

Rural Municipality of De Salaberry



Zoning By-law

**RURAL MUNICIPALITY OF
DE SALABERRY**

BY-LAW NO. 2435-25

ZONING BY-LAW

BEING a By-Law of the Rural Municipality of De Salaberry to regulate the use and development of land

WHEREAS Section 68 of *The Planning Act* requires a Municipality to adopt a Zoning By-Law that is generally consistent with the Development Plan By-Law in effect in the Municipality;

AND WHEREAS, under Part 4 Division 1 of *The Planning Act*, the Rural Municipality of De Salaberry has, by by-law, adopted the Rural Municipality of De Salaberry Development Plan;

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

1. That the By-Law 2369-18 being the Rural Municipality of De Salaberry Zoning By-law and all amendments thereto are hereby repealed.
2. That the attached Zoning By-law No. 2435-25, marked Schedule "A", is hereby adopted and shall be known as: The Rural Municipality of De Salaberry Zoning By-Law.
3. That the Rural Municipality of De Salaberry Zoning By-law shall take force and effect on the date of third reading of this by-law.



**MUNICIPALITÉ RURALE DE
DE SALABERRY**

ARRÊTÉ N° 2435-25

ARRÊTÉ SUR LE ZONAGE

Arrêté de la Municipalité rurale de De Salaberry visant à réglementer l'usage et la mise en valeur des biens-fonds

ATTENDU QUE l'article 68 de la *Loi sur l'aménagement du territoire* prévoit que le conseil d'une municipalité doit adopter un règlement de zonage qui est conforme, de manière générale, au règlement portant sur le plan de mise en valeur en vigueur dans la municipalité;

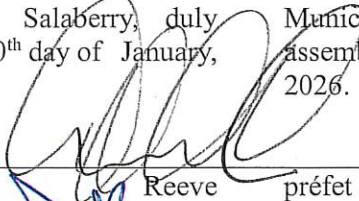
ATTENDU QUE, en vertu de la partie 4, section 1 de la *Loi sur l'aménagement du territoire*, la Municipalité rurale de De Salaberry a, par arrêté, adopté le Plan de mise en valeur de la Municipalité rurale de De Salaberry;

PAR CONSÉQUENT, le conseil de la Municipalité rurale de De Salaberry, dûment assemblé, adopte ce qui suit :


1. Que l'Arrêté 2369-18, soit l'arrêté sur le zonage de la Municipalité rurale de De Salaberry, et toutes les modifications qui y ont été apportées, soient abrogés par la présente.
2. Que l'Arrêté n° 2435-25 sur le zonage, portant la mention « Annexe A », soit par la présente adopté et soit connu sous le nom Arrêté sur le zonage de la Municipalité rurale de De Salaberry.
3. Que l'Arrêté sur le zonage de la Municipalité rurale de De Salaberry entre en vigueur à la date de la troisième lecture du présent arrêté.

DONE AND PASSED by the Council of the Rural Municipality of De Salaberry, duly assembled in Manitoba, this 20th day of January, 2026.

FAIT ET ADOPTÉ par le conseil de la Municipalité rurale de De Salaberry, dûment assemblé au Manitoba, ce 20th jour de janvier 2026.



Reeve préfet




Chief Administrative Office directeur général

Read a first time this 6th day of May 2025.
Read a second time this 20th day of August, 2025.
Read a third time this 20th day of January, 2026.

Première lecture le 6 mai 2025.
Deuxième lecture le 20 août 2025.
Troisième lecture le 20 janvier 2026

I, Dallas Braun, Chief Administrative Officer of the RM of De Salaberry certify this to be a true and correct copy of By-Law 2435-25, given second reading at regular meeting of council on January 20, 2026.

Je soussigné, Dallas Braun, directeur général de la municipalité rurale de De Salaberry, certifie que le présent document est une copie conforme et authentique du règlement 2435-25, adopté en deuxième lecture lors de la séance ordinaire du conseil municipal tenue le 20 janvier 2026.



Dallas Braun Dallas Braun
Chief Administrative Officer directeur général

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HOW TO USE THIS ZONING BY-LAW

This zoning by-law regulates the use, size, height, and location of buildings on properties within the Rural Municipality of De Salaberry. There is a simple four-step process to determine the uses and structures that are permitted on a specific piece of property.

Step One

What zone is your property located in?

- Use the Zoning Map in Schedule A to determine the zoning for your property.
- Reference [Part 5: Zones](#) for a description of the intent of that particular zone.
- Look in the Development Plan and any Secondary Plan that applies to your property to confirm your proposal fits with the applicable policies in those documents.

Step Two

What uses are permitted in your zone?

- Find the column with the zone of your property in the **Bulk/Use Table** in [Part 5: Zones](#)
- Uses marked with the letter **P** are permitted uses and may be developed once you have received a development permit.
- Uses marked with the letter **C** are conditional uses that may or may not be acceptable in a zone depending on the particular circumstances of a proposed development. Conditional uses require a public hearing process and may have extra conditions imposed on the use to make it acceptable for the location.
- Uses that are underlined are only allowed as secondary or accessory uses. Uses with Use Specific Standards are specified in the corresponding column with the location in the By-law.

Step Three

How and where can you develop properties in your zone?

- Find the column with the zone of your property in the **Bulk/Use Table** in [Part 5: Zones](#).
- The Bulk Table provides information on allowable height of buildings and structures, required yards, and other spatial requirements for a property.
- To understand the specific details of these requirements, you may need to reference the General Regulations Part 4 and the Definitions Part 3.

Step Four

What kind of permits do you need?

- In most cases, you will need a development permit before you start any change in land use or any development (including construction of a building) on a property.
- Check the [Administration section in Part 2](#) to see if your planned development is exempt from needing a development permit. If so, you may proceed with development, as long as it meets the other requirements in this zoning by-law and other applicable by-laws.
- If you need a development permit, fill out a development permit application.
- You are responsible for finding out any other provincial or federal regulations applying to your development, as well as any other required local permits, including building permits, plumbing permits, electrical permits, demolition permits, etc. if applicable.

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1 APPLICABILITY AND SCOPE

1.1 Title

This By-law shall be known as the Rural Municipality of De Salaberry Zoning By-law.

1.2 Scope

This By-law applies to all lands in the Rural Municipality of De Salaberry.

1.3 Application

This By-law regulates:

- a) The construction, erection, alteration, enlargement or placing of buildings and structures.
- b) The establishment, alteration, or enlargement of uses of land, buildings, and structures.
- c) All other forms of development not included above.

1.4 Use and Development of Land and Buildings Must Comply

Within the Rural Municipality of De Salaberry, no land, building or structure shall be used or occupied, and no building or structure shall be constructed, erected, altered, enlarged, or placed, except in accordance with this By-law.

1.5 Restrictions in Other By-laws or Federal and Provincial Laws

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

1.6 Does Not Promote Nuisance

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

2 ADMINISTRATION

This By-law shall be administered in accordance with the provisions of The Planning Act and this PART.

2.1 Administration and Enforcement

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

2.2 When Development Permits are Required

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

- a) The erection, construction, enlargement, structural alteration or placing of a building or structure, either permanent or temporary;
The establishment of a use of land or a building or structure;
- b) The change of a use of land or a building or structure from the existing use to another permitted use;
- c) When the natural elevation of a site is changed (raised or lowered) by more than six inches.

2.3 Development Permits and Other Permits

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

2.4 When Development Permits are Not Required

A development permit is not required for **incidental alterations** as follows:

- a) Patching, painting or decorating;
- b) Replacement of stucco, siding or shingles with the same material;
- c) Replacement of doors or windows when the opening is not altered;

- d)** replacement of open 4ft by 5ft landing and stairs;
- e)** installation of cabinets and shelves;
- f)** a detached accessory storage building no greater than 120 square feet in building area provided it does not create a hazard to neighbouring properties and meets the setbacks set out in the Zoning By-Law;
- g)** a concrete pad which is not to serve as the foundation or floor of any structure;
- h)** Replacing of flooring;
- i)** change interior wall covering (i.e. drywall, panelling, etc.);
- j)** replacing eaves troughs and down spouts;
- k)** moving and or removing internal walls as long as it is not a load bearing wall;
- l)** non-structural alterations or repairs where the value of such work is less than ten thousand dollars (\$10,000). Anything more than \$10,000, other than the above, requires a Development Permit.

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

2.5 Applications for Development Permits

An application for a Development Permit:

- a)** shall be made by the owner or owners of the parcel in question, or by a person authorized in writing by them.
- b)** shall be accompanied by plans drawn to scale showing the following:
 - i)** the shape and dimensions of the parcel to be used or built on.
 - ii)** the location and dimensions of existing buildings, structures, wells, and onsite wastewater management systems.
 - iii)** the location and dimensions of any proposed building, structure, enlargement, or alteration.

- iv)** the use or uses of each existing and proposed building and structure, or of the land, and the area to be occupied by each use.
- v)** vehicular access, utility connections, parking areas, loading areas, or signage (where applicable).
- c)** may be required to be accompanied by a building location certificate (for existing buildings only).
- d)** may be required to be accompanied by the fee prescribed by the Municipality resulting from the issuance of the Development Permit.

2.6 The Development Officer

The position of the Development Officer is hereby established. The person appointed as Development Officer by the Municipality shall be a designated officer for the purposes of *The Planning Act*.

2.7 Roles of the Development Officer

The Development Officer shall have the authority to:

- a)** issue development permits and exercise the powers of administration, inspection, remedy, and enforcement provided in Part 12 of *The Planning Act*.
- b)** refuse to issue a development permit where:
 - i)** the development permit application, or any information accompanying the development permit application, is incorrect or incomplete.
 - ii)** the proposed building, structure or use does not, to the development officer's knowledge, comply with this zoning by-law, the Building By-law or with any other law.
- c)** revoke a development permit where the development permit was issued in error.
- d)** make a minor variance order, without the need for a public hearing, for any proposed change that varies:
 - i)** any height, distance, area, size, or intensity of use requirement in the zoning by-law by no more than 15%; or

- ii) the number of parking spaces required by the zoning by-law by no more than 15%.

2.8 Responsibilities of Council

Subject to the provisions of The Act, Council is responsible for:

- a) administering and enforcing the provisions of this By-law.
- b) considering the adoption or rejection of proposed amendments or the repeal of this By-law.
- c) approving or rejecting variance applications.
- d) approving or rejecting conditional use applications, and may revoke the authorized conditional use for any violation of any additional conditions imposed by it.
- e) establishing a schedule of fees.
- f) appointing a Development Officer to administer this By-law.

2.9 Duties of the Owner

Subject to the provisions of The Planning Act, the Owner is responsible for:

- a) the preparation of all application forms and drawings which are required to be submitted to the Development Officer in accordance with the provisions of this By-law and The Planning Act.
- b) obtaining all necessary permits and approvals which may be required by the Board, Council or any agencies or departments of the provincial or federal governments, prior to the commencement of construction, or the change of use of any land, building or structure.
- c) ensuring that all work is completed in accordance with the approved application and development permit.
- d) obtaining the written approval of the Development Officer before doing any work at variance with the approved development permit.
- e) permitting the Development Officer to enter any premises at any reasonable time for the purpose of administering or enforcing this By-law, and shall not molest,

obstruct, or interfere with the Development Officer in the discharge of his/her duties under this By-law.

2.10 Application for Amendments, Variances and Conditional Uses

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

- a) plans drawn to scale showing the shape and dimensions of the affected property.
- b) plans drawn to scale showing the location and dimensions of existing buildings and structures, including distances from property lines, other buildings, and setbacks.
- c) plans drawn to scale showing the location and dimensions of the proposed building, structure, enlargement, or alteration.
- d) a description of the use or uses of each existing and proposed building or structure, or of the land and the area to be occupied by each use.
- e) a description of the reason why the variance, conditional use, or amendment to this By-law is being requested.
- f) any other information required by the Development Officer to determine compliance with, and to provide for enforcement of, this By-law.

2.11 Expiry of Approval

The approval of Council of a variance or conditional use shall expire and cease to have any effect if it is not acted upon in the opinion of the Chief Administrative Officer or designate within 12 months of the date of decision unless the application for an additional period of twelve months is made prior to the expiry date of the original approval and for a second period of not longer than 12 months if an application is received before the expiry of the first extension.

2.12 Subdivisions

Approval of a subdivision of land is subject to the provisions contained in The Planning Act and to the policies contained within the De Salaberry Development Plan and amendments thereto. A variance order is required if the proposed lot, buildings or structures do not meet

the minimum site area and width requirements or meet minimum setbacks. A conditional use order is required if the proposed use of the land or buildings is listed in the use table of this By-law.

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

2.13 Development Agreement

Where an application is made for a subdivision, variance, conditional use or amendment to this By-law, the Council may require the owner to enter into a development agreement in accordance with the Act.

2.14 Rules of Construction

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

- a) Words, phrases, and terms are as defined within this By-law.
- b) Words, phrases, and terms not defined within this By-law shall be as defined in *The Planning Act*, *The Municipal Act*, *The Buildings and Mobile Homes Act*, *The Manitoba Building Code*, the Building or Plumbing By-laws of the Rural Municipality of De Salaberry and other appropriate provincial acts and regulations.
- c) Words, phrases, and terms neither defined in this By-law nor in an applicable Building or Plumbing By-law or other appropriate provincial acts and regulations shall be given their usual and customary meaning except where Council determines the context clearly indicates a different meaning.
- d) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction “and,” “or” or “either-or,” the conjunction shall be interpreted as follows:
 - i) “and” indicates that all the connected items, conditions, provisions, or events shall apply in any combination;
 - ii) “or” indicates that the connected items, conditions, provisions, or events may apply singly but not in combination; and

- iii) “either-or” indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.
- e) The word “includes” or “including” shall not limit a term to the specified examples but is intended to extend the meaning to all instances or circumstances of like kind or character.
- f) The phrases “used for” includes “arranged for,” “designed for,” “maintained for” or “occupied for.”

2.15 Interpretation

In their interpretation and application, the provisions of this Part and the provisions of all zones established herein shall be held to be the minimum requirements to satisfy the intent and purposes set forth in each zone.

The general provisions applying to all zones are contained within Part 2: Administration, Part 3: Definitions, Part 4: General Regulations, and the Zoning Maps.

Drawings and illustrations form part of this By-law and are provided to assist in interpreting and understanding the By-law. Where any conflict or inconsistency arises between a drawing or illustration and the text of the By-law, the text shall govern.

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

The provisions of this By-law shall be interpreted to be the minimum regulations except where the abbreviation for, or word, maximum is used, in which case the maximum regulation shall apply.

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

- a) Heavy lines represent zone boundaries. Where the zone boundary is broken by the name of a street it shall be construed that the boundary continues through the name of the street.

- b)** Notwithstanding that streets, lanes, and public utility rights-of-way may be within the zone boundaries, the regulations contained in this By-law shall not be deemed to be applicable to said streets, lanes, and public utility rights-of-way.
- c)** Boundaries indicated as following the centrelines of streets, highways or lanes shall be construed as following such centrelines.
- d)** Boundaries indicated as following lot, site or property holding lines on a registered plan shall be construed as following such lot, site or property holding lines.
- e)** Boundaries indicated as following the limits of an incorporated municipality shall be construed as following the limits of said municipality.
- f)** Boundaries indicated as following the centrelines of railway lines or railway rights-of-way or public utility rights-of-way shall be construed to be midway between the main tracks or the centre of the rights-of-way, as the case may be.
- g)** If a street, lane or Government Road Allowance shown on the Zoning Map is lawfully closed, the land formerly comprising the street or lane or government road allowance shall be included within the zone of the adjoining land; however, if the said street or lane or government road allowance was a zoning boundary between two or more different zones, the new zoning boundary shall be the former centreline of the closed street or lane or government road allowance, except where the closed road is being transferred to an adjoining owner, in which case the boundary shall follow the limit of the consolidated property.
- h)** Where the zoning of a single site or lot is split into more than one zoning district, each portion of the site or lot shall be developed and used in accordance with the provisions of the applicable zoning district.
- i)** All plan references on the Zoning Maps pertain to registered plans filed in the *Winnipeg Land Titles Office*.
- j)** The abbreviations noted within the text or on the Zoning Maps mean the following:
 - i)** "Blk." means Block;
 - ii)** "Gov't Rd. All'ce" means Government Road Allowance;
 - iii)** "Pcl." means Parcel;

- iv)** "Pt." means Part;
- v)** "Rge." means Range;
- vi)** "RM" means Rural Municipality;
- vii)** "Sec." means Section;
- viii)** "Twp." means Township;
- ix)** "EPM" or "E" means East of the Principal Meridian;
- x)** "PR" means Provincial Road;
- xi)** "PTH" means Provincial Trunk Highway;
- xii)** "dist." means distance;
- xiii)** "incl." means including;
- xiv)** "max" means maximum;
- xv)** "min" means minimum;
- xvi)** "sq ft" means square feet;
- xvii)** "in" means inches when following a number;
- xviii)** "sq m" means square metres; and
- xix)** "lin ft" means linear feet.

3 DEFINITIONS

3.1 Definitions in The Planning Act

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

3.2 Definitions in this By-law

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

3.3 General Definitions

A

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

Abut or Abutting means a site or use that physically touches another site or use, and shares a site line or boundary with it.

Accessory means a use, building or structure that is naturally and normally incidental, subordinate in purpose or area, or both, and exclusively devoted to the use, building, or structure to which it is accessory.

Agricultural operation 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 production of eggs, milk and honey;
- c) the raising of game animals, non-domesticated fur-bearing animals, game birds, bees and fish;
- d) the processing necessary to prepare an agricultural product for distribution from the farm gate;

- e) 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;
- f) the storage, use or disposal of organic wastes for agricultural purposes.

Agricultural Operation, Communal or Communal Farm Operation means a principal agricultural operation that has more than two (2) dwelling units and various accessory uses intended to support and diversify the livelihood of its residents. Accessory uses may include, but are not limited to, multi-unit dwellings, commercial or industrial operations, schools and educational facilities, and places of worship.

Agricultural processing means facilities which store and process agricultural products, including dairy, packaging and processing, grain elevators and the cleaning and processing of grains.

Agriculture, Indoor means indoor horticultural or aquacultural operations using hydroponic or other means to engage in growing plants for consumption and non-food products, such as licensed cannabis cultivation facilities.

Agriculture, specialized means the use of land for greenhouses, apiculture, floriculture, horticulture including market gardening, orchards and tree farming, and similar agricultural activities on a commercial basis but on parcels smaller than 80 acres. Specialized agriculture may contain limited retail of goods produced on site and educational components, but agricultural production is to be the primary activity.

Aircraft landing field means an area of land utilized to accommodate landing and take-off movements of aircraft for personal and agricultural use.

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

- a) An addition, alteration, removal, reconstruction, or replacement on the non-structural exterior of a building.
- b) An addition, alteration, removal, reconstruction or replacement of any unroofed driveway, sidewalk, patio, or any accessory building floor.
- c) Alteration of non-load bearing interior partitions in all types of buildings.

- d) Replacement of, or changes in, the capacity of utility pipes, ducts, or conduits.
- e) Replacement and placement of necessary roofing materials, awnings, eaves, overhangs, and related structures, provided the area and height of the roof are not increased.
- f) The addition and replacement of interior structures such as furnaces, fuel tanks, water heaters, fireplaces, or wood stoves.
- g) Replacement of exterior building facades.

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

Animal confinement facility means a barn or an outdoor area where livestock are confined by fences or other structures excluding grazing.

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

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

Animal Keeping means a use where up to 10 AU of livestock or other animals (excluding pets and cumulative across species) are sheltered, bred, raised, or sold.

Animal Units means the number of animals of a particular category of livestock that will excrete 73 kg of total nitrogen in a 12-month period.

Apiary means any place where bees are kept.

Automobile, Vehicular sales, service, and rental means the retail sale, service or rental of new or used automobiles, motorcycles, snowmobiles, tent trailers, utility trailers, boats, travel trailers or similar light recreational vehicles or crafts, together with incidental maintenance services and sale of parts. This Use includes transmission shops, fuel stations, car washes, muffler shops, tire shops, automotive glass shops, upholstery shops, autobody repair and paint shops, automobile dealerships, car rental agencies and motorcycle dealerships.

Auction mart, livestock means a facility in which livestock are kept on a temporary basis for the purposes of selling and distribution.

B

Bed and Breakfast means a temporary accommodation (shared with permanent residents of the dwelling), typically provided with breakfast, offered to the travelling and vacationing public in a private residential dwelling for an all-inclusive fee. A Bed and Breakfast is not a Short-Term Rental.

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

Bulk fuel and chemical storage means the use of land for the storage, sale or distribution of synthetic or petroleum-based fluids or chemicals, fertilizers, and other potentially hazardous or noxious materials, primarily on a wholesale basis.

C

Camping and Tenting Grounds means a parcel of land planned and improved to accommodate more than one travel trailer, camping trailer, pick-up coach, motorized home, tent, tent trailer or other camping accommodation used for travel, recreational and vacation uses for commercial purposes.

Camping trailer means a trailer that includes living quarters designed for temporary or seasonal accommodation for use within a Camping and Tenting Ground.

Cannabis means cannabis as defined in the Cannabis Act (Canada).

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

Cannabis Cultivation includes the following:

- a) **Standard cultivation** means the large-scale growing of cannabis plants and harvesting material from those plants, as well as associated activities.
- b) **Micro-cultivation** means the small-scale growing of cannabis plants and harvesting material from those plants, as well as associated activities.

- c) **Industrial hemp** means the growing of industrial hemp plants (those containing 0.3 % THC or less) and associated activities.
- d) **Nursery** means the growing of cannabis plants to produce starting material (seed and seedlings) and associated activities.

Cannabis Processing includes the following:

- a) **Standard processing** means the large-scale manufacturing, packaging, and labelling of cannabis products designed for sale to consumers, and the intra-industry sale of these products, including to provincially/territorially authorized distributors, as well as associated activities.
- b) **Micro-processing** means the small-scale manufacturing, packaging, and labelling of cannabis products designed for sale to consumers, and the intra-industry sale of these products, including to provincially/territorially authorized distributors, as well as associated activities.

Cemetery means land for the burial of the human remains, including mausoleums when operated in conjunction with and within the boundaries of the cemetery.

Clinic means a facility for the provision of human health services and related activities such as preparation of castings, dentures, and x-rays, for patients without overnight accommodations, and associated laboratory facilities.

College or University means a development involving assembly for post-secondary educational, training or instructing purposes, and includes administration offices, residences, and food services, required for the provision of such services on the same site.

Commercial school means an establishment, other than elementary or junior high schools, senior high schools, or colleges and universities, offering training or instruction in a trade, art, or occupation, including beauty schools, dance schools, and trade or vocational schools.

Commercial Activity means an activity that promotes, creates, or exchanges commercial products or services.

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

Concrete and asphalt batching plant means land and buildings used for the storage and mixing of the constituent elements of concrete or asphalt and includes parking, maintenance, mechanical repair and refueling of mixing vehicles used to deliver product batched at the premises.

Condominium means individual ownership of a unit in a multiple-unit structure where expenses common to all parties are shared.

Condominium, bare land unit means a unit of land defined by delineation of its horizontal boundaries without reference to any buildings on a condominium plan.

Contractors establishment means land and/or buildings intended for the storage of equipment and materials and contracting businesses such as road building, construction, plumbing, electrical and landscaping on the same site.

Controlled Area means the area between a declared provincial road right-of-way and a control line, measured from the edge of the provincial highway right-of-way or within a control circle measured from the centre of a provincial highway intersection, as described on the Controlled Area Map dated September 22, 2020 (http://www.gov.mb.ca/mit/hpd/pdf/controlled_area_map.pdf).

Convenience Vehicle Rental means a facility that provides short-term automobile and light-duty truck or van rentals.

Crematorium means a facility containing a certified furnace or similar device intended for use in the incineration of human or animal corpses.

D

Daycare, Home means the provision of childcare services in a dwelling unit to children, including the children of the owner or tenant, not over twelve (12) years of age.

Daycare, Group means the provision of childcare services in a provincially licensed facility.

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

Designated Area means an area designated for use in the applicable development plan.

Development Permit means a permit issued by the Rural Municipality of De Salaberry authorizing development and may include a building permit.

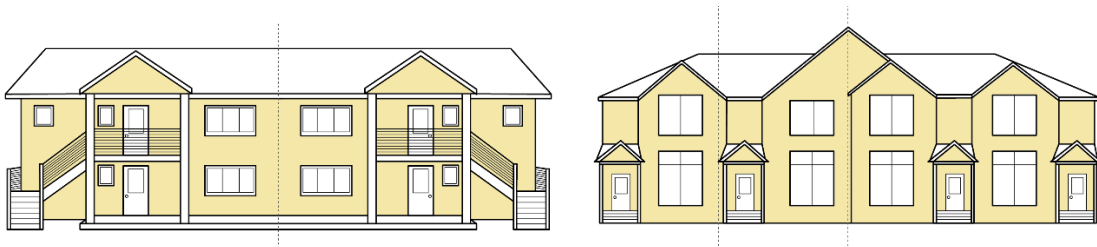
Drinking Establishment means a building or a portion of a building, which is licensed by the Government of Manitoba, where the principal purpose is the sale of alcoholic beverages to the public, for consumption on the premises.

Drive Through Facility means a facility designed to provide goods or services to the persons in motor vehicles or other modes of transport, including but not limited to a drive-through restaurant or bank.

Drive-in establishment means an establishment with facilities for servicing prospective customers travelling in motor vehicles, which are driven onto the site where the customer may receive service in the vehicle.

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

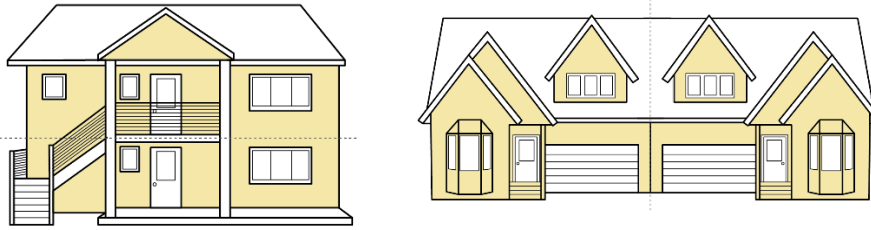
- a) **Dwelling, Farm** means a dwelling (including a Single-Unit, Two-Unit, Multi-Unit or Mobile Home) used exclusively for the habitation of labourers employed by the farming operation where, in the opinion of the Designated Officer, said dwelling is essential for the maintenance, operation and care of the farming operation.
- b) **Dwelling, Multi-Unit** means a building, located on a single site, containing three or more dwellings (for example, row houses, town houses, or apartment buildings).



- c) **Dwelling, Single-Unit** means a detached building, located on a single site, containing one dwelling but not a Mobile Home.



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



E

Eating and drinking establishment means the selling of prepared foods, for consumption within the premises or take-out. This includes licensed drinking establishments, restaurants, cafes, delicatessens, home delivery or catering.

Emergency Services means public institutions which provide protective and emergency response services, including police, fire, ambulance or paramedic services.

Entertainment/amusement facilities means a commercial facility open to the public offering recreational activities including, but limited to, video arcades, bowling, movie theatres, and miniature golfing.

Exterior storage means the storage of merchandise, goods, inventory, materials or equipment or other items that are not intended for immediate sale, by locating them outside.

F

Flood protection level means either the 200-year flood or a recorded flood exceeding the 200-year flood (design flood) plus 0.61 metres (2 feet) of freeboard.

Floor Area Ratio means the figure obtained when the area of all the floors of the buildings constructed or proposed to be constructed on a lot is divided by the area of the lot, subject to the following:

- a)** The area of the floor of the building shall be measured to the outside edge of the exterior walls, excluding basements and crawl spaces over 1.52 m. (5.00 ft.) clear height and shall exclude balconies, canopies, terraces, and sun decks.
- b)** Undevelopable areas are excluded.

- c) Where parking is a principal use of the lot, those areas which are used for parking within the outermost walls of a building or underground shall be counted in the calculation.

Fuel pumps and associated structures when incidental to a service station

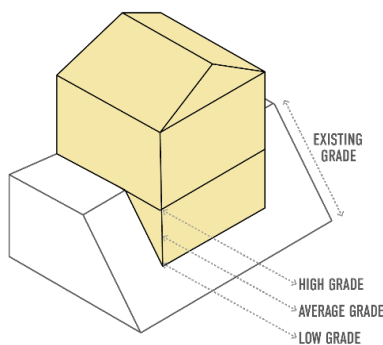
Funeral home/mortuary means a facility for the storage of deceased human bodies, or a building used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.

G

General Agriculture means an agricultural operation as defined in the Provincial Planning Regulation but does not include a livestock operation.

Grade, lot means the slope or elevation of the ground on a property, typically in relation to drainage and building construction. It determines how water flows away from structures to prevent flooding and erosion. Proper lot grading ensures that water drains away from buildings and towards designated drainage areas, such as streets, ditches, swales or stormwater systems.

Grade, natural means the original, undisturbed level of the ground before any excavation, filling, or construction takes place. It represents the natural contours and elevation of the land as it existed prior to human alteration or approved lot grading.



Grading means the shaping or sloping of land.

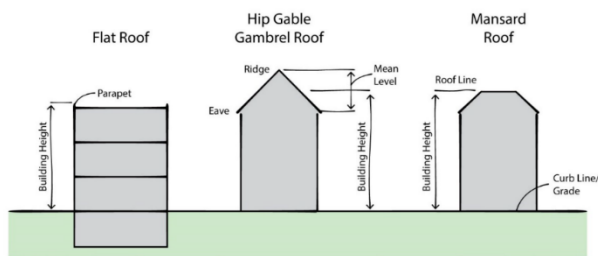
Group home means a residence that is licensed for the accommodation of less than six (6) persons, exclusive of staff or receiving family, living under supervision in a single housekeeping unit by reason of their health.

Gun range means a licensed indoor or outdoor facility for the recreational discharge of firearms.

H

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

- a) the highest point of the roof in the case of a building with a flat roof or a roof having a slope of less than 20 degrees; and
- b)
- c) the average level between eaves and ridges in the case of a pitched, gambrel, mansard or hipped roof, or a roof having a slope of more than 20 degrees, provided that in such cases the ridge line of the roof shall not extend more than 1.5 m. (5 ft.) above the maximum permitted building height.



Hobby Poultry means the keeping of a limited number of hens on a non-agricultural property for personal use.

Home-Based Business means any business activity which includes sales, a commercial or professional operation, business service, trade, practice, office or use which is carried on or in or from a dwelling unit and/or its permitted accessory buildings, is intended as a for-profit operation, and is clearly incidental to, accessory to, or secondary to the residential use of the dwelling unit.

Home Industry means a light manufacturing operation that is carried out as a secondary use on the same site as a dwelling. The land associated with a home industry is more intense than those associated with a Home-Based Business and may include some external noise, odour, light, or traffic impacts as well as the external storage of products or materials.

Hospital means an institution that offers inpatient care under direct supervision of qualified medical doctors.

Hotel or motel means a development used for the provision of rooms or suites for temporary sleeping accommodation.

House, boarding, lodging, or rooming means a building or portion thereof, other than a hotel or motel, without cooking facilities, where lodging, or lodging and meals are provided for compensation on a monthly basis.

Household means one or more persons voluntarily associated, plus any dependents, living together as an independent, self-governing single housekeeping unit.

I

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

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

J

K

Kennel means any premises on which more than three (3) animals over the age of four (4) months are boarded, bred, trained or cared for, in return for remuneration or are kept for the purpose of sale. A kennel shall not include a veterinary clinic.

L

Landscape and garden supply means an establishment, including a building, part of a building or open space, for the display and/or sale of plants, trees, and other materials used in indoor or outside planting for retail sales and incidental wholesale trade.

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

M

Manufacturing, Heavy includes manufacturing, assembly, processing and storing of products and goods in an enclosed and/or outdoor facility from which significant emissions may be generated during the normal course of operations. Uses include foundries, chemical plants and refineries.

Manufacturing, Light includes manufacturing, assembly, and processing of products and goods entirely contained within an enclosed facility, with minimal outdoor storage, from which little or no emissions are generated during the normal course of operations.

Manure storage facility, earthen means a structure built primarily from soil, constructed by excavating or forming dikes, and used for storing or treating livestock manure, but does not include:

- a) a collection basin;
- b) a field storage site; or
- c) a temporary composting site for manure.

Manure storage facility, non-earthen means a non-earthen structure, molehill, tank or other non-earthen facility for storing or treating manure, but does not include a gutter or concrete pit used to contain liquid or semi-solid manure for less than 30 days for the purpose of moving the manure to a manure storage facility.

Mobile Home means a portable dwelling unit that is designated to be used as a permanent living quarter and that:

- a) is capable of being transported on its own chassis and running gear by towing or other means, or
- b) is placed on the chassis or body of a motor vehicle, and
- c) is approved by the Canadian Standards Association (CSA Z-240 MH).

Modular Home means a dwelling unit or other structure that is built offsite and transported either whole or in part to the site for final assembly, and subject to CSA approval (CSA A-277).

N

Non-Conformity means a parcel of land, building, structure, or use which lawfully existed prior to the effective date of this By-law or amendments thereto, but does not conform to the provisions contained within this By-law or amendments thereto.

O

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

Outdoor Solid Fuel Heating System means a self-contained unit designed to provide heating to the principal building or any other structure or area on the premises.

Outdoor Storage means the outdoor storage of merchandise, goods, inventory, materials or equipment or other items.

P

Park and ride facility means a facility where commuters convene and cars are parked for the purposes car-pooling, ride sharing or accessing transit.

Parking, Surface Lot means an unenclosed area where motor vehicles may be stored for purposes of temporary, daily, or overnight off-street parking as a principal use.

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

Patio means a roofless, unenclosed outdoor structure, with or without steps, consisting of a platform or deck and connecting to an exterior door on the ground floor of a dwelling, regardless of whether or not a cellar or part thereof is located beneath such structure.

Personal Services means the use of a building to provide services involving the care of a person or apparel, such as shoe repairs, laundry and drycleaning, beauty and barber shops, clothing/costume rental, tanning, registered massage therapy, other personal grooming facilities and domestic assistance services. Personal services may include limited retail of products related to the services provided on premises.

Place of assembly means a building (excluding dwelling units), or portion thereof, in which persons may gather for recreational, educational, political, social, or other purposes. Places of assembly may include indoor or outdoor components and may be licensed for serving food and alcoholic beverages.

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

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

Portable garage means a temporary structure intended to store vehicles, goods or materials that may consist of a metal or steel frame and is covered by such material as canvas, plastic, polyethylene, various types of fabric or similar materials. A portable garage is considered to be an accessory use structure only.

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

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

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

Private greenhouse or conservatory means an accessory, enclosed structure used for the growing and storage of plants for personal use. Private greenhouses or conservatories shall adhere to the bulk requirements for accessory structures for the zone in which they are located.

Private swimming pool means an artificially constructed basin, lined with concrete, fibreglass, vinyl or like material, that is capable of containing a water depth greater than 2 feet (0.60 metres) and is located on the property of a single-family dwelling.

Professional, financial and office support service means a development primarily used for the provision of professional, management, administrative, consulting, and financial services. Typical uses include the offices of lawyers, accountants, engineers, and architects; offices for real estate and insurance firms; clerical, secretarial, employment,

telephone answering, and similar office support services; and banks, credit unions, loan offices and similar financial uses.

Public utility means any person, firm, corporation, municipal department, or board duly authorized to furnish, and furnishing under provincial or municipal regulations to the public electricity, gas, steam, communication, telegraph, transportation, or water services. For the purposes of the By-law Public Utility also means the use of land for the purpose of providing such service.

Public works yard means a premises operated by the RM or Province for the storage, manufacture, maintenance or repair of buildings, infrastructure, materials or equipment.

Q

R

Recreation facility, indoor means a private or public facility for sports, fitness, leisure and recreation in which facilities are primarily located inside an enclosed building or structure.

Recreation facility, outdoor means a private or public facility for sports, fitness, leisure and recreation in which facilities are primarily located outside.

Recreational Vehicle (RV) means a motor vehicle that includes living quarters designed for temporary or seasonal accommodation for use within a Camping and Tenting Ground.

Recycling collection centre means a drop-off point for temporary storage of recoverable resources, such as newspapers, glassware, plastics, and metal cans. No processing of such items is allowed on premises.

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

Residential care facility means the use of a building for the purpose of providing lodging, meals, care and supervision or transitional services to persons.

Resort, commercial means a commercial recreation establishment which may consist of one or more buildings containing single- or multiple-family dwelling units, recreational facilities, camping and tenting grounds, hotel or motel, a dining establishment, marina, golf course, tennis courts, and other outdoor recreational uses.

Resource extraction means the quarrying and/or extraction of surface or subsurface minerals and natural resources including aggregate, forestry products and peat moss.

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

Riding academy means a commercial facility where horses are sheltered, fed, or kept for sale or hire to the public. Training of horses and riders may also be conducted.

Runway means a defined rectangular area on a land aerodrome prepared for the landing and take-off of aircraft along its length.

Runway Strip means a rectangular area extending 100 ft on either side of the centreline of the runway and 200 ft beyond the ends of the runway.

S

School - Elementary or junior high means an accredited school under the sponsorship of a public, private or religious agency providing instruction to students at the elementary or junior high school level.

School – Preschool means a public or privately-operated institution offering early childhood education to children prior to the commencement of compulsory education at elementary school.

School - Senior high means an accredited school under the sponsorship of a public, private or religious agency providing instruction to students at the senior high school level.

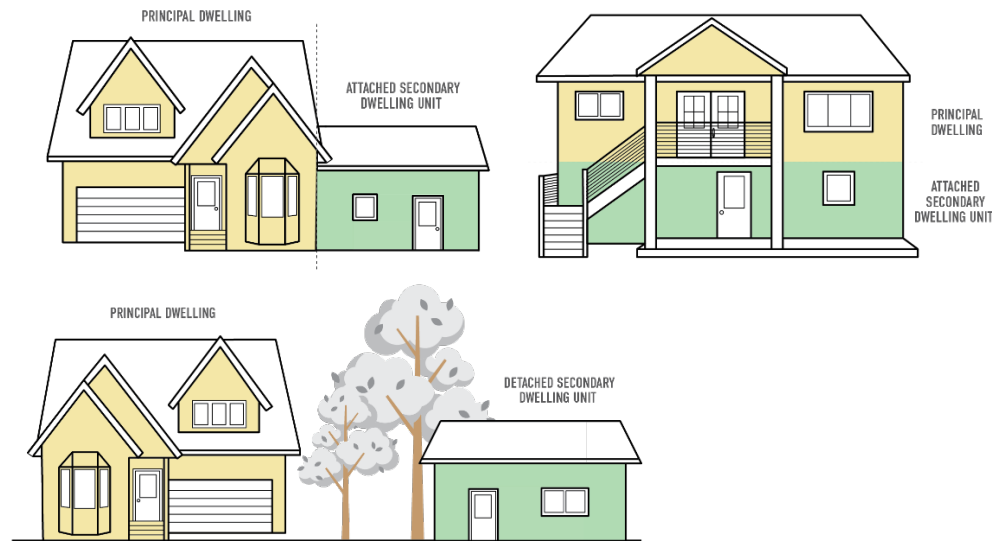
School bus storage and maintenance means a facility with indoor and outdoor components on which school buses are parked, maintained, and repaired.

Scrap yard means an area where waste or scrape materials are brought, stored, baled, disassembled or handled, sold, or exchanged and may include metals, paper, rubber and glass. A scrap yard includes automobile wrecking but does not include such uses established entirely within an enclosed building.

Seasonal Dwelling means a single-family dwelling that is designed and meets building code requirements for three-season use (i.e. not for winter use).

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

Secondary Suite means a self-contained living space added to, created within or adjacent to, a single-family residence. It provides basic requirements for living, sleeping, cooking, and sanitation.



Serviced Lot means a lot with the ability to connect to a municipal sewer system.

Setback means the distance that a development or a specified portion of it, must be set back from a property line.

Sewage treatment plants and lagoons means facilities for the treatment of human waste.

Shipping Container means a steel container (including but not limited to semi-trailers) with or without wheels that can be used for the shipment of goods via ship, train, or highway tractors. Shipping Containers under this by-law are not registered with Manitoba Public Insurance and are not actively used for the transport of goods.

Shopping centre means a building or group of buildings designed, developed, owned and managed as a unit by a single owner or tenant, or group of owners or tenants, containing two or more separated spaces for lease or occupancy of commercial uses or business or professional offices.

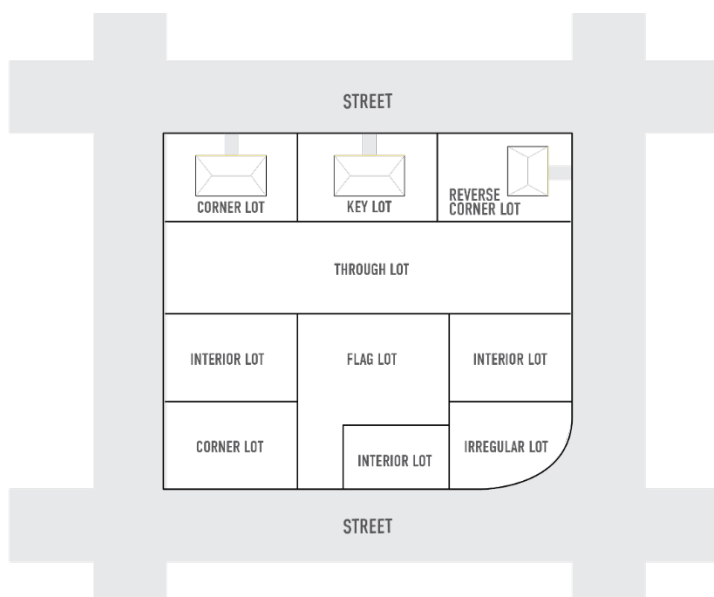
Short-Term Rental means all or part of a dwelling unit, property, camping trailer, or recreational vehicle rented out for 90 days or less in exchange for payment.

Sign means any writing, illustration, or emblem, which directs attention to a building, use, business, commodity, service, or entertainment.

- a) **Sign, Advertising** means a sign directing attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the same site where the sign is located.
- b) **Sign, Fascia** means a sign or individual letters attached to or inscribed on a wall or other surface and having the exposed face of the sign on a plane approximately parallel to the plane of such wall or other surface (and projecting not more than 18 inches from the face of such wall). May include a sign attached to a marquee.
- c) **Sign, Projecting** means a sign attached to a building, which extends perpendicularly beyond the surface of that portion of the building to which it is attached.
- d) **Sign, Free-Standing** means a sign supported by one or more poles, braces or anchors that are placed permanently in the ground and that are independent from any building or other structure. Free-standing signs may include (but are not limited to) billboard signs and signs that are attached to fences.
- e) **Sign, Awning** means a sign that is incorporated into the material of an awning.
- f) **Sign, Digital** means a variable message sign that utilizes computer generated copies involving letters, words, symbols, graphics, animation, video, or dynamic text. These signs include incandescent lamps, LED's, LCD's, plasma, and other related technology, whereby the copy can be altered by digital means.
- g) **Sign, Mobile** means a sign which is mounted on a trailer, stand, or other support structure which is designed in such a manner that the sign can be readily taken down or relocated, and which may include copy that can be changed through the use of removable characters, panels, or by electronic means.
- h) **Sign, Inflatable** means a three-dimensional device that is designed to be filled with air or gas, which may or may not incorporate writing, illustrations, or emblems.

Site means an area of land consisting of one or more abutting lots.

- a) **Site, Corner** means a site situated at the intersection of two streets.
- b) **Site, Flag** means a lot on which the main building site area is set back from the street on which it fronts and includes an access strip connecting the main building site with the frontage street.
- c) **Site, Interior** means a site other than a corner site or a through site.
- d) **Site, Through** means a site having a pair of opposite site lines along two more-or-less parallel streets.



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

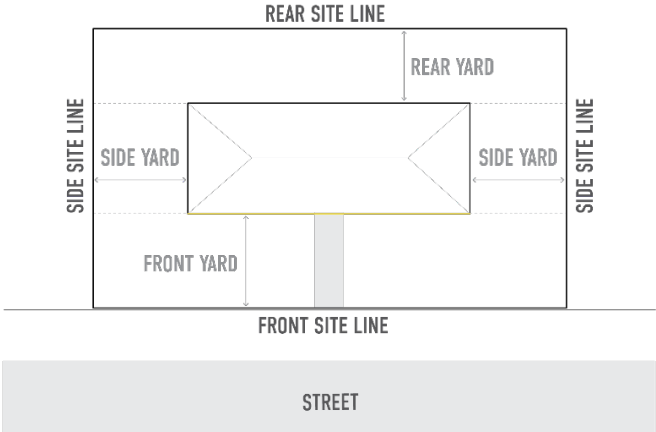
Site Coverage means the combined area of all buildings and structures on the site as a percentage of the site area, measured at the level of the lowest storey above the grade including all attached sunrooms, porches, and verandas, but excluding seasonal non-insulated structures, open or covered, such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

Site Line means one of the boundaries of a site, which include:

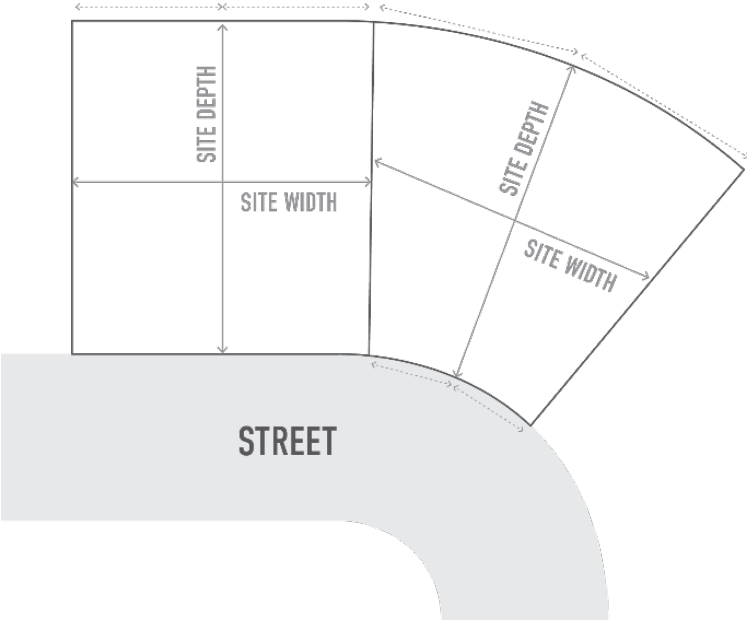
- a) **Site Line, Front** means that boundary of a site along an existing or designated street. For a through site or corner site, the site lines along both streets shall be deemed front site lines. Where an irregular shaped site cannot have its site lines

defined by this definition, the front site line shall be determined by the Development Officer.

- b) **Site Line, Rear** means that boundary of a site which is most nearly parallel to the front site line. Where an irregular shaped site cannot have its site lines defined by this definition, the rear site line shall be determined by the designated officer.
- c) **Site Line, Side** means any boundary of a site which is not a front or rear site line.



Site Width means the horizontal distance between the side site lines, measured at right angles to the site depth at a point midway between the front and rear site lines, or 40 ft from the front site line, whichever is the lesser.



Solar Collector means a panel or other solar energy device with the primary purpose of gathering, storing, and distributing solar energy for electricity generation, space heating, space cooling, or water heating.

- a) **Solar Collector, Commercial** means a solar collector designed and built to provide electricity for commercial sale and distribution to the electricity grid (ex: a solar farm).
- b) **Solar Collector, On-Site Use** means a solar collector intended to primarily serve the electrical needs of the on-site user or consumer (either behind the meter or off-grid) rather than to produce power for resale. **Rooftop Solar Collectors** are a type of **On-Site Use Solar Collectors**.
- c) **Solar Collector, Rooftop** means a roof mounted solar collector and associated equipment for converting solar energy to power.

Solid waste disposal facility means a defined area of land or excavation that receives household waste and other non-hazardous waste.

Storage Compound means an area of land with or without buildings or structures used for the temporary outside storage of finished products, raw materials, goods, or motor vehicles.

Storage facility means a facility in which the main use is the storage of goods, materials, equipment or vehicles either indoors or outdoors.

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

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

T

Temporary Building and Use means a development for which a development permit has been issued for a limited time only.

Topsoil, Removal means the removal of the uppermost seven inches of soil or portion thereof closest to the surface.

Total Turbine Height means the height from finished grade to the highest vertical point of a wind turbines rotor blades.

Trucking terminals and freight services means and indoor or outdoor facility where trucks as common carriers are dispatched for compensation, or where freight handling facilities are provided.

U

Urban Farm means a site or building within a settlement centre where fruits, vegetables, and other plant products are grown, washed, or packaged for wholesale or retail sales. This use is distinct from animal keeping.

Use means:

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

Use, conditional (Conditional Use) means a use of a building or land described as a conditional use in Section 2.5 of this By-law which may have unique operating characteristics, may have potential operational or other impacts on adjacent properties, or may have unusual site development demands.

Use, permitted (Permitted Use) means the use of land, building or structure provided in this zoning by-law for which a development permit shall be issued upon an application having been made, if the use meets all the requirements of this by-law.

Use, principal (Principal Use) means the main use conducted on a zoning site or within a building or structure.

Utility Service means a system furnishing water, sewage collection, electricity, telecommunication towers and related services, gas, or similar services to properties by means of pipes, lines and other equipment located on or under public roads and other

rights-of-way. It does not include community-scale wind or solar energy generating systems.

V

Veterinary clinic means a building, structure or parts thereof where one or more registered veterinarian surgeons including associated staff provide examinations and surgical or medical treatment to domestic pets, animals or livestock, and may include treatment rooms, laboratories, dispensaries, pharmacy and associated office. A kennel is not permitted in association with a Veterinary clinic.

W

Waste transfer station means a facility where solid waste is unloaded and stored temporarily prior to shipment to a solid waste disposal facility.

Wind Energy Generation System means any device or group of devices such as a wind charger, windmill or wind turbine that converts wind energy to electrical energy whether it is used for personal use or for generation of power for sale by an enterprise.

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

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

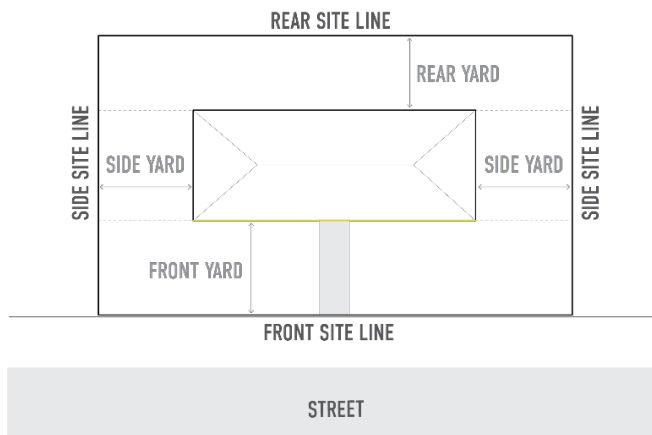
Wind Energy Generation System, Rooftop means a roof mounted wind turbine(s) and associated equipment for converting wind energy to power.

X

Y

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

- a) **Yard, Front** means a yard extending all the full length of the front site line between the side site lines. All front yard regulations found in this By-law shall be measured from the front property line.
- b) **Yard, Rear** means a yard extending along the full length of the rear site line from the front yard to the rear yard.
- c) **Yard, Side** means a yard extending along the side site line from the front yard to the rear yard.
- d) **Yard required** means the yard measured from a front, rear, or side site line towards the interior of the site within which no building or any part of a building may be located, except as provided in this By-law.



Z

4 GENERAL REGULATIONS

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

4.1 Regulation of Uses

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

- a) is listed in the Bulk/Use Tables as:
 - i) a Permitted Principal Use.
 - ii) a Permitted Secondary Use.
 - iii) a Conditional Principal Use, subject to approval as such.
 - iv) a Conditional Secondary Use, subject to approval as such.
- b) is an Accessory Use.
- c) is a Temporary Use.

4.2 Multiple Uses or Provisions

Where land, a building, or a structure is used for more than one purpose, all provisions of this By-law relating to each use must be satisfied. Where more than one provision in this By-law is applicable, the higher or more stringent requirement shall apply unless specified otherwise.

4.3 Secondary Uses and Structures

No secondary use or structure shall be established except those in compliance with the following regulations:

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

4.4 Accessory Buildings and Structures

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

- a) Where the accessory building or structure is attached to a principal building or structure, it shall be subject to, and shall conform to, all regulations of this By-law applicable to the principal building or structure.
- b) Where the accessory building or structure is detached from the principal building or structure, it shall be subject to, and shall conform to, all regulations of this By-law applicable to accessory buildings or structures.
- c) No accessory building or structure shall be constructed within 10 ft of the principal building or structure measured eave to eave.
- d) No accessory building or structure shall be constructed on any zoning site prior to the time of construction of the principal building to which it is accessory.

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

4.5 Legal Non-Conforming Buildings, Structures, Lots and Uses

- e) A non-conforming use and a non-conforming building or structure shall be regulated in accordance with and subject to the provisions of The Act, unless otherwise provided for in this By-law.
- f) A non-conformity that existed prior to the effective date of this By-law remains a non-conformity for the purposes of this By-law unless it complies with this By-law.
- g) A non-conforming building may continue to be used, but the building shall not be enlarged, added to, rebuilt, or structurally altered except:
 - i) as may be necessary to make it a conforming building,
 - ii) by obtaining any necessary variances as determined by the Development Officer, or
 - iii) as the Development Officer considers necessary for the routine maintenance of the building.
- h) If a non-conforming building is damaged or destroyed and Council determines that the cost of repairing or rebuilding the building is more than 50% of the cost of

constructing an equivalent new building, the building must not be repair or rebuilt except in conformity with the zoning by-law including any necessary variances.

- i)** Repairs or incidental alterations may be made to a non-conforming structure.
- j)** If the size or dimensions of an existing parcel of land do not conform with this By-law, the owner of the land may:
 - i)** use the land for any use permitted under this By-law.
 - ii)** construct or alter a building on the land if all other requirements of this By-law are met (such as yards, building height, and floor area).
- k)** A non-conforming use of a structure or of a parcel of land, or portion thereof, which is, or hereafter becomes, abandoned, vacant, or unoccupied, and remains vacant and unoccupied for twelve consecutive months, shall not thereafter be occupied, or used except for a use which conforms to the applicable zoning district regulations.
- l)** A non-conforming sign may be structurally altered, reconstructed, or replaced in the same location and position in any way that does not change the size, height, or degree of illumination.
- m)** A person with an interest in a building, a parcel of land or an operation involving a use of land that does not comply with this By-law may apply to the Development Officer with adequate documentation for a Certificate of Non-Conformity confirming that the building, parcel, use of land, or intensity of use was lawfully in existence before the enactment of this By-law.

4.6 Required Yards

- a) Required yards shall be free of buildings, which must conform to the other requirements of this By-law.
- b) Architectural features and open, unenclosed projections, whether vertical or horizontal, such as chimneys, bay windows, alcoves, canopies and awnings, eaves and gutters, stairs, landings, porches, and unenclosed balconies, may extend into the required yards for not more than 50% of the required yard depth, up to a maximum of 10 ft, except for wheelchair ramps (or similar accessibility structures), which are not subject to the restrictions for required yards.

- c) Fences are permitted in all required yards and:
- i) can be placed up to the property line in the RP, RMH, RLD, RMD, CN, CC, EI, GD, IG and PR zones.
 - ii) cannot be placed within 5 ft of the property line of the side and rear yards in the AG, AL, and RR zones.
- d) No fence or hedge which may obstruct visibility near an uncontrolled intersection shall be located within an area formed by the intersecting road lines and a straight line, joining points on the said road lines 150 ft from the point of intersection of the road lines in the AG, AL, CN, CC, and IG zones.
- e) No fence or hedge which may act as a windbreak shall be located within
- i) 50 ft of a road allowance in the AG and AL zones.
 - ii) 25 ft for the IG, CN, and CC zones.
 - iii) 10 ft in the RR zone.
- f) Livestock fences cannot be placed within 25 ft of a property line in the RR zone, and 5 ft of a property line in the AG, and AL zones.

4.7 Temporary Buildings, Structures, or Uses

Temporary buildings, structures or uses may be allowed on a non-permanent basis 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 the Development Officer.
- b) Each development permit issued for a temporary building, structure or use shall be valid for a period of not more than six months and may not be renewed for more than two successive periods at the same location unless varied in accordance with the Planning Act.

4.8 Road Access

No permanent building may be constructed or placed on a parcel which does not have legal access to an improved public road.

4.9 Service Connections

Where a parcel is served by municipal piped sewer or water, no permanent principal building or dwelling or secondary suite shall be constructed or placed unless it is connected to such services.

4.10 Public Utilities

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

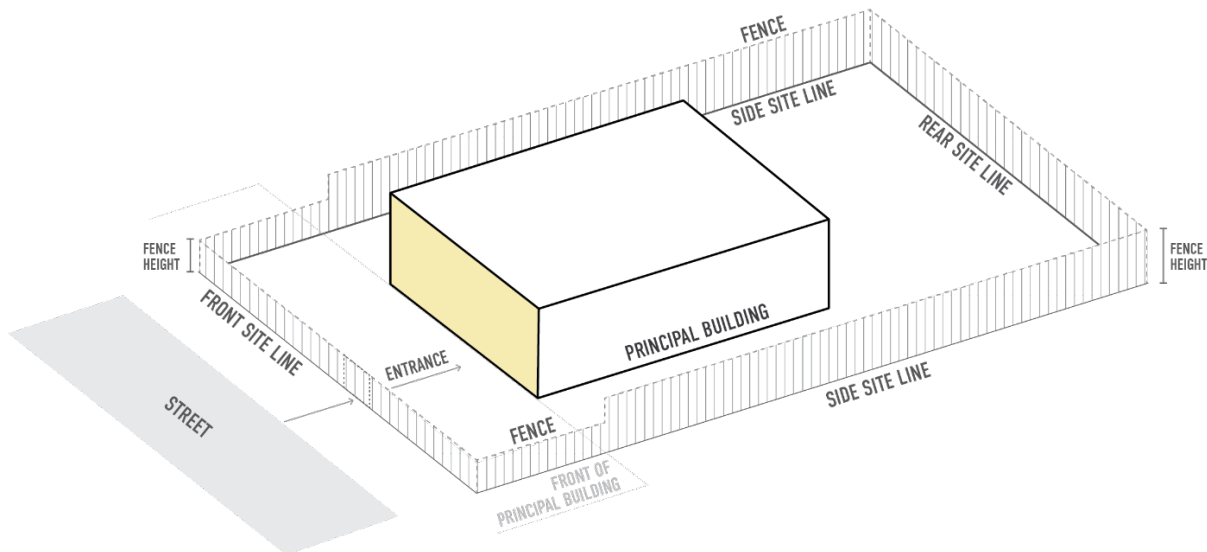
4.11 Maximum Fence Height

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

No fence shall exceed the following heights:

Table 1: Maximum Fence Height

Standards	AG	AL	CN	CC	EI	GD	PR	RR	RP	RMH	RLD	RMD
Front Yard (maximum)	6ft	6ft	4ft	4ft	6ft	6ft	6ft	4ft	4ft	4ft	4ft	4ft
Side and Rear Yards (maximum)	6ft	6ft	6ft	6ft	6ft	6ft	6ft	6ft	6ft	6ft	6ft	6ft



4.12 Prohibited Fencing Materials

Fences shall:

- a) Not be electrified, except as an accessory to a permitted agricultural use in the AG, AL, and RR zones.
- b) Not contain barbed wire, except as an accessory to a permitted industrial or agricultural use in the AG, AL, and IG zones.
- c) Snow fences are not permitted in any Residential zone.

4.13 Outdoor Lighting

Outdoor lighting is only allowed if the following standards are met:

- a) Any outdoor lighting (other than those exempted in provision (c) below) must be located, arranged, or shielded so that no light is directed at any adjoining properties or interferes with the effectiveness of any traffic control device.
- b) The maximum permitted height of a light fixture is 35 ft.
- c) These standards do not apply to federally or provincially regulated buildings and structures (including the lighting required for airports and towers).

4.14 Provisions for Off-Street Parking

Off-street parking spaces shall be provided and maintained in accordance with the requirements of the zone where the use is located and the following provisions:

- a) The surface of an accessory off-street parking area and its access driveways shall be surfaced and designed in such a manner that there will be no free flow of water onto either adjacent properties or along public sidewalks. They may be paved with either asphalt, concrete or paving bricks, or suitably surfaced with gravel, crushed rock or other aggregate material;
- b) Within the Urban Areas of St. Malo and Otterburne parking areas within the Commercial zones and the “RMD” zone Council may require hard-surfaced parking areas of asphalt, concrete or similar materials;
- c) All accessory off-street parking spaces shall be located within the same zoning site,

- d) Where a window to a habitable room is located less than 5 feet (1.5 metres) above grade, there shall be at least 8 feet (2.4 metres) separating the window from any parking space;
- e) When a building is enlarged, or a use is extended or changed, the accessory off-street parking spaces shall be provided for the enlargement, extension, or new use in accordance with the specific requirements of the particular zone in which the use is located; and
- f) Where a common parking area abuts an “RLD” zone, the owner or developer of the parking area shall construct and maintain a solid fence or hedge not less than 5 feet (1.2 metres) or more than 6 feet (1.8 metres) in height along any portion of the parking area boundary which abuts the said “RLD” Zone.

4.15 Number of Parking Spaces Required

Accessory off-street parking for all uses shall be provided according to Table 5: Parking Use Table. The parking group for each use shall be identified on the Use and Site Tables in each zone. For the purpose of computing the off-street spaces, the following shall apply:

- a) In cases where floor area is the unit for determining the required number of accessory off-street parking spaces, said unit shall not include any area used for parking or loading within the principal building or structure and shall not include any area used for incidental service storage, mechanical equipment, heating systems and similar uses;
- b) In stadiums, sports arenas, places of worship and other places of assembly in which those in attendance occupy benches, pews or other similar seating, each 2 feet (0.6 metres) of such seating facilities shall be counted as one (1) seat for the purpose of determining the accessory off-street parking;
- c) When the computation of the number of accessory off-street parking spaces required by the By-law results in a requirement of a fractional parking space, any fraction less than one-half (1/2) of a parking space may be disregarded, whereas a fraction of one-half (1/2) or more of a parking space shall be counted as one (1) parking space.

In the case of a hotel/motel the number of spaces for any on-site eating and drinking establishment or retail business/services shall be calculated according to Table 5 in addition to the spaces required for the hotel/motel.

Mixed use developments in any Commercial zone shall provide parking for multiple-unit components and commercial/business or eating and drinking establishments separately as per Table 5.

4.16 Accessible Parking

- a) Notwithstanding the parking requirements detailed in Table 5, all commercial and institutional uses which serve as destinations for the general public shall provide accessible parking spaces in addition to those required as per Table 2. Additionally, at least one of all required visitor parking spaces as outlined on Table 5 must be accessible.
- b) Accessible parking spaces must be at least 12 feet (3.6 metres) wide and located in close proximity to building entrances with barrier-free paths between the parking area and building. Furthermore, accessible parking spaces must be appropriately marked and reserved for persons disabled by barriers. The provision of accessible parking shall be as follows:

Table 2: Accessible Parking Spaces Required

Number of Total Parking Spaces Required as Per Table 5	Number of Accessible Parking Spaces Required
1-25	1
26-50	2
51-100	3
100+	4 +1 for each additional 20 required spaces

4.17 Parking Area Design

The layout and design of accessory off-street parking areas shall be as follows:

- a) The minimum dimensions for off-street accessory parking areas shall be in accordance with Table 4 in Paragraph 4.24.

- b)** Where access to a parking space is directly from a lane, the width of the lane adjacent to said parking space may be computed as part of the aisle width required for said parking space;
- c)** Each parking area shall have a vertical clearance of at least 7.5 feet (2.2 metres) from floor to grade; and
- d)** The angle of parking shall be measured between the centreline of the parking space and the centreline of the aisle. Where the angle of parking varies from that set forth in Table 4 the Development Officer or designate shall determine which set of requirements shall apply.

4.18 Provisions for Off-Street Loading

All accessory off-street loading spaces shall be located within the same zoning site and shall be maintained in accordance with the following provisions:

- a)** Each off-street loading space shall have access to a public street or lane;
- b)** Each off-street loading space shall be not less than 12 feet (3.6 metres) in width nor have less than 12 feet (3.6 metres) overhead clearance. In no case shall the length of the loading space be such that a vehicle in the process of loading or unloading shall project into any street or lane;
- c)** The accessory off-street loading spaces provided for a use shall be solely for the loading and unloading of vehicles and shall not be used to satisfy any accessory off-street parking requirements or portion thereof;
- d)** When a building or structure is enlarged, or a use is extended or changed, the accessory off-street loading spaces shall be provided for the enlargement, extension or new use; and
- e)** When the computation of the number of accessory off-street loading spaces required by this By-law results in a requirement of a fractional loading space, any fraction less than one-half (1/2) of a loading space may be disregarded, whereas a fraction of one-half (1/2) or more of a loading space shall be counted as one (1) loading space.

4.19 Loading Requirements

Accessory off-street loading spaces shall be provided as follows:

- a) No separate off-street loading space is required for any building having a gross floor area of less than 10,000 square feet (929 sq. metres), however one of the required off-street parking spaces shall also serve as an off-street loading space;
- b) Commercial and Industrial Uses which occupy a floor area larger than 10,000 square feet (929 sq. metres) shall provide one (1) loading space for each 20,000 square feet (1858 sq. metres) of gross floor area or part thereof; and
- c) Institutional and public uses including public medical clinics, assembly halls, clubs, lodges, government, schools and office buildings which occupy a floor area larger than 10,000 square feet (929 sq. metres) shall provide one (1) loading space for each 30,000 square feet (2787 sq. metres) of gross floor area or part thereof.

4.20 Entrances and Exits

The following regulations shall apply to all off-street public parking areas, automobile service stations, drive-in establishments, shopping areas and other such commercial uses requiring the provision of vehicular entrances and exits to the site:

Table 3: Entrances and Exits

Minimum width of an entrance or exit	15 feet (4.5 metres)
Minimum width of a combined entrance and exit	25 feet (7.6 metres)
Maximum width of an entrance or exit	25 feet (7.6 metres)
Maximum width of a combined entrance and exit	35 feet (10.6 metres)
Minimum distance between any part of an entrance, exit or combined entrance and exit, and the intersection of street site lines or the intersection of a street site line and a side site line on a public lane	15 feet (4.5 metres)

Access to the site for vehicles shall be only by way of entrances and exits provided in accordance with the following:

The owner shall provide and maintain a barrier on or near all street site lines to prevent vehicles entering or exiting the site other than by the entrances and exits permitted in this by-law.

4.21 Schools and Educational Facilities

All schools must provide queuing and loading areas for buses and private cars. These areas shall be able to accommodate at least three busses and five private automobiles.

4.22 Snow Storage

All developments required to provide on-site parking of five or more spaces must provide areas for snow storage. Snow storage may occur within required yards as long as it does not interfere with adjacent sites, visibility or public streets and lanes.

4.23 Parking Requirements Based on Floor Area

Where parking requirements are based on the “floor area” of the use, the term “floor area” 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.

4.24 Parking Dimensions

Table 4: Parking Dimensions

Angle of Parking Space	Minimum Dimensions of Parking Space	Minimum Parking Aisle Width
90 degrees	9 feet wide by 20 feet long, or	20 feet
Angled	10 feet wide by 19 feet long*	
Parallel	8 Feet wide by 23 feet long*	
*Minimum ceiling height of 7 feet for covered or structured parking		

4.25 Parking Use Table

The following Table determines the number of parking spaces required per use as indicated on Table 13: Permitted, Conditional, Secondary, and Accessory Uses.

Table 5: Parking Use Table

Parking Use No.	Number of Parking Spaces Required
1	1 space per dwelling unit/site
2	2 spaces per dwelling unit + additional 10% marked visitor parking
3	1.5 spaces per unit + additional 10% marked visitor parking
4	1 space per 3 beds
5	1 space per 200 sq. ft. of gross floor area
6	1 space per 500 sq. ft. of gross floor area
7	1 space per 2000 sq. ft. of gross indoor floor area and/or 1 space per 20,000 sq. ft. of exterior storage area (as applicable)
8	1 space per 3 seats for public use, or 33% of maximum occupancy (whichever is greater)
9	1 space per employee, plus 2 customer parking spaces
10	5 spaces per classroom
11	10 spaces per classroom
12	1 space per rentable chamber + additional 5% (See section 3.1.3 #4)
13	As determined by the Development Officer.

A minimum of two parking spaces must be provided for Parking Uses 3 through 12.

4.26 Bicycle Parking Requirements

All developments within the **RMD, CN, CC, and IG** zones are required to provide bicycle parking as follows:

- a) one lockable bicycle space per 20 (twenty) required automobile spaces shall be provided to a maximum of twelve (12) bicycle spaces; and
- b) bicycle parking must be provided with safe and convenient access to building entrances.

4.27 Landscaping and Buffering

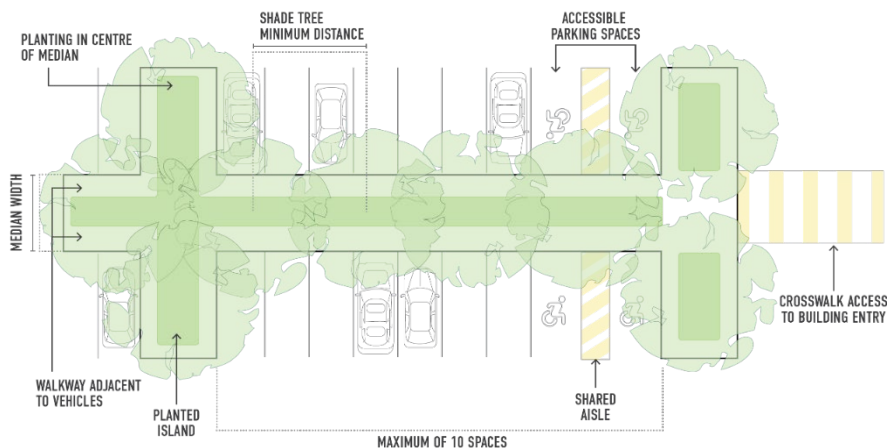
If a surface parking lot or accessory parking area abuts a public street, the parking area must:

- a) Include a wall, fence, or landscaped hedge a minimum of a 3 ft high, or
- b) Include a planting bed a minimum of 6 ft wide, planted with a minimum of one shrub every 2.5 ft, and one shade tree every 25 ft;
- c) Provide bumper guards, wheel stops, masonry walls or fences in order to prevent a vehicle from encroaching onto public or private property;
- d) Be described in a Landscape Plan and approved by the Development Officer.

4.28 Landscaping for Large Parking Areas

If a **surface parking** lot or accessory parking area is a size of 40 or more parking stalls, it must provide a planted median, to the specifications in Paragraph 4.27, between every block of 10 stalls.

Figure 1: Landscaping for Large Parking Areas



4.29 Location

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

4.30 Maintaining Grades for Drainage

The landowner shall establish and maintain lot grading for adequate drainage so that there will be no free flow of water onto public sidewalks or adjacent properties other than through a drain, ditch, or swale.

4.31 Lot Grading

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

4.32 Private Communications Facilities

A private communications facility may be allowed as an accessory use in accordance with the minimum yard requirements for accessory structures in the zone in which it is to be located or erected, with the following exceptions:

- a) The maximum height of a private communications facility in all zones is 30 ft, except in the IG zones where the private communications facility is not subject to the height requirements for accessory structures.
- b) A private communications facility may be located in any rear or side yard in any zone. It may also be located in any front yard in the IG zones.
- c) A private communications facility shall be set back from all property lines of the site on which it is located a minimum distance equal to its total height, measured from grade to the uppermost point of its extension.

4.33 Hazard Lands

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

4.34 Flood Risk Areas

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

4.35 Riparian and Wetland Areas

No development shall occur within the area 100 ft upslope from the normal high water mark of a natural water body, waterway, wetland, or a third (or higher) order drain, except if the development is permitted as an exception under 4.33 or 4.36. No development shall occur within 50 ft of a first or second order drain, or artificially created retention pond, except if the development is permitted as an exception under 4.33 or 4.36.

4.36 Exceptions to Riparian Setbacks

Notwithstanding the restrictions in 4.33, developments that create minor disturbances to the natural vegetative cover of riparian areas (such as docks, boathouses, and pathways) may be allowed within the riparian and wetland area, provided no more than 25% of the length of a lot's shoreline is affected.

4.37 No Alteration of Wetlands

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

4.38 Protection of Important Areas

Other than in existing lots of record, no development shall occur 200 ft upslope from the normal high-water mark of a water body or waterway identified in the Rural Municipality of De Salaberry Development Plan as being socially, historically, or culturally important, being designated under an enactment, or containing unique aquatic assemblages and species as determined by the Province of Manitoba. The natural vegetative cover must be retained or rehabilitated within these areas.

4.39 Development Setbacks from Railways

No development of a residential dwelling unit shall be permitted within 1000 ft of a freight rail yard, 100 ft of a main line, or within 50 ft of a branch or spur line, measured from the property line of the railway to the face of the residential building.

4.40 Development Restrictions for Airports

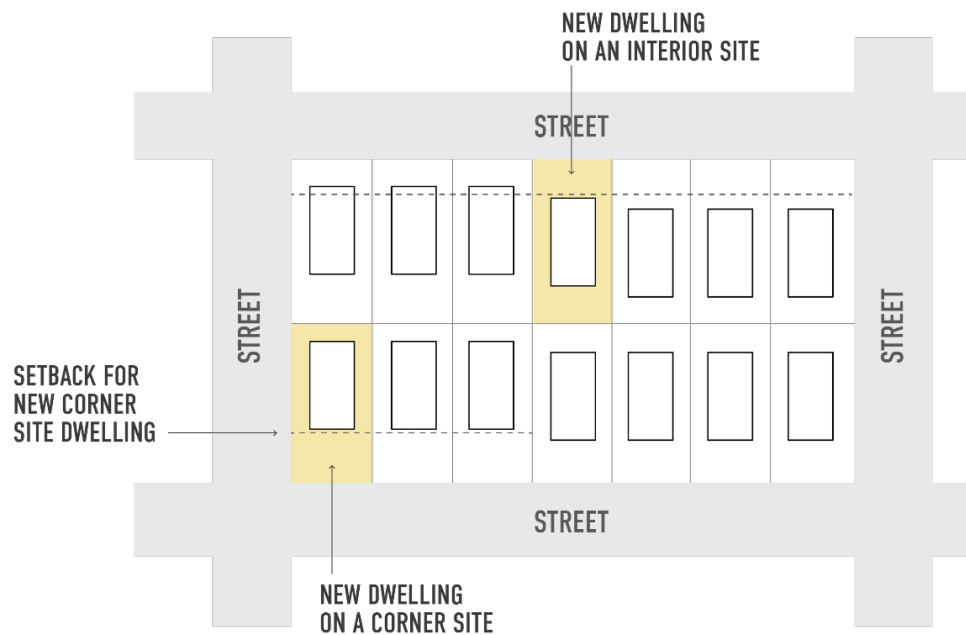
No building or structure constructed around the airport shall exceed the following height restrictions:

- a) No building or structure along the edge of a runway shall exceed a height of one foot vertical for every seven ft measured horizontally from the edge of the runway strip.
- b) No building or structure located in the take-off or approach paths to a runway shall exceed a height of one foot vertical for every 40 ft measured horizontally from the ends of the runway strip and diverging 10% from the extension of the edges of the runway strip.

Consideration should be given to Transport Canada's "Land Use in the Vicinity of Aerodromes (TP1247)" when reviewing development proposed near an airport.

4.41 Established Street Standards for Front Yards

Where a new dwelling or principal building or an addition to a dwelling or principal building is proposed within a street block or a portion of a street block within the RP, RLD, CN, and GD zones and where the majority of the lots have been developed with principal structures, and the minimum front yard required is inconsistent with the majority of existing front yards for developed sites on the street block, the new structure must be developed with a front yard consistent with the minimum of the existing front yards within that block or portion of the block. In the case of a corner site, either the minimum of the yard for the two nearest properties on the same block or for all the properties facing the same street on the same block may be used for calculating the required yard.

Figure 2: Established Street Standards for Front Yards

4.42 Development Setbacks from Provincial Highways

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

4.43 Signage Regulations

The following provisions shall apply to all signs erected or maintained within the Municipality, except wherein otherwise stated:

- a) Signs and sign structures may be allowed as accessory uses in accordance with the Sign Requirements in Table 6: Type of Sign (Table), subject to the issuance of a development permit, except as provided in Section 4.44 of this Zoning By-law.
- b) All signs shall comply with the minimum yard requirements for accessory structures in the zone in which they are to be located or erected.
- c) 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 Sign is a Permitted or Conditional use. Such signs must also be constructed in accordance with the Sign Requirements in Table 6, and subject to the issuance of a development permit.

- d)** 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.
- e)** No sign may contain flashing lights or digital images unless specifically allowed in the Sign Requirements in Table 6. All signs with flashing lights or digital images are prohibited within 100 ft of any Residential zone.
- f)** No sign or sign structure shall be erected or maintained on, over or above any land or right-of-way belonging to the Municipality without a development permit except for those provided for in 4.44 d) and e).
- g)** The placing of signs within the controlled area of a Provincial Road or Provincial Trunk Highway shall require a permit from the applicable provincial authority.
- h)** All signs and sign structures shall be kept in good repair and in a proper state of preservation. Signs which have become obsolete because of discontinuance of the operation or activity or are not maintained in good condition or repair shall be repaired, removed, or relocated within 30 days following notice by the designated officer.

4.44 Signs Not Requiring a Development Permit

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

- a)** Signs posted by duly constituted public authorities in the performance of their public duties.
- b)** Flags or emblems of a political, civic, educational, or religious organization.
- c)** Commemorative or memorial signs or tablets.
- d)** Temporary signs including real estate signs, construction signs, election signs, and similar.
- e)** Temporary event signs including garage sales, estate sale, sporting events, open houses, and similar providing that:

- i)** the sign indicates the date of the event;
 - ii)** the sign is not placed within 50 ft of an intersection;
 - iii)** The sign is not placed on public property more than two days in advance of the event; and
 - iv)** The sign is removed within 24 hours of the event.
- f)** Portable signs (small) not exceeding 5 sq ft in surface area (for a single sign face).
 - g)** Awning signs with signage originally incorporated in the design or awning material.
 - h)** Residential on-site identification signs or warning signs (such as “Private Property” signs and similar) not exceeding 3 sq ft each in surface area.
 - i)** Signs required for direction and convenience of the public, including signs identifying restrooms or parking entrances, not exceeding 5 sq ft in sign surface area.

4.45 Digital Signs

Signs which incorporate digital technology must adhere to the following standards:

- a)** If a component fails or malfunction in any way or fails to operate as indicated on the approved permit, the sign owner shall ensure that the sign is turned off until all components are operating as required.
- b)** No Mobile sign shall have any digital component.
- c)** Brightness levels shall not exceed 7,500 Nits when measured from the sign face at its maximum brightness, during the day (between sunrise to sunset), at those times determined by the sunrise/sunset calculator from the National Research Council of Canada.
- d)** Brightness levels shall not exceed 500 Nits when measured from the sign face at its maximum brightness at night (between sunset to sunrise) at those times determined by the sunrise/sunset calculator from the National Research Council of Canada.
- e)** Must not increase the light levels around the digital sign by more than 3.0 Lux above the ambient light level.

- f)** Digital signs within 500 ft, and in direct line of sight of a residential dwelling unit, must be turned off from 11:00 p.m. to 6:00 a.m. every day.
- g)** Transitions from one copy to another must remain at a consistent brightness level.
- h)** Copy shall remain on the sign face area for no less than six seconds before changing to the next copy.
- i)** Sound, live video feed and the broadcasting of television programs or movies is not permitted.
- j)** Copy must not be shown in a manner that requires the message to be viewed or read over a series of sequential messages on a single digital sign or sequenced on multiple digital signs.
- k)** Copy must not involve any visible effects, including but not limited to blinking, intermittent, or flashing light or the illusion of such effects.
- l)** Transitions must not involve any visible effects, including but not limited to blinking, intermittent, or flashing light or the illusion of such effects.
- m)** No digital sign shall be erected, operated, used, or maintained that:
 - i)** due to its position, shape, colour, format, or illumination obstructs the view of, or shall be confused with, a traffic sign, signal, or device.
 - ii)** display lights resembling lights associated with danger or those used by emergency vehicles.
 - iii)** uses spot or reflector lights directed at on-coming traffic that creates a hazard to traffic on public roadways from which the digital sign is visible.
 - iv)** due to its illumination, competes with or dulls the contrast of the traffic control sign, signal, or device for on-coming traffic.
- n)** The appropriate Transportation Authority shall be satisfied that each digital sign:
 - i)** does not physically obstruct the sight lines or views of a traffic control sign, signal, or device for oncoming traffic.
 - ii)** is not located in the field of view near or past the traffic control sign, signal, or device for oncoming traffic.

- iii) is not located in the field of view near or past other traffic conflict points such as intersections, merge points, exit ramps, or curved roadways.

Figure 3: Type of Sign (Image)

- A | FASCIA (SMALL)
- B | FASCIA (LARGE)
- C | PROJECTING (SMALL)
- D | PROJECTING (LARGE)
- E | FREE-STANDING (SMALL)
- F | FREE-STANDING (LARGE)
- G | AWNING
- H | PORTABLE
- I | INFLATABLE



Table 6: Type of Sign (Table)

Type of Sign	Permitted in Zones	Maximum Area	Additional Conditions
Fascia (small)	AL, AG, RR, RP, RMH, RLD, RMD, CN, CC, EI, GD, IG, PR	5 sq ft maximum area for a single face	A sign in any Residential zone may only be illuminated during business hours.
Fascia (large) or Marquee	CC, CN, EI, IG, PR	10% of the area of the wall to which sign is affixed	Illumination and flashing lights are permitted, following the standards for signs.
Projecting (small)	CN, CC, EI, PR	5 sq ft maximum area for a single face	Must not project more than 5 ft from the wall to which the sign is affixed.
Projecting (large)	CN, CC, EI, IG, PR	21.5 sq ft maximum area for a single face	Must not project more than 6 ft from the wall to which the sign is affixed. Illumination and flashing lights are permitted, following the standards for signs.
Free-Standing (small)	AG, AL, CC, CN, IG, PR	Maximum Area: 32 ft Maximum Height (from grade): 2 m.	Not permitted for home-based businesses.
Free-Standing (large)	AG, AL, CC, CN, EI, IG, PR	120 sq ft maximum area for a single face. Maximum Height (from grade): 35 ft.	Illumination and flashing lights are permitted, following standards. Not permitted in a required yard abutting

Type of Sign	Permitted in Zones	Maximum Area	Additional Conditions
			<p>an RR or any Residential zone.</p> <p>Minimum setback from a property line must be 33% the height of the sign.</p>
Awning	CC, CN, GD, EI, IG, PR	10% of the area of the wall to which awning is affixed	
Portable (small)	RR, CN, CC, EI, GD, IG, PR	Maximum Height: 4.5 ft.	One sign may be placed within public right-of-way immediately adjacent to a commercial use during regular hours of operation.
Portable (large)	AG, AL, CC, IG, EI, PR	<p>48 sq ft maximum area for a single face</p> <p>Maximum height (from grade): 10 ft</p>	<p>Must not include any flashing lights.</p> <p>Maximum of one sign per property.</p> <p>Only allowed to occupy one parking space where there is no practical alternative.</p> <p>Development Permit required.</p> <p>Only allowed as a temporary sign that may be displayed for no more than 180 days within a 12-month period.</p>

Type of Sign	Permitted in Zones	Maximum Area	Additional Conditions
Digital	CC, CN, EI, IG, PR	75 sq ft maximum area for a single face	<p>Not permitted in a required yard abutting a Residential or RR zone.</p> <p>Refer to Error! Reference source not found. for additional requirements.</p> <p>Development Permit required.</p>
Inflatable	CC, CN, EI, IG, PR	16.5 ft maximum height from grade	<p>Only one inflatable sign shall be permitted per site.</p> <p>Only allowed as a temporary sign that may be displayed for no more than 15 days within a 6-month period.</p>

5 ZONES

5.1 Establishing Zones

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

Agriculture General	AG
Agriculture Limited	AL
Rural Residential	RR
Residential Parkland	RP
Residential Mobile Home	RMH
Residential Low Density	RLD
Residential Medium Density	RMD
Commercial Neighbourhood	CN
Commercial Corridor	CC
Educational and Institutional	EI
General Development	GD
Industrial	IG
Parks, Recreation, and Open Space	PR

5.2 Zoning Boundaries

The zones established above in Section 5.1 shall apply within the boundaries of the zones shown on the maps in Schedule A following these rules of interpretation:

- a) Boundaries indicated as approximately following the centrelines of streets, lanes, highways, rivers, or railway or Utility Service lines or rights-of-way shall follow such lines.
- b) Boundaries indicated as approximately following parcel limits as shown on a registered plan or by reference to the Dominion Government Survey shall follow such limits.

5.3 Permitted and Conditional Use Table

The permitted and conditional uses prescribed for parcels within each zone are those set out in the Bulk and Use Tables. Permitted uses are indicated on this table with the letter **P**. Conditional uses are indicated on this table with the letter **C**.

Where a use is not listed and is not similar to, or accessory to, a permitted or conditional principal use, or a permitted or conditional secondary use, the use is not allowed in the zone and cannot be subject to a variance.

5.4 Bulk Regulations

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 and Use Tables or elsewhere in this By-law.

5.5 Zones

5.5.1 Agricultural Zones

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

"AL" Agriculture Limited Zone: this zone provides for agricultural uses similar to the Agriculture General Zone however, due to the proximity to Urban Policy Areas, Hamlet Policy Areas, Rural Residential Policy Areas, Parkland Residential Policy Areas, and environmentally sensitive areas, certain uses that may conflict with these areas, such as livestock operations (LO), are more restricted.

Table 7: Agricultural Bulk Use Requirements

Agricultural Zones			Minimum Requirements						Maximum Requirements
			Site		Yards				Building Height (feet)
			Site Area (acres)	Site Width (feet)	Front Yard (feet)	Side Yard (feet)		Rear Yard (feet)	
Interior	Corner								
Zone	Category	Use							
AG	Agricultural Uses	Primary	80	600	75	25	25	25	-
		Accessory/Secondary	-	-	75	25	25	25	-
	Residential Uses and Other Uses	Primary	2	200	75	25	25	25	25
		Accessory/Secondary	-	-	75	25	25	25	25
AL	Agricultural Uses	Primary	80	300	75	25	25	25	-
		Accessory/Secondary	-	-	75	25	25	25	-
	Residential Uses and Other Uses	Primary	2	200	75	25	25	25	25
		Accessory/Secondary	-	-	75	25	25	25	25

5.5.2 Residential Zones

“RLD” Residential - Low Density Zone: this zone provides for the development of low density single and two-unit dwellings as well as associated and compatible uses within the Urban Areas of St. Malo and Otterburne.

“RMD” Residential – Medium Density Zone: this zone provides for the development of multiple-unit dwellings in one or more structures and associated or compatible uses within the Urban Areas of St. Malo and Otterburne.

“RMH” Residential – Mobile Home Zone: this zone provides for the development of mobile home parks and subdivisions for mobile home dwellings and associated or compatible uses.

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

“RP” Residential – Parkland: this zone provides for the development of serviced and unserviced single-unit dwellings and accessory uses in the recreationally-oriented areas adjacent to St. Malo, St. Malo Provincial Park, and the Rat River south of St. Malo.

Table 8: Residential Bulk Use Requirements

Residential Uses		Minimum Requirements						Maximum Requirements	
		Site		Yards				Site Coverage (%)	Building Height (feet/storeys)
		Site Area (sq ft / acres)	Site Width (feet)	Front Yard (feet)	Side Yard (feet)		Rear Yard (feet)		
Interior	Corner								
Zone	Use								
RLD	Primary	5,500	50	25	5	12	25	45	30
	Accessory/ Secondary	-	-	=	5	12	5	10	15
RMD	Primary	10,000	80	20	5	12	25	50	2 storeys
	Accessory/ Secondary	-	-	=	5	12	10	10	15
RP	Primary	10,000	80	30	5	12	25	35	30
	Accessory	-	-	-	5	12	5	10	15
RR	Primary	2 acres	200	50	15	20	25	10	30
	Accessory/ Secondary	-	-	30	10	12	10	5	15

5.5.3 Commercial Zones

“CN” Commercial Neighbourhood Zone: this zone provides land in the Urban Areas to be developed as multi-functional in nature and support a diverse variety of appropriate uses within the Urban Areas of St. Malo and Otterburne. The “CN” zone may accommodate mixed uses containing commercial and residential components.

“CC” Commercial Corridor Zone: this zone provides for highway-oriented commercial uses which serve the travelling public or are not suitable within Hamlet Areas and Urban Areas. The CC zone is also intended to provide for limited light manufacturing and agriculturally-oriented commercial uses in rural areas.

Table 9: Commercial Bulk Use Requirements

Commercial Zones		Minimum Requirements						Maximum Requirements	
		Site		Yards				Site Coverage (%)	Building Height (feet/storeys)
		Site Area (sq ft / acres)	Site Width (feet)	Front Yard (feet)	Side Yard (feet)		Rear Yard (feet)		
Interior	Corner								
Zone	Use								
CN	Primary	3,000	30	5	2	15	20	60	2 storeys
	Accessory/ Secondary	-	-	5	2	15	10	10	15
CH	Primary	20,000	100	25	10	20	20	40	2 storeys
	Accessory/ Secondary	-	-	25	10	20	10	10	15

5.5.4 Industrial Zones

“IG” Industrial Zone: This zone provides for manufacturing, assembling, processing, distribution, wholesaling and warehousing uses within enclosed buildings. This zone is intended to accommodate uses which may cause nuisances for other land uses.

Table 10: Industrial Bulk Use Requirements

Industrial Uses		Minimum Requirements						Maximum Requirements	
		Site		Yards					
		Site Area (sq ft / acres)	Site Width (feet)	Front Yard (feet)	Side Yard (feet)		Rear Yard (feet)	Site Coverage (%)	Building Height (feet/storeys)
Interior	Corner								
Zone	Use								
IG	Primary	15,000	100	20	10	20	25	70	35
	Accessory/ Secondary	-	-	20	10	20	10	10	20

5.5.5 General Development Zone

"GD" General Development Zone: this zone includes residential, local commercial and community facilities under one zone to provide maximum flexibility in the Hamlets of Carey, Dufrost, and La Rochelle.

Table 11: General Development Bulk Use Requirements

General Development Zone		Minimum Requirements						Maximum Requirements	
		Site		Yards				Site Cover age (%)	Building Height (feet/storeys)
		Site Area (sq ft / acres)	Site Width (feet)	Front Yard (feet)	Side Yard (feet)		Rear Yard (feet)		
Interior	Corner								
Zone	Use								
GD	Primary	2 acres	200	50	15	20	25	30	2 Storeys
	Accessory/ Secondary	-	-	50	5	12	5	20	15

5.5.6 Educational and Institutional Zone

"EI" Educational and Institutional Zone: this zone provides for institutional uses, including schools and school grounds, post-secondary educational institutions such as colleges and universities, and other institutional uses in Urban Areas.

Table 12: Educational and Institutional Bulk Use Requirements

Education and Institutional Uses		Minimum Requirements						Maximum Requirements	
		Site		Yards				Site Cover age (%)	Building Height (feet/storeys)
		Site Area (sq ft / acres)	Site Width (feet)	Front Yard (feet)	Side Yard (feet)		Rear Yard (feet)		
Interior	Corner								
Zone	Use								
EI	Primary	20,000	100	25	15	20	20	30	2 Storeys
	Accessory/ Secondary	-	-	25	5	12	10	20	15

Table 13: Permitted, Conditional, Secondary, and Accessory Uses

USES P = Permitted C = Conditional <u>Underline</u> = Only as a Secondary or Accessory Use	Rural				Commercial		Residential				Industrial	Education and Institutional	Parks, Recreational, and Open Space	Use-Specific Standard	Parking Use as per Table 5
	AG	AL	RR	GD	CN	CC	RMH	RLD	RMD	RP	IG	EI	PR		
Agriculture															
Agricultural operations (except livestock operations)	P	P													-
Agricultural Operation, Communal or Communal Farm Operation	C														-
Agricultural Processing	P	P													9
Cannabis Cultivation	P	P													9
Livestock operations producing 10 to 20 Aus	P	C												6.10	
Livestock operations producing less than 400 AUs	P	C												6.10	9
Livestock operations producing 400 or more AUs	C													6.11	9
Specialized Agriculture	C	C	C												9
Topsoil removal	<u>C</u>	<u>C</u>													-
Agriculture Related															
Abattoirs	C	C													9
Agricultural services	C	C													6

USES P = Permitted C = Conditional <u>Underline</u> = Only as a Secondary or Accessory Use	Rural				Commercial		Residential				Industrial	Education and Institutional	Parks, Recreational, and Open Space	Use-Specific Standard	Parking Use as per Table 5
	AG	AL	RR	GD	CN	CC	RMH	RLD	RMD	RP	IG	EI	PR		
Auction mart – livestock	C	C													7
Cannabis Processing	C	C													9
Dangerous Goods or Agrichemical Storage Facility	C													6.4	9
Greenhouse	P	P			C	C									9
Urban Farm			<u>C</u>	<u>C</u>	<u>P</u>			<u>C</u>		<u>C</u>				6.20	-
Child Care															
Daycare, home	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>			<u>C</u>	<u>C</u>						5
Daycare, group			C	P	P	P						P			5
Commercial Sales and Services															
Automobile and vehicular sales, service, or rental				C	C	P					P				5
Cannabis store				C	C	C									5
Drive-in establishment				C	C	P									6
<u>Drive-through establishment</u>				<u>C</u>	<u>C</u>	<u>P</u>									9
Eating and/or drinking establishment				C	P	P									8
Entertainment / Amusement facility				C	P	P									5
Hotel / motel				C	C	C									12

USES P = Permitted C = Conditional <u>Underline</u> = Only as a Secondary or Accessory Use	Rural				Commercial		Residential				Industrial	Education and Institutional	Parks, Recreational, and Open Space	Use-Specific Standard	Parking Use as per Table 5
	AG	AL	RR	GD	CN	CC	RMH	RLD	RMD	RP	IG	EI	PR		
Landscape and garden supply		C		C	C	C					C				7
Personal services				C	P	P									6
Professional, financial and office support services				C	P	C									6
Resort, commercial			C	C						C					13
Retail – convenience store				C	P	P									5
Retail – large format					P	C									6
Retail – small format				C	P	C									6
Shopping centre					C	C									5
Storage facility		C		C		P					P				7
Community															
Clinic					P	C						C			5
Community Garden			P	P	C	C	C	C	C	C		P			13
Emergency services				P	P	P						P			6
Funeral home / mortuary					C	C					C				6
Hospital					P	C						P			4
Parks, public reserves, and open space	P	P	P	P	P	P	P	P	P	P	P	P	P		13
Place of assembly				C	P	C		C				P			8
Place of worship				C	C	C		C				P			8
Recreation facility, indoor				C	C	C		C	C			C			8

USES P = Permitted C = Conditional <u>Underline</u> = Only as a Secondary or Accessory Use	Rural				Commercial		Residential				Industrial	Education and Institutional	Parks, Recreational, and Open Space	Use-Specific Standard	Parking Use as per Table 5
	AG	AL	RR	GD	CN	CC	RMH	RLD	RMD	RP	IG	EI	PR		
Recreation facility, outdoor				P								P	P		6
Dwellings															
Single unit	P	P	P	P				P	C	P				6.5	1
Two unit								P	P	C				6.6	1
Multiple unit					C			C	P	C				6.7	2
Bed and Breakfast	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>				<u>C</u>			C			6.24	4
Boarding, room and lodging house								C		C		C			4
Farm Dwelling	<u>C</u>	<u>C</u>													
Group home			C	C				C		C					4
Home-Based Business	C	C	C	C				C	C	C				6.8	9
Home Industry	C	C	C	C										6.9	9
Mobile Home	C	C	C											6.12	1
Mobile Home							P								1
Residential care facility				C				C	P			C			4
Seasonal Dwelling			<u>P</u>							<u>P</u>					1
Secondary Suite	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>				<u>C</u>		<u>C</u>				6.16	1
Education															
College or university												P			13
Commercial school					P	C						P			11
Preschool				C	C			C	C			P			10

USES P = Permitted C = Conditional <u>Underline</u> = Only as a Secondary or Accessory Use	Rural				Commercial		Residential				Industrial	Education and Institutional	Parks, Recreational, and Open Space	Use-Specific Standard	Parking Use as per Table 5
	AG	AL	RR	GD	CN	CC	RMH	RLD	RMD	RP	IG	EI	PR		
School – elementary or junior high				C	P	C		C	C			P			10
School – senior high				C	P	C		C	C			P			10
Manufacturing															
Manufacturing, light		C		C	C	C					P				9
Manufacturing, heavy						C					P				9
Natural Resources															
Resource extraction	C	C													9
Public Works and Utilities															
Public utility	P	P	P	P	P	P	P	P	P	P	P	P	P		9
Public works yard	C	C		C	C	C					P				9
Recycling collection centre		C			C	C					P	P			9
Sewage treatment plant, lagoon	C	C												6.16	9
Solid waste disposal facility	C	C													9
Waste transfer station	C														9
Wind Energy Generating System, Commercial	C	C												6.21	-
Wind Energy Generating System, On-Site Use	P	P									C				
Recreation															

USES P = Permitted C = Conditional <u>Underline</u> = Only as a Secondary or Accessory Use	Rural				Commercial		Residential				Industrial	Education and Institutional	Parks, Recreational, and Open Space	Use-Specific Standard	Parking Use as per Table 5
	AG	AL	RR	GD	CN	CC	RMH	RLD	RMD	RP	IG	EI	PR		
Gun range		C													6
Camping and Tenting Grounds			C	C						C			P		1
Camping Trailer or Recreational Vehicle										<u>C</u> , <u>P</u>				6.22	1
Riding academy or stable	C	C													6
Other Uses															
<u>Animal Keeping</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>						<u>C</u>				6.1	-
<u>Apiary</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>								<u>C</u>		6.2	-
Cemeteries	C	C	C	C								C	C		9
<u>Communication tower</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		-
Concrete and asphalt batching plant		C									C				9
Contractor establishment		<u>P</u>			C	P					P				9
Crematorium		C				C					P				9
Hobby Poultry	P	P	P							C				6.23	-
Kennel (day or overnight)	C	C			C	C									6
Planned Unit Development				C				C	C	C				6.13	1
<u>Portable Garages</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		6.14	-
Scrap yard		C									C				9
<u>Shipping Containers</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>					<u>P</u>			6.17	-
Short-Term Rental			C	C				C	C	C				6.3	4

USES P = Permitted C = Conditional <u>Underline</u> = Only as a Secondary or Accessory Use	Rural				Commercial		Residential				Industrial	Education and Institutional	Parks, Recreational, and Open Space	Use-Specific Standard	Parking Use as per Table 5
	AG	AL	RR	GD	CN	CC	RMH	RLD	RMD	RP	IG	EI	PR		
Solar Collector	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>C</u>	<u>C</u>	<u>C</u>	P	P	P	6.18	-
Swimming Pools and Hot Tubs	P	P	P	P				P	P	P				6.19	-
Veterinary clinic		C	C	C	P	P						P			6
Transportation															
Aircraft landing field / airport	P	P													9
Bulk fuel storage / sales	C	C									C				9
Park and ride facility		C	C	C	C	C									
School bus storage and maintenance		C				C					P				9
Trucking terminal and freight services						C					P				9

6 USE-SPECIFIC STANDARDS

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

6.1 Standards for Animal Keeping

Animal Keeping shall be subject to the following regulations:

- a) The minimum lot size to accommodate Animal Keeping is four acres.
- b) The number of animals kept on one site shall be less than 10 animal units (AU), cumulative across species (see Table 14: Animal Units by Category of Livestock).
- c) A maximum of 1 animal unit (cumulative across species) is permitted for every 3 ac of site area or a maximum of 2 horses is permitted for every 5 ac of site area.
- d) The keeping of livestock must adhere to all other local, provincial, and federal health and agriculture regulations in addition to the standards in this By-law.
- e) Any ground-level structure intended for the keeping of animals must be located in the rear yard only and maintain a minimum setback of 15 ft from any site line. Animals must be kept in a suitable enclosure and not be allowed to roam in unfenced areas.
- f) 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.
- g) The keeping of poultry is only permitted in accordance with 6.23.

6.2 Standards for Apiaries (Beekeeping)

An apiary in the RR, GD, and EI zones must meet all of the following standards:

- a) No hives shall be located within 25 ft of a site line unless located in compliance with the following:
 - i) the hive's base is set at a minimum height of 8 ft above grade; or

- ii)** in the RR, GD, and EI zones, any hive is located behind a solid fence or hedge 6 ft in height located parallel to an adjacent property line and extending a minimum of 20 ft horizontally behind the hive in either direction.
- b)** In the RR, GD, and EI zones, a maximum of four hives is allowed on a property.
- c)** Every landowner who allows the keeping of bees on their property has the duty to ensure the maintenance of the beehives. The bees must be requeened if they swarm or show signs of aggressive behaviour.
- d)** A Development Permit is required.

6.3 Standards for Short-Term Rentals

A Short-Term Rental must meet the following standards:

- a)** A short-term rental can involve the principal, secondary, or accessory use;
- b)** Short-term rentals must be conducted in one of the following types of residential properties:
 - i)** Single-Unit Dwellings and Two-Unit Dwellings;
 - ii)** Apartments and Condominiums;
 - iii)** Secondary suites;
 - iv)** Cottages;
 - v)** Camping Trailers and Recreational Vehicles;
 - vi)** Any part of the above.
- c)** Short-term rental hosts are required to obtain a Development Permit from the Development Officer or Designate;
- d)** The operator of a Short-Term Rental must complete the self-inspection checklist upon application for a Short-Term Rental;
- e)** Short-Term Rental Hosts are required to meet all applicable laws, both provincial and municipal;

- f) One sign is permitted for an approved Short-Term Rental to a maximum of 3 square feet (0.2 sq. metres) in sign surface;
- g) A minimum of one off-street parking space must be provided for every four guests;
- h) Camping Trailers and Recreational Vehicles can only be used as a Short-term rental in the RP Residential Parkland zone.

6.4 Separation Distances for Dangerous Goods or Agrichemical Storage Facilities

Dangerous Goods or Agrichemical Storage Facilities shall be located at a minimum distance of 165 ft (50 m) from the site lines in the **AG, AL, CC,** and **IG** zones.

6.5 Standards for Dwellings in Agricultural Zones

Site areas for all dwellings in the **AG** and **AL** Zones should not exceed a maximum of 10 acres.

6.6 Standards for Two-Unit Dwellings

A two-unit dwelling shall:

- a) have no required side yard (contrary to Bulk/Use Tables) on a side that shares a party wall with a building on an adjacent site.
- b) reduce the minimum lot width and lot site area requirements by 50% for the purpose of subdivision (contrary to Bulk/Use Tables) use in the RLD, RMD, and RP zones) if the Two-Unit Dwelling utilizes a party wall.
- c) not have a secondary suite.

6.7 Standards for Multi-Unit Dwellings

A multi-unit dwelling shall:

- a) have no required side yard (contrary to Bulk/Use Tables) on the side that shares a party wall with the building on the adjacent site.
- b) not have a secondary suite.

6.8 Standards for Home-Based Businesses

Home-based businesses must:

- a) be conducted by a person or persons residing in the dwelling.
- b) not have more than two people employed or otherwise engaged in the business who do not reside in the dwelling.
- c) not have processing or outside storage of goods in the RP, RMH, RLD and RMD zones.
- d) not produce noise, odour, dust or cause any conflict with adjacent properties.
- e) not have more than 30% of the total floor area of buildings on the site devoted to the business.
- f) have a maximum of one business sign, either freestanding or affixed to the wall of a principal or accessory building, not exceeding:
 - i) 16 sq ft in the AG, AL, and RR zones.
 - ii) 8 sq ft in the RP, RMH, RLD and RMD zones where home-based businesses are allowed.

6.9 Standards for Home Industries

A Home Industry may be allowed in zones where it is a Permitted Secondary Use or a Conditional Secondary Use only if the following standards are met:

- a) exterior storage of products or materials must be limited to the Rear Yard and screened from view. The storage shall not project above the height of a fence or screening.
- b) the area used to carry out the Home Industry shall not occupy more than 2500 sq ft.
- c) Signage for the Home Industry may be located on the subject property and limited to one non-illuminated (or indirectly illuminated) sign not to exceed:
 - i) 32 sq ft in any Agricultural zone; or
 - ii) 16 sq ft in all other zones.

- d)** A Home Industry shall be conducted by a resident or residents of the dwelling unit to which the Home Industry is secondary, and may employ a maximum of:
 - i)** five non-resident persons in any Agricultural zone; or
 - ii)** two non-resident persons in the RR zone.
- e)** The proponent of the Home Industry must obtain a development permit before establishing or expanding a Home Industry on a site.
- f)** In the case of rental premises, the proponent will be required to obtain the permission of the owner of the premises before a development permit will be issued.
- g)** There shall be no mechanical or electrical equipment used which creates noise, or visible and audible interference in radio or television reception in adjacent dwelling units.
- h)** The Home Industry shall not be permitted if, in the opinion of the Designated Officer, such use would be more appropriately located in another Zoning District having regard for, among other matters, potential traffic generation and potential interference with the character of the area.
- i)** The Home Industry shall comply with all environmental and public health standards of the Province of Manitoba.
- j)** In addition to the information regulations of Section 2.10 of this By-law, each application for a development permit for a proposed Home Industry shall include a description of the use to be undertaken at the premises and an indication of where any materials, equipment or vehicles associated with the use are to be stored.
- k)** A permit for a Home Industry is not transferable to a new homeowner.
- l)** All Home Industries must be operated in accordance with all plans and documents approved as part of the application.
- m)** If customer parking is provided, it shall be located in the rear yard.
- n)** No toxic matter, explosive, flammable, combustible, corrosive, radioactive, or other restricted material may be used, stored, or produced.

- o)** In no case shall the home industry be open to the public at times earlier than 8:00 a.m. or later than 10:00 p.m. unless permitted by the Municipality in writing.

6.10 Standards for Livestock Operations Producing Less Than 400 Animal Units

Any reference in this By-law to Livestock Animal Units (AU) shall use Table 14 to determine the amount of livestock waste produced and/or the number of animals permitted.

Livestock operations should:

- a)** Meet the separation distances as stipulated in the development plan and based on the animal unit calculations and criteria outlined in Table 14 and Table 15. Mutual separation distances to single residences will be measured to the building itself; separation distances to designated areas will be measured to the boundaries of the designated areas found in the development plan, not the buildings within.
- b)** Be subject to the following conditions, if imposed by Council:
 - i)** Measures to ensure conformity with the Development Plan and Zoning By-law.
 - ii)** Either or both of the following measures to reduce odours from the operation:
 - i. covering manure storage facilities.
 - ii. the establishment of shelterbelts.
 - iii)** Enter into 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
 - iv. manure management.
 - iv)** the payment of a sum of money to the board or council to be used by the board or council to construct any of the items mentioned above.

- c) Coolers or other structures designed for the storage of animal deadstock will require a minimum front yard setback of 60 ft.
- d) As per Development Plan policy 5.2.2.6 new Livestock Operations in the Agriculture Limited zone may only be established to a maximum of 20 AU. Existing Livestock Operations in the Agriculture Limited zone may expand up to 399 AU.

6.11 Standards for Large Livestock Operations Producing 400 or More Animal Units

In addition to the standards in 6.10, an application for approval of a livestock operation involving 300 or more animal units (cumulative across species) shall:

- a) be sent to the minister for referral to the Technical Review Committee for review.
- b) be subject to the following condition (if imposed by Council): measures to implement recommendations of the Technical Review Committee.
- c) As per Development Plan policy 5.2.2.6 new Livestock Operations in the Agriculture Limited zone may only be established to a maximum of 20 AU. Existing Livestock Operations in the Agriculture Limited zone may expand up to 399 AU.

Table 14: Animal Units by Category of Livestock

Animal	Type	Animal Units (AU) produced by one animal	Number of animals to produce one AU
Dairy	Milking Cows, including associated livestock	2	0.5
Beef	Beef Cows, including associated livestock	1.25	0.8
	Backgrounder	0.5	2
	Summer pasture / replacement heifers	0.625	1.6
	Feeder Cattle	0.769	1.3
Hogs	Sows, farrow to finish	1.25	0.8
	Sows, farrow to weanling	0.25	4
	Sows, farrow to nursery	0.313	3.2
	Weanlings	0.033	30
	Growers / finishers	0.143	7

Animal	Type	Animal Units (AU) produced by one animal	Number of animals to produce one AU
	Boars (artificial insemination operations)	0.2	5
Chickens	Broilers	0.005	200
	Roasters	0.01	100
	Layers	0.0083	120
	Pullets	0.0033	300
	Broiler Breeder Pullets	0.0033	300
	Broiler Breeder Hens	0.01	100
Turkeys	Broilers	0.01	100
	Heavy Toms	0.02	50
	Heavy Hens	0.01	100
Horses	Mares, including associated livestock	1.333	0.75
Sheep	Ewes, including associated livestock	0.2	5
	Feeder Lambs	0.063	16

Table 15: Minimum Separation Distances for Siting Livestock Operations

Size of Livestock Operations in Animal Units (AU)	Separation Distance in Metres (ft) from Single Residence		Separation Distance in Metres (ft) from Designated Areas	
	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility and Non-earthen Manure Storage Facility	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility and Non-earthen Manure Storage Facility
10-100	200 (656)	100 (328)	800 (2625)	530 (1739)
101-200	300 (984)	150 (492)	1200 (3937)	800 (2625)
201-300	400 (1,312)	200 (656)	1600 (5,249)	1070 (3,511)
301-400	450 (1,476)	225 (738)	1800 (5,906)	1200 (3,937)
401-800	500 (1,640)	250 (820)	2000 (6,561)	1330 (4,364)
801-1600	600 (1,968)	300 (984)	2400 (7,874)	1600 (5,249)
1601-3200	700 (2,297)	350 (1,148)	2800 (9,186)	1870 (6,135)
3201-6400	800 (2,625)	400 (1,312)	3200 (10,499)	2130 (6,988)
6401-12,800	900 (2,953)	450 (1,476)	3600 (11,811)	2400 (7,874)
>12,800	1000 (3,281)	500 (1,640)	4000 (13,123)	2670 (8,760)

Note that the dwelling of the operator located on the lot where the activity is taking place is excluded from Separation Distance requirements.

Also note that Table 14 and Table 15 are adapted from Provincial guidelines and are subject to change.

Notice of Public Hearing for Livestock Operations

In addition to the notice provisions in The Act, prior to any hearing of an application for a conditional use permit to establish or expand a livestock operation, Council shall give the following notice:

- a) 10-100 AU send notice by regular mail to every residence and property owner within ¼ mile.
 - i) 101-300 AU send notice by regular mail to every residence within 1 mile.
 - ii) 300+ AU and all earthen manure storage facilities send notice by regular mail to every residence within 1.88 miles.

6.12 Standards for Mobile Homes

Mobile homes require a development permit. No mobile home located in the Rural Municipality of De Salaberry shall receive a development permit unless it complies with the following regulations:

- a) All mobile home, must meet the structural standards in The Buildings and Mobile Homes Act, conform to Canadian Standards Association Z-240 MH, and any local Building or Mobile Home By-law (if applicable).
- b) A mobile home, when located permanently on a site, shall:
 - i) be connected to municipal sewer and water services when such services are available on the site;
 - ii) be connected to an electrical service outlet;
 - iii) be placed and anchored on a permanent foundation in accordance with the CSA Z-240.10.1 Site Preparation, Foundation, and Anchorage for Manufactured Homes standard;
 - iv) have skirting that screens the view of the foundation supports or wheels.
- c) No detached accessory building or structure shall be located within a distance of ten ft clear of all projects of a mobile home, including a mobile home on an adjoining space. Detached accessory buildings or structures shall be located only in the side or rear yard.

6.13 Standards for Planned Unit Developments

A planned unit development:

- a)** May only be established on a zoning site or proposed development larger than 2 acres in size.
- b)** The uses and standards of a Planned Unit Development must be generally consistent with the desired character for the area as set out in the Rural Municipality of De Salaberry Development Plan, any applicable Secondary Plans, and the uses and standards in the zones adjacent to the site.
- c)** An application for a planned unit development shall be considered as a conditional use application, subject to the conditional use provisions of this By-law and The Planning Act.
- d)** An application for a planned unit development must be accompanied with a detailed site plan, including:
 - i)** location of the site boundaries.
 - ii)** planned location, height, and types of use of buildings and structures.
 - iii)** planned location of internal roads and entrances to site.
 - iv)** planned location of sidewalks and active transportation paths.
 - v)** planned locations of communal and public facilities and spaces.
 - vi)** planned locations of fencing, lighting, trees, shrubs, groundcover, and plantings.
 - vii)** planned location of vehicle parking.
 - viii)** planned location of systems supplying electrical power, water, and collection of sewage and waste.
 - ix)** lot grading.
 - x)** a list of all instances on the site where the bulk standards of the proposed buildings and structures do not comply with the requirements of this zoning by-law.

- xi)** other information as required by Council.

6.14 Standards for Portable Garages

The installation of a portable garage shall be allowed as an accessory use. Portable garages are subject to the following rules:

- a)** A maximum of one portable garage is allowed on a site in all zones, except the AG and AL zones.
- b)** A portable garage is not permitted within the required front yard of a site.
- c)** A portable garage must meet side and rear yard requirements for accessory buildings in the zone in which it is located.
- d)** A portable garage must not exceed the height restrictions for accessory buildings in the zone in which it is located.
- e)** A portable garage must not exceed 200 sq ft in area.
- f)** A portable garage must be placed on a driveway or parking space.
- g)** A portable garage must be kept in good condition (any rip in the fabric must be repaired).

6.15 Standards for Secondary Suites

Secondary suites must comply with the following regulations:

- a)** Not more than one secondary suite shall be permitted on a single zoning site.
- b)** A minimum of one off-street parking space must be provided for each secondary suite, in addition to the parking required for the principal building.
- c)** The maximum floor area of the secondary suite shall not exceed 860 sq ft or 80% of the total habitable floor space of the principal building (whichever is the lesser).
- d)** Detached secondary suites must follow the setback standards for principal buildings and structures in the Siting Table.

6.16 Standards for Sewage Treatment Sites (Lagoon)

A mutual separation distance of 1,000 ft shall be maintained between a dwelling and a sewage treatment site or lagoon.

6.17 Standards for Shipping Containers

A shipping container must adhere to the following standards:

- a) A shipping container used for storage must meet the requirements for accessory buildings in the zone in which it is located. Shipping containers must not exceed the maximum height for accessory buildings for the zone.
- b) No more than one shipping container is permitted per lot.
- c) A shipping container used as a dwelling must meet the requirements for dwelling units in the zone in which it is located.
- d) Must be screened from view.
- e) Cannot be located in the front yard and must meet all setback requirements.
- f) A shipping container may be used for temporary storage or emergency purposes, provided it meets the requirements for temporary buildings and structures in this By-law.
- g) A shipping container must not be used for advertising, building identification, or any other signage.
- h) A truck trailer is a shipping container.

6.18 Standards for Solar Collectors

A Solar Collector must meet the following standards:

- a) Any solar collector not connected to a building shall adhere to the same setbacks and height restrictions for secondary/accessory buildings in the zone in which the installation is situated.
 - a) A roof or wall-mounted solar collector shall not exceed, in size, the total square footage of the principal structure.

- b) A solar collector that is mounted on a roof may project a maximum of 6.5 ft from the surface of the roof and must not extend beyond the outermost edge of the roof.
- c) A solar collector that is mounted on a wall may project a maximum of two ft (0.6 m) from the surface of that wall and must be located a minimum of 8 ft above grade.

6.19 Standards for Swimming Pools and Hot Tubs

Swimming pools, hot tubs, and similar structures with a water depth of greater than 2 ft, shall be allowed as a permitted accessory use to a residential use (including when located on a farm), recreational, or commercial development provided that:

- a) they meet the siting requirements of accessory structures for the zone in which they are located.
- b) the pool area is protected by a fence with lockable gates and a minimum height of 6 ft to prevent unauthorized entry. The fence and gate must be constructed so as to prevent a child from crawling underneath.
- c) hot tubs must be protected with a cover capable of being locked.
- d) a development permit and building permit is required under this By-law for pools, hot tubs, and similar in ground structures with a water depth of 2 ft or greater.

6.20 Standards for Urban Farms

An urban farm must meet all of the following standards:

- a) A development permit application for an urban farm that involves any of the following activities must be accompanied with a plan that addresses how the activities will be managed to mitigate impacts on surrounding land uses and natural systems:
 - i) the processing of food produced on site.
 - ii) the use of heavy equipment such as tractors.
- b) Greenhouses, compost structures, hoop houses, and similar structures are permitted as accessory structures, provided they conform to the applicable bulk requirements for accessory buildings and structures for the relevant zone.

- c) Compost must be maintained in a way that limits nuisance odours to adjacent properties.
- d) On-site sales are limited to sales of goods produced on site.

6.21 Standards for Wind Energy Generating System Tower (Commercial)

A commercial Wind Energy Generating System (WEGS) tower must meet the following standards:

- a) It is set back no less than 1.5 times the total turbine height from the property line and any public road or railway right of way.
- b) It is set back no less than 100 ft from a water body or waterway.
- c) The minimum separation distance between a commercial wind energy generating system tower and the nearest habitable building shall be 1640 ft.
- d) It contains no commercial advertising other than the manufacturers or owner's name or logo.
- e) It contains no artificial lighting other than the lighting that is required by federal and provincial regulation.
- f) As part of their development permit application, proponents for Wind Generation System must submit a detailed site plan showing the location of all wind generating devices, associated accessory buildings or structures, electrical lines (above or below ground) on-site roads and driveways providing access to the public road system.

6.22 Standards for Camping Trailers and Recreational Vehicles

A Camping Trailer or Recreational Vehicle must meet the following standards:

- a) A Camping Trailer or Recreational Vehicle can be operated as a conditional Principal Use within the Residential Parkland zone only.
- b) A maximum of one Camping Trailer or Recreational Vehicle can be used as a Short-Term Rental on a residential lot in the Residential Parkland zone only with Conditional Use approval.

- c) Any more than one Camping Trailer or Recreational Vehicle being used as a Short-Term Rental is considered to be a Camping and Tenting Ground.

6.23 Standards for Hobby Poultry

A maximum of six (6) hens, and zero roosters, may be kept subject to the following:

- a) No person shall establish hobby poultry on a site without first obtaining a development permit from the CAO, Development Officer, or designate;
- b) The coop and enclosure must meet the following standards:
 - i) located in the rear of the lot behind the dwelling and not located within the Accessory Use setbacks;
 - ii) positioned a minimum of 15 feet (4.6 m) from any neighbouring property line; and
 - iii) the enclosure must be covered entirely on all sides and top by chicken-grade fencing.
- c) On lots of 4 or more acres an additional 2 hens per acre are permitted to a maximum number of twenty (20) hens.
- d) Hobby Poultry is subject to registering with the applicable Provincial authority.

6.24 Standards for Mobile Home Parks

A mobile home park must meet the following standards:

- a) There shall not be more than one mobile home located on a mobile home space in a mobile home park.
- b) Shall contain a minimum of 3 mobile/manufactured home spaces and shall have a minimum site width of 200 ft.
- c) Shall be provided with an adequate street lighting system and other services that the Development Officer deems necessary for public health and safety.
- d) A mobile home park must provide an internal roadway with a driving surface a minimum of 16.5 ft wide with an all-weather surface that serves all dwellings that meets the municipal roadway lighting and surface water drainage standards.

- e)** Must provide clear identification of each dwelling space and its boundaries.
- f)** Must provide a centrally located common park space or recreation area equivalent to a minimum area of 430 sq ft per dwelling space.
- g)** Mobile homes shall be located a minimum distance of 12 ft away from a storage compound or a common parking area and 20 ft from a service building in a mobile home park.
- h)** An application for a mobile home park must be accompanied with a detailed site plan, including:
 - i)** location of the site boundaries
 - ii)** foundations, pads, or mobile home sites
 - iii)** accessory buildings
 - iv)** internal roads
 - v)** sidewalks and active transportation paths
 - vi)** vehicle parking
 - vii)** systems supplying electrical power, water, and sewage disposal.

Table 16: Bulk Standards for Mobile Homes

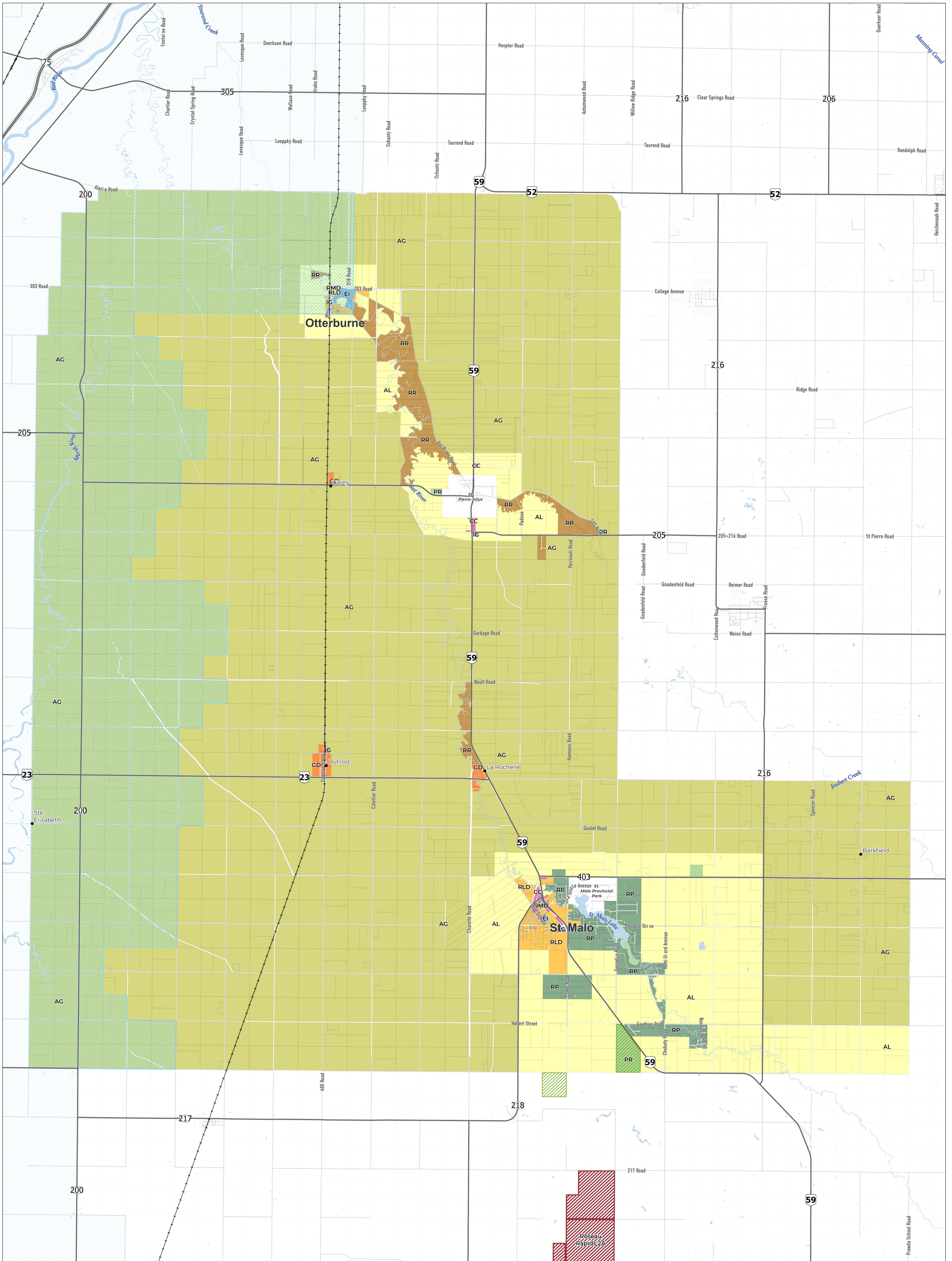
Description	Dimensional Requirements
Minimum area of each mobile home space	4500 sq. ft.
Minimum width of each mobile home space	45 ft.
Minimum depth of each mobile home space	100 ft.
Minimum side to side clearance between mobile home dwellings (porches, carports, additions and projections are considered part of the mobile home)	10 ft.
Minimum end-to-end clearance between mobile homes	30 ft.
Minimum distance from mobile home to roadway	10 ft.
Minimum distance from mobile home to public street or mobile home park boundary	30 ft
Minimum Site Area	1 acre
Maximum Density	6 mobile homes per acre

6.25 Standards for Bed and Breakfasts

A bed and breakfast shall only be allowed on a site in a zone in which it is a permitted or conditional use if it meets all of the following requirements:

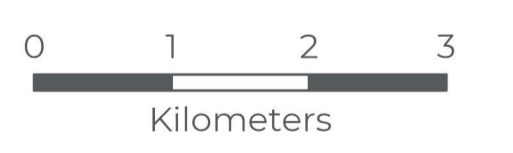
- a) The operator must reside within the principal residence to which the Bed and Breakfast is an accessory use.
- b) No more than eight patrons shall be accommodated within one dwelling.
- c) No more than four bedrooms shall be used for the bed and breakfast operation.
- d) One additional on-site parking spot shall be provided for each bedroom that is used for the bed and breakfast operation.
- e) Signs shall follow the regulations for home-based businesses in the zone in which the bed and breakfast is located.

Schedule A: Zoning Maps



URBAN
SYSTEMS

Project #: 5494.0001.01
 Author: LS
 Checked: JP
 Status: --
 Revision: A
 Date: 2025/9/4



Coordinate System:
 NAD 1983 UTM Zone 14N
 Data Sources:
 - Province of Manitoba
 - NRCan

Scale: 1:55,000
 (When plotted at 24"x36")

The accuracy & completeness of information shown on this drawing is not guaranteed. It will be the responsibility of the user of the information shown on this drawing to locate & establish the precise location of all existing information whether shown or not.

- Community
- Highway
- Road
- Railroad
- ▨ Wildlife Management Area
- ▨ Designated Flood Area
- ▨ First Nations Reserve
- ▨ Waterbody

- Land Use Zones**
- AG - Agriculture General
 - AL - Agriculture Limited
 - CC - Commercial Corridor
 - EI - Educational and Institutional
 - GD - General Development
 - IG - Industrial
 - PR - Parks, Recreation, and Open Space
 - RLD - Residential Low Density
 - RMD - Residential Medium Density
 - RP - Residential Parkland
 - RR - Rural Residential















Zoning By-Law

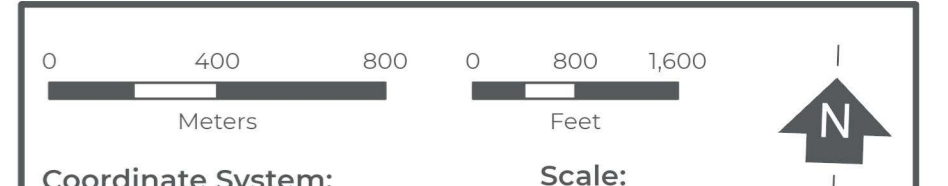
Policy Map 1:
 Rural Municipality (RM)
 of De Salaberry Overview

Zoning By-Law

Policy Map 2:
Rural Municipality (RM) of De
Salaberry Otterburne and Village
of St-Pierre-Jolys

- Community
- Highway
- Road
- Railroad
-  Designated Flood Area
-  Waterbody
- Land Use Zones**
-  AG - Agriculture General
-  AL - Agriculture Limited
-  CC - Commercial Corridor
-  EI - Educational and Institutional
-  GD - General Development
-  IG - Industrial
-  PR - Parks, Recreation, and Open Space
-  RLD - Residential Low Density
-  RMD - Residential Medium Density
-  RR - Rural Residential

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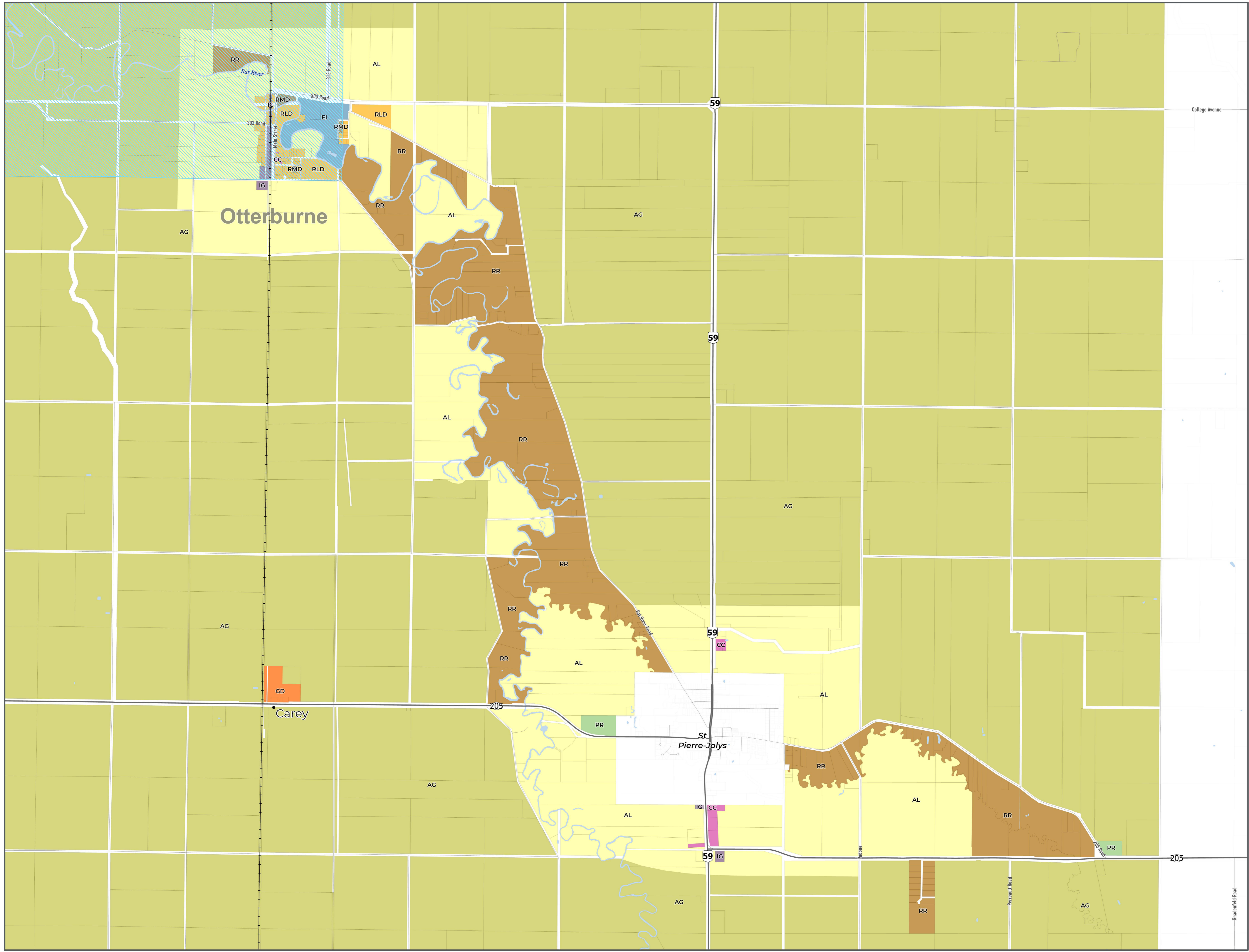


Coordinate System:
NAD 1983 UTM Zone 14N

Scale:
1:18,000
(When plotted at 24"x36")

Data Sources:
- Province of Manitoba
- NRCan

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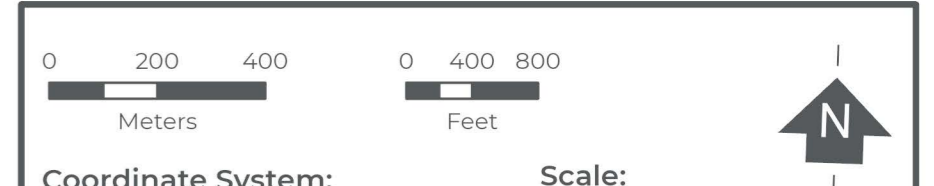



Zoning By-Law

Policy Map 3:
Rural Municipality (RM) of De
Salaberry Local Urban District
(LUD) of St. Malo

- Highway
- Road
- Waterbody
- Land Use Zones**
- AG - Agriculture General
- AL - Agriculture Limited
- CC - Commercial Corridor
- EI - Educational and Institutional
- IG - Industrial
- PR - Parks, Recreation, and Open Space
- RLD - Residential Low Density
- RMD - Residential Medium Density
- RP - Residential Parkland

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Coordinate System:
NAD 1983 UTM Zone 14N

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