 3: Maximum Density Of Bee Colonies

Lot/Acreage	Number of Bee Colonies
(a) Up to 1/4 acre (1/4 acre=10,890 sq. ft., roughly 50 ft. x 215 ft.)	2 hives plus 1 nucleus hive
(b) More than 1/4 acre, less than 1/2 acre (1/2 acre = 21,780 sq. ft., roughly 100 ft. x 218 ft.)	4 hives plus 1 nucleus hive
(c) More than 1/2 acre, less than 1 acre (1 acre = 43,560 sq. ft., roughly 150 ft. x 290 ft.)	6 hives plus 1 nucleus hive
(d) 1 acre or more	8 hives plus 1 nucleus hive

2.39. Livestock

2.39.1. Animal Keeping, Farm Animals

(1) These are regulations for the hobbyist or backyard farmer on the management of small herds and flocks of farm animals; it is not intended as a regulation for large-scale or commercial livestock operations, and it is not deemed an **'agricultural operations'** or an '**agri-business'** as defined under this Zoning By-law.The following requirements must be met for all cases where livestock or other animals (excluding pets) are sheltered, bred, raised, or sold and where the amount of animals kept on one site do not meet or exceed 10 animal units (AU), cumulative across species as defined under section 2.39.2 Table 4 and section 2.39.7 Table 5:

a. a maximum of one animal unit (cumulative across species) is permitted for every [8,094] meters2 (two acres) of site area.

b. The keeping of livestock must adhere to all other local, provincial and federal health and agriculture regulations in addition to the standards in this bylaw.

c. any ground-level structure intended for the keeping of animals must maintain a minimum setback of [4.5] meters ([15] feet) from any site line.

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

2.39.2. Table 4: Animal Units by Hobby Farm Animal Type

Hobby Farm Animal Type	Animal Units Produced by One Animal	Factor to be used to Determine Animal Units
Horses - large	1	1
Horses - small to medium	0.667	1.5
Ponies - all	0.4	2.5
Horses - miniature	0.222	4.5
Goats - mature	0.111	9
Geese - growing for meat	0.024	42
Geese - mature	0.045	22
Ducks - growing for meat	0.017	58
Ducks - mature	0.024	42
Rabbits – does (includes associated bucks and litters)	0.1	10
Alpacas, llamas	0.17	5.9

REGULATIONS GOVERNING ANIMAL KEEPING SITES

a. Any ground-level structure intended for the keeping of Farm Animals or waste storage areas shall maintain a minimum setback distance of **164 feet** from any dwelling unit (other than a dwelling of the owner or occupant), **50 feet** from the site boundary and **164 feet** from a public road.

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

c. Farm Animals (with the exception of household pets) shall be kept enclosed by fences or corrals, which may be non-opaque.

d. Farm Animal enclosures or corrals shall maintain a minimum setback distance of **164 feet** from any dwelling unit (other than a dwelling of the owner or occupant).

e. **Animal Keeping, Farm Animals** may be allowed in association with a **Home Enterprise**.

2.39.3. Private Stables

(1) Private stables for horses may be allowed as an Accessory Structure subject to the following conditions:

a. The maximum number of horses shall be one horse per two and a half acres of site area to a maximum of **20.0 acres** and **8 horses** with the exception being on lands zoned "AG" and "AL".

b. The animal shelter (stable) and the manure storage area shall maintain a minimum setback distance of **164 feet** from any dwelling unit (other than a dwelling of the owner or occupant), **50 feet** from the site boundary and **164 feet** from a public road.

c. Horses shall be kept enclosed by fences or corral, which may be non-opaque.

d. Horse enclosures, paddock, corrals, or exercise yards shall maintain a minimum setback distance of **164 feet** from any dwelling unit (other than a dwelling of the owner or occupant).

2.39.4. Equestrian Establishments

(1) Equestrian Establishments may be allowed as a **Home Based Business** subject to the following conditions:

a. A maximum of **three non-resident employees** shall be permitted on site.

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

c. Students may attend the home based business only six (6) days a week.

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

e. There shall be no signage, other than a non-illuminated sign of less than **16 square feet** in size, to indicate to persons outside that any part of the dwelling is being used for a purpose other than residential.

f. The requirements of **Private Stables** shall apply.

2.39.5. Livestock Operation Uses, 10 AU > 299 AU

(1) The Animal Units (AU) Produced by One Animal and the Number of Animals to Produce One Animal Unit by category of Livestock shall be determined using

Table 5: Animal Units by Category of Livestock.

(2) Livestock operations greater than **10 AU and less than 299 AU** shall:

a. Meet the separation distances as stipulated in the criteria outlined in **Table 6**: **Minimum Separation Distances for Siting Livestock Operations.** Mutual separation distances to dwelling units will be measured to the building itself; and separation distances to designated areas will be measured to the boundaries of the designated areas found in the Development Plan, not the buildings within.

2.39.6. Livestock Operation Uses, Large Scale +300 Animal Units

(1) In addition to the above, an application for the **conditional use** approval of a livestock operation involving **300 or more animal units** (cumulative across species) in an **Agricultural Zone** shall:

a. Be subject to the following measures to reduce odours from the operation:

i. covering manure storage facilities; and

ii. the establishment of shelterbelts.

b. Be subject to a development agreement regarding one or more of the following:

i. the timing of construction;

ii. the control of traffic;

iii. the construction and maintenance of roads, fencing, landscaping drainage works, shelterbelts; or

iv. the payment of a sum of money to the Municipality to be used by Council to construct any of the items mentioned above.

c. Be sent to the Minister for referral to the Technical Review Committee for review.

d. Be subject to the measures to implement the recommendations of the Technical Review Committee.

2.39.7. Table 5: Animal Units by Category of Livestock

Animal	Type	Animal Units (AU) Produced by One Animal	Number of Animals to Produce One AU
(a) Dairy	i. Milking Cows, including associated livestock	2	0.5
(b) Beef	i. Beef Cows, including associated livestock	1.25	0.8
	ii. Backgrounder	0.5	2
	iii. Summer pasture/ replacement heifers	0.625	1.6
	iv. Feeder Cattle	0.769	1.3
(c) Hogs	i. Sows, farrow to finish	1.25	0.8
	ii. Sows, farrow to weanling	0.25	4
	iii. Sows, farrows to nursery	0.313	3.2
	iv. Weanlings	0.033	30
	v. Growers / finishers	0.143	7
	vi. Boars (artificial insemination operations).	0.2	5
(d) Chickens	i. Broilers	0.005	200
	ii. Roasters	0.01	100
	iii. Layers	0.0083	120

Animal	Type	Animal Units (AU) Produced by One Animal	Number of Animals to Produce One AU
	iv. Pullets	0.0033	300
	v. Broiler Breeder Pullets	0.0033	300
	vi. Broiler Breeder Hens	0.01	100
(e) Turkeys	i. Broilers	0.01	100
	ii. Heavy Toms	0.02	50
	iii. Heavy Hens	0.01	100
(f) Horses	iv. Mares, including associated livestock	1.333	0.75
(g) Sheep	i. Ewes, including associated livestock	0.2	5
	ii. Feeder Lambs	0.063	16

Source: Appendix 2, Provincial Planning Regulation 81/2011 THE PLANNING ACT (C.C.S.M. c. P80).

2.39.9. Table 6: Minimum Separation Distances for Siting Livestock Operations

Size of Livestock Operations in Animal Units (A.U.)	Separation Distance in Feet From Dwelling Unit		Separation Distance in Feet From Designated Areas	
	(i) To Earthen Manure Storage Facility or Feedlot	(ii) To Animal Confinement Facility and Non- earthen Manure Facility	(i) To Earthen Manure Storage Facility or Feedlot	(ii) To Animal Confinement Facility and Non- earthen Manure Facility
(a) 10-100	656	328	2,625	1,739
(b) 101-200	984	492	3,937	2,625
(c) 201-300	1,312	656	5,249	3,511
(d) 301-400	1,476	738	5,906	3,937
(e) 401-800	1,640	820	6,561	4,364
(f) 801-1600	1,968	984	7,874	5,249
(g) 1601-3200	2,297	1,148	9,186	6,135
(h) 3201-6400	2,625	1,312	10,499	6,988
(i) 6401-12,800	2,953	1,476	11,811	7,874
(j) >12,800	3,281	1,640	13,123	8,760

Source: Appendix 1, Provincial Planning Regulation 81/2011 THE PLANNING ACT (C.C.S.M. c. P80.

2.39.10. Designated Areas

(1) For the purposes of this By-law, the designated areas for the separation distances in **Table 6: Minimum Separation Distances for Siting Livestock Operations** shall be:

a. **Urban Policy Areas, Rural Residential Policy Areas,** and **Tourism Policy Areas** identified in the ***Southwest Forward Together Development Plan By-law 01-2021***;

b. **Whitewater Lake, Turtle Mountain Provincial Park, Dromore Lake, Lake Metigoshe, Sharpe Lake, Partridge Lake, Stanley Lake, Flossie Lake**, and **Deloraine Reservoir** as identified in ***Zoning By-Law 22-004*** Schedule B: Maps.

3. Parking, Loading, and Signage

3.1. Minimum Parking Requirements

(1) Accessory off-street parking spaces shall be provided according to the minimum number of spaces as calculated for uses within the Zones and Use Categories indicated in **Table 7: Required Parking Stalls** by taking the number of units for residential uses; the number of classrooms; or the floor area and multiplying by the required number of parking stalls.

(2) All accessory off-street parking spaces shall be located on the same site as the principal use.

(3) There are no parking requirements for zones or land-uses not in **Table 7.**

3.1.1. Table 7: Required Parking Stalls

Zone	Required Parking Stalls
a. IN	(i)Elementary School: 1.5 per classroom (includes portables) (ii) Secondary School: 4 per classroom (includes portables) (iii) Other Educational: 3.4 per 1,075 square feet of gross floor area (iv)Hospitals: 1 per 1,075 square feet of gross floor area (v)Community Care Facilities and Nursing and Residential Care Facilities: 0.25 per sleeping unit or 4 beds plus 1 per 1,075 square feet of floor area used for medical, health or personal services
b. RR, R1	(i) 1 per unit
c. R2	(i) 1 per unit for 2 units or less (ii)0.66 per unit for 3 units (iii)0.8 per unit for 4 units

d. R3	(i) 1 per unit for 2 units or less (ii)0.66 per unit for 3 units (iii)0.8 per unit for 4 units or more (iv) **Community Care Facilities and Nursing** and **Residential Care Facilities**: 0.25 per dwelling unit or per sleeping unit, plus 1 per 1,075 square feet of floor area used for medical, health or personal services
e. M	(i) 0.8 per 1,075 square feet of gross floor area

3.1.2. Existing Use

(1) Where an existing building is enlarged or altered, or a change in use occurs that results in a more intensive use, adjustments for parking shall be made accordingly.

(2) Where a building or use lawfully existed before enactment of this By-law, the existing provision of parking spaces shall not be affected by enactment of this zoning unless a change as per (a) above occurs, at which time adjustments for parking spaces shall be made according to the requirements contained herein.

3.1.3. Parking Requirements Based on Floor Area

(1) Where parking requirements are based on the "floor area" of the use, the term "floor area" in this section means the gross floor area of the principal building, excluding:

a. Any area used for parking within the principal building.

b. Any area used for incidental service storage, mechanical equipment, or similar uses.

c. Any area used for bicycle parking.

d. Residential dwelling units.

3.1.4. Minimum Visitor Parking

(1) Visitor parking shall be provided for the following:

a. **Apartment Dwellings, Multiple Attached Dwellings, Stacked Dwellings, Bungalow Clusters,** and **Bungalow Courts** with **14 or more dwelling units** on one lot shall provide a minimum visitor parking of **0.3 spaces** per dwelling unit.

b. **Community Care Facilities** and **Nursing and Residential Care Facilities** where the minimum visitor parking shall be **0.2 spaces** per dwelling unit or for every **4 sleeping units** when there are **14** or more required parking stalls.

3.2. Parking Reductions

The following may be used to reduce the required number of parking spaces:

3.2.1. Main Streets and Heritage Resource Uses

The areas designated **Main Streets** in the Development Plan; and buildings, structures or land-uses identified as **Heritage Resource Uses** may reduce the required parking spaces as follows:

(1) When any building, structure, or use in existence prior to the adoption of this By-law is subsequently damaged or destroyed, and is reconstructed, re-established, or repaired, the accessory off-street parking or loading spaces maintained at the time of such damage or destruction may be restored or continued in operation.

(2) When a new use commences in an existing building, no additional parking is required.

(3) When a new building is erected or an existing building's gross floor area is expanded, no additional parking is required.

(4) When a new building is erected on a parking area in existence at the time of this By-law the former land users' dependent on said parking area shall not be required to meet the minimum parking requirements and shall not need to provide any new parking areas.

(5) Parking, loading and service areas shall be located to the rear of the rear wall of the principal building.

(6) Where a surface parking area abuts a public road in a corner lot or a fronting public road, the owner must screen the perimeter of the service area or parking spaces from public view with an opaque fence and shrubs (minimum mature height of **3 feet**) planted one every **2 feet** on centre in a **4 feet** wide planting bed which extends the length of the parking area public road frontage.

(7) Where, because of conditions not conducive to good horticultural practices, a screen planting cannot reasonably be expected to survive, the Development Officer shall require a masonry wall, wood fence or earth berm, or combination thereof, to be substituted for the requirements above.

(8) Except as otherwise provided in this section, all development, redevelopment, expansion, demolition, signage or exterior alteration of parking areas and principal buildings visible from public rights-of-way is subject to Site Plan Approval by the Development Officer, as provided in this section, prior to commencement.

3.2.2. Combination of Uses

(1) Where more than one type of principal use is located within a single building (for example: retail and service uses in a hotel or office building, or offices combined with warehousing uses), the number of parking spaces required is reduced to **80%** of the aggregate of the accessory off-street parking spaces required for each use established on the zoning lot.

3.3. Parking Stall Widths and Lengths; and Aisle Specifications

(1) All off street parking areas and spaces and below grade parking areas and spaces shall be designed, constructed and maintained in accordance with **Table 8** and the following provisions:

a. Each regular or angled parking space shall have a minimum width of **8 feet** and a minimum length of **20 feet**, and shall be visibly designated and marked except:

i. Parking stalls abutting side-by-side with a fence, property line or wall shall be a minimum of width of **10 feet**.

ii. A maximum of **25%** of the total number of parking stalls without direct access to a public lane for non-residential uses, and a maximum of **33%** of the total number of parking stalls without direct access to a public lane for multi-family residential uses, may be reduced in length to **16 feet** and designated for small cars only.

b. Each parallel parking space shall have a minimum width of **9.5 feet** and a minimum length of **23 feet**.

c. Driveways used for ingress and egress hall be clearly marked.

3.3.1. Table 8: Parking Stall Widths and Lengths; and Aisle Specifications

Angle of Parking Spaces	(i) Parking Space Width (Minimum) feet	(ii) Parking Space Length (Minimum) feet	(iii) Aisle Width (Minimum) feet
(a) 61° - 90°	8	20	20
(b) 46° - 60°	8	20	18
(c) Less than 45°	8	20	12
(d) Parallel	9.5	20	10

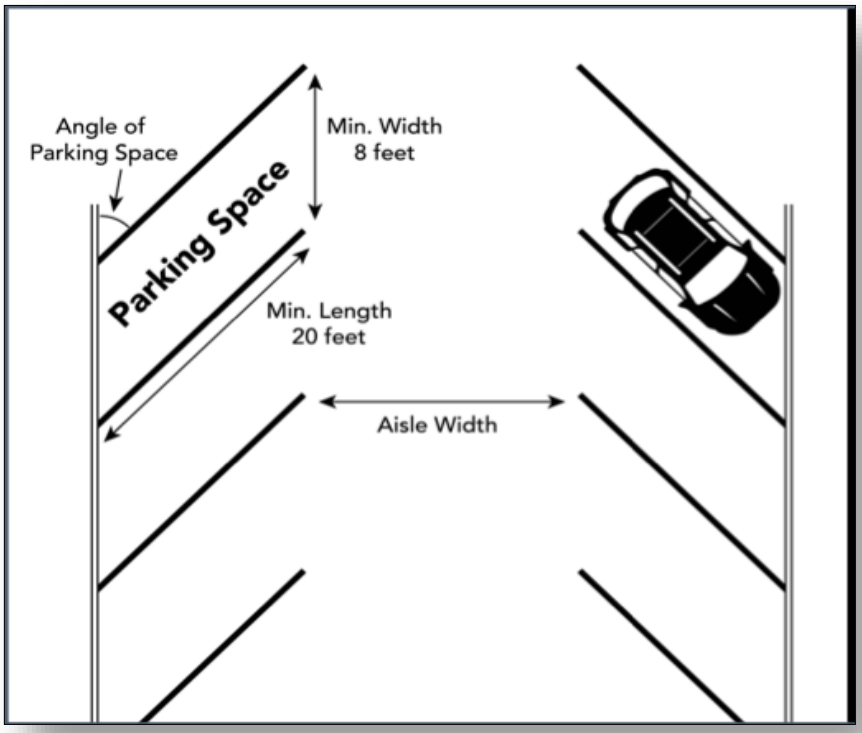


Figure 7: Parking Stall and Aisle Way Dimensions, Angled

Figure 8: Parking Stall and Aisle Way Dimensions, Parallel

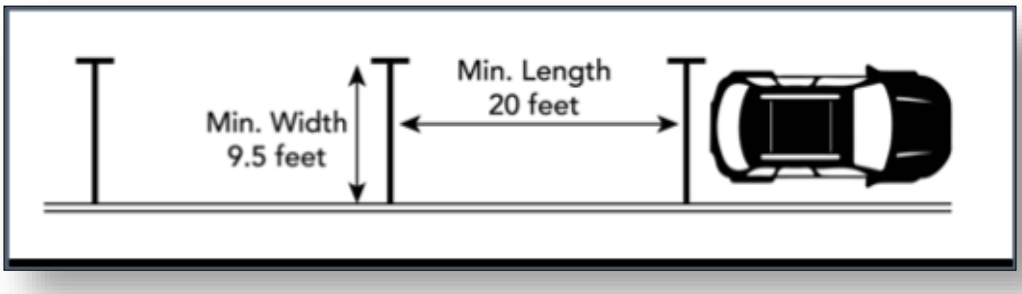
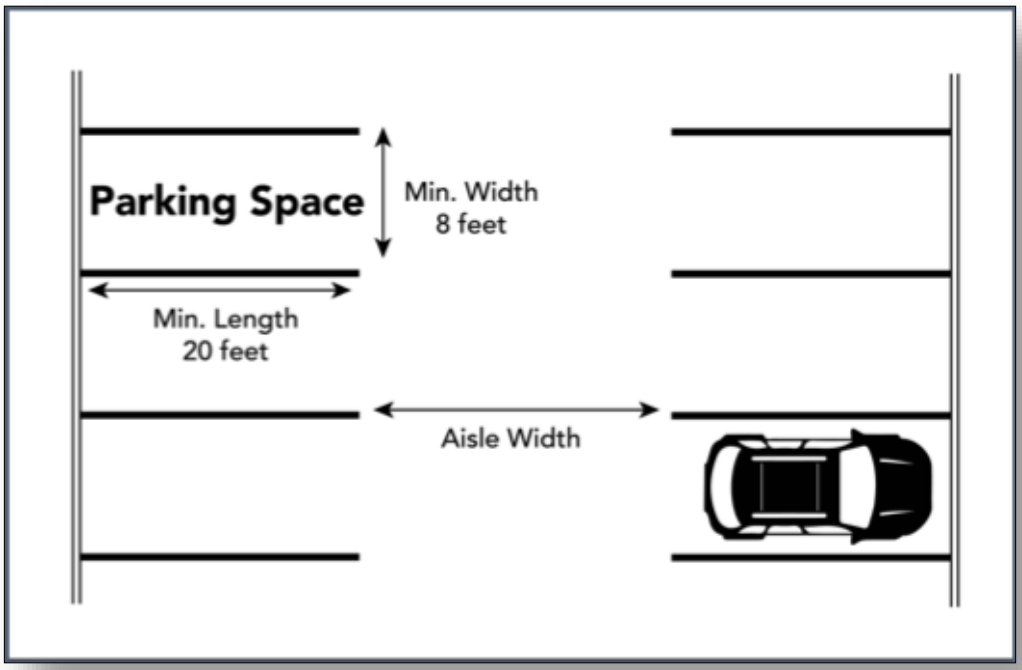


Figure 9: Parking Stall and Aisle Way Dimensions, 90^{O}



3.3.2. Accessible Parking Spaces

(1) Accessible parking spaces shall be provided for all land-uses [except for **AG – Agriculture General, RR**, **R1, and R2**] when vehicle parking is being provided voluntary; or when vehicle parking is provided as a requirement under this By-law, results in **11 or more** parking stalls.

(2) The provision of accessible parking spaces shall be counted towards the required number of parking spaces when vehicle parking is required as per this By-law.

(3) The number of accessible parking spaces shall be in accordance to the minimum number of spaces specified by **Table 9: Accessible Parking Stall Requirements.**

(4) Each accessible parking space shall have a minimum width of **12 feet** and a minimum length of **20 feet**.

(5) Accessible parking spaces shall be located within **200 feet** of the principal building's main entrance normally used by employees, or the public.

(6) Accessible spaces must be clearly marked and reserved for the exclusive use of people with mobility issues.

(7) At least **1 curb ramp** must be located within **200 horizontal feet** of the auto parking space closest to each entrance to a principal or accessory building that is not a service entrance.

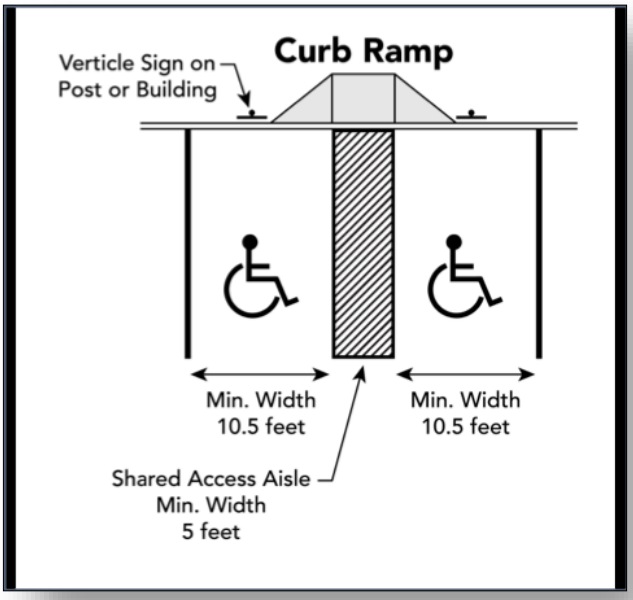
(8) If two adjacent spaces are designated for barrier-free, then the total width of both spaces together shall be **20 feet** if a **4 foot** aisleway separates the two spaces.

(9) For every **50 parking stalls** in a parking area, there shall a barrier-free parking stall [to service a van] that should be **8 feet** in width with an abutting **8 foot** wide aisleway on the driver side.

3.3.3. Table 9: Accessible Parking Stall Requirements

Capacity of Public Parking Area (Number of Parking Spaces)	Minimum Number of Barrier-Free Parking Spaces
(a) 1-10	0
(b) 11-25	1
(c) 26-50	2 [one being van accessible]
(d) 51-75	3 [one being van accessible]
(e) 76-100	4 [two being van accessible]
(f) More than 100	3% total a maximum of 10 spaces with 5 being van accessible

Figure 10: Accessible Parking Stall and Walk Aisleway Dimensions



3.4. Parking and Storage of Boats, Recreational Vehicles and Trailers

Parking and storage of boats, recreational vehicles, trailers and similar vehicles shall be permitted in any zone subject to the following provisions:

(1) The regulations of this section do not apply to any recreational vehicles or trailers parked or stored within a campground.

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

(3) Boats, recreational vehicles, trailers or similar vehicles shall not be parked or stored in any commercial zone, unless commercial storage or commercial sales are permitted for **longer than 120 days**.

(4) Boats, recreational vehicles, trailers or similar vehicles shall not be parked or stored in any portion of a front yard for **longer than 120 days**.

(5) Boats, recreational vehicles, trailers or similar vehicles may be parked or stored in a garage in a residential zone.

(6) Boats, recreational vehicles, trailers or similar vehicles shall be parked or stored in an interior side or rear yard provided that the boat, recreational vehicle, trailer, or similar vehicle is set back a minimum of **2 feet** from any lot line, and the line dividing the side yard from the front yard.

(7) Any recreational vehicle or trailer shall not be occupied while parked or stored on a residential zoned lot.

(8) Any number of boats, recreational vehicles, trailers or similar vehicles, together not exceeding a total length of **36 feet** may be stored in an interior side or rear yard in any residential, rural residential or rural zone, provided that the boat(s), recreational vehicles or trailers being stored are setback a minimum of **2 feet** from any lot line and the line dividing the side or rear yard from the front yard.

(9) Notwithstanding any other provision in this Zoning By-law, boats, recreational vehicle and trailer storage shall be permitted in a driveway for **Single Detached, Semi-Detached, Duplex** and **Triplex Dwellings** only between **May 1st and October 31st**.

3.5. Parking and Storage of Large Vehicles in Residential Zones

(1) A maximum of **one (1) large** vehicle may be parked or stored in a **R1, R2,** or **R3 zone**, provided that the **large vehicle has a Gross Vehicle Weight Rating (GVWR) between 10,001 lbs and 19,500 lbs**, and the large vehicle is operated by the resident of the associated dwelling unit on the lot.

(2) Within the **Rural Residential** zone, one (1) licensed motor vehicle with a maximum gross vehicle weight rating (GVWR) of between **10,001 pounds and 33,000 pound** is allowed on the lot provided that the motor vehicle:

a. Is parked further from the public road than the front wall of the structure;

b. Is either parked in an enclosed structure or shielded from view from adjacent properties through the use of landscaping; and

c. The width of the driveway, or any area dedicated to off-street parking on the premises, shall not exceed 40 percent of the width of the front lot line.

(3) Within the **Rural Residential** zone, a maximum of **two (2) school buses** which are operative and currently licensed may be parked on the lot and not counted towards the total number of vehicles allowed on the site provided that the school bus:

a. Is parked further from the public road than the front wall of the structure;

b. Is either parked in an enclosed structure or shielded from view from adjacent properties through the use of landscaping; and

c. The width of the driveway, or any area dedicated to off-street parking on the premises, shall not exceed **40 percent** of the width of the front lot line.

3.6. Parking and Storage of Unlicensed Motor Vehicles

(1) Unless otherwise specifically permitted in this By-law, the parking, storing or locating of abandoned, wrecked or discarded motor vehicles; and motor vehicles without current license plates is prohibited in residential zones, except that:

a. Motor vehicles may be stored inside a private garage;

b. One such vehicle may be stored In a screened area not visible from any street or adjacent lot;

c. Seasonal vehicles, necessary for lawn care and winter maintenance are permitted; and

d. Boats, recreational vehicles, trailers or similar vehicles as prescribed elsewhere in this By-law.

3.7. Parking Standards for Residential Zones

(1) Motor vehicle parking on **residential zoned** lots with dwelling units, except for **Apartment dwellings**, must meet the following requirements:

a. Motor vehicles may be parked on a driveway, such driveway must be a minimum of **23 feet** in length:

i. in the front yard leading to a parking space inside an attached garage;

ii. in the front yard leading to a parking space in the side yard leading to a parking space, detached or attached garage next to the principal building;

iii. in the rear yard as accessed directly from a public lane at the rear of the dwelling; or

iv. in the rear yard as accessed directly from a public road at the side of the dwelling.

b. Motor vehicles shall not be parked on a driveway in a front yard leading to the front of a principal building; and

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

(2) Motor vehicle parking on residential zoned lots with **Apartment dwellings** must meet the following requirements:

a. A surface parking area having eight or more parking spaces and which is visible from an abutting public right-of-way, the perimeter of the parking area shall be screened from public view with an opaque fence or shrubs (minimum mature height of **2.6 feet**) planted one every **2 feet** on centre in a **3 foot** wide planting bed which extends the length of the parking area public road frontage; and

b. Where, because of conditions not conducive to good horticultural practices, a screen planting cannot reasonably be expected to survive, the

Development Officer shall require a masonry wall, wood fence or earth berm, or combination thereof, to be substituted for the requirements above.

(3) Parking spaces in **R1, R2,** and **RR Zones** may be accessed directly from a rear public lane, and the public lane considered as an aisleway for the parking space.

(4) The following provisions shall apply to residential uses that are permitted in the **Residential Zones** in this By-law:

a. Driveways shall be permitted subject to other provisions of the Zoning By-law and subject to the approval of an entrance permit application by the Municipality;

b. The maximum width of driveways shall be **20 ft** in **R1** and **R2**;

c. The maximum width of any abutting shared driveways along a common lot line shall be **30 feet**;

d. The maximum width of a driveway cannot exceed **40%** of the lot frontage, or **32 feet**, whichever is less in the **RR** and **R2 zones**; and

e. The minimum separation distance of **50 feet** shall be required between two driveways on one lot.

(5) Parking accessory to **Single Detached, Semi-Detached, Duplex, Triplex** and **Quadplex Dwellings** shall be limited to a **maximum of 6 passenger vehicles**, which shall be substituted when any of the following is also parked on the site:

a. A maximum of 1 travel trailer or 1 motor home; or 1 recreational vehicle;

b. A maximum of 1 truck having a registered gross vehicle weight between **10,001 pounds and 19,500 pounds**; or

c. A maximum of 1 truck with a registered gross vehicle weight greater than **10,001 pounds and less than 33,000 pounds** where permitted in the underlying zoning.

3.8. Parking Standards for Non-Residential Zones

(1) Motor vehicle parking non-residential zoned lots must meet the following requirements:

a. A parking area having **eight or more parking spaces** and which is visible from an abutting fronting or flanking public right-of-way on a corner lot, the

perimeter of the parking area shall be screened from public view with an opaque fence or shrubs (minimum mature height of **3 feet**) planted one every **2 feet** on centre in a **4 foot** wide planting bed which extends the length of the parking area public road frontage or flankage except where motor vehicles access the parking area via a driveway or rear public lane;

b. Where, because of conditions not conducive to good horticultural practices, a screen planting cannot reasonably be expected to survive, the Development Officer shall require a masonry wall, wood fence or earth berm, or combination thereof, to be substituted for the requirements above; and

c. Parking spaces in **CM Zones** may be accessed directly from a rear public lane, and the public lane considered as an aisleway for the parking space.

3.9. Outside Vehicle Display Areas

(1) If a surface parking area is used as a vehicle display area for the exhibition, sale, or rental of automobiles, light trucks, motorcycles, boats, recreational vehicles, off-road vehicles, or similar items, the owner must comply with the following additional provisions. In the event of a conflict between these provisions and other provisions of this By-law, these provisions shall prevail:

a. A minimum **two (2) ft** setback from the property line must be maintained when abutting a public right-of-way or an adjacent property;

b. A wheel stop must be installed with a minimum of **2.5 feet** setback minimum from the property line when abutting a public right of way. The intent is to prevent vehicle overhang onto public right of ways or sidewalks. Bollards can be used as an alternative, which may allow better pedestrian circulation;

c. All outdoor vehicle display areas that abut a **Residential Zone** shall be obscured from direct view by providing a visual screen at least **4 feet** in height; and

d. The size, location, screening and landscaping of the outdoor vehicular display areas for Automotive and Minor Recreational Vehicle Sales/Rentals shall be subject to the approval of the Development Officer, who shall ensure that development of the site is compatible with the appearance of

Site design of surrounding developments.

3.10. Outside Storage

(1) No rubbish, salvage materials, junk, hazardous waste materials, including inoperable vehicles and parts thereof and any combustible matter shall be openly stored, allowed to accumulate or kept in the open unless the underlying zoning allows for such a use and the outside storage is screened from view from any public roadway, and from adjacent sites, by building walls, landscape materials, berms, fences or a combination of these.

(2) A portion of a site or an entire site with storage of goods or vehicles outside of enclosed structure shall be surrounded by a fence of solid opaque materials of not less than **6.60 feet** and up to a maximum height of **8.00 feet** where such property abuts or is adjacent to a residential zone when the underlying zoning allows outside storage.

(3) If an outside storage area is used only for outside storage, and not for operations and maintenance related to the principal use or structure, the outside storage area must be located to the rear of a line adjacent to and parallel with the front wall of the principal building.

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

(5) Outside storage of sand, gravel, soil, or other loose aggregate is prohibited within **300 ft** of the boundary of any residential zone.

(6) Outside storage areas shall be surfaced with the same or similar material of the public right-of-way to which the outside storage area takes access from.

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

(8) Outside storage is not permitted in any required yard setbacks.

(9) All loading, service, garbage and recycling, outside storage areas, and approach aprons in industrial and commercial zones shall be located to the rear or sides of

the principal building, and shall be screened from view from any public roadway, and from adjacent sites, by building walls, landscape materials, berms, fences or a combination of these.

(10) The size, location, screening and landscaping of the outdoor storage areas for a principal or accessory use shall be subject to the approval of the Development Officer, who shall ensure that development of the site is compatible with the appearance of Site design of surrounding developments.

3.11. Outside Storage of Hazardous Uses [Dangerous Goods]

(1) No commercial-related or industrial-related dangerous goods, including **Anhydrous Ammonia Facilities**, shall be stored in significantly large quantities in a location within the following **Measurement of Distances**:

a. **5,000 feet** from any building that has under the ***Manitoba Building Code*** or the ***Manitoba Fire Code***, an Occupancy Class of Group A (Division 1, 2, and 3); Group B (Division 1, 2, and 3), and Group C.

b. **5,000 feet** from a Water Treatment Plant, and property line with the wells or the reservoir that provide the raw water to a Water Treatment Plant.

c. **5,000 feet** from the boundaries of an **Urban Policy Area**, **Rural Residential Policy Areas**, **Tourism Policy Areas**, and **Natural Lands Policy Areas** as defined in the Development Plan.

d. **5,000 feet** from **Whitewater Lake, Dromore Lake, Lake Metigoshe, Sharpe Lake, Partridge Lake, Stanley Lake, Flossie Lake**, and **Deloraine Reservoir** as identified in ***Zoning By-Law 2022-01*** Schedule B: Maps

e. **1,640 feet** from a building with habitable spaces.

f. **300 feet** from the edge of the rights-of-way of Provincial Trunk Highways, Provincial Roads as well as all Provincial Access Roads.

(2) In this section, the **Measurement of Distances** means the distance is to be measured from:

a. The dangerous goods storage container of the dangerous good.

b. When applicable, from the dangerous goods storage container to the nearest wall of a residential, commercial, institutional or industrial building.

(2) For sites that do not meet separation requirements above, the operators must

engage annually with the Development Officer regarding emergency preparedness sessions, and any further expansion or enlargement shall require a **conditional use**.

(3) Notwithstanding other provisions of this by-law, all sites with the outside storage of dangerous goods shall be encircled with a minimum **6.60 foot** high chain link fence with **three strands of barbed wire**, and shall provide means of emergency egress and be locked when the site is not in use.

(4) All sites with the storage of dangerous goods shall have some form of outdoor security lighting.

(5) All sites with the storage of dangerous goods must be posted with a **Dangerous Goods** warning signage approximately **16 to 32 square feet** in size and located at the entrance to the storage operation that includes the following:

a. Warn of the presence of dangerous goods;

b. The hazard class of dangerous goods is indicated either by its class (or division) number or name;

c. 24 hour contact for the company;

d. 24 hour contact for emergency services; and

e. Nearest Location of a publicly available phone.

3.12. Loading Space Requirements

(1) All loading spaces shall be designed, constructed and maintained in accordance with the following provisions:

a. Each loading space shall have a minimum width of **10 feet**, a minimum length of **30 feet** and a minimum vertical clearance of **14 feet**, and each space shall be visibly designated and marked.

b. Driveways used for ingress and egress shall be clearly marked.

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

d. Where a loading space is located in any yard abutting a residential zone, the loading space(s) must be screened from the residential area by an opaque fence or hedgerow of at least **6.60 feet** in height.

e. Where a loading space is located in any yard abutting public right-of-way(s), the loading space(s) must be screened from the public right-of-way(s) by an opaque fence or hedgerow of at least **6.60 feet** in height, except in a corner sight triangle area where the height of the screening and fencing shall next exceed **3.00 feet**.

(2) The following table indicates the required loading spaces for all **commercial, industrial,** and **institutional zones** excluding the **CM Zone**:

3.12.1. Table 10: Loading Space Requirements

Floor Area of Building	Minimum Number of Loading Spaces
(a) **Up to and including 5,000 square feet**	0
(b) **5,001 square feet up to and including 15,000 square feet**	1
(c) **15,001 square feet up to and including 40,000 square feet**	2
(d) **Over 40,000 square feet**	1 space for each additional 25,000 square feet or portion thereof

3.13. Surfacing of Parking and Loading Areas

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

(2) Off-street parking and loading spaces provided in front of the principal building shall have the same or similar hard surfacing as the abutting public right-of-way the site abuts.

(3) Off-street parking when a **Parking Lot**, shall have the same or similar hard surfacing as the abutting public right-of-way the site abuts.

(4) When off-street parking and loading spaces are gravel surfaces, the gravel surface

shall be treated with bio-degradable herbicide and dust inhibitor to limit the generation of weeds and dust, and shall be maintained thereafter to the satisfaction of the Development Officer.

3.14. Drive-Through Facility

(1) Where a drive-through facility is allowed, off-street motor vehicle queuing spaces must be provided for that drive-through facility leading both to and from each service bay, window, kiosk or booth for the uses specified and at the rate set out in **Table 11.**

(2) All drive through facilities and queuing spaces shall be designed, constructed and maintained in accordance with **Table 11** and the following provisions:

a. Each queuing space shall be a minimum of **10 feet** in width and **18 feet** in length.

b. No queuing line, drive-through window or order board may be located within **10 feet** of any lot line abutting a residential zone.

c. Where a queuing line, drive-through window or order board is located **10 feet** or more from a residential zone, but is still within a yard abutting a residential zone, it must be screened from view from that residential zone by an opaque screen of fencing; or landscaping with hedges and/or trees, with a minimum height of **5 feet**.

3.14.1. Table 11: Required Drive-Through Queuing Spaces

Use	Minimum Queuing Space	Measured From
(a) Car Wash - Automatic	3	2 before the entrance to wash, plus one between vehicle exit from each bay and the point of vehicle egress to the public street.
(b) Car Wash - Self Service	2 per bay	One before the entrance to each bay, plus one between vehicle exit from each bay and the point of vehicular egress to the public street.
(c) Finance and Insurance with automated teller machine (ATM)	3 before each ATM // One after each ATM	Teller window or ATM.
(d) Restaurant with drive-through facility	6 per order line	3 before order box 3 between order box and pick-up window.
(e) Other uses with accessory drive-through facility	2	Pick-Up Window

3.15. Signage Regulations

The following provisions shall apply to all signs erected or maintained within the area covered by this Zoning By-law, except wherein otherwise stated:

(1) Signs and sign structures may be allowed as accessory uses in accordance with **Table 12.**

(2) All signs shall comply with the minimum yard setback requirements for accessory signs as provide in this by-law for the zoning district in which the signs are to be located or erected.

(3) Billboards and other signs directing attention to a business, commodity or message offered elsewhere than upon the same zoning lot on which that sign is located may only be allowed in zones where **Advertising Signs** are allowed. Such signs must also be constructed in accordance with **Table 12,** and subject to the issuance of a development permit.

(4) All new **digital signs** are **Conditional Uses** that are subject to Council approval, and include the following additional requirements:

a. Limited to a total surface area of a maximum of **16 square feet**.

b. Must be turned off from 10:00 pm to 7:00 am every day of the week; and

c. Must utilize automatic dimming.

(5) 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.

(6) No sign may contain flashing lights or digital images unless specifically allowed in **Table 12**. All signs with flashing lights are prohibited within **100 feet** of **Residential Zones**.

(7) No sign or sign structure shall be erected or maintained on, over or above any land belonging to the Municipality without a development permit, unless expressly permitted in this By-law and in accordance with the conditions of such permission as set out in this By-law.

(8) The placing of signs within the controlled areas of a **Provincial Road** or **Provincial Trunk Highway** shall require a permit from the applicable provincial authority.

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

Abandoned Signs

(10) Signs which have become obsolete because of discontinuance of the operation or activity, or are not maintained in good condition or repair, or have become abandoned signs, shall be repaired, removed or relocated **within 30 days** following notice by the Development Officer.

(11) No sign shall obstruct required parking space, or impedes any fire escape, fire exit, fire route, functional door, false door, functional window, false window, scuttle, skylight, flue or air intake or exhaust so as to prevent or impede the free access of emergency personnel to any part of premises including fire department Siamese connections and fire hydrants.

3.15.1. Signs Not Requiring a Development Permit

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

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

(2) Identification signs for **Place of Worship**, **Elementary and Secondary Schools, Community Centre, Child Day-Care Services, Community Gardens,** and **Waste Disposal Grounds** that do not exceed **32 square feet** per site.

(3) Flags or emblems of a national, provincial, political, civic, educational or religious organization, or government.

(4) Commemorative or memorial signs, tablets, or cairns.

(5) Public Information Signs.

(6) Temporary signs not erected for not more than 30 consecutive days that are non-illuminated and less than 32 square feet include: community special events, public information signs, real estate signs, construction signs, garage sale signs and similar located, erected or displayed with the consent of the property owner.

(7) Election signs during Federal, Provincial, Municipal, and School Board election periods and up to 7 days after the election date.

(8) Window signs, unless such signs occupy more than **50%** of a window surface (calculated between mullions) on any facade of the principal building in which case they are treated like a fascia sign.

(9) Mural signs.

(10) Awning signs with signage incorporated in the design or awning material.

(11) Residential on-site identification signs [Building Address Sign] or warning signs (such as "Private Property" signs and similar) not exceeding **two (2) square feet** each in surface area.

(12) Signs as regulated and provided under **Home Enterprises** that identify a home

occupation or a home based business on a private property or premises.

(13) Signs required for direction and convenience of the public, including signs identifying restrooms, parking entrances, loading areas not exceeding **5 feet** in sign surface area to a maximum **6 feet** above the curb or grade.

(14) Warning signs for **Dangerous Goods** provided the sign surface area does not exceed **32 square feet**.

3.15.2. Accessory Signs

(1) The owner may erect and maintain accessory signs, except billboards, to all sites and uses other than any residential zone subject to the following standards:

Freestanding Signs

a. Up to **10%** of the maximum permitted sign area of any freestanding sign may be installed on the support structure for the sign face.

b. Each free-standing accessory sign must be set back from each side lot line of an adjoining use a distance equal to at least **50%** of the height of that sign; setback from the front lot line to at least **50%** of the height of that sign; and shall not project into the required setback for corner lot triangles and **Setbacks for Commercial or Industrial Near Residential Land-Uses**.

Roof Signs

c. Roof signs, other than signs on mansard style roofs, are not permitted. On mansard roofs, roof signs may be attached to the sloping portions of the roof, but must not extend beyond the parapet height, and must not be located on the horizontal portion of the roof.

Fascia Signs

d. Fascia signs may have an emblem, logo, or other unique features projecting above the building wall if the sign projection is not more than **2 feet** above the building wall or parapet wall and the total projection does not exceed **25 square feet**. The area of the projection must be counted towards the total sign area allowed.

Projecting Signs

e. The minimum height above-grade to the bottom edge of projecting signs must be **9 feet**.

Billboard Poster Signs

(2) A billboard poster sign must not face an abutting or adjacent residential use unless the billboard sign is not visible from the abutting or adjacent residential use.

a. If the billboard poster sign is attached to a building or is free standing within **5 feet** of a building, the maximum permitted height of the billboard sign is the height of the building wall.

b. The maximum height of a billboard poster sign shall be **30 feet** and the maximum sign surface area shall be **200 square feet**.

c. A billboard poster sign is not considered in the calculations of Permitted Surface Area per Zoning Lot for freestanding signs.

Signs Attached to Building

(3) Signs "attached to buildings" include fascia signs, projecting signs, awning signs, marquee signs, and canopy signs.

(4) Signs Attached to Building Sign **surface area** is calculated as follows:

a. Sign surface area includes the entire area of the smallest rectangle that encloses the extreme limits of any writing, representation or emblem forming part of the display, and also includes **10%** of the area of the wall outside of that rectangle where a colour or material is applied that is a colour or material in that fascia sign.

b. Sign surface area does not include non-illuminated signs visible through windows in the building facade, provided that such signs do not exceed 30% of the glazed surface on any facade of the building. Allowable window signage is not transferable to the glazed surface on another facade of the building.

c. In calculating wall area for purposes of determining maximum sign surface area, only the first storey or **15 feet** (whichever is lower) of the building may be used. Allowable sign surface area is not transferable to another wall.

Free-Standing and Mobile Signs

(5) Sign surface area is calculated as follows for **free-standing** and **mobile signs**:

a. Sign surface area includes the entire area of the smallest rectangle that

encloses the extreme limits of any writing or symbol, background colour or material, and any embellishment of the supporting structure forming part of the display;

b. Sign surface area includes the total area of all faces exhibited or intended for display, except where two faces are parallel and located back-to-back, sign surface area includes the area of only one such face, and if the two parallel, back-to-back faces are not equal, then the sign surface area is the larger of such faces.

District-Specific Regulations

(6) All signs, accessory to any use, must be consistent with the standards shown in **Table 12**, the first column indicates a zoning district or districts. The second column indicates the sign type. The third and fourth columns indicate dimensional requirements for each sign type. Signs must comply with all dimensional standards applicable to the zoning district where the property is located. Signs are not permitted for zones or land-uses not included in **Table 12**, unless provided for elsewhere in this By-law.

3.15.3. Building Address Sign

This section shall not apply to **agricultural operations** except for single detached dwellings associated with **agricultural operations**:

(1) The address, unit number of every building (and the name of the building, if applicable), or a lot and block number, shall be physically attached to the building or otherwise posted on the subject property on which the building is located, so as to be clearly visible from the public road or private road on which the building is located. The address and unit number of every building (and the name of the building, if applicable), or a lot and block number shall not be included in any calculations regulating sign surface areas.

(2) Where a building is in a location that results in its number or name not being clearly visible from the public road or private road on which it is located, the number and name must be both attached to the building and displayed in another form that is clearly visible from the public road or private road.

(3) Where more than one building is located on a subject property, the requirement that the numbers and names be displayed in another form that is clearly visible from the public road or private road may be met by displaying the range of

building numbers and names on that lot on signage to be approved by the Development Officer.

(4) The building numbers and names required to be attached or displayed by this By-law must be of a colour that contrasts with the colour of the structure to which they are attached so as to be clearly visible from the public road or private road on which the building is located and of a height as determined by and to the satisfaction of the Development Officer.

(5) Other numbers or names attached to any buildings on the properties that could be confused with the address numbers or building names should not occur.

3.15.4. Table 12: District Specific Sign Regulations

Zone	Type	Maximum Height	Permitted Surface Area Per Zoning Lot	Requirements
a) AL, M1, M2, EA	(i) Free-Standing	8 ft above grade	1.25 ft^2 per foot of frontage to a maximum 323 ft^2	Not permitted in a required yard abutting an R1, R2, R3, RR zone.
	(ii) Wall Sign	Wall Height	Maximum 25% of building wall	Must not project more than 6.5 ft from the wall to which the sign is affixed.
b) OS c) IN	(i) Free-Standing	20 ft above grade	96 ft^2	
	(ii) Digital Reader Board	20 ft above grade.	16 ft^2	Allowed only for elementary and secondary schools, community centres, golf courses, places of worship, Hospitals, Stadiums/ Arenas, and civic buildings. Must be turned off from 10:00 pm to 7:00 am every day of the week. Must utilize automatic dimming. May be added to a 96 ft^2 Free Standing Sign.
	(iii) Wall Sign	Wall Height	Maximum 25% of building wall	Must not project more than 6.5 ft from the wall to which the sign is affixed.

Zone	Type	Maximum Height	Permitted Surface Area Per Zoning Lot	Requirements
d) OS **e) IN**	(i) Inflatable	18 ft maximum height from grade		Only one inflatable sign shall be permitted per site. Only allowed as a temporary sign that may be displayed for no more than 15 days within a 6 month period. Must be setback 3 ft from front line, 15 ft from corner site lines, and 10 ft from driveway entrances.
f) CM	(i) Free-Standing	8 ft above grade	48 ft^2 maximum	
	(ii) Wall Sign	Wall Height	10% of building wall to a maximum of 323 ft^2	Must not project more than 5 ft from the wall to which the sign is affixed.
g) CH	(i) Free-Standing	35 ft above grade	323 ft^2	Maximum of one sign per lot.
	(ii) Wall Sign	Wall Height	Maximum 25% of building wall	Must not project more than 6.5 ft from the wall to which the sign is affixed.

Zone	Type	Maximum Height	Permitted Surface Area Per Zoning Lot	Requirements
	(iii) Mobile Sign	10 ft above grade	48 ft^2 maximum area for a single face	Must not include any flashing lights including digital. Maximum of one sign per lot. Only allowed to occupy one parking space where there is no practical alternative. Erected for not more than 30 days during each calendar year unless extended for an additional 30 days with a Conditional Use. Must be setback 3 ft from front line, 15 ft from corner site lines, and 10 ft from driveway entrances.
	(iv) Inflatable	18 ft maximum height from grade		Only one inflatable sign shall be permitted per site. Only allowed as a temporary sign that may be displayed for no more than 15 days within a 6 month period. Must be setback 3 ft from front line, 15 ft from corner site lines, and 10 ft from driveway entrances.
	(v) Billboard Poster Signs	30 ft maximum height from grade.	Maximum sign surface area shall be 200 ft^2	A billboard poster sign must not face an abutting or adjacent residential use unless the billboard sign is not visible from the abutting or adjacent residential use.

4. Provisions for Infill Residential Housing

4.1. Accessory Dwelling Units

An **Accessory Dwelling Unit** (ADU) is a second dwelling unit created on a lot with a principal use. The second unit is created auxiliary to, and is smaller than, the principal use. ADUs can be created in a variety of ways, including conversion of a portion of an existing **single-detached dwelling**, addition to an existing **single-detached dwelling**, conversion of a portion of an existing garage, conversion of an existing garage or the construction of an entirely new detached accessory building.

4.1.1. Requirements For All Accessory Dwelling Units

(1) All **accessory dwelling units** must meet the following:

a. **Location of entrances**. Only one entrance may be located on the facade of a **single-detached dwelling** facing the fronting public road, unless the single-detached dwelling contained additional entrances before the accessory dwelling unit was created. An exception to this regulation is entrances that do not have access from the ground such as entrances from balconies or decks; and entrances that face a side public road on a corner lot. **Detached accessory dwelling units,** and ADUs in **Agricultural Limited** and **Industrial zones** are exempt from this standard.

b. **Parking.** No additional parking spaces are required for the accessory dwelling unit. Existing required parking must be maintained or replaced on-site.

c. The minimum livable floor area for all **Accessory Dwelling Units** shall not be less than **320 square feet**.

d. Only one of a **Secondary Suite**, a **Garage Suite** or **Garden Suite** may be developed in conjunction with a principal use.

e. Shall not be subject to separation from the principal use through a condominium conversion or subdivision.

(2) **Accessory dwelling units** shall not be included in the calculation of densities in this By-law.

(3) **Accessory dwelling units** shall not be located in any zone unless approved as a Conditional Use.

4.1.2. Secondary Suites

An **accessory dwelling unit** may be constructed within and accessory to **a Single Detached Dwelling**, including an attached garage, subject to the following standards:

(1) The maximum livable floor area of the **Secondary Suite** shall be as follows:

a. Where a **Secondary Suite** is located completely below the first storey of a **Single Detached Dwelling** (other than stairways or a common landing), the below grade floor area (excluding the area covered by stairways) shall not exceed the ground floor area of the associated principal dwelling.

b. Where a **Secondary Suite** is developed completely or partially above grade, the livable floor area (excluding the area covered by stairways) shall not exceed **40%** of the gross floor area of the building containing the associated principal Dwelling, nor **800 square feet** whichever is the lesser.

c. Must have an entrance separate from the entrance to the principal dwelling, either from a common indoor landing, or directly from the side or rear of the structure.

4.1.3. Garage Suites

(1) An **Accessory Dwelling Unit** may be constructed above a detached Garage (above grade); or a single-storey attached to the side or rear of, a detached Garage (at-grade) that is accessory to a **Single Detached Dwelling**, subject to the following standards:

a. The maximum livable floor area of the **Garage Suites** shall be as follows:

i. Where above a detached Garage, the livable floor area (excluding the area covered by stairways) shall not exceed **640 square feet**.

ii. Where attached to the side or rear of a detached Garage, the livable floor area (excluding the area covered by stairways) shall not exceed **530 square feet**.

a. Must be located behind the rear wall of the principal building. For the purpose of this regulation, the rear wall of the principal building is the wall furthest from the wall with the facade facing the fronting public road.

(2) Detached accessory buildings with **Garage Suites** must meet the development standards for detached accessory structures in this By-law, except the above grade Garage Suites may be in an accessory building with a maximum height of

22 feet.

(3) Roof top decks and balconies, shall be allowed as part of a Garage Suite developed above a detached Garage only where the deck or balcony faces a lane or a flanking public road.

(4) Windows contained within the Garage Suite portion of the detached Garage shall be placed and sized such that they minimize overlook into yards and windows of abutting properties through one or more of the following:

a. Off-setting window placement to limit direct views of abutting rear or side yard amenity spaces, or direct view into a dwelling unit window on an abutting site;

b. Strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and

c. Placing larger windows such as living room windows, to face a lane, a flanking public road, or the larger of any side yard abutting another property.

(5) Must have an entrance separate from the motor vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the structure.

(6) Site Plan Approval shall be required by the Development Officer and the Board, prior to the issuance of any building or development permits, for the on-site locations and designs of all parking areas, private approaches, garbage areas, and fencing, all of which shall be maintained to the satisfaction of the Development Officer.

4.1.4. Garden Suites

(1) An **Accessory Dwelling Unit** may be located in a detached accessory structure to a principal use subject to the following standards:

a. The maximum livable floor area of the **Garden Suite** shall be **530 square feet**.

b. Must be located behind the rear wall of the principal building. For the purpose of this regulation, the rear wall of the principal building is the wall furthest from the wall with the facade facing the fronting public road.

(2) Detached accessory buildings with Garden Suites must meet the development

standards for detached accessory structures in this By-law.

(3) Windows contained within the Garden Suite shall be placed and sized such that they minimize overlook into yards and windows of abutting properties through one or more of the following:

a. Off-setting window placement to limit direct views of abutting rear or side yard amenity spaces, or direct view into a dwelling unit window on an abutting site;

b. Strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and

c. Placing larger windows such as living room windows, to face a lane, a flanking public road, or the larger of any side yard abutting another property.

(4) Site Plan Approval shall be required by the Development Officer and the Board, prior to the issuance of any building or development permits, for the on-site locations and designs of all parking areas, private approaches, garbage areas, and fencing, all of which shall be maintained to the satisfaction of the Development Officer.

4.2. Conversion of Residential Buildings

(1) Converted dwellings may be allowed to be created from a single detached dwelling into a Semi-detached Dwellings, Duplex Dwellings, Triplex dwellings; or in the R2 zone into Duplex Dwellings, Triplex Dwellings, Quadplex Dwellings, Rooming and Boarding Houses, or Community Care Facilities subject to the following:

a. The **Single Detached Dwelling** shall have existed prior to the passing of this By-law;

b. Shall be subject to the provisions of the bulk standards of the underlying zoning district for dwelling types and the parking requirements;

c. Shall only be located on a corner lot with direct access to a rear public lane for parking subject to the requirements of the section on **Dwellings on Corner Lots**; and

d. Site Plan Approval shall be required by the Development Officer and the Board, prior to the issuance of any building or development permits, for the on-site locations and designs of all parking areas, private approaches,

garbage areas, and fencing, all of which shall be maintained to the satisfaction of the Development Officer.

4.3. Dwellings on Corner Lots

(1) **Semi-detached Dwellings**, **Duplex Dwellings**, **Triplex Dwellings** and **Quadplex Dwellings** may be allowed on corner lots subject to the following:

a. Corner lots should have, where possible, two active frontages that provide opportunities to have entrances on both sides;

b. Each dwelling unit shall have a minimum livable floor area of at least **800 square feet**;

c. The building's parking area should have direct access to a rear public lane from which parking stalls can be directly accessed;

d. The parking area shall have a minimum interior side yard of **2 feet**, and a minimum exterior side yard of **4 feet** that shall provide screening such as a fence or hedge a minimum of **3 feet** in height; and

e. Site Plan Approval shall be required by the Development Officer and the Board, prior to the issuance of any building or development permits, for the on-site locations and designs of all parking areas, private approaches, garbage areas, and fencing, all of which shall be maintained to the satisfaction of the Development Officer.

(2) **Semi-detached Dwellings, Duplex Dwellings, Triplex Dwellings, Multiple Attached Dwellings, Stacked Dwellings, Rooming and Boarding Houses,** and **Community Care Facilities** may be allowed on corner lots subject to the following:

a. Corner lots should have, where possible, two active frontages that provide opportunities to have entrances on both sides;

b. Each dwelling unit shall have a minimum livable floor area of at least **800 square feet**;

c. The building's parking area should have direct access to a rear public lane from which parking stalls can be directly accessed;

d. The parking area shall have a minimum interior side yard of **2 feet**, and a minimum exterior side yard of **4 feet** that shall provide screening such as a

fence or hedge a minimum of **3 feet** in height; and

e. Site Plan Approval shall be required by the Development Officer and the Board, prior to the issuance of any building or development permits, for the on-site locations and designs of all parking areas, private approaches, garbage areas, and fencing, all of which shall be maintained to the satisfaction of the Development Officer.

4.4. Rooming and Boarding Houses

Rooming and Boarding Houses shall comply with the following regulations:

(1) The maximum occupancy shall be **4 residents**.

(2) Shall be developed as either a purpose-built freestanding structure, part of an **Apartment Dwelling** development, or **Single Detached Dwelling** converted for this purpose subject to the provisions of the **Conversion of Residential Buildings**.

(3) Shall only be located in a Zone where **Rooming and Boarding Houses** are allowed.

(4) Shall require all units operated by a single provider when a **Duplex Dwelling, Semi-detached Dwelling** or **Triplex Dwelling** is converted for the purpose of **Rooming and Boarding Houses**.

(5) **Sleeping Units** shall be limited in food preparation facilities to bar fridge, mini-sink, and microwave.

(6) No **Home Enterprises, Secondary Suite,** or **Garage Suite** shall be permitted as part of a **Rooming and Boarding Houses** development or on the site of such development.

(7) Where a **Rooming and Boarding Houses** is designed as a freestanding structure it shall be of a size, scale, and outward appearance that is typical of surrounding area subject to:

a. Site Plan Approval shall be required by the Development Officer and the Board, prior to the issuance of any building or development permits, for the on-site locations and designs of all parking areas, private approaches, garbage areas, and fencing, all of which shall be maintained to the satisfaction of the Development Officer.

4.5. Community Care Facilities

Community Care Facilities in **R2 zones** shall comply with the following regulations:

(3) The maximum occupancy shall be **4 residents** for **Community Care Facilities.**

(4) Shall be developed as either a purpose-built freestanding structure or a **Single Detached Dwelling** converted for this purpose subject to the provisions of the **Conversion of Residential Buildings**.

(5) No **Home Enterprises, Secondary Suite, or Garage Suite** shall be permitted as part of the development or on the Site of such development.

(6) Where designed as a freestanding structure, it shall be of a size, scale, and outward appearance that is typical of surrounding area subject to:

a. Site Plan Approval shall be required by the Development Officer and the Board, prior to the issuance of any building or development permits, for the on-site locations and designs of all parking areas, private approaches, garbage areas, and fencing, all of which shall be maintained to the satisfaction of the Development Officer.

4.6. Flag Lots

(1) The creation of new flag lots is prohibited unless:

a. The lands proposed for flag lot access are located in a residential zoning district;

b. The proposed flag lot has access to a navigable waterway or a public right-of-way; or

c. The Development Officer determines that there is no feasible alternative way to provide access to such lands for the following instances:

i. when reasonably necessary to eliminate access onto thoroughfares;

ii. when necessary to make reasonable use of parcels with severe topography or other physical constraints;

iii. when a flag lot would provide greater protection of natural resources areas (e.g., streams); or

iv. when necessary to accommodate the function of hiding or concealing utility buildings/substation, or radio, television of communication towers.

b. Approved flag lots are subject to the following requirements:

i. The flagpole portion that is the access corridor of the lot shall not be built upon with a structure, or used to calculate lot area, lot width, lot depth, lot coverage or building setbacks, and the flagpole portion may not be used to provide off-street parking;

ii. The minimum width of the strip of land used to provide the access corridor to the buildable portion of the flag lot shall be **20 feet** with a minimum of **3 feet** of landscaping on either side of a driveway that is a minimum of **10 feet** in width;

iii. The access corridor to the buildable portion of the flag lot shall not exceed **300 feet** in length;

iv. A common driveway for all dwelling units shall be encouraged with the preferred location for the driveway on the flagpole portion of the flag lot, with the interior lot granted a cross access easement over the flagpole;

v. The flagpole must be part of the flag lot, connect to a public road and be under the same ownership as the flag portion of the lot. Access easements to allow for use of the pole by another lot may be required;

vi. Adequate vehicle turn-around space on the flag portion of the lot shall be provided to discourage vehicles from backing out from the site; and

vii. Within the access corridor on the pole portion of the lot, the owner must erect and maintain a property address sign for the dwelling on the flag portion of the lot, said address sign meeting the standards of this By-law for building addresses.

4.7. Splitting Attached Dwellings on to Separate Lots

(1) The owner of a lot that has a **Semi-Detached Dwelling** or a **Multiple Attached Dwelling** may split the lot to allow each dwelling unit on its own lot provided that:

a. The new lot line must be a straight line between the front and rear lot lines, located in such a manner that the party wall of the semi-detached dwellings and any applicable accessory structure must form part of the new lot line, and where the new lot line is unable to form a straight line due to the irregular shape of the lot or the structure, the location of that new lot line

must be determined by the conditions of any subdivision approval issued;

b. Each of the lots created must have frontage on a public road;

c. The permitted use of each lot created must be for a dwelling unit and permitted accessory uses and structures only;

d. The minimum dwelling unit width shall be **18 feet**;

e. Each lot created must provide one parking space with access to this required parking space being directly from either a public lane or a public road; however, the parking space must not be in the front yard leading to the front of the principal structure;

f. Where a driveway leads from the public front street to a garage located on the front facade of the dwelling, such driveway must be a minimum of **23 feet** in length;

g. Any parking in a side yard shall be accommodated in side yard with a minimum width of **10 feet**;

h. Each lot created may provide side yard setbacks less than the underlying zoning district minimum setback requirements, but exterior lots shall not be less than **4 feet**, except corner side yards shall not be less than **10 feet**, and interior lots shall have a minimum side yard setback along the new lot line that falls along party walls of **0 [zero] feet**.

i. Each lot for each dwelling may be less than the minimum lot width permitted under the dimensional standards for the zoning district in which the lot is located, but shall not be less than **18 feet** for the interior lots, not less than **22 feet** for the exterior lots, not less than **28 feet** when an attached garage is located on the front façade of the dwelling, and not less than **28 feet** when the new lot is a corner lot.

j. Each lot for each dwelling in **Semi-Detached Dwellings** may be less than the minimum lot area permitted under the dimensional standards for the zoning district in which the lot is located, but shall not be less than **2,200 square feet.**

k. Each lot for each dwelling in **Multiple Attached Dwelling** may be less than the minimum lot area permitted under the dimensional standards for the zoning district in which the lot is located, but shall not be less than **1,800**

square feet for the interior lots, not less than **2,200 feet** for the exterior lots.

Figure 11: Splitting Semi-Detached Dwellings On To Separate Lots

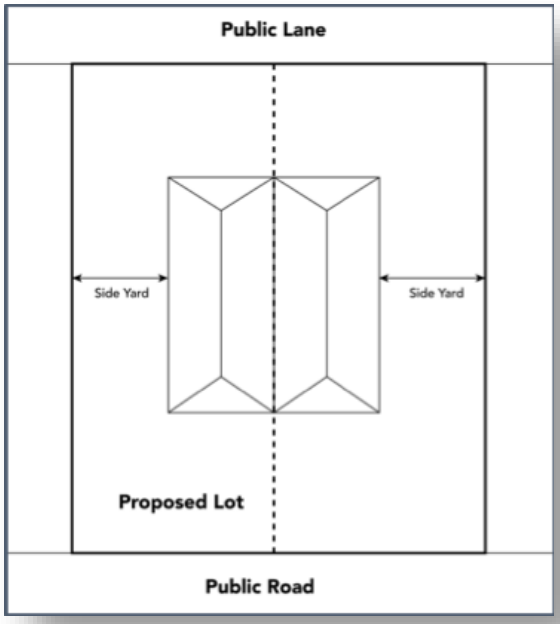
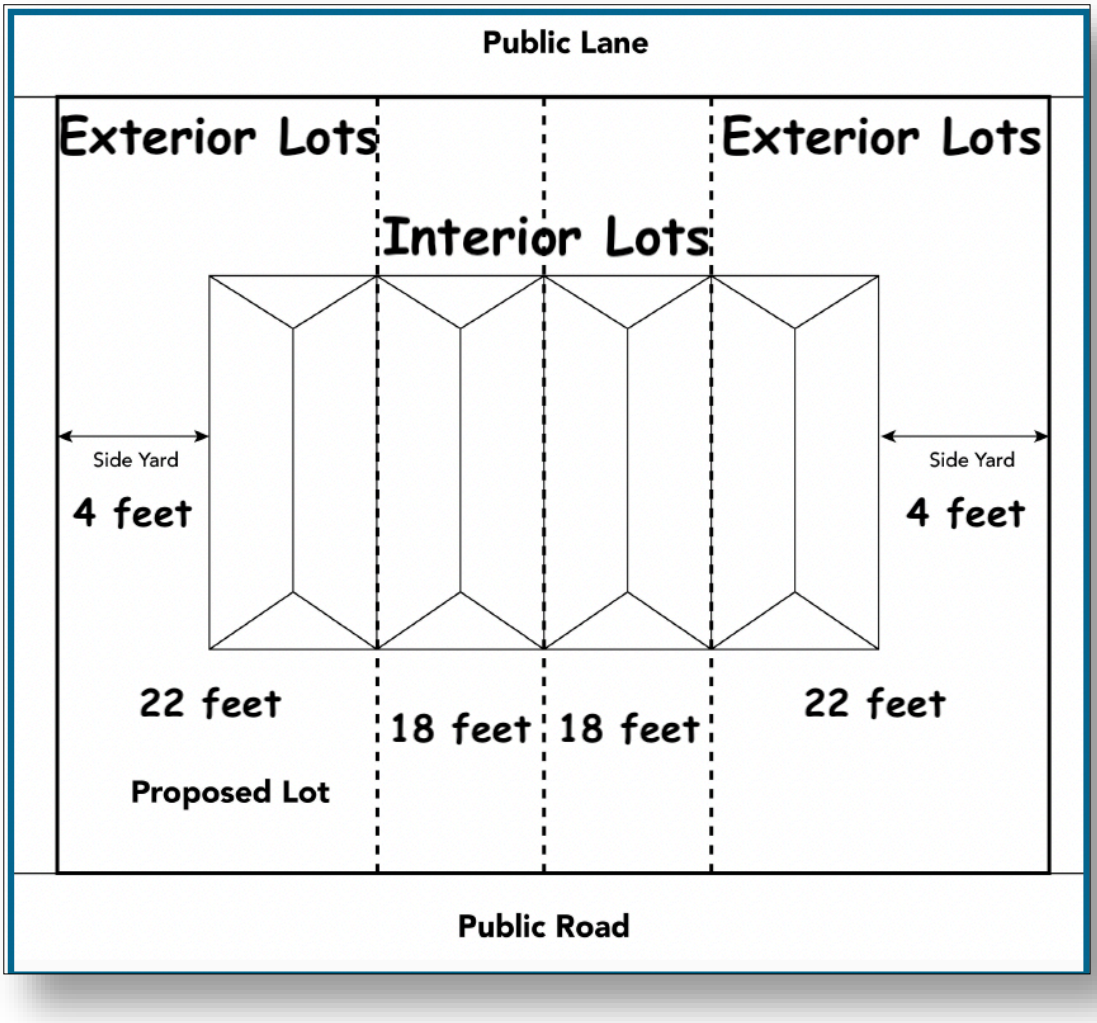


Figure 12: Splitting Multiple Attached Dwellings On To Separate Lots



4.8. Bungalow Clusters

(1) May include **Single Detached Dwellings, Semi-detached Dwellings, Multiple Attached Dwellings, Mobile Homes,** or **Mobile Units** organized around a private green open space on lands zoned **R3**.

(2) The minimum spatial separation between detached dwellings as measured from building face to building face shall be **4 feet**, unless the detached dwellings are semi-detached and sharing a common party wall.

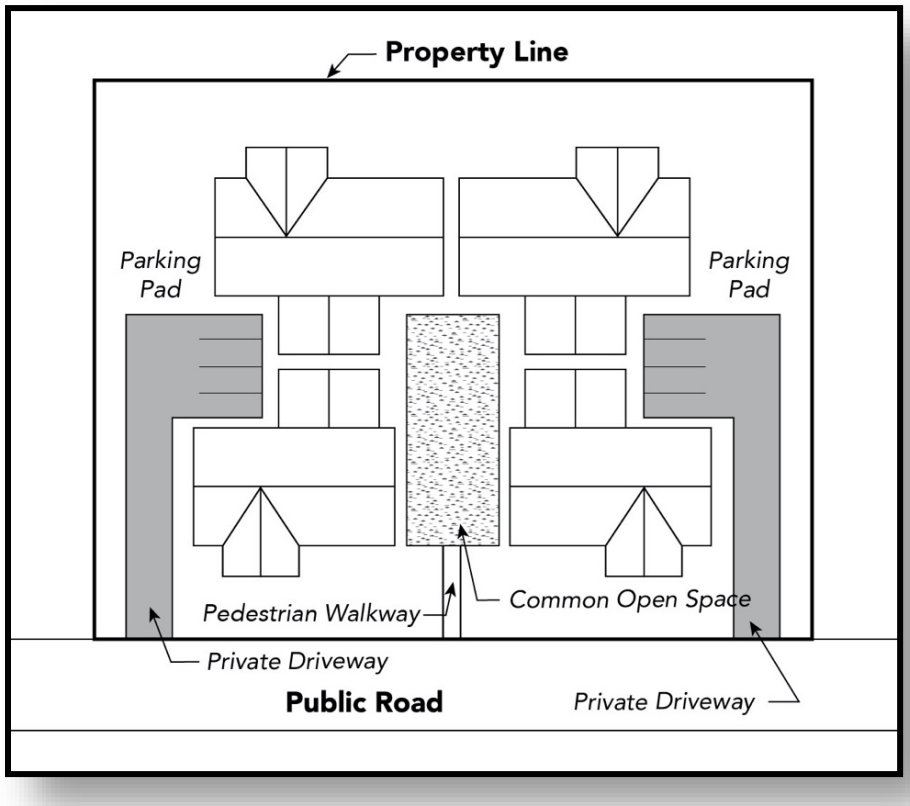
(3) The minimum spatial separation between the front wall of the detached dwellings and the common area that contains the open green space shall be **3 feet**.

(4) The minimum width of the common area open green space shall be **45 feet**.

(5) In bare land unit condominium developments, each bare land unit, as defined in Provincial Legislation, which is delineated by horizontal land boundaries, shall be considered a zoning site as defined by this By-law, for the purposes of determining site area and width, yards and other requirements.

(6) A universally accessible, pedestrian route must be provided from the Bungalow Clusters to a public sidewalk. Where no public sidewalk exists, a suitable alternative route must be provided subject to the approval of the Development Officer.

Figure 13: Bungalow Cluster



4.9. Bungalow Courts

(1) May include **Single Detached Dwellings, Semi-detached Dwellings, Multiple Attached Dwellings, Mobile Homes,** or **Mobile Units** organized around a private lane, loop street, frontage street or a parking area on lands zoned **R3**.

(2) In bare land unit condominium developments, each bare land unit, as defined in Provincial Legislation, which is delineated by horizontal land boundaries, shall be

considered a zoning site as defined by this By-law, for the purposes of determining site area and width, yards and other requirements.

(3) The roadway surface of the private lane must be hard surfaced with concrete, asphalt, or paving stone, or a combination of those materials.

(4) The roadway surface of the private lane must be at least **20 feet** wide for two-way traffic and **12 feet** for one-way traffic.

(5) The two (2) approaches of a loop lane connecting to the public road shall be a minimum of **60 feet** apart.

(6) The design of the private lane, loop street, and/or frontage street shall be subject to review and approval by the municipal engineer.

(7) The common area surrounded by the roadway surface must be at least **5 feet** wide on each side.

(8) Individual driveways leading from a shared private lane to each dwelling unit must be at least **20 feet** long, as measured between the front of the garage or carport and the closest pavement edge of the shared private lane.

(9) The design of the private lane must permit a passenger motor vehicle to back out of an individual driveway and turn 90 degrees.

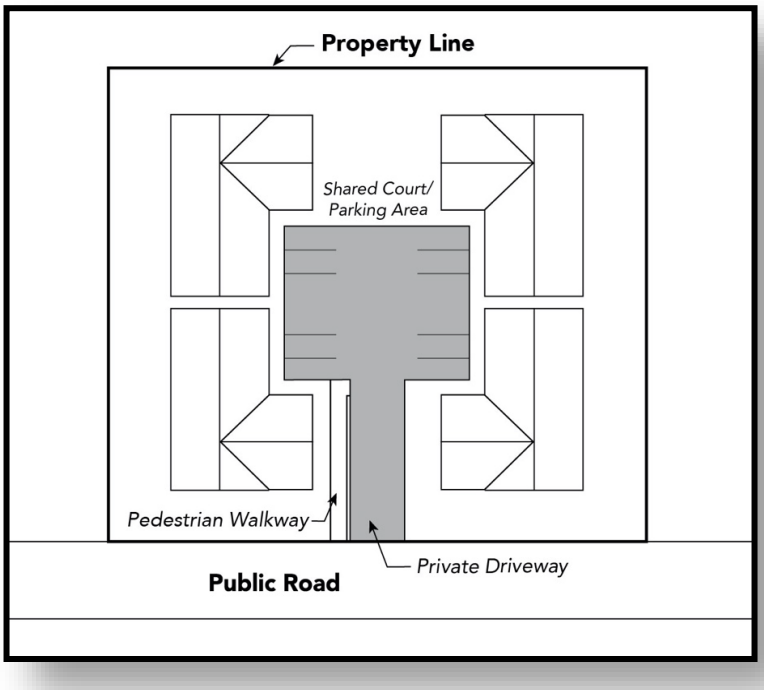
(10) The minimum spatial separation between detached dwellings as measured from building face to building face shall be **6 feet**, unless the detached dwellings are semi-detached and sharing a common party wall.

(11) The minimum spatial separation between the front wall of the buildings and the common area that contains the roadway shall be **5 feet**.

(12) Zoning provisions for building setbacks to lot lines shall apply only to the external lot lines of the overall plan of condominium, not to internal lot lines resulting from the registration of any phase of a plan of condominium.

(13) A universally accessible, pedestrian route must be provided from the Bungalow Courts to a public sidewalk. Where no public sidewalk exists, a suitable alternative route must be provided subject to the approval of the Development Officer.

Figure 14: Bungalow Court, Parking



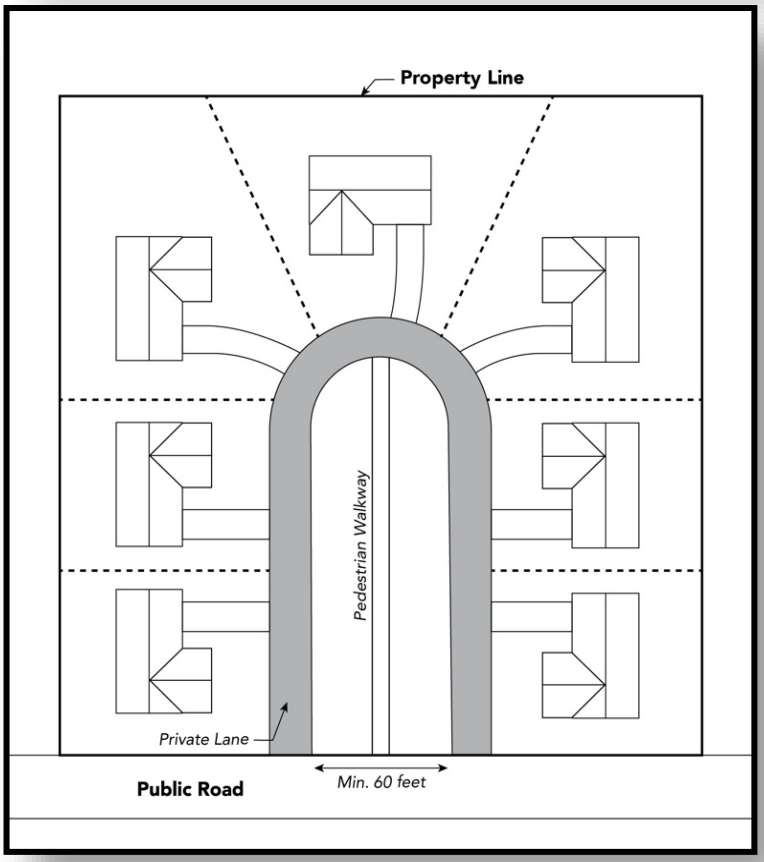


Figure 15: Bungalow Court, Loop Lane

4.10. Dwelling Unit, Live Work

(1) The Dwelling and work components of the **Live Work Unit** shall not be legally separated through a subdivision or condominium conversion.

(2) The Dwelling associated with a Live Work Unit shall not contain a **Home Enterprise**.

(3) There may be internal access between the Dwelling and the work components of the Live Work Unit

(4) For Live Work Units located at Grade, the Live Work Unit shall contribute to the pedestrian-oriented character of the street or immediate area with **an active frontage**.

(5) Neither the Dwelling nor the work component of the Live Work Unit shall be less than **25%** of the total floor space of the Live Work Unit.

4.11. Dwelling Units, Commercial Zones

(1) Residential dwelling units are permitted in all Commercial Zones with the following provisions:

a. Dwelling units shall only be located above or to the rear, but within the same building, of one or more permitted commercial uses that occupy the first floor of the principal building.

b. Shall have bathroom and kitchen facilities that are separate from the non-residential use.

c. Shall have a building entrance that is separate from the non-residential use unless a **Live Work Unit.**

(2) In the CH Zone, the dwelling unit may be detached from the principal building such as a Garage Suite, Garden Suite, Mobile Home or Mobile Unit

(3) In one-storey buildings, residential dwelling units are permitted, provided that:

a. Commercial uses occupy the front of the building.

b. Each permitted dwelling unit shall have a minimum livable floor area of **400 square feet**.

c. Livable floor areas comprise no more than **40%** of the gross floor area of the building.

d. Shall contribute to the pedestrian-oriented character of the street, the immediate area, or the high visibility of the highway with an **active frontage**.

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

4.12. Dwelling Units, Industrial and Institutional Zones

(1) A maximum of one dwelling unit shall be permitted in all **Industrial and Institutional Zones** as an accessory use to any permitted use with the following provisions:

a. The dwelling unit must be occupied by on-site workers, the business owner, caretaker, security guard or similar employee(s).

b. Shall have bathroom and kitchen facilities that are separate from the non-residential use.

c. Shall have a building entrance that is separate from the non-residential use unless a **Live Work Unit**.

d. May be detached from the principal building such as a **Garage Suite, Garden Suite**, **Mobile Home** or **Mobile Unit**.

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

4.13. Dwelling Units, Agriculture Limited Zones

(1) A maximum of one dwelling unit shall be permitted as an accessory use to any permitted use in the **Agricultural Limited Zones** with the following provisions:

a. The dwelling unit must be occupied by on-site workers, the business owner, caretaker, security guard or similar employee(s).

b. Shall have bathroom and kitchen facilities that are separate from the non-residential use.

c. Shall have a building entrance that is separate from the non-residential use.

d. May be detached from the principal building such **Garage Suite, Garden Suite**, **Mobile Home** or **Mobile Unit**.

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

4.14. Mobile Homes and Mobile Units

(1) No person shall use lands zoned land **R1** for the purpose of permanently erecting or placing thereon a mobile unit or mobile home. A portable dwelling unit that is designed or used for residential occupancy, built upon or having a frame or chassis to which wheels may be attached for transportation purposes, whether or not such structure actually has at any time such wheels, or is jacked up or skirted.

(2) No person shall use lands zoned land **R2** or **SRG** for the purpose of permanently erecting or placing thereon a mobile unit or mobile home unless approved as a conditional use.

(3) **Mobile homes** or **Mobile Units** may be allowed as dwelling units and a principal structure on lands zoned **RMH**; and as dwelling units as an **Accessory Dwelling Units** in lands **zoned 'M' or 'IN'**.

(4) A **mobile home park** in **Bungalow Clusters** and **Bungalow Courts** must meet the following standards:

a. more than one mobile home or mobile unit may be permitted on an approved mobile home park site.

b. must provide a roadway with a driving surface a minimum of **20 feet** wide

with an all-weather surface that serves all dwellings [that meets the municipal roadway lighting and surface water drainage standards].

c. must provide clear identification of a dwelling unit number on each mobile home or mobile unit.

d. must provide a centrally located common park space or recreation area equivalent to a minimum area of **430 square feet** per mobile home or mobile unit in the mobile home park.

e. shall require site plan approval by the Development Officer and Council for the on-site location of the site boundaries; foundations, pads, or mobile home sites; accessory buildings; internal roads; sidewalks and active transportation paths; vehicle parking; and systems supplying electrical power, water and sewage disposal. All of which shall be maintained to the satisfaction of the Development Officer.

(1) **Mobile homes** and **mobile units,** including in **mobile home parks** in **Bungalow Clusters** and **Bungalow Courts,** each require a development permit. No mobile home or mobile unit located in the municipality shall receive a development permit unless it complies with the following regulations:

a. Mobile homes or mobile units, even those constructed outside the municipality, must meet the structural standards in ***The Buildings and Mobile Homes Act***.

b. Mobile home or mobile unit, when located permanently on a site, shall:

i. be connected to municipal sewer services and drinking water system when such services are available on the site.

ii. be placed and anchored on a permanent foundation.

iii. have skirting that screens the view of the foundation supports or wheels.

c. Site Plan Approval shall be required by the Development Officer and the Board, prior to the issuance of any building or development permits, for the on-site locations and designs of all parking areas, private approaches, garbage areas, and fencing, all of which shall be maintained to the satisfaction of the Development Officer.

4.15. Not Considered Dwelling Unit

(1) No truck, bus, shipping container (sea can), motor coach or other vehicle, whether or not the same is maintained on wheels, shall not be used for habitation as a dwelling unit either as an accessory dwelling unit or a principal dwelling **unit**.

5. Zoning Lands and Land-Uses

5.1. Classification of Uses

(1) The list of land-uses in this By-law is not exhaustive, nor is it intended to be exhaustive. New types of land-uses will develop and forms of land-uses not anticipated may seek to locate in the **Planning Area**. Any person may apply to the Development Officer for an interpretation as to whether a proposed land-use falls within any of the land-use categories or use types in this By-law, and, if so, which one. The ***North American Industry Classification System*** (NAICS) Canada should provide a valuable resource in determining land-uses into classes and zones since version (2017 V 2.0) was used extensively to define the land-uses.

(2) The Development Officer must provide the interpretation in writing, and shall take into account the nature of the proposed land-use and its potential impacts, including but not limited to: whether it involves dwelling units, sales; processing, type of product, storage and amount, and nature thereof; enclosed or open storage; anticipated employment; transportation requirements; excessive noise, odour, fumes, dust, toxic material, and vibration likely to be generated; and the general requirements for public services.

(3) The Development Officer shall have the authority to provide an interpretation of a land-use but shall not have the authority to add a new permitted or conditional use to this By-law without the appropriate public hearing for an amendment to the text of this By-law.

(4) An appeal of the Development Officer's interpretation may be made to Council.

5.2. Land-Use Lexicon: Uses of Land Defined

The North American Industry Classification System (NAICS) was jointly created by the Canadian, US, and Mexican governments to ensure common analysis across all three countries. The NAICS, the Planning Act, and the Provincial Planning Regulations are used extensively to define and classify land-uses in this By-law. The following are the land-uses that are classified into the zoning districts in this By-Law:

> **Aggregate** means a quarry mineral that is used solely for construction purposes or as a constituent of concrete other than in the manufacture of cement and includes sand, gravel, clay, crushed stone, and crushed rock.

Aggregate quarry means a quarry from which aggregate is produced.

Agri-Business means establishments primarily engaged in providing goods and services to Agriculture Operations including:

Wholesaling merchandise, generally without transformation, and rendering services incidental to the sale of merchandise that includes mainly land-uses under 'Agricultural supplies merchant wholesalers' includes:

- Agricultural feed merchant wholesalers
- Seed merchant wholesalers
- Agricultural chemical and other farm supplies merchant wholesalers
- Storage and distribution of fertilizers such as retailers of anhydrous ammonia
- Retailing fuels (except heating oil and liquefied petroleum gas) via direct selling in large quantities or to large vehicles [Bulk Fuel Sales Depot].
- Storage of petroleum products or other flammable liquids legally stored within a structure or establishment [Bulk Fuel Storage]

Support activities for crop production includes:

- Agricultural product sterilization service
- Crop dusting and spraying service, with or without fertilizing
- Crop harvesting service
- Crop planting or seeding services
- Farm labour contractors
- Farm management service (crop production)
- Farm product (crop) sorting, grading or packing service (for the grower)
- Fertilizer application service
- Fruit picking service, hand (e.g., apple, strawberry, blueberry, cherry)
- Grain drying service
- Soil preparation services (e.g., hoeing, ploughing, rototilling, weeding), agricultural
- Threshing service, agricultural crop and plant

Support activities for animal production includes:

- Artificial insemination services, animal specialties and livestock
- Breeding services for livestock

- Cattle registration service
- Farriers (horseshoeing)
- Horses, boarding (except racehorses)
- Milk testing for butterfat
- Sheep dipping and shearing services
- Farm product merchant wholesalers primarily engaged in wholesaling livestock, grain and other farm products includes:
- Live animal merchant wholesalers
- Auctioning livestock
- Livestock merchant wholesalers
- Oilseed and grain merchant wholesalers
- Nursery stock and plant merchant wholesalers
- Other farm product merchant wholesalers
- Farm, lawn and garden machinery and equipment merchant wholesalers engaged in wholesaling new or used farm, lawn and garden machinery, equipment and parts
- Live animal merchant wholesaler establishments primarily engaged in wholesaling live animals including auctioning livestock, with own facilities, and livestock merchant wholesaler
- Farm product warehousing and storage means establishments primarily engaged in operating farm product warehousing and storage facilities, except refrigerated including grain elevators (storage only), and farm product warehousing and storage

Agriculture Operations means an agricultural, horticultural or silvicultural operation that is conducted in order to produce agricultural products on a commercial basis, and includes:

(a) the production of crops, including grains, oil seeds, hay and forages, and horticultural crops, including vegetables, fruit, mushrooms, sod, trees, shrubs and greenhouse crops;

(b) the use of land for livestock operations and grazing;

(c) the production of eggs, milk and honey;

(d) the raising of game animals, fur-bearing animals, game birds, bees and fish;

(e) the processing necessary to prepare an agricultural product for distribution from the

farm gate;

(f) 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; or

(g) the storage, use or disposal of organic wastes for agricultural purposes.

Agri-Industrial means establishments primarily engaged in manufacturing agricultural chemicals, including nitrogenous and phosphoric fertilizer materials; mixed fertilizers; and agricultural and household pest control chemicals. Includes mainly land-uses under 'Pesticide, fertilizer and other agricultural chemical manufacturing' includes:

(a) Fertilizer manufacturing

(b) Chemical fertilizer (except potash) manufacturing

(c) Mixed fertilizer manufacturing

(d) Pesticide and other agricultural chemical manufacturing

(e) Nitrogenous, phosphatic or potassic fertilizers, made by mixing purchased materials

(f) Nitrogenous fertilizer materials, manufacturing

(g) Fertilizers, mixed, made in plants producing nitrogenous or phosphatic fertilizer materials

Agri-Manufacturing means establishments primarily engaged in producing food for human or animal consumption in a manufacturing process using agricultural products provided by an agricultural operation. Also includes the production of food crops and non-food crops grown under cover inside greenhouses or warehouses. Land-uses includes:

(a) Animal food manufacturing

(b) Grain and oilseed milling

(c) Flour milling and malt manufacturing

(d) Oilseed processing

(e) Fat and oil refining and blending

(f) Fruit and vegetable preserving and specialty food manufacturing

(g) Frozen food manufacturing

(h) Fruit and vegetable canning, pickling and drying

(i) Dairy product manufacturing

(j) Fluid milk manufacturing

(k) Butter, cheese, and dry and condensed dairy product manufacturing

(l) Meat product manufacturing

(m) Animal slaughtering and processing

(n) Rendering and meat processing from carcasses

(o) Poultry processing

(p) Bakeries and tortilla manufacturing

(q) Bread and bakery product manufacturing

(r) Commercial bakeries and frozen bakery product manufacturing

(s) Cookie and cracker manufacturing

(t) Flour mixes, dough, and pasta manufacturing from purchased flour

(u) Snack food manufacturing

(v) Coffee and tea manufacturing

(w) Beverage and tobacco product manufacturing including Breweries, Distilleries, and Wineries

(x) Greenhouse, nursery and floriculture production including: Food crops grown under cover; Mushroom production; Other food crops grown under cover; Nursery and floriculture production; Nursery and tree production; and Floriculture production

Agri-Tourism means agricultural operations that are designated to attract, accommodate, and entertain the visiting public, including tours, on the activities of farming.

Animal Keeping means the keeping of livestock (excludes household pets such as domesticated dogs and cats) as defined in the Livestock and Livestock Production Act C.C.S.M. c 170 and in quantities, cumulative across all livestock species, less than 10 Animal Units.

Apiculture (Beekeeping) means establishments primarily engaged in raising bees, collecting and gathering honey, and performing other apiculture activities.

Auction House means a building or portion of a building used for the public sale of goods, merchandise, or equipment, other than livestock, vehicles or heavy equipment, to the highest bidder.

Auction Yard means a place where vehicles or heavy equipment (operable or inoperable) are offered for sale to the highest bidder.

Automobile Dealers means establishments primarily engaged in retailing new and used automobiles, sport utility vehicles, and light-duty trucks and vans, including mini-vans. Excludes retailing recreational vehicles (RV), watercraft, motorcycles and snowmobiles.

Automotive Repair and Maintenance means establishments primarily engaged in repairing

and maintaining motor vehicles, such as cars, trucks, vans and commercial trailers. Includes Automotive mechanical and electrical repair and maintenance; General automotive repair; and Car washes.

Bed and Breakfast means establishments primarily engaged in providing short-term lodging in facilities known as bed and breakfast homes. Bed and breakfast homes are characterized by a highly personalized service, and usually the inclusion in the room rate, of a full breakfast, served by the owner or owner-supervised staff.

Boat Dock, Private means a private non-commercial wharf or pier where boats can remain for loading, unloading or storage and shall include the water space occupied by any boat.

Boat House means a detached accessory building or structure for the storage of watercraft and watercraft related equipment but does not include open walkways or uncovered docking facilities or kitchen and bathroom facilities, and is not for human habitation.

Boat Port means an unenclosed accessory building or structure, which is used to place a boat into or take a boat out of a water body or used to moor, berth or store a boat. This definition may include a boat launching ramp, boatlift, or dock, but shall not include any building used for human habitation nor any boat service, repair or sales facility or retail use.

Boat Slip means a single parking space for a boat or other marine vessel, forming part of a dock, boathouse, boat port or other mooring facility.

Bungalow Clusters [Bare Land Condominium] are dwellings units organized around a defined private open green space held as a common area that is shared, and where the zoning provisions for building setbacks to lot lines shall apply only to the external lot lines of the overall plan of condominium, not to the internal lot condominium unit lines resulting from the registration of any phase of a plan of condominium.

Bungalow Courts [Bare Land Condominium] are dwellings units organized around a defined private lane held as a common area that is shared for vehicle access to a public right-of-way, and where the zoning provisions for building setbacks to lot lines shall apply only to the external lot lines of the overall plan of condominium, not to the internal lot condominium unit lines resulting from the registration of any phase of a plan of condominium.

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

Cannabis Cultivation means the micro-cultivation or standard cultivation Federal license holder under the ***Cannabis Act*** for growing of cannabis plants and harvesting material from those plants, as well as associated activities.

Cannabis Nursery means the nursery cultivation Federal license holder under the ***Cannabis***

Act for growing of cannabis plants to produce starting material (seed and seedlings) and associated activities.

Cannabis Distributor means a person who holds a cannabis distributor license issued under the ***Liquor, Gaming and Cannabis Control Act***.

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

Cannabis Store means the premises specified in a retail cannabis licence where the retail sale of cannabis is authorized under the ***Liquor, Gaming and Cannabis Control Act***.

Car Washes means an establishments primarily engaged in washing and cleaning motor vehicles including: auto detail shop, automobile washing and polishing, mobile wash unit (trucks, autos), waxing and polishing. Considered as **Automotive Repair and Maintenance**.

Cemeteries means establishments primarily engaged in operating sites or structures reserved for the interment of human or animal remains.

Child Day-Care Services means establishments primarily engaged in providing day-care services for infants or children. These establishments may care for older children when they are not in school and may also offer pre-kindergarten educational programs.

Community Care Facilities means establishments primarily engaged in providing residential and personal care services for persons who are unable to fully care for themselves or who do not desire to live independently. In some instances, these establishments provide skilled nursing care for residents in separate on-site facilities. Includes the provision of room, board, supervision and assistance in daily living services such as housekeeping.

Community Centre means a multi-purpose facility for recreational, social, day care, or cultural uses where patrons are primarily participants and any spectators are incidental and attend on a non-recurring basis. Examples include recreation and leisure centres, hockey and skating rinks, curling, and community halls.

Community Garden means a communal garden provided for the sole use of or consumption by the individual or individuals working the garden.

Community Health Centres means establishments, with medical staff, primarily engaged in general out-patient care, which provides the services of a variety of health practitioners within the same establishment. These establishments are often referred to as clinics or centres and must not be confused with the offices of health practitioners.

Community Housing Services means establishments primarily engaged in providing short-

term shelter for victims of domestic violence, sexual assault or child abuse; temporary residential shelter for the homeless, runaway youths, and patients and families caught in medical crisis; and transitional housing for low-income individuals and families.

Contractor Service means a place of business for persons employed in trades, such as construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support services areas shall be accessory to the principal Contractor Service use.

Crematorium means establishments fitted with the proper appliances for the purposes of the cremation of human or animal [not including livestock] remains.

Cultural Centre means a building or portion of a building dedicated to the celebration and promotion of a cultural group or groups. A cultural centre is distinct from a private club on the basis of a broader range of uses typically available to customers and guests, including restaurants, retail sales, personal services, theatres, and banquet halls. In addition, customers and guests are not required to be members of a non-profit organization.

Drinking Places (alcoholic beverages) means establishments, known as bars, taverns or drinking places, primarily engaged in preparing and serving alcoholic beverages for immediate consumption. Includes bars, beer parlours or taverns, brasseries, cocktail lounges, nightclubs.

Drinking Water System means a system used to pump, store, treat and distribute drinking water, and includes the facilities and services used in the provision of drinking water.

Drive-Through Facility means establishment that provides or dispenses products or services, through an attendant or an automated machine, to persons remaining in vehicles that are in designated stacking aisles. A drive-through facility may be in combination with other uses, such as a bank, credit union, restaurant or gas station.

Dwelling Unit means a building or part of a building occupied or capable of being occupied, in whole or in part as the habitable space, home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or seasonally, irrespective of tenure or ownership, but shall not include recreational vehicle, camping tents, trailer or motor home. Dwelling Units include:

(a) **Dwelling Unit, Attached Accessory** which means a room or rooms in which kitchen, sanitary conveniences and sleeping quarters are provided for the exclusive use of the occupants and with a private entrance from outside the building or from a common corridor or stairway inside the building. Includes:

i. **Secondary Suites** means an accessory dwelling unit constructed within and accessory to a single detached dwelling, including an attached garage.

(b) **Dwelling Unit, Detached Accessory** means a dwelling unit that is in a separate building or structure which is accessory to and located on the same lot as the principal use, building or structure, but not including a building or structure which is used as a dwelling unless specifically permitted. Includes:

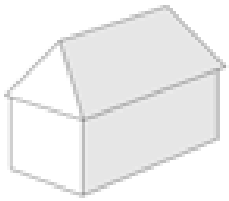
i. **Garage Suites** means an accessory dwelling unit constructed above a detached Garage (above grade); or a single-storey attached to the side or rear of, a detached Garage (at-grade) that is accessory to a principal use.

ii. **Garden Suites** means an accessory dwelling unit located in a detached accessory structure to a principal use.

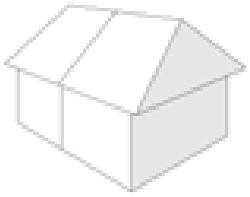
(c) **Dwelling Unit, Live Work** means a unit that contains one Dwelling, in addition to dedicated floor space for the purpose of conducting a business. The work component may or may not be separate and distinct from the Dwelling. The Dwelling may be accessed through the business space. This Use does not include a Home Based Business.

(d) **Dwelling, Converted** means a residential use building that has been altered, but not demolished and replaced, to increase the number of dwelling units to three or more.

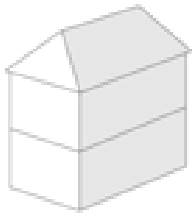
(a) **Single Detached Dwelling** means a detached building containing one dwelling unit only.



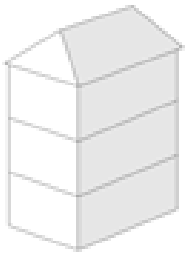
(b) **Semi-detached Dwelling** means a residential use building divided vertically into two separate dwelling units each of which has an independent entrance.

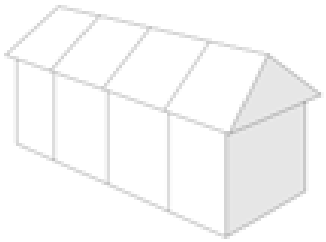


(c) **Duplex Dwelling** means the whole of a two-storey building divided horizontally into two separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.

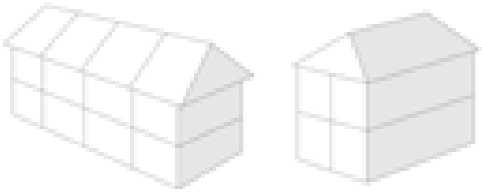


(d) **Triplex Dwelling** means whole of a three-storey building divided horizontally into three separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.

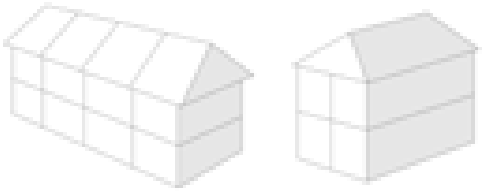




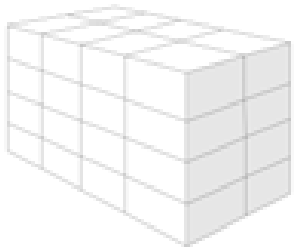
(e) **Quadplex Dwelling,** means only four (4) dwelling units in either a **Multiple Attached** or **Stacked** typology.



(f) **Multiple Attached Dwelling** means the whole of a residential use building containing three or more dwelling units that are divided vertically, each of which has an independent entrance. For the purpose of this By-law, a rowhouse is considered to be a multiple attached dwelling.



(g) **Stacked Dwelling** means a residential use building containing four or more dwelling units, where the units in each pair are divided horizontally, and the pairs are divided vertically, and in which each dwelling unit has an independent entrance.



(h) **Apartment Dwelling** means a building containing four or more dwelling units, in which dwelling units have a common entrance from street level and are served by a common corridor.

Educational Services means establishments primarily engaged in providing instruction and training in a wide variety of subjects. Specialized establishments, such as schools, colleges, universities and training centres, provide this instruction and training. These establishments may be privately owned and operated, either for profit or not, or they may be publicly owned and operated. They may also offer food and accommodation services to their students.

Energy Generating System means an establishment primarily engaged in the generation of bulk electric power, transmission from generating facilities to distribution centres, and/or distribution to end users.

Equestrian Establishment means an area of land, which is used as an educational centre for horse training, handling, care, or for the lodging of horses.

Exploration Projects [Advanced] is as defined in the ***Mines and Minerals Act***.

Fabric Buildings [Cover-all Buildings, Portable Fabric Structures, Fabric Tension Buildings] means buildings constructed using a rigid frame—which can consist of timber, steel, rigid plastic, or aluminum—and a sturdy fabric outer membrane is stretched over the frame. The fabric cover is tensioned to provide the stable structural support of the building. The fabric is tensioned using multiple methods, varying by manufacturer, to create a tight fitting cover membrane.

Fitness and Recreational Sports Centres means establishments primarily engaged in operating health clubs and similar facilities featuring exercise and other active physical fitness conditioning, or recreational sports activities including athletic clubs, physical fitness facilities, gymnasiums, physical fitness centres or studios, and health spas.

Funeral Homes means establishments primarily engaged in preparing the dead for burial or interment and conducting funerals. Including funeral parlours, morticians or undertakers.

Gasoline Stations means establishments primarily engaged in retailing motor fuels, whether or not the gasoline station is operated in conjunction with a convenience store, repair garage, restaurant or other type of operation. Establishments that operate gasoline stations on behalf of their owners and receive a commission on the sale of fuels are also included. Excludes retailing marine fuels at marinas.

Gasoline Stations with Convenience Stores means establishments primarily engaged in retailing automotive fuels combined with the retail sale of a limited line of merchandise, such as milk, bread, soft drinks and snacks in a convenience store setting.

Golf Courses and Country Clubs means establishments primarily engaged in operating golf courses and country clubs that operate golf courses along with dining facilities and other recreational facilities.

Health Care Offices means establishments primarily engaged in providing health care by diagnosis and treatment. Includes Ambulatory health care services, Offices of physicians, dentists, chiropractors, optometrists, mental health practitioners, and physical, occupational, and speech therapists and audiologists; and other health practitioners.

Heavy Equipment Sales, Rental and Servicing means a facility that is engaged in the sales, rental or repair of heavy equipment typically used in agricultural, commercial or industrial operations, including tractors, trucks with a gross vehicle weight of over 15,000 pounds, Truck Tractor/Trailer Combinations, harvesters, loaders and tracked vehicles as well as sales of parts, whether new or used, for heavy equipment.

Heritage Institutions means establishments primarily engaged in preserving and exhibiting

objects, sites and natural wonders of historical, cultural and educational value. Includes Non-commercial art museums and galleries, History and science museums, planetariums, halls of fame and wax museums.

Heritage Resources means a heritage site, a heritage object, and any work or assembly of works of nature or human endeavour that is of value for its archaeological, paleontological, prehistoric, historic, cultural, natural, scientific or aesthetic features, and may be in a form of sites or objects or combination of them.

Home Based Business means an occupation, professions or business use secondary to a Dwelling Unit, and which may generate more than one business associated visit per day. There may also be non-resident employees, and a limited use of unenclosed areas by the use.

Home Occupation means an occupation, professions or business use secondary to a Dwelling Unit, and which is conducted entirely within the dwelling unit or accessory structure to a dwelling unit. No aspects of the business operations shall be detectable from outside the property.

Hospitals means establishments, licensed as hospitals, primarily engaged in providing diagnostic and medical treatment services, and specialized accommodation services to in-patients. These establishments have an organized medical staff of physicians, nurses and other health professionals, technologists and technicians. Hospitals use specialized facilities and equipment that form a significant and integral part of the production process. Hospitals may also provide a wide variety of out-patient services as a secondary activity.

Hostels means an establishment providing short-term semi-private accommodations for travelers.

Hotels means establishments primarily engaged in providing short-term lodging in facilities known as hotels. These establishments provide suites or guest rooms within a multi-storey or high-rise structure, accessible from the interior only, and they generally offer guests a range of complementary services and amenities, such as food and beverage services, parking, laundry services, swimming pools and exercise rooms, and conference and convention facilities.

Information and cultural industries means establishments primarily engaged in producing and distributing (except by wholesale and retail methods) information and cultural products. Establishments providing the means to transmit or distribute these products or providing access to equipment and expertise for processing data are also included. The land-uses include: publishing industries, the motion picture and sound recording industries, the broadcasting industries, the telecommunications industries, and the data processing and

hosting services industries.

Interpretive Centre means a building or group of buildings that provides interpretation of a place of interest, such as the natural environment through a variety of media, such as video displays, information panels and exhibitions of material, and which may also include facilities such as a refreshment stand or gift shop.

Libraries means an establishments primarily engaged in maintaining collections and facilitating the use of such documents (regardless of its physical form and characteristics) as are required to meet the informational, research, educational or recreational needs of their users.

Light Equipment Sales, Rental and Servicing means a facility that is engaged in the sales, rental or repair of light machinery and equipment including automotive tools, cleaning equipment, concrete and masonry equipment, electric tools and accessories, gasoline generators, painting and decorating equipment, home and garden equipment, home appliances, plumbing tools and other similar tools and accessories.

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

(a) Livestock Operation Uses, 10 AU > 299 AU; and

(b) Livestock Operations Uses, Large Scale, +300 Animal Units.

Livestock Operations, Animal Keeping, with less than 10 Animal Units in size means a facility such as a hobby farm, private stable or equestrian establishment as an accessory use on a property.

Manufacturing means establishments primarily engaged in the chemical, mechanical or physical transformation of materials or substances into new products. These products may be finished, in the sense that they are ready to be used or consumed, or semi-finished, in the sense of becoming a raw material for an establishment to use in further manufacturing. Related activities, such as the assembly of the component parts of manufactured goods; the blending of materials; and the finishing of manufactured products by dyeing, heat-treating, plating and similar operations are also treated as manufacturing activities. Manufacturing establishments are known by a variety of trade designations, such as plants, factories or mills. Land-Uses includes:

(a) Textile product mills

(b) Clothing manufacturing

(c) Leather and allied product manufacturing

(d) Footwear manufacturing

(e) Wood product manufacturing

(f) Sawmills and wood preservation

(g) Veneer, plywood and engineered wood product manufacturing

(h) Paper manufacturing

(i) Printing and related support activities

(j) Petroleum and coal product manufacturing

(k) Chemical manufacturing

(l) Pharmaceutical and medicine manufacturing

(m) Plastics and rubber products manufacturing

(n) Non-metallic mineral product manufacturing

(o) Cement and concrete product manufacturing

(p) Primary metal manufacturing

(q) Fabricated metal product manufacturing

(r) Machinery manufacturing

(s) Computer and electronic product manufacturing

(t) Electrical equipment, appliance and component manufacturing

(u) Transportation equipment manufacturing

(v) Furniture and related product manufacturing

(w) Medical equipment and supplies manufacturing

Micro-Brewery / Distillery / Winery means and establishment completely contained within a structure where beer, wine or liquor produced on-site and sold to the public by one or more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and directly to the consumer through carry-outs or on-site tap-room or restaurant sales.

Mining, quarrying, and oil and gas extraction means establishments primarily engaged in extracting naturally occurring minerals. These can be solids, such as coal and ores; liquids, such as crude petroleum; and gases, such as natural gas. The term mining is used in the broad sense to include quarrying, well operations, milling (for example, crushing, screening, washing, or flotation) and other preparation customarily done at the mine site, or as a part of mining activity. Establishments engaged in exploration for minerals, development of mineral

properties and mining operations are included in this sector. Establishments performing similar activities, on a contract or fee basis, are also included. Land-uses include:

(a) Oil and gas extraction

(b) Mining and quarrying (except oil and gas, and **Aggregate quarry**)

(c) Support activities for mining, and oil and gas extraction

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

Mobile Home or Mobile Unit means a portable dwelling unit that is designed or used for residential occupancy, built upon or having a frame or chassis to which wheels may be attached for transportation purposes, whether or not such structure actually has at any time such wheels, or is jacked up or skirted.

Motels (Motor Hotels) means establishments primarily engaged in providing short-term lodging in facilities known as **motels**. These establishments are designed to accommodate clients travelling by motor vehicle, and provide short-stay suites or guest rooms, within a one or two-storey structure, characterized by exterior access to rooms and ample parking areas adjacent to the room entrances. Limited complementary services and amenities may also be provided.

Motor vehicle and parts dealers means establishments primarily engaged in retailing motor vehicles and providing complementary services, and retailing motor vehicle parts and accessories. The establishments of this subsector are generally specialized in the retailing of particular types of vehicles or in the retailing of particular types of parts and accessories. Excludes heavy duty trucks, farm equipment and heavy equipment over over 15,000 pounds.

Motorcycle, Boat and Other Motor Vehicle Dealers means establishments primarily engaged in retailing new and used motorcycles, watercraft and other vehicles, such as snowmobiles, off-road all-terrain vehicles, utility trailers, and aircraft. These establishments also typically retail replacement parts and accessories, and provide repair services.

Motor Vehicle Towing means establishments primarily engaged in towing motor vehicles. Establishments engaged in providing light and heavy towing services, both local and long distance, to the general public, commercial, transportation and other sectors, are included. These establishments may offer incidental services, such as tire repair, battery boosting and other emergency road service.

Movie Theaters or Motion Picture and Video Exhibition are establishments primarily

engaged in exhibiting motion pictures.

Municipal Fire-Fighting Services means establishments of local governments primarily engaged in the prevention, investigation and extinction of fires.

Nature Parks means establishments primarily engaged in operating, maintaining and protecting nature parks, nature reserves or conservation areas. Included are conservation areas, national parks, provincial parks, nature reserves, and natural wonders.

Nursing and Residential Care Facilities means establishments primarily engaged in providing residential care combined with either nursing, supervisory or other types of care as required by the residents. In this sub-sector, the facilities are a significant part of the production process and the care provided is a mix of health and social services, with the health component being largely nursing services.

Office means uses focusing on professional, scientific and technical services primarily engaged in activities in which human capital is the major input and where the knowledge and skills of their employees, often on an assignment basis, are made available. Includes:

(a) Legal services

(b) Accounting

(c) Tax preparation

(d) Bookkeeping and payroll services

(e) Architectural, engineering and related services

(f) Specialized design services

(g) Computer systems design and related services

(h) Management, scientific and technical consulting services

(i) Insurance agencies and brokerages

(j) Real estate agents and brokers

(k) Scientific research and development services

(l) Advertising, public relations, and related services

(m) Ancillary uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building. Excludes banks, credit unions and health care offices.

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

Outside Display means an outside display of goods and/or materials for sale, accessory to a

retail principal use. Merchandise may be directly available to the consumer for purchase.

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

Park means a non-commercial, not-for profit site characterized by open space with natural vegetation or landscaping amenities that may be available to the public for recreational, educational, cultural, or aesthetic uses. May include recreational facilities or sports venues designed to serve the leisure and amateur competition of the community with accessory uses including clubhouses, maintenance facilities, concessions, and parking. May include school and religious institution's ballfields, football fields, and soccer fields. May include passive areas with woodlots and vegetation, and critical and significant wildlife habitat.

Parking Lot means a parking area that is the principal use on the lands and not accessory to any other principal building or land-use.

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

Performing Arts Companies means establishments primarily engaged in producing live presentations that involve the performances of actors and actresses, singers, dancers, musical groups and artists, and other performing artists. Examples of establishments in this industry group are theatre companies, dance companies, musical groups and artists, circuses and ice-skating shows.

Personal and Household Goods Repair and Maintenance means establishments primarily engaged in repairing and maintaining personal and household goods, such as home and garden equipment, appliances, furniture, footwear and leather goods, garments, watches, jewelry, musical instruments, bicycles and recreational boats.

Personal Service Shops means establishments used for the provision of personal services to an individual for personal grooming, or the cleaning and repair of personal effects. This use includes barbershops, hairdressers, beauty salons, tattoo and piercing parlours, spa, tanning salon, tailors, dressmakers, and dry cleaning establishments and laundromats. This Use does not include **Health Care Offices**.

Pet care services (except veterinary) means establishments primarily engaged in grooming, boarding and training pet animals. Includes animal shelters, boarding kennel service, humane society facilities (animal shelters), pet grooming services, pet sitting services, and pet training services.

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

Place of Worship means development used for worship and related religious, philanthropic or social activities and includes Accessory rectories, manses, meeting rooms, food preparation and service facilities, classrooms, dormitories and other buildings. Typical Uses include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.

Postal Service means establishments primarily engaged in operating the postal service. Establishments of the Post Office, other than those primarily engaged in providing courier services, are classified in this industry, as well as establishments that carry on one or more functions of the postal service on a contract basis, except the delivery of mail in bulk.

Private Clubs means development used for the meeting, social or recreational activities of members of non-profit philanthropic, civic, political, ethnic, retirement association, social service, athletic, business or fraternal organization, without on-site residences. Private Clubs may include rooms for eating, drinking and assembly.

Private Stables means a building in which horses are kept (also sometimes other livestock) can be maintained privately for an owner's own horses, or operated as a public business where a fee is charged for keeping other people's horses.

Public Works Yard means any land, building or structure operated by a government entity for the storage, manufacture, maintenance or repair of materials, equipment, heavy machinery or motor vehicles used in connection with public works such as roads or parks maintenance. Includes the outside storage of road maintenance material such as gravel or sand.

Recreational and Vacation Camps (except hunting and fishing) means establishments primarily engaged in operating overnight recreational camps, such as children's camps, family vacation camps, and outdoor adventure retreats that offer trail riding, white-water rafting, hiking and similar activities.

Recreational Vehicle Dealers means establishments primarily engaged in retailing new and used recreational vehicles (RVs), such as motor homes, recreational trailers and campers. These establishments also typically retail replacement parts and accessories, and provide repair services.

Recreational Vehicle (RV) Parks and Campgrounds means establishments primarily engaged in operating serviced or un-serviced sites to accommodate campers and their equipment. Includes tents, tent trailers, travel trailers and recreational vehicles being

provided access to facilities, such as washrooms, laundry rooms, recreation halls and facilities, and stores and snack bars.

Resorts means establishments primarily engaged in providing short-term lodging in facilities known as resorts. These establishments feature extensive indoor and/or outdoor leisure activities on the premises on a year-round basis. Resorts are designed to accommodate vacationers and provide full-service suites and guest rooms, typically in a non-urban setting next to lakes, rivers or mountains. Establishments of this type often provide access to conference facilities. Include resorts with integrated health spa facilities.

Restaurants means establishments primarily engaged in providing food services to patrons who order and are served while seated and pay after eating, or who order or select items at a counter, food bar or cafeteria line (or order by telephone) and pay before eating. Includes Full-service restaurants; and limited-service eating places such as coffee shops, doughnut shops, fast food restaurants, ice cream parlour, take-out restaurants. Excludes Mobile Food Services.

Retail Store [store retailers] means establishments operating as a permanent, fixed point-of-sale location for **Retail Trade**, located and designed to attract a high volume of walk-in customers. Typically sell merchandise to the general public for personal or household consumption, but some also serve businesses and institutions and includes uses such as:

(a) Food and beverage stores

(b) Grocery stores

(c) Supermarkets and other grocery

(d) Convenience Stores

(e) Specialty Food Stores

(f) Meat markets

(g) Fish and seafood markets

(h) Fruit and vegetable markets

(i) Baked goods stores

(j) Confectionery and nut stores

(k) Beer, wine and liquor stores

(l) Health and personal care stores

(m) Pharmacies and drug stores

(n) Cosmetics, beauty supplies and perfume stores

(n) Optical goods stores

(o) Food (health) supplement stores

(p) Clothing and clothing accessories stores

(q) Jewelry, luggage or leather goods stores

(r) Sporting goods, hobby, book or music stores

(s) General merchandise stores

(t) Department stores

(u) Warehouse clubs

(v) Home and auto supplies stores

(w) Gift, novelty and souvenir stores

(x) Used merchandise stores

(y) Furniture and home furnishings stores

(z) Electronics and appliance stores

Excludes the following:

(a) Cannabis

(b) Gasoline stations

(c) Gasoline stations with convenience stores

(d) Mobile home dealers

(e) Motor vehicle and parts dealers

(f) Motorcycle, Boat and Other Motor Vehicle Dealers

(g) Recreational Vehicle Dealers

(h) Individuals or an immediate family member or employee(s) of the individual who sells produce grown in Manitoba

Retail Trade [non-store retailers] means establishments engaged in retailing merchandise, generally without transformation, and rendering services incidental to the sale of merchandise. The retailing process is the final step in the distribution of merchandise; retailers are therefore organized to sell merchandise in small quantities to the general public. **Retail Trade** is **non-store retailers** that are mobile, **temporary uses,** or **accessory uses** to non-commercial uses such as **manufacturing, industrial, and warehousing;** and includes uses such as:

(a) Those found in **Retail Store;**

(b) Electronic shopping and mail-order houses

(c) Heating oil dealers

(d) Liquefied petroleum gas (bottled gas) dealers

(e) Other fuel dealers, such as diesel fuel, delivered to customers' premises

(f) Other gasoline stations such as: Cardlock Stations (except petroleum tank farms)

Excludes the following:

(a) Air transportation

(b) Rail transportation

(c) Water transportation

(d) Truck transportation

(e) Individuals or an immediate family member or employee(s) of the individual who sells produce grown in Manitoba

Rooming and Boarding Houses means establishments primarily engaged in operating rooming and boarding houses and similar facilities. A building or part of building, used for congregate living, containing Sleeping Units and four or more persons, and where there is no provision of on-site care, treatment or professional services of a physical or mental health nature. May provide complementary services, such as housekeeping, meals and laundry service; may provide temporary or longer-term accommodation, which, for the period of occupancy, may serve as a principal residence.

Scenic and Sightseeing Transportation means establishments primarily engaged in providing recreational transportation, such as sightseeing or dinner cruises, steam train excursions, horse-drawn sightseeing rides, air-boat rides or hot-air balloon rides. These establishments often use vintage or specialized transportation equipment. The services provided are local in nature, usually involving same-day return. Establishments that provide charter fishing services are included.

Self-Storage Mini-Warehouses means establishments primarily engaged in renting or leasing space for self-storage. These establishments provide secure space (rooms, compartments, lockers, containers or outdoor space) where clients can store and retrieve their goods.

Shipping Containers [Sea Cans] mean an intermodal container designed and built for intermodal freight transport.

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

Sports Arena/Stadiums facilities means establishments primarily engaged in operating sports stadiums and other sports facilities, and organizing and promoting sports events or similar events held in these facilities. Includes:

(a) Promoting and presenting sports tournaments, in their own facilities

(b) Professional, semi-professional or amateur athletes primarily engage in performing before a paying audience

(c) Professional, semi-professional, or amateur sports clubs primarily engaged in presenting or participating in sporting events before a paying audience

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

Truck Transportation means establishments primarily engaged in the truck transportation of goods. These establishments may carry general freight or specialized freight. Specialized freight comprises goods that, because of size, weight, shape or other inherent characteristics, require specialized equipment for transportation. Establishments may operate locally, that is within a metropolitan area and its hinterland, or over long distances, that is between metropolitan areas.

Tourist campsites (campground) means establishments primarily with fixed camp sites for the seasonal, temporary use of tents and pop-tent trailers, and may provide other amenities, such as food services, recreational facilities and equipment, organized recreational activities, washrooms, laundry rooms, recreation halls and facilities, vending machines, and snack bars.

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

Veterinary Services means establishments of licensed veterinary practitioners primarily engaged in the practice of veterinary medicine, dentistry, or surgery for animals includes:

(a) Animal hospitals

(b) Consulting and visiting services, veterinary

(c) Herd inspecting and testing services, veterinary

(d) Surgery services, veterinary

(e) Veterinary practices or clinics

(f) Veterinary testing laboratories

Warehousing and Storage means establishments primarily engaged in operating general merchandise, refrigerated and other warehousing and storage facilities. Included in this sub-sector are third-party warehouses serving retail chains and wholesalers. Establishments in this sub-sector provide facilities to store goods for customers. They do not take title to the goods they handle. These establishments take responsibility for storing the goods and keeping them secure. They may also provide a range of services, often referred to as logistics services, related to the distribution of a customer's goods. Logistics services can include labelling, breaking bulk, inventory control and management, light assembly, order entry and fulfillment, packaging, pick and pack, price marking and ticketing and transportation arrangement. However, establishments in this sub-sector always provide storage services in addition to any logistics services. Furthermore, the storage of goods must be more than incidental to the performance of a service such as price marking.

Waste Disposal Grounds means a parcel of land that is used for the disposal of solid or industrial waste [Landfill].

Wastewater Management System means a system used to collect, store, treat, distribute and dispose of wastewater, and includes the facilities and services associated in the management of wastewater [Sewage treatment facilities].

Wholesale Trade means establishments primarily engaged in wholesaling merchandise, generally without transformation, and rendering services incidental to the sale of merchandise. The wholesaling process is an intermediate step in the distribution of goods. Many wholesalers are organized to sell merchandise in large quantities to retailers, and business and institutional clients. However, some wholesalers, in particular those that supply non-consumer capital goods, sell merchandise in single units to final users. Includes:

(a) Petroleum and petroleum products merchant wholesalers

(b) Food merchant wholesalers

(c) Beverage merchant wholesalers

(d) Cigarette and tobacco product merchant wholesalers

(e) Personal and household goods merchant wholesalers

(f) Motor vehicle and motor vehicle parts and accessories merchant wholesalers

(g) Building material and supplies merchant wholesalers

(h) Machinery, equipment and supplies merchant wholesalers

(i) Building material and garden equipment and supplies dealers

(j) Recyclable material merchant wholesalers

(k) Paper, paper product and disposable plastic product merchant wholesalers

(l) Chemical (except agricultural) and allied product merchant wholesalers

(m) Business-to-business electronic markets, and agents and brokers

Zoning Site means each separate area comprising the Zone and its Subzones including the buildings and facilities located within that particular area.

6. Zoning Districts

6.1. Establishing Zones for Land-Uses

Land-uses in the Planning Area are regulated in accordance with the following zoning districts in **Table 13:**

6.1.1. Table 13: Zoning Districts

Zoning Districts	Abbr.
Agriculture General	AG
Agriculture Limited	AL
Open Space	OS
Institutional	IN
Seasonal Recreation General	SRG
Seasonal Recreation Commercial	SRC
Residential - First Density	R1
Residential - Second Density	R2
Residential Mobile Home	RMH
Commercial Main Streets	CM
Commercial Highway	CH
Industrial General	M

6.2. Allowable Uses: Permitted and Conditional

(1) The permitted and conditional uses are land-uses prescribed for lands within each zone, which are set out in the Land-Use Table for each Zoning District.

(2) Where a use is not listed and is not similar to, or accessory to, a permitted or conditional principal use, or a permitted or conditional secondary use, the land-use is not allowed in the zone.

6.3. Bulk Regulations

(1) No land, building, or structure shall be used or occupied, and no building or structure shall be constructed, erected, altered, enlarged, or placed, except in accordance with the bulk requirements described in the **Bulk Regulations Tables** for each Zoning District, unless described elsewhere in this By-law.

6.4. Planned Development Overlay Districts

The following overlay zoning districts are hereby established, and each such district is intended for the purposes described below.

6.4.1. Planned Development Overlay - 1 (PDO-1)

Is a zoning district which is applied over one or more previously established zoning districts, establishing additional or stricter standards and criteria for covered properties in addition to those of the underlying zoning district.

(1) Planned Development Overlay 1 (PDO-1) is used to:

a. Promote specific land-uses to develop, such as mixed-use, affordable housing, or a type of **agricultural operation**, by enabling the land-use(s) in a specified sub-area;

b. Restrict specific types of land-uses on an area wide basis to protect a nearby special features such as historic resources, airports, wetlands, steep slopes, and waterfronts; or

c. Establish dimensional standards such as lot areas, lot coverage, yards, signage, parking requirements, and setbacks affecting only a sub-area to protect a special feature or to promote a specific type of development.

(2) The purpose of the Planned Development Overlay 1 (PDO-1) overlay district is to provide a means to alter or specify allowed uses and/or development standards in otherwise appropriate zones, in unique or special circumstances, in order to

achieve local planning objectives across multiple properties or neighbourhoods, and not associated with any master planned development envisioned for an area or a site.

(3) Used to tailor the regulations of a land-use(s) in a specific geographical location.

(4) A PDO-1 zoning district is appropriate when additional zoning controls are required to address an area-wide (rather than site-specific) condition, or to implement an area-wide plan for the proposed district. PDO-1 districts are generally appropriate for areas with unique or special circumstances.

(5) The PDO-1 overlay must only be applied to zones where specified through a text amendment to the Zoning By-law. Such amendment must include:

a. A map of the location(s) of any lands affected by the overlay at an appropriate scale indicating the designation, location, and boundaries of each underlying zoning district; and

b. Every regulation specified or changed for the underlying zoning district by the PDO-1 overlay including the addition or removal of allowable uses.

(6) The PDO-1 overlay may not be used:

c. Where the proposed changes to the regulations of the underlying zoning district:

i. are significant enough to be inconsistent with the general purpose of the underlying zoning district(s) and the designation of another existing zone district in this By-law would be more appropriate;

ii. are not merely related to local planning objectives but would have significant general application to warrant an amendment to the text of the underlying zoning district itself or to create a new Zoning District; or

iii. are intended to provide such detailed or site-specific control over the design and siting of a special development that the use of the PDO-2 overlay would be more appropriate.

(7) All regulations in the Zoning By-law must apply to development in the area covered by the adopted PDO-1 overlay, unless the PDO-1 By-law specifically modifies or alleviates those regulations.

(8) All adopted PDO-1 districts shall be contained in attached schedules, which form part of this By-law.

6.5. Land-Use Table

6.5.1. Definition Of Symbols Used In Tables

(1) **Table 14** lists the principal, accessory, and temporary land-uses allowed within all base zoning districts.

(2) In Table 14:

a. "P" in a cell indicates that the use identified at the far left of that row is **permitted** principal use in the zoning district identified at the top of that column;

b. "C" in a cell indicates that, in the zoning district identified at the top of that column, the use identified at the far left of that row is allowed only if reviewed and approved as a **conditional use** in accordance with the procedures of Provincial legislation;

c. "A" in a cell indicates that the use identified at the far left of that row is permitted as an **accessory** in the zoning district identified at the top of that column when a principal use is established on the same lot;

d. a blank cell indicates that the use identified at the far left of that row is **not permitted** in the zoning district identified at the top of that column.

(3) **Bulk Tables** and **Additional Regulations** listed with the **Bulk Tables** for each zoning district effecting land-uses shall also apply.

6.5.2. Table 14: Land-Uses - Permitted, Conditional and Accessory

Land Use	Zoning Districts											
	AG	AL	OS	SRG	SRC	IN	RMH	R1	R2	CM	CH	M
1.Aggregate Quarry	C											
2.Agri-Business	C	P									P	P
3.Agriculture Operations	P	P										
4.Agri-Industrial		P										
5.Agri-Manufacturing		P									P	P
6.Agri-Tourism	A	A	C			A						
7.Airport Operations		P									P	P
8.Animal Keeping	A	A	C				A	A				
9.Apiculture (Beekeeping)	A	A	C				A	A	A		A	A
10.Auction House											P	C
11.Auction Yard											P	C
12.Automotive Dealers											P	
13.Automotive Repair and Maintenance										P	P	P
14.Bed and Breakfast	A						A	A	A			
15.Boat Dock, Private			A	A	A							
16.Boat House			A	A	A							
17.Boat Port			A	A	A							
18.Boat Slip			P	P	P							

Land Use	Zoning Districts											
	AG	AL	OS	SRG	SRC	IN	RMH	R1	R2	CM	CH	M
19.Bungalow Clusters									C			
20.Bungalow Courts									C			
21.Cannabis Distributor		C									C	C
22.Cannabis Cultivation	C	C										C
23.Cannabis Nursery	C	C									C	C
24.Cannabis Processing		C									C	C
25.Cannabis Store										C	C	C
26.Car Washes											P	P
27.Cemeteries	P		P			P						
28.Child Day-Care Services		A	A		A	P	A	A	A	P	P	A
29.Community Care Facilities						P			C			
30.Community Centre			P			P		C	C	P		
31.Community Garden			P			P	P	P	P	P		
32.Community Health Centres			C			P				P	P	
33.Community Housing Services						P	P	P	P		P	
34.Contractor Services											P	P
35.Cottage				P	P							

Land Use	Zoning Districts											
	AG	AL	OS	SRG	SRC	IN	RMH	R1	R2	CM	CH	M
36. Crematorium												C
37. Cultural Centre			P			P			C	P	P	
38. Drinking Places			C							P	P	A
39. Drinking Water System	P		P									
40. Drive-Through Facility											P	
41. Dwelling Unit, Accessory	C/A	C/A		C/A		C/A	C/A	C/A	C/A		C/A	C/A
42. Dwelling, Single-Detached	C	C				A	P	P	P	A	A	A
43. Dwelling, Duplex							P	P	P	A		
44. Dwelling, Triplex							P	P	P	A		
45. Dwelling, Quadplex								C	P	A		
46. Dwelling, Multi-Attached									C	P		
47. Dwelling, Stacked									C	P		
48. Dwelling, Apartment									C	P	C	
49. Dwelling Unit, Live-Work						C				P	P	P
50. Educational Services						P				P		P
51. Equestrian Establishments	P		C									

Land Use	Zoning Districts											
	AG	AL	OS	SRG	SRC	IN	RMH	R1	R2	CM	CH	M
52.Exploration Projects	C											
53.Fabric Buildings	A	A					A	A	A	A		
54.Finance and Insurance										P	P	
55.Fitness and Recreational Sports Centres			P			P				P	P	P
56.Funeral Homes										P	P	P
57.Gasoline Stations / Gasoline Stations with Convenience Stores											P	P
58.Golf Courses and Country Clubs			P									
59.Health Care Offices						P				P	P	
60.Heavy Equipment Sales, Rental and Servicing											P	C
61.Heritage Institutions			P			P				P	P	
62.Heritage Resources			P			P				P		
63.Home-Based Business	A	A					A	A	A			
64.Home Occupation	A	A					A	A	A			
65.Hospital						P						
66.Hostels			A		P	A				P	P	

Land Use	Zoning Districts											
	AG	AL	OS	SRG	SRC	IN	RMH	R1	R2	CM	CH	M
67. Hotels										P	P	
68. Housekeeping Cottages and Cabins					P							
69. Hunting and Fishing Camps					P							
70. Information and cultural industries												P
71. Interpretive Centres			P			P				P	P	
72. Libraries			P			P				P		
73. Light Equipment Sales, Rental and Servicing											P	P
74. Livestock Operation Uses, 10 AU > **75.** 10-299 AU	P P	P P										
76. Livestock Operation Uses, +300 Animal Units	C	C										
77. Manufacturing										C	P	P
78. Marinas			C		P							
79. Medical and Diagnostic Laboratories						P				P	P	P
80. Micro-Brewery / Distillery / Winery										P	P	P

Land Use	Zoning Districts											
	AG	AL	OS	SRG	SRC	IN	RMH	R1	R2	CM	CH	M
81.Mining, Quarrying, and Oil and Gas Extraction	C	C										
82.Mobile Food Services			A		P	A				P	P	A
83.Mobile Homes or Mobile Units		A		C		A	P					A
84.Mobile Home Parks							P					
85.Motor vehicle and parts dealers										C	P	P
86.Motels											P	
87.Motorcycle, Boat and Other Motor Vehicle Dealers										C	P	P
88.Motor Vehicle Towing											P	P
89.Movie Theatres			A							P		
90.Municipal Fire-Fighting Services		P								P	P	P
91.Nature Parks	P	P	P	P	P	P	P	P	P	P	P	P
92.Nursing and Residential Care Facilities						P						
93.Office			A			P				P	P	P
94.Off-Leash Dog Area			P			P	C	C	C	P	P	P

Land Use	Zoning Districts											
	AG	AL	OS	SRG	SRC	IN	RMH	R1	R2	CM	CH	M
95. Outside Display		A								A	A	
96. Outside Storage		A									A	C
97. Park	P	P	P	P	P	P	P	P	P	P	P	P
98. Parking Lot			A			A				A	P	A
99. Pavilion			P		P	P				P	P	
100. Performing Arts Centres			C			P				P		
101. Personal and Household Goods Repair and Maintenance										P	P	P
102. Personal Service Shops										P	P	
103. Pet Care Services (except Veterinary)										P	P	P
104. Picnic Shelter		P	P	P	P	P				P	P	P
105. Place of Worship						P					P	
106. Postal Service										P	P	P
107. Private Clubs			C			P				P	P	
108. Private Stables	P	P	C		C							
109. Public Works Yard		P									P	P

Land Use	Zoning Districts											
	AG	AL	OS	SRG	SRC	IN	RMH	R1	R2	CM	CH	M
110. Recreational and Vacation Camps			P		P							
111. Recreational Vehicle Dealers											P	
112. Recreational Vehicle (RV) Parks and Campgrounds			P	C	P							
113. Resorts					P							
114. Restaurants			C		P					P	P	
115. Retail Stores			A		P					P	P	
116. Retail Trade			C								P	A
117. Rooming and Boarding Houses						A			C			
118. Scenic and Sightseeing Transportation			C							C	P	
119. Scientific Research and Development Services						P					P	P
120. Self-Storage Mini Warehouses												P
121. Shipping Containers	CA	CA					CA				CA	CA
122. Sleep Cabin				A	A							

Land Use	Zoning Districts											
	AG	AL	OS	SRG	SRC	IN	RMH	R1	R2	CM	CH	M
123. Sports Arena/Stadium			C			P						
124. Testing Laboratories						P						P
125. Truck Transportation												C
126. Tourist Campsite			C		P							
127. Utilities	P	P	P			P	P	P	P	P	P	P
128. Veterinary Services		P								P	P	P
129. Warehousing and Storage											C	C
130. Waste Disposal Grounds	P											
131. Wastewater Management System	P											
132. Wholesale Trade											P	P

P = Permitted; C = Conditional; A = Accessory

6.6. Agriculture General – AG

6.6.1. Purpose

This Zone enables agricultural producers to generate agricultural products.

6.6.2. Bulk Standards

The following zone regulations apply to all allowable uses in the "AG" Agriculture General zone as outlined on **Table 15**.

6.6.3. Table 15: "AG" Bulk Standards

Uses	Lot Dimensions		Required Yards				(i)Building Height (max) ft
	(ii)Lot Area (min) ac	(iii)Lot Frontage (min) ft	(iv)Front Yard (min) ft	(v)Interior Side Yard ft	(vi)Exterior Side Yard ft	(vii)Rear Yard (min) ft	
a. Agriculture Operations	80.0	1,000	125	25	25	25	35
c. Dwelling, Single-Detached	2.0	660	125	25	25	25	35
d. Equestrian Establishment	80.0	200	125	25	25	25	35
e. Livestock Operations, 10 AU > 299 AU	80.0	200	125	25	25	25	35
f. Livestock Operations, Large Scale, +300 AU	80.0	200	125	25	25	25	35
g. All Permitted and	2.0	200	125	25	25	25	35

Conditional Other Uses							

6.7. Agriculture Limited – AL

6.7.1. Purpose

This Zone enables establishments primarily engaged in providing goods and services to agriculture operations; producing food for human or animal consumption on a large scale in a manufacturing process using agricultural products provided by an agricultural operation; and industries producing chemicals for agricultural operations to be established near agriculture operations. Also includes the production of food crops and non-food crops grown under cover. Habitable spaces are allowed in limited forms to only accommodate on-site workers, the business owner, caretaker, security guard or similar employee.

6.7.2. Bulk Standards

The following zone regulations apply to all allowable uses in the "AL" Agriculture Limited zone as outlined on **Table 16**.

6.7.3. Table 16**:** "AL" Bulk Standards

Uses	Lot Dimensions		Required Yards				(i) Building Height (max) ft
	)Lot Area (min) ac	(iii)Lot Frontage (min) ft	(iv)Front Yard (min) ft	(v)Interior Side Yard ft	(vi)Exterior Side Yard ft	(vii)Rear Yard (min) ft	
Agriculture Operations	80.0	1,000	125	25	25	25	35
Livestock Operations Uses, Large Scale, +300 Animal Units	80.0	200	125	25	25	25	100
All other Uses	2.0	200	125	0	25	0	100

6.8. Open Space – OS

6.8.1. Purpose

This Zone enables public access to lands for active and passive recreational uses in parks; the

creation of landscaped buffers between incompatible land-uses; the preservation of critical and significant wildlife habitat; and the protection of **Natural Lands** as set out in the Southwest Planning District Development Plan for protection to optimize ecological, heritage, cultural, health and economic benefits to the communities.

6.8.2. Bulk Standards

The following zone regulations apply to all allowable uses in the "OS" Open Space zone as outlined on **Table 17**.

6.8.3. Table 17: OS" Bulk Standards

Required Yards				
(ii) Front Yard (min) ft.	(iii) Interior Side Yard (min) ft.	(iv) Exterior Side Yard (min) ft.	(v) Rear Yard (min) ft.	(i) Building Height (max) ft.
40	5	15	25	35

6.8.4. Additional Regulations

(1) Notwithstanding other section of this Zoning By-law, the following zone regulations apply in the **OS Zone**:

a. **Apiculture (Beekeeping)** shall be permitted as provided under *Section 2.38 Apiculture (Beekeeping).*

b. **Animal Keeping, Farm Animals** shall be permitted as provided under *Section 2.36 Livestock*.

c. **Retail Store** shall not exceed **800 square feet** of gross floor area.

d. **Retail Trade** shall not exceed **400 square feet** of gross floor area.

6.9. Institutional – IN

6.9.1. Purpose

This zone enables public or privately owned facilities with an orientation towards educational, institutional, health care or community services to exist alongside uses that complement the institutional land-use.

6.9.2. Bulk Standards

The following zone regulations apply to all allowable uses in the "IN" Institutional zone as outlined on **Table 18**.

6.9.3. Table 18: IN" Bulk Standards

Lot Dimensions			Required Yards				
(ii)Lot Area (min) ft²	(iii)Lot Frontage (min) ft.	(iv)Lot Coverage (max)	(v)Front Yard (min) ft.	(vi) Interior Side Yard (min) ft.	(vii)Exterior Side Yard (min) ft.	(viii)Rear Yard (min) ft.	(i)Building Height (max) ft.
5,000	50	40%	20	10	15	30	50

6.9.4. Additional Regulations

(1) Notwithstanding other section of this Zoning By-law, the following zone regulations apply in the **IN Zone**:

a. **Apiculture (Beekeeping)** shall be permitted as provided under ***Section 2.38 Apiculture (Beekeeping).***

b. **Accessory Dwellings** shall be permitted as provided under ***Section 4.1 Accessory Dwelling Units*** and ***Section 4.12 Dwelling Units, Industrial and Institutional Zones.***

c. The minimum lot area shall be **2.0 acres** and the maximum building height shall be **35 feet** for lots with no piped services or only having piped water.

d. **Retail Store** shall not exceed **800 square feet** of gross floor area.

e. **Retail Trade** shall not exceed **800 square feet** of gross floor area.

6.10. Seasonal Recreation General – SRG

6.10.1. Purpose

This Zone enables rural residential uses that are intended to be used seasonally or on a part-time basis.

6.10.2. Bulk Standards

The following zone regulations apply to all allowable uses in the "SRG" Seasonal Recreation General zone as outlined on **Table 19.**

6.10.3. Table 19: SRG Bulk Standards

Use	Lot Dimensions				Required Yards				(i)Building Height (max) ft.
	(ii) Lot Area (min) ft²	(iii) Lot Frontage (min) ft.	(iv) Lot Coverage (max)	(v) Gross Floor Area (min) ft²	(vi) Front Yard (min) ft.	(vii) Interior Side Yard ft.	(viii) Exterior Side Yard ft.	(ix) Rear Yard (min) ft.	
All Uses	9,000	75	40%	480	25	8	15	25	35

6.10.4. Additional Regulations

(1) Notwithstanding other section of this Zoning By-law, the following zone regulations apply in the SRG Zone:

a. **Apiculture (Beekeeping)** shall be permitted as provided under *Section 2.385 Apiculture (Beekeeping).*

b. All **Principal** and **Accessory** Buildings and Structures on lots adjacent to a water body shall be subject to *Section 2.5 Lands Subject to Flooding*, *Section 2.6 Lands Subject to Erosion or Bank Instability* and *2.7 Setbacks along Water Bodies.*

c. A minimum interior side yard of **4 feet** shall be permitted for properties with lot widths of 55 feet or less.

d. Building and structure separation between Accessory and Principal Buildings and Structures shall be in accordance with *Sub-Section 2.30.4: Location on the Lot for Accessory building, Structure or Use; and Building Separation between Accessory Buildings* and *Sub-Section 2.30.6: Setbacks from Lot Lines*.

6.11. Seasonal Recreation Commercial – SRC

6.11.1. Purpose

This Zone enables an assortment of seasonal accommodations, tourist attractions, and facilities for culture and sport to be established for the purposes of providing dynamic recreational opportunities and support services to tourists. Habitable spaces are allowed in limited forms to only accommodate on-site workers, the business owner, caretaker, security guard or similar employee.

6.11.2. Bulk Standards

The following zone regulations apply to all allowable uses in the "SRM" Seasonal Recreation Mixed zone as outlined on **Table 20**.

6.11.3. Table 20: SRC Bulk Standards

Use	Lot Dimensions				Required Yards				(ii)Building Height (max) ft.
	(iii) Lot Area (min) ft^2	(iv) Lot Frontage (min) ft.	(v) Lot Coverage (max)	(vi) Gross Floor Area (min) ft^2	(vii) Front Yard (min) ft.	(viii) Interior Side Yard ft.	(ix) Exterior Side Yard ft.	(x) Rear Yard (min) ft.	
All Uses	9,000	75	40%	480	10	15	20	25	35

6.11.4. Additional Regulations

(1) Notwithstanding other section of this Zoning By-law, the following zone regulations apply in the **SRM Zone**:

a. **Apiculture (Beekeeping)** shall be permitted as provided under *Section 2.38 Apiculture (Beekeeping).*

b. **Retail Store** shall not exceed **800 square feet** of gross floor area.

c. **Retail Trade** shall not exceed **1000 square feet** of gross floor area.

d. Principal and Accessory Buildings and Structures on a lot adjacent to a water body shall be subject to *Section 2.5 Lands Subject to Flooding*, *Section 2.6 Lands Subject to Erosion or Bank Instability* and *2.7 Setbacks along Water Bodies.*

6.12. Residential First Density – R1

6.12.1. Purpose

This Zone is to provide for **Single-Detached Dwellings** with **Semi-Detached, Duplex,** and **Triplex Dwellings** allowed in limited locations in the community of Deloraine. It is the lowest density residential zone in the Municipality.

6.12.2. Bulk Standards

The following zone regulations apply to all allowable uses in the "R1" Residential First Density zone as outlined on **Table 21**.

6.12.3. Table 21: "R1" Bulk Standards

Land Use	Lot Dimensions				Required Yards				(i) Building Height (max) ft.
	(ii) Lot Area (min) ft^2	(iii) Lot Frontage (min) ft.	(iv) Lot Coverage (max)	(v) Gross Floor Area (min) $ft.^2$	(vi) Front Yard (min) ft.	(vii) Interior Side Yard (min) ft.	(viii) Exterior Side Yard (min) ft.	(ix) Rear Yard (min) ft.	
(a) **Single-Detached**	2,500	25	40%	800	25	4	4	25	35
(b) **Semi-Detached**	5,000	50	40%	800	25	4	4	25	35
(c) **Duplex**	5,000	50	40%	800	25	4	4	25	35
(d) **Triplex**	5,000	50	40%	800	25	4	4	25	35
(e) **All Other Uses**	9,000	60	40%	800	25	4	10	25	35

6.12.4. Additional Regulations

(1) Notwithstanding other section of this Zoning By-law, the following zone regulations shall also apply in the **R1 Zone**:

a. **Home Enterprises** shall be permitted only in **Single-Detached Dwellings** as provided under ***Section 2.29 Home Enterprises***.

b. **Apiculture (Beekeeping)** shall be permitted as provided under ***Section 2.38 Apiculture (Beekeeping).***

c. **Animal Keeping, Farm Animals** shall be permitted only with **Single-Detached Dwellings** as provided under ***Section 2.36 Livestock***.

d. **Accessory Dwelling Units** shall only be permitted with **Single-Detached Dwellings** as provided under ***Section 4.1***.

e. **Semi-Detached, Duplex, and Triplex Dwellings** shall only be permitted on **Corner Lots** as provided under ***Section 4.3 Corner Lots.***

f. **Semi-Detached Dwellings** may be split onto separate lots to allow each dwelling unit on its own lot as provided under ***Section 4.7***.

g. **Community Care Facilities** shall only be permitted on **Corner Lots** as provided under ***Section 4.3 Corner Lots*** and ***Section 4.5 Community Care Facilities.***

h. The minimum lot area shall be **12,000 square feet** and the minimum lot frontage shall be **100 feet** for all uses on lots with no rear public lane.

6.13. Residential Second Density – R2

6.13.1. Purpose

This Zone is to provide for **Single-Detached, Semi-Detached, Duplex, Triplex,** and **Quadplexes**; and buildings with more than four (4) units.

6.13.2. Bulk Standards

The following zone regulations apply to all allowable uses in the "R2" Residential Secondary Density zone as outlined on **Table 22**.

6.13.3. Table 22: "R2" Bulk Standards

Land Use	Lot Dimensions				Required Yards				(i) Building Height (max) ft.
	(ii) Lot Area (min) ft^2	(iii) Lot Frontage (min) ft.	(iv) Lot Coverage (max)	(v) Gross Floor Area (min) $ft.^2$	(vi) Front Yard (min) ft.	(vii) Interior Side Yard (min) ft.	(viii) Exterior Side Yard (min) ft.	(ix) Rear Yard (min) ft.	
(a)Apartment	22,000	100	60%	400	25	15	15	25	50
(b)Bungalow Clusters	20,000	135	30%	2,000	15	15	20	20	35
(c)Bungalow Courts	20,000	135	30%	2,000	15	15	4	4	35
(d)Single-Detached	2,500	25	50%	--	15	4	4	10	35
(b)Semi-Detached	5,000	50	50%	--	15	4	4	10	35
(c)Duplex	5,000	50	50%	--	15	4	4	10	35
(d)Triplex	5,000	50	50%	--	15	4	4	10	35
(e) Quadplex	5,000	50	50%	--	15	4	4	10	35
(f)Multi-Attached	8,000	80	60%	1000	15	4	4	10	35
(g)Stacked	8,000	80	60%	500	15	4	4	10	35
(h)All Other Uses	9,000	60	40%	--	25	5	10	25	35

6.13.4. Additional Regulations

(1) Notwithstanding other section of this Zoning By-law, the following zone regulations also apply in the **R2 Zone**:

a. **Apartments, Bungalow Clusters, Bungalow Courts, Multi-Attached Dwellings** and **Stacked Dwellings** with **more than 4 units** are permitted with the maximum density, the number of allowable units, calculated by the gross lot area divided by the **Gross Floor Area (Minimum)** of the zone.

b. **Bungalow Clusters** and **Bungalow Courts** shall be permitted as provided under *Section 4.8* or *Section 4.9.*

c. **Mobile Homes** and **Mobile Home Parks** shall only be permitted in **Bungalow Clusters** and **Bungalow Courts** as provided under *Section 4.14 Mobile Homes and Mobile Units.*

d. **Home Enterprises** shall be permitted only in **Single-Detached Dwellings** as provided under *Section 2.29 Home Enterprises*.

e. **Accessory Dwelling Units** shall only be permitted with **Single-Detached Dwellings** as provided under *Section 4.1*.

f. **Rooming and Boarding Houses** shall only be permitted on **Corner Lots** as provided under ***Section 4.3 Corner Lots*** and *Section 4.4 Rooming and Boarding Houses.*

g. **Community Care Facilities** shall only be permitted on **Corner Lots** as provided under *Section 4.3 Corner Lots* and *Section 4.5 Community Care Facilities.*

h. **Semi-Detached Dwellings** and **Multi-Attached Dwellings** may be split onto separate lots to allow each dwelling unit on its own lot as provided under *Section 4.7*.

i. The minimum lot area shall be **12,000 square feet** and the minimum lot frontage shall be **100 feet** for all uses on lots with no rear public lane.

6.14. Residential Mobile Home – RMH

6.14.1. Purpose

This Zone is to provide for Single Detached Dwellings of a permanent nature in a rural setting, generally without the provision of the full range of municipal services.

6.14.2. Bulk Standards

The following zone regulations apply to all allowable uses in the "RMH" Residential Mobile Home zone as outlined on **Table 23**.

6.14.3. Table 23**:** RMH Bulk Standards

Lot Dimensions				**Required Yards**				
(ii) Lot Area (min) ft^2	**(iii)** Lot Frontage (min) ft.	**(iv)** Lot Coverage (max)	**(v)** Gross Floor Area (min) ft^2	**(vi)** Front Yard (min) ft.	**(vii)** Interior Side Yard ft.	**(viii)** Exterior Side Yard ft.	**(ix)** Rear Yard (min) ft.	**(i)** Building Height (max) ft.
2,500	25	40%	800	25	10	10	10	35

6.14.4. Additional Regulations

(1) Notwithstanding other section of this Zoning By-law, the following zone regulations apply in the **RMH Zone**:

a. **Apiculture (Beekeeping)** shall be permitted as provided under ***Section 2.38 Apiculture (Beekeeping).***

b. **Animal Keeping, Farm Animals** shall be permitted only with **Single-Detached Dwellings** as provided under ***Section 2.36 Livestock***.

c. **Accessory Dwelling Units** shall only be permitted with **Single-Detached Dwellings** as provided under ***Section 4.1***.

d. **Mobile Home Parks** shall only be permitted in **Bungalow Clusters** and **Bungalow Courts** as provided under *Section 4.14 Mobile Homes and Mobile Units.*

6.15. Commercial Main Street – CM

6.15.1. Purpose

This Zone enables the development of the traditional Main Street with a mix of business and personal services in smaller boutique settings that serve the day-to-day needs of residents and help make the street environment more walkable with active frontages. Certain types of residential uses are allowed only above the ground floor or attached to the rear of the structure in a mixed use building where other permitted uses are on the ground floor fronting the public road.

6.15.2. Bulk Standards

The following zone regulations apply to all allowable uses in the "CM" Commercial Main Street zone as outlined on **Table 24**.

6.15.3. Table 24: CM" Land Use

Lot Dimensions			Required Yards				
(ii) Lot Area (min) ft2	(iii) Lot Frontage (min) ft.	(iv) Lot Coverage (max)	(v) Front Yard (min) ft.	(vi) Interior Side Yard (min) ft.	(vii) Exterior Side Yard (min) ft.	(viii) Rear Yard (min) ft.	(i) Building Height (max) ft.
2,500	25	95%	0	0	0	25	50

6.15.4. Additional Regulations

(1) Notwithstanding other section of this Zoning By-law, the following zone regulations apply in the **Commercial Main Streets Zone**:

a. Residential Uses shall be subject to ***Section 4.11 Dwelling Units, Commercial Zones.***

b. **Apiculture (Beekeeping)** shall be permitted as provided under ***Section 2.38 Apiculture (Beekeeping).***

c. **Site Plan Approval / Design Review** shall be required by the Development Officer prior to the issuance of any building or development permits, for the on-site locations and designs of all parking areas, private approaches, garbage areas, and fencing, all of which shall be maintained to the satisfaction of the Development Officer.

d. **Retail Stores** shall not exceed **10,000 square feet** of gross floor area.

e. **Retail Trade** shall not exceed **400 square feet** of gross floor area.

6.16. Commercial Highway – CH

6.16.1. Purpose

This Zone enables a wide array of uses and services to be located conveniently on Provincial Trunk Highways or Roads, or major arterial streets to better serve a broad market catchment area of residents, businesses, and the traveling public; and to be exposed to large volumes of vehicle traffic including commercial vehicles. Characteristics include a dependency on vehicle traffic, large parking areas, a dominance of vehicle use, and large land areas for development, especially to accommodate commercial vehicles. Limited residential uses are allowed only above the ground floor or attached to the rear of the structure in mixed use buildings where other permitted uses are on the ground floor fronting the public road.

6.16.2. Bulk Standards

The following zone regulations apply to all allowable uses in the "CH" Commercial Highway zone as outlined on **Table 25**.

6.16.3. Table 25: "CH" Bulk Standards

Lot Dimensions		Required Yards				
(ii) Lot Area (min) Ac.	(iii) Lot Frontage (min) ft.	(iv) Front Yard (min) ft.	(v) Interior Side Yard (min)ft.	(vi) Exterior Side Yard (min)ft.	(vii) Rear Yard (min)ft.	(i) Building Height (max) ft.
1.0	75	25	10	25	20	60

6.16.4. Additional Regulations

(1) All developments in **Commercial Highway Zone** may be subject to the following:

a. Residential Uses shall be subject to ***Section 4.11 Dwelling Units, Commercial Zones.***

b. **Apiculture (Beekeeping)** shall be permitted as provided under ***Section 2.38 Apiculture (Beekeeping).***

c. **Site Plan Approval / Design Review** shall be required by the Development Officer prior to the issuance of any building or development permits, for the on-site locations and designs of all parking areas, private approaches,

garbage areas, and fencing, all of which shall be maintained to the satisfaction of the Development Officer.

d. The minimum lot area shall be **2.0 acres**, the minimum lot frontage shall be **200 feet,** the maximum building height shall be **45 feet** for lots with no piped services or only having piped water.

6.17. Industrial General – M

6.17.1. Purpose

This Zone provide areas for employment uses that occur entirely within an enclosed building with limited use of outside areas to employee parking; not more than 2 loading areas; and makes use of vehicles with GVWR less than 33,000 lbs. **Retail trade** accessory to the employment activity may be allowable. Habitable spaces are allowed in limited forms to only accommodate on-site workers, the business owner, caretaker, security guard or similar employee.

6.17.2. Bulk Standards

The following zone regulations apply to all allowable uses in the "M" Industrial zone as outlined on **Table 26**.

6.17.3. Table 26: "M" Bulk Standards

Lot Dimensions		Required Yards				
(ii) Lot Area (min) ft^2	**(iii)** Lot Frontage (min) ft.	**(iv)** Front Yard (min) ft.	**(v)** Interior Side Yard (min)ft.	**(vi)** Exterior Side Yard (min)ft.	**(vii)** Rear Yard (min) ft.	**(i)** Building Height (max) ft.
5,000	50	40	5	15	25	35

6.17.4. Additional Regulations

(1) Notwithstanding other section of this Zoning By-law, the following zone regulations apply in the **M Zone**:

a. **Apiculture (Beekeeping)** shall be permitted as provided under ***Section 2.38 Apiculture (Beekeeping).***

b. **Accessory Dwellings** shall be permitted as provided under ***Section 4.1 Accessory Dwelling Units*** and ***Section 4.12 Dwelling Units, Industrial and***

Institutional Zones.

c. **Mobile Homes** and **Mobile Units** shall be permitted as **Accessory Dwellings Units** as provided under ***Section 4.14 Mobile Homes and Mobile Units.***

d. Shall not have more than **2 loading areas** unless approved by conditional use.

e. Shall not have vehicles with GVWR greater than **33,000 lbs** without conditional use.

f. Shall not have more than **8 vehicles** with GVWR greater than **19,501 lbs** without conditional use.

g. Shall not use Truck Tractor/Trailer Combinations with 4 or more axles, or railway cars.

h. The manufacturing, fabricating, processing, assembly or disassembly of materials, semi-finished goods, finished goods, products or equipment, provided live animals are not involved in any aspect of the operation where part or all of the processes and functions associated with the use are located outside of a building shall be a conditional use.

i. Uses with cleaning, servicing, testing, repairing or maintenance of industrial or commercial goods and equipment where part or all of the processes and functions associated with the use are located outside of a building shall be a conditional use.

j. The crushing, dismantling, sorting or processing of discarded goods outside a building is conditional use

k. Establishments whose sole purpose is to provide for the consolidation, division and/or distribution of bulk goods through the use of Truck Tractor/Trailer Combinations are conditional use.

l. The intermodal system of transport whereby two or more modes of transport are used to transport the same loading unit or truck in an integrated manner, without loading or unloading, in a transport chain are conditional use.

m. Establishments where part or all of the processes and functions associated with the use are located outside of a building, including the function of routinely using Truck Tractor/Trailer Combinations with 4 or more axles, or railway cars are conditional use.

n. A railyard where an area of land, a portion of which is covered by a system of tracks, that provides for the making up of trains by one or more railroads or private industry concerns. Necessary functions of a railyard include but are not limited to the classifying, switching, storing, assembling, distributing, consolidating, moving, repairing, weighing, or transferring of cars, trains, engines, locomotives, and rolling stock are conditional use.

o. The occupancy contains sufficient quantities of highly combustible and flammable or explosive materials to constitute a special fire hazard because of their inherent characteristics are conditional use.

Schedule B:

Map 1 – Municipality of Deloraine-Winchester

Map 2 – Deloraine

Map 3 – Turtle Mountain Tourism Area

Map 1
Municipality of Deloraine-Winchester

0 1.25 2.5 5 km

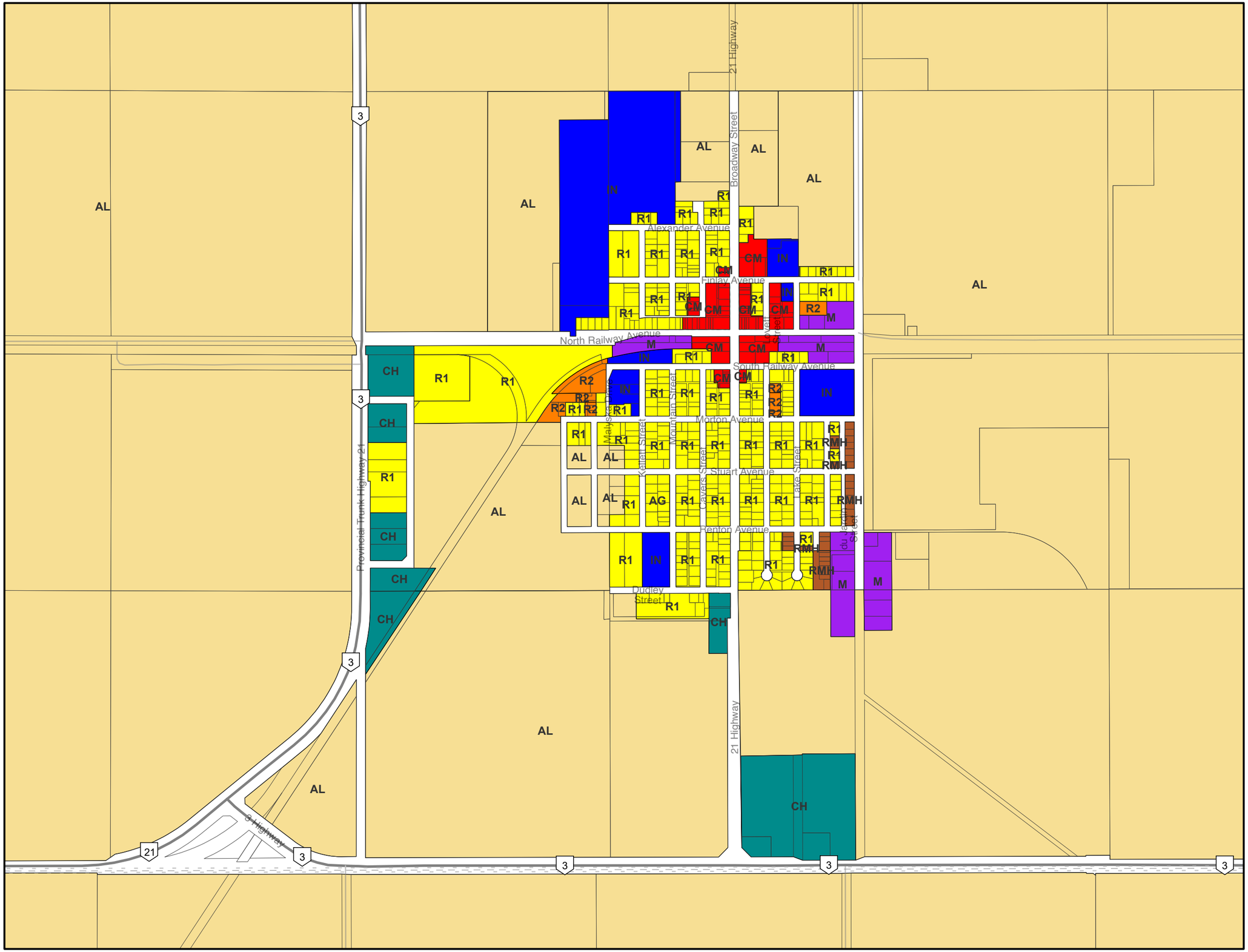
0 0.5 1 2 3 Miles

- Agriculture General
- Agriculture Limited
- Open Space
- Institutional
- Seasonal Recreation General
- Seasonal Recreation Commercial
- Residential First Density
- Residential Second Density
- Residential Mobile Home
- Commercial Main Street
- Commercial Highway
- Industrial General

Date: 9/1/2022

Range 24 23 22 21 Twn 5 4 3 2 1

Grain Lakes Road
Railway Avenue
Dand-Regent-Croll Road
Provincial Trunk Highway 3
Broadway Street
North Railway Avenue
Provincial Road 450
Dromore Lake Road
Provincial Road 251
Railway Avenue
Provincial Road 450
4 - 2 4 - W
4 - 2 3 - W
4 - 2 2 - W
3 - 2 4 - W
3 - 2 3 - W
3 - 2 2 - W
2 - 2 4 - W
2 - 2 3 - W
2 - 2 2 - W
1 - 2 4 - W
1 - 2 3 - W
1 - 2 2 - W
AG
AL
OS
SRG
CH
21
3
450
251



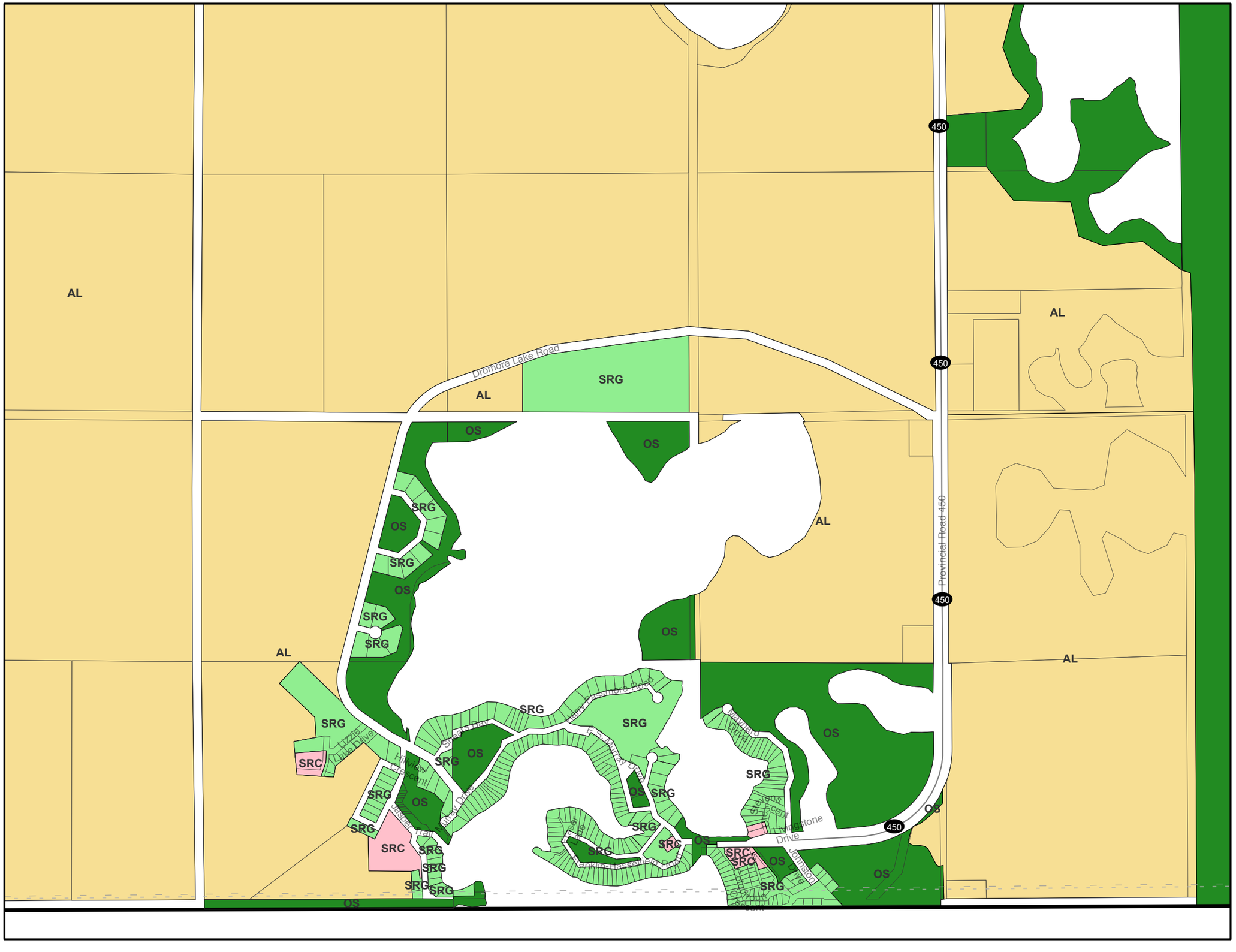
Deloraine Winchester

Map 2
Deloraine

- Agriculture General
- Agriculture Limited
- Institutional
- Residential First Density
- Residential Second Density
- Residential Mobile Home
- Commercial Main Street
- Commercial Highway
- Industrial General

0 75 150 300 m

0 300 600 1,200 ft



Map 3
Turtle Mountain
Seasonal Area

- Agriculture Limited
- Open Space
- Seasonal Recreation General
- Seasonal Recreation Commercial

0 75 150 300
m
ft
0 287.5575 1,150