



# L.G.D. of Pinawa Zoning By-law

By-law No.: 887-2021

# HOW TO USE THIS ZONING BY-LAW

This zoning by-law regulates the use, size, height and location of buildings on properties within the LGD of Pinawa. 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 Maps in Schedule A to determine the zoning for your property.
- Reference **Part 4: 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 **Use Table in Part 4: 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 marked with a [\*] have use-specific requirements that are provided in **Part 3: Use-Specific Standards**.

## Step Three

### How and where can you develop properties in your zone?

- Find the column with the zone of your property in the **Bulk Table in Part 4: 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 2]** and the **Definitions [Part 6]**.

## 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 [Part 5]** 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 [and plumbing permits, electrical permits, demolition permits, etc.].

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## **PART 1: Applicability and Scope**

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### **1.1 Title**

This by-law shall be known as the LGD of Pinawa Zoning By-law.

### **1.2 Scope**

This by-law applies to all lands in the LGD of Pinawa as indicated on Maps A and B of Schedule A of this by-law.

### **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, and
- c) all other forms of development not included above.

### **1.4 Use and Development of Land and Buildings Must Comply**

Within the LGD of Pinawa, 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. The LGD of Pinawa shall only be responsible for enforcement of its own regulations; however, it may require proof of compliance with the provincial or federal regulations prior to issuance of the applicable permit or certificate.

### **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 that is a nuisance due to noise, odour, emission, vibration or other cause.

## **PART 2: General Regulations**

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

### **2.1 Regulation of Uses**

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

- a) is listed in the Use Table 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

### **2.2 Number of Buildings Permitted Per Site**

There shall be only one main building or one main use on a zoning site except wherein otherwise stated. For example, a residential zoning site shall contain only one (1) single-unit dwelling or one (1) two-unit dwelling or one (1) multi-unit dwelling and their accessory buildings as permitted on the residential use bulk table.

### **2.3 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.

### **2.4 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;
- b) the area of land or buildings used or occupied for secondary uses on a site shall not exceed the area of land or buildings respectively used or occupied by principal uses on the same site; and
- c) no land, building, or structure shall be used or occupied for any secondary use after the use or uses to which it is secondary have been discontinued.

### **2.5 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 on any zoning site prior to the time of construction of the principal building to which it is accessory except where:
  - i) a development permit has been issued for the principal building(s);
  - ii) the accessory building is to be used as the builder's office or for the storage of tools and materials used in the construction of the principal building or structure; or
  - iii) it is allowed by written agreement from the LGD of Pinawa;
- d) in no instance shall an accessory building be located within a dedicated easement or right-of-way except as provided for by said easement or right-of-way;
- e) no detached accessory buildings shall be located closer than 3.05 m (10 feet) to any principal building, from wall-to-wall, or closer than 1.52 m (5 feet) from an eave projection; and
- f) an accessory building or structure shall not be used as a dwelling, except where otherwise permitted in this by-law.

## 2.6 Area and Yard Requirements

Except as provided herein, the following regulations shall apply to all zones to ensure adequate site and yard requirements:

- a) Where a use is established on a site and a site area or site width or required yard is reduced below the minimum requirements of this by-law by virtue of the development of a public work, street or public utility, the affected site area, site width and required yard shall be deemed to conform to the requirements of this by-law;
- b) For the purpose of side yard regulations, a semi-detached two-unit dwelling, a row house or a multi-unit dwelling with common party walls shall be considered as one (1) building occupying one (1) site;
- c) Where a site is occupied for a use permitted in a zone and has no buildings or structures thereon, the required yards for the zone within which it is located shall be provided and maintained, except in the case of sites located in the Open Space zone;
- d) Yards required for a building or structure, existing on the effective date of this by-law or amendments thereto, shall not be reduced if already less than the minimum requirements of this by-law;
- e) All yards and other open spaces required for any use shall be located on the same site as the use;
- f) A through site may be required to meet the front setback of the zone in which it is located on both property lines fronting onto a street at the discretion of the Development Officer;
- g) Where dwelling units are erected or constructed above commercial or industrial uses, no side yards are required other than as specified for the commercial or industrial building; however, if the dwellings contain windows, doors, or other openings in the side walls, side yards may be required for fire separation purposes in accordance with the Manitoba Building Code and Manitoba Fire Code; and
- h) Where sites comprising forty (40) per cent or more of the entire frontage of the block are developed with buildings, the average front yard depths established by such buildings shall establish the minimum front yard depths for the entire frontage of the

block provided such average is less than the minimum front yard required in the zone in which the site is located.

## 2.7 Height Exception

Height restrictions within the bulk tables do not apply to the following:

- |  |   |                            |
|--|---|----------------------------|
| - antennae;  | - elevator shafts or stairway enclosures;   | - lighting standards;      |
| - chimneys;  | - flag poles;   | - ornamental domes;        |
| - communications towers;   | - grain storage structures, silos, augers, and others facilities required for processing grain; | - satellite dishes;        |
| - electrical/mechanical operations of a building provided no roof structure or space is usable floor area; |   | - skylights;               |
|  |   | - solar collectors;        |
|  |   | - steeples;                |
|  |   | - ventilators;             |
| - electrical or telephone transmission lines;  | - gravel piles or similar;  | - water storage tanks; and |
|  | - lightning rods;   | - windmills.               |

Notwithstanding the list above, limitations prescribed or practice recommended by Transport Canada with respect to height limitations and appropriate lighting shall prevail.

## 2.8 Primary Façade Standards

Primary façade standards apply to residential dwellings in the R<sub>1</sub> and R<sub>3</sub> zones. The design of primary façades must include, at a minimum, two of the following design features:

- a) Incorporation of a porch, stoop, balcony or dormer;
- b) A change in material types or textures;
- c) Use of offsets or insets, such as bays, with a minimum depth of 2 feet;
- d) A vertical or horizontal change to a wall plane;
- e) Glazing covering a minimum of 25% of the primary façade area consisting of window and/or glazed door openings;
- f) Vertical breaks or changes to rooflines; or
- g) The use of masonry or stone or like material on 30% or more of the primary façade.

Utility meters and/or mechanical equipment shall not be located on a primary façade.

## 2.9 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 Council.
- b) Each development permit issued for a temporary building, structure or use shall be valid for a period of not more than 12 months. The development officer may grant one extension to the time limit for a maximum period of 12 additional months.

Temporary buildings, structures, and uses may be permitted for the following purposes:

- a) Storage of construction materials and equipment incidental to and necessary for construction on the same site;
- b) Office space for the contractor or developer on the same site;



- c) Temporary accommodation for:
  - i) A caretaker, security personnel, farm workers or other workers employed on the same site;
  - ii) The owner and family during the construction of a dwelling on the same site; or
  - iii) The owner and family displaced due to flooding or other natural disasters including fire; and
- d) Asphalt and concrete batching plants incidental to and necessary for road construction.

**2.10 Road Access**

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

All new lots must have frontage and legal access on an all-weather public road.

**2.11 Highways**

The Development Officer shall determine if development permit applications are subject to the statutory requirements governing highways in Manitoba. Where a development permit application is subject to provincial legislation, the owner(s) may be required to seek the approval and obtain a permit from Manitoba Infrastructure prior to a development permit being issued.

**2.12 Driveways**

Driveways for single-unit dwellings shall comply with the LGD of Pinawa Boulevard Crossings Policy and the following:

- a) A development permit is required for both new driveways and upgrades, repairs or replacement of existing driveways;
- b) Maximum width of a driveway at the front property line shall be 6 metres (20 ft);
- c) The driveway must cross the boulevard in front of the homeowners' site and shall not extend onto the boulevard area of an adjacent property owner;
- d) A driveway including a walk forming part of the driveway cannot be located closer than 0.5 metres (1.7 ft) to the adjoining property line;
- e) A driveway shall be no closer to a street intersection than 7.5 metres (24.7 ft) (measured edge to edge); and
- f) Only one driveway per lot, unless otherwise provided for in this by-law.

**2.13 Service Connections**

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

**2.14 Public Utilities, Services, Monuments and Statuaries**

This by-law shall be interpreted so as not to interfere with the construction, erection and location of monuments, statuaries and similar structures or a public utility's works, plant, pipes, cables, or equipment.

**2.15 Entrances and Exits**

Service stations, public parking areas, drive-through facilities, and all vehicle/equipment sales shall require at least one entrance and one exit for vehicles, driveways and aisles for the removal of a vehicle without the necessity of moving any other vehicle. Access to sites shall be only by way of entrances and exits provided in accordance with the following:

<b>Table 2-1 Entrance and Exit Requirements</b>	
Minimum width of an entrance or exit	6.10 m (20 ft.)
Minimum width of a combined entrance and exit	7.62 m (25 ft.)
Maximum width of an entrance or exit	12.19 m (40 ft.)
Maximum width of a combined entrance and exit	18.29 m (60 ft.)
Minimum distance between any part of an entrance, 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	9.14 m (30 ft.)
Minimum distance between entrances and exits	9.14 m (30 ft.)
Angle between a driveway and a street line (minimum)	60°

**2.16 Loading Requirements**

For all buildings and uses involving regular and frequent receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise or raw materials, the owner or operator of the buildings or uses shall provide and maintain adequate loading and unloading spaces on the site as follows:

- a) Each loading or unloading space shall be at least 9.14 m (30 feet) long, 3.66 m (12 feet) wide and have a vertical clearance of at least 4.27 m (14 feet);
- b) Access to loading or unloading areas shall be by means of a driveway at least 6.10 m (20 feet) wide contained on the site in which the spaces are located and leading to a street or lane located within the zone in which the use is located;
- c) Loading and unloading areas shall be maintained with a stable surface that is treated to prevent the raising of dust or loose particles. They shall be constructed of crushed stone, slag, gravel, crushed brick or tile, asphalt, concrete or Portland cement binder and with provision for drainage facilities;
- d) Off-street loading spaces shall not be permitted in a required corner side yard; and
- e) The number of loading spaces shall be provided in accordance with the following:

<b>Table 2-2 Minimum Loading Spaces</b>	
<b>Area of Building</b>	<b>Minimum Loading Space</b>
Less than 930 m <sup>2</sup> (10,010 sq.ft.)	One (1) space
Exceeding 931 m <sup>2</sup> (10,021 sq.ft.) but not more than 18,600 m <sup>2</sup> (200,209 sq.ft.)	Two (2) spaces
Exceeding 18,601 m <sup>2</sup> (200,219 sq.ft.)	Three (3) spaces

## 2.17 Parking

When any new development is proposed, including a change of use of an existing development or when any existing development is, in the opinion of the Development Officer, substantially enlarged or increased in capacity, then provision shall be made for off-street vehicular parking or garage spaces in accordance with the regulations and standards contained in this section as follows:

Table 2-3

### Minimum Parking Space Requirements

	Use Class*	Number of Parking Spaces Required
<b>Residential</b>	Single-Unit Dwelling	2.0 / Dwelling Unit
	Two-Unit or Multi-Unit Dwelling	2.0 / Dwelling Unit
	Apartment Building	1.0 / Dwelling Unit plus 1 visitor space per 5 units
	Bed and Breakfast Home or Boarding House	1.0 / Sleeping Accommodation
	Residential Care Facility	1.0 / each 2 dwelling or sleeping units
	Assisted Living Facility	1.0 / Dwelling Unit + 1/staff on maximum shift
<b>Industrial / Commercial</b>	Hotel and Motel	1.0 / Guest Room or Sleeping Unit
	Eating and Drinking Establishment	1.0 / 4 seats or 1.0 per 9.29 m <sup>2</sup> (100 sq.ft.) of floor area, whichever is greater
	Neighbourhood Commercial and Retail	1.0 per 18.6 m <sup>2</sup> (200 sq.ft.) of floor area
	All other Commercial Establishments	1.0 per 23.2 m <sup>2</sup> (250 sq.ft.) of floor area
	Industrial Uses	1.0 per 92.9 m <sup>2</sup> (1000 sq.ft.) of floor area or 1.0 per 5 employees, whichever is greater
<b>Other Uses</b>	Indoor Participant Recreation Service, Place of Worship, Outdoor Participant Recreation Service, Funeral Service, Club, Public Library and Cultural Exhibit, Community Centre and Auditorium/Assembly Place	1.0 per 5 seating spaces or 3.05 m (10 ft) of bench space. Where there are no fixed seats, 1.0 for each 9.29 m <sup>2</sup> (100 sq.ft.) of floor area devoted to the assembly room floor area, whichever is greatest.
	Commercial Resort/Rentals	1.0 / rental unit + 1/staff on maximum shift
	Marina	1.0/dock space
	Extended Medical Treatment Service	2.0 per bed
	Education Facility	1 per faculty member plus 1 per each 4 employees plus 1 per 10 students (high school and adult students)
	Government Service	1.0 per 51.1 m <sup>2</sup> (550 sq.ft.) of floor area
	Child Care Service	1.0 for every 2 employees, plus 1 for every 4 children in care

\*Where a proposed use is not listed above, the parking requirement shall be determined by the Development Officer.

Where the calculation of the number of accessory off-street parking spaces required results in a fractional parking space, the parking space requirement shall be rounded up.

All required accessory off-street parking shall be located on the same zoning site as the use served, unless permitted by variance order to locate elsewhere.

Where permitted by variance order, the alternate site containing the required accessory off-street parking spaces shall be located within 120.0 m (393 ft) of the use served, be used exclusively as a parking area and be secured for a period equal to that of the use served.

The following regulations shall apply to all parking areas as required by this by-law:

- a) In the case of a multiple-use site, the Development Officer shall calculate the parking for the site, unless the applicant can demonstrate to the satisfaction of Council that the complementary use of the parking facilities would warrant a reduction in the parking requirements;
- b) Parking areas shall be provided with at least one entrance and one exit for vehicles, and driveways and aisles for the removal of a vehicle without the necessity of moving any other vehicles unless otherwise provided in this by-law;
- c) The area shall be drained and maintained with a stable surface that is treated to prevent the rising of dust or loose particles. It may be constructed of crushed stone, slag, gravel, concrete, asphalt or other approved material;
- d) Where parking areas are provided in any commercial, industrial or institutional zone and lighting facilities are provided, such lights shall be shielded and directed to reflect away from any adjoining residential area. Where parking areas are provided in any residential zone and lighting facilities are provided, such lights shall be so shielded and directed as to reflect away from any adjoining residential property;
- e) Where a parking area is situated along a site line which coincides with the boundary of a residential zone and is not separated by any street, lane, or watercourse, a stable and continuous wall, fence, or screen may be required and the site line shall be landscaped with at least one hedgerow of hardy shrubs not less than 1.5 m (5 ft) in height placed next to the wall, and the remainder shall be lawn. The wall, fence, or screen shall be maintained in a stable condition, and all landscaping shall be kept free of refuse and debris and maintained in a healthy, growing condition, neat and orderly in appearance;
- f) If required for a parking area, one (1) shelter for attendants may be erected not exceeding 3.7 m (12 ft) in height and 13.4 m<sup>2</sup> (144 sq.ft.) in area; and
- g) No sign shall be erected except:
  - i. Signs for the direction of traffic within the parking area, and
  - ii. Directional signs of not more than 0.46 m<sup>2</sup> (5 sq.ft.) in area at each point of entrance and exit.

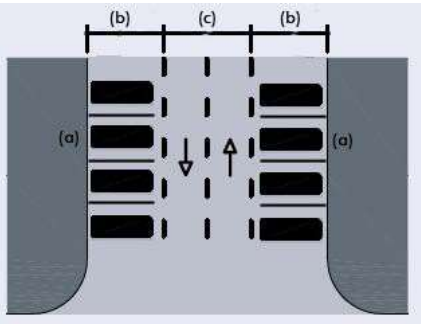
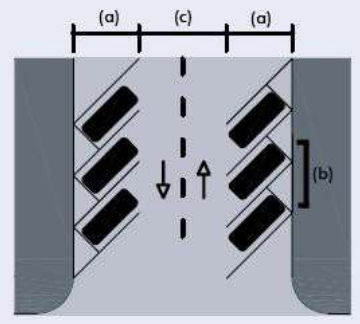
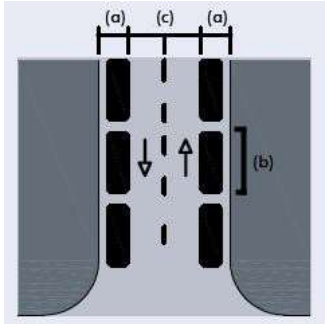
Such signs may bear the name of the business if the parking area is connected thereto.

The layout and design of the parking area shall be as follows:

- a) The layout and design of the parking area shall be in accordance with Table 2-3 "Minimum Parking Space Requirements" and Table 2-4 "Parking Area Layout";
- b) The length of each parking space shall be exclusive of access driveways, aisles, ramps and columns, and office or work areas;
- c) Where access to a parking space is directly from a lane, the width of the lane adjacent may be computed as part of the aisle width required for said parking space;

- d) The angle of parking shall be measured between the centerline of the parking space and the centerline of the aisle;
- e) The off-street parking area shall be provided with an access drive with a minimum width of 3.05 m (10 ft) to a street or lane;
- f) Except as provided for in c., an aisle or driveway shall not mean a street or lane;
- g) Each parking space shall have a vertical clearance of at least 2.13 m (7 ft) from the floor or grade; and
- h) Design of parking areas and access drives need to address safe pedestrian circulation routes, efficiency in the parking layout, accessibility, lighting, aesthetic appearance, service vehicle access and snow removal.

Table 2-4  
Parking Area Layout

Angle	Configuration	Minimum Stall Dimensions		Minimum Aisle Width	
		Stall Width (a)	Stall Depth (b)	Two - Way (c)	One - Way (c)
90° (Head-In)		2.75 m (9 ft)	5.5 m (18 ft)	6.7 m (22 ft)	6.0 m (20 ft)
45° (Angled)		2.75 m (9 ft)	5.5 m (18 ft)	7.3 m (24 ft)	3.7 m (12 ft)
0° (Parallel)		2.75 m (9 ft)	5.5 m (18 ft)	6.7 m (22 ft)	3.7 m (12 ft)

**2.18 Barrier-Free Parking Spaces**

Barrier-free parking spaces shall be provided according to the minimum number of spaces specified in Table 2-5 and in accordance with the following:

- a) Each barrier-free parking space shall have a minimum width of 3.5 m (11.5 feet) and a minimum length of 7.0 m (23 feet);
- b) Barrier-free parking spaces shall be located within close proximity and access to the principal building entrance. An accessible route shall be provided with a minimum width of 1.0 m (3 feet), including curb ramps, sidewalks and built-up curb ramps. Accessible ramps must be located adjacent to the access aisle, not in the parking stall; and
- c) Barrier-free spaces must be clearly marked and reserved for the exclusive use of people with mobility issues.

Table 2-5

**Required Barrier-Free Parking Spaces**

Number of Off-Street Parking Spaces on a Zoning Site	Minimum Number of Barrier-Free Parking Spaces
4 - 30	1
31 - 75	2
76 - 125	3
126 - 200	4
201+	4 plus 1 for every 50 additional spaces, to a maximum of 10 spaces

**2.19 Undeveloped Road Allowance**

No buildings or structures shall be erected upon any land acquired by the LGD or any other federal or provincial government agency and designated as a future road allowance. Any development adjacent to the future road allowance shall comply with the requirements of this by-law and Manitoba Infrastructure setback requirements, as if the future road allowance was already in existence.

**2.20 Tree Protection and Removal**

Landowners shall be encouraged to retain tree cover where possible and desirable.

**2.21 Drainage**

A development permit is required for any drainage works to be undertaken. A permit may be refused or works prohibited on lands where it has been determined that such works would create an adverse effect on adjacent public or private lands, or where adjacent drains are insufficient to accommodate the added runoff.

Council may require that the applicant provide, at the applicant’s expense, information such as an engineered drainage plan, flood levels, elevations or other data prepared by a certified professional engineer, as may be required for Council to make its decision as per the Lot Grade By-law.

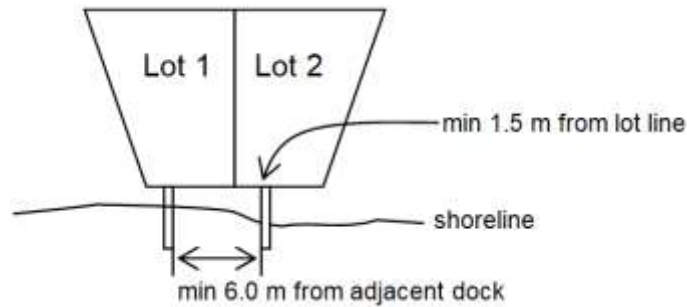
**2.22 Lot Grade**

The level terrain of a lot, measured at the building foundation, should generally be the same as the neighbouring lots, unless otherwise approved by the Development Officer. Exceptions may be permitted where the terrain is sloping, but the final lot grade must not result in the flooding of other properties.

Storm water shall be directed to the municipal storm drainage system, and not to adjacent properties.

**2.23 Shorelands**

Development along shorelines, over or in the waterway, requires review by Manitoba Conservation and Climate, and may require authorization from the Federal Department of Fisheries and Oceans. Development within Power Reserve Lands requires permission from Manitoba Hydro. Docks shall be at minimum 1.5 m (5 ft) from the lot line and 6.0 m (19.6 ft) from an adjacent dock.



**2.24 Fences**

A fence in any zone shall require a development permit and shall comply with the following provisions:

Open ornamental fence or landscape architectural features	may locate in front yard – max. height is 1.1 m (3.6 ft)
Fence – except open, ornamental fence	not permitted in any front yard
See above	may locate in all other yards – max. height is 1.8 m (6 ft)
Open wire mesh fences	not permitted in any front yard may located in all other yards – max. height is 2.4 m (8 ft)

**2.25 Storage and Display in Yards**

Storage of goods or materials shall be screened from view on all sides by a solid or opaque fence, having a minimum height of 1.8 m (6 ft). The fencing shall be uniform in appearance, and shall be maintained to a standard acceptable to Council. Issuance of a permit may require submission of a maintenance plan and the posting of a performance bond. The fencing or screening materials permitted include:

- painted or pressure-treated wood;
- concrete, ornamental block;
- brick;
- metal;
- dense landscape greenery; or
- any other material subject to illustration by a certified professional engineer or architect and approval by the Development Officer.

#### **2.25.1 Non-Residential Zones**

Goods or materials may be displayed, but shall not be stored in any front yard. Goods and materials may be displayed or stored at any time in any rear or side yard, provided that the goods or materials are screened from view, with the exception of permitted or conditional uses that have merchandise on display for sale or rental such as new or used agricultural implements, vehicles, motorcycles, recreational vehicles, watercrafts or trailers.

Building materials may be temporarily stored during periods of building construction.

#### **2.25.2 Residential Zones**

Goods, materials or equipment shall not be stored or displayed in any yard, with the following exceptions:

- a) Garden equipment, garden furniture, trailers, boats, firewood or other goods and materials normally associated with the enjoyment of residential property may be stored at any time in any rear or side yard.
- b) Trailers, travel trailers, motor homes or boats may be parked during the relevant season in the driveway in front of the garage or carport without extending off the property onto the boulevard, and otherwise not in front of the front face of any building. In the off-season, they shall be stored as per paragraph a) or off-site.
- c) Building materials may be temporarily stored during periods of building construction.

#### **2.26 Visual Clearance at Intersections**

The following shall not be greater than 1.0 m (3.3 ft) in height above the elevation of the street line within a site triangle:

- building, structure or use;
- fence, tree, hedge, bush, or other vegetation; and
- finished grade.

#### **2.27 Animals**

No animals, other than domestic pets, shall be kept in any building, structure on any site, except for animals associated with a permitted agricultural use, wildlife sanctuary, animal kennel, shelter or veterinary clinic.

#### **2.28 Noxious or Offensive Uses**

No use shall be permitted in any zone that may, in the opinion of the Development Officer, be noxious or offensive to adjoining uses due to the emission or production of odour, dust, refuse matter, waste, vapour, smoke, gas, vibration, or noise, or the creation of a safety hazard. Table 2-6 indicates the standards to be upheld.



Table 2-6

**Noxious or Offensive Uses – Performance Standards**

Matter	Standard
Dust, smoke, gas or similar	Environment Act
Flammable	Manitoba Fire Code
Odour	Environment Act
Radioactive	Federal Atomic Energy Control Regulations
Intense heat Intense light	Shall be within a completely enclosed building so as not to be perceptible at or beyond any lot line; and shall be shielded so as not to create a nuisance
Toxic or noxious	Environment Act

**2.29 Obstructions into Yards**

Table 2-7

**Allowable Above-Ground Obstructions into Yards**

USE	ALLOWABLE PROJECTION DISTANCE (max)
Air Conditioner	1.5 m (5 ft) into side or rear yard
Alcove, Bay Window	0.9 m (3 ft) into front and side yard
Chimney	0.9 m (3 ft) into front or side yard - provided the yard is not reduced to less than 0.9 m (3 ft)
Eave	0.9 m (3 ft) into front or side yard - provided the yard is not reduced to less than 0.9 m (3 ft)
Fences	Open ornamental fence or landscape architectural features
	Fence – except open, ornamental fence. See above.
	Open wire mesh fences
Hedges	may locate in front yard - max height is 1.1 m (3.5 ft)
Name plate, bulletin board, or real estate sign pertaining to the sale, lease or rental of the premises on which it is located	not permitted in any front yard; may locate in all other yards – max. height is 1.8 m (6 ft)
Porch, platform or landing - open, unenclosed, not covered by roof or canopy, and which does not extend beyond level of first floor	not permitted in any front yard; may located in all other yards – max. height is 2.4 m (8 ft)
Stairway or balcony - open, unenclosed, not covered by roof or canopy	may locate in any yard - max height is 0.8 m (2.6 ft) in front yard and 1.8 m (6 ft) in other yards
Swimming Pool and Pool Equipment	shall be allowed in any required front side or rear yard – provided the yard is not reduce to less than 0.3 m (1 ft)
	1.8 m (6 ft) into any yard
	1.2 m (4 ft) into rear yard 0.8 m (2.6 ft) into front yard
	1.5 m (5 ft) into side or rear yard

**2.29.1 Underground**

Utilities, underground parking and similar structures constructed entirely beneath the surface of the ground may encroach into required yards provided such underground encroachments do not result in grade inconsistent with adjacent properties and the encroachments are covered by sufficient soil depth or surface treatment to foster landscaping.

Any development, construction or structure above, below or at ground level proposed within the controlled area of a provincial highway or road will require a permit from Manitoba Infrastructure.

## PART 3: Use-Specific Standards

ZONES		ABBR.
Agriculture		AG
Commercial	Central Commercial	CC
	General Commercial	CG
	Highway Commercial	CH
Industrial	Light Industrial	ML
	Heavy Industrial	MH
	Waste Disposal Industrial	MD
Institutional		I
Recreation Commercial		RC
Natural Areas		NA
Parks and Open Space		OS
Residential	Single-Unit Residential	R1
	Multi-Unit Residential	R3
	Rural Residential	RR

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:

### 3.1 Planned Unit Developments

USE	CC	CG	CH	ML	MH	MD	I	RC	NA	OS	AG	R1	R3	RR
Planned Unit Development	C*	C*	C*	C*	C*		C*	C*				C*	C*	
P = Permitted		C = Conditional			* = Use-Specific Standard Applies			Underline = Only as a Secondary Use						

Planned Unit Developments (PUDs) may be composed of a mixture of residential, institutional, commercial, open space and recreational uses. The design shall produce an environment of stable and desirable character and shall incorporate equivalent or higher standards of amenity, accessory off-street parking areas and other requirements and standards established in this by-law.

#### 3.1.1 Application for a Planned Unit Development

Application for a development permit shall be made in the form prescribed by Council, accompanied by the fee prescribed by Council, and include the following plans and information:

- A site plan indicating the location and description of all buildings, structures and landscaping; and
- where Council deems necessary, an impact study which addresses general benefits of the development to the community as a whole, the impact of traffic generated from development on nearby provincial and municipal highway/road systems, as well as the effect on the following:
  - any adjacent neighbourhoods;
  - the skyline, views and vistas in all directions;
  - the natural environment such as surface and subsurface water resources, increases in surface run-off and flooding, soil erosion and vegetation;

- the safety and general welfare;
- the community economy; and
- community infrastructure.

### 3.1.2 Standards

The design shall be subject to the following requirements:

- the density shall not exceed that permitted within the applicable zone;
- the design shall incorporate, at minimum, equivalent standards of building separation, parking, height and other requirements and provisions of this by-law;
- the site area shall be a minimum of 2.0 ha (5.0 ac); and
- the area designated as open space for common recreational use shall be a minimum of 50% of the total site area, with only buildings and structures as permitted within the "OS" Open Space zone.

A caveat with a copy of the development agreement shall be filed against the titles of the affected properties in the appropriate land titles office.

## 3.2 Home Occupation

USE	CC	CG	CH	ML	MH	MD	I	RC	NA	OS	AG	R1	R3	RR
Home Occupation	<u>P*</u>	<u>P*</u>	<u>P*</u>						<u>P*</u>		<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>
P = Permitted		C = Conditional		* = Use-Specific Standard Applies				<u>Underline</u> = Only as a Secondary Use						

Home Occupations shall have a valid business license issued by the LGD and shall:

- be limited to a maximum of 40% of the total floor area of the dwelling unit;
- be operated by a live-in owner as a secondary use and may have a maximum of one (1) non-resident employee;
- be open to the public only between the hours of 8:00 a.m. and 8:00 p.m.;
- provide a customer parking space in the existing driveway or yard;
- restrict parking for business vehicles to one (1) parking space in the existing driveway;
- not have exterior storage of business equipment, materials, merchandise or inventory;
- not change the principal character or external appearance of the dwelling;
- not generate traffic beyond what is normally characteristic of the area;
- not use, store or produce toxic, explosive, flammable, combustible, corrosive, radioactive or other restricted material;
- be limited to one (1) non-flashing sign with a maximum permitted area of 0.4 m<sup>2</sup> (4.3 sq.ft.) for home occupations within single-unit and two-unit dwellings. Exterior signage for home occupations within multi-unit dwellings shall not be permitted; and
- where near provincial highways, be reviewed by Manitoba Infrastructure.

Table 3-1 is provided as a guide. The Development Officer shall determine the suitability of proposed home occupations not included in the table.

Table 3-1 Examples of Home Occupations	
Suitable	Not Suitable
Bookkeeping, accounting, investment counselling	Autobody shops / vehicle servicing
Building Trades	Delivery services (more than one vehicle)
Computer sales and programming	Large household appliance sales and repair
Consulting service – engineering, computer, planning and similar	Mobile sign business
Craft manufacturing and sales – paintings, stained glass and similar	Printing services
Drafting, computer graphics and interior design	Small engine and equipment sales and repair
Dress making, sewing	Tow truck operation
Electronics and small household appliance sales/repair	Trucking operation (more than one vehicle)
Home day care	Upholstery (household or auto)
Photography	Waste disposal or septic tank servicing
Real estate and insurance	Any business requiring use of explosives or radioactive material
Tutoring, music, dance and singing training	
Personal services – hairdressing and barbering, licensed massage therapists, reflexology	

### 3.3 Home Industries

USE	CC	CG	CH	ML	MH	MD	I	RC	NA	OS	AG	R1	R3	RR
Home Industry									<u>P*</u>		<u>P*</u>			<u>P*</u>
P = Permitted		C = Conditional			* = Use-Specific Standard Applies				<u>Underline = Only as a Secondary Use</u>					

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) The proponent of the Home Industry must obtain a development permit before establishing or expanding a Home Industry on a site.
- b) The Home Industry will not create unsightly appearances or disturbances that may be deemed by Council as unsuitable.
- c) The Home Industry will not create a potential for conflict with activities that would normally occur in the affected zone.
- d) In the RR zone, exterior storage of products or materials must be limited to the rear yard. The storage shall be screened and shall not project above the height of a fence or screening.
- e) In the RR zone, the area used to carry out the Home Industry shall not occupy more than 92.9 m<sup>2</sup> (1000 sq.ft.).
- f) Signage for the Home Industry shall be located on the subject property and be limited to one non-illuminated, non-flashing sign with a maximum area of 0.4 m<sup>2</sup> (4.3 sq.ft.).
- g) 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 (5) non-resident persons in the AG and NA zones; or
  - ii. Two (2) non-resident persons in the RR zone.

On-site parking spaces for each employee must be provided.
- h) In the case of rental premises, the proponent will be required to obtain the permission of the owner of the premises before a development permit will be issued.

### 3.4 Bed and Breakfast

USE	CC	CG	CH	ML	MH	MD	I	RC	NA	OS	AG	R1	R3	RR
Bed and Breakfast	<u>P*</u>	<u>P*</u>										<u>P*</u>		<u>P*</u>
P = Permitted      C = Conditional      * = Use-Specific Standard Applies      Underline = Only as a Secondary Use														

Bed and breakfast accommodations shall have a valid business license issued by the LGD and shall:

- be restricted to the dwelling unit;
- be operated by a live-in owner as a secondary use;
- be limited to a maximum of four (4) guest bedrooms per dwelling;
- provide one (1) parking space per guest room in the existing driveway or yard;
- not change the principal character or external appearance of the dwelling;
- not generate traffic beyond what is normally characteristic of the area;
- be limited to one (1) non-flashing sign with a maximum of 0.4 m<sup>2</sup> (4.3 sq.ft.); and
- approved smoke detectors shall be required:
  - i. in every sleeping room in the Bed and Breakfast home; and
  - ii. in the common corridor of every storey or floor level, even if no sleeping accommodation is provided on that storey or floor level. The smoke detectors are to be electronically hard-wired to each other in cases where major renovations are to take place.

### 3.5 Short-Term Rentals

Short-term rentals of less than 30 days duration shall not be permitted in residential zones.

### 3.6 Secondary Suites

USE	CC	CG	CH	ML	MH	MD	I	RC	NA	OS	AG	R1	R3	RR
Secondary Suite												<u>C*</u>		<u>C*</u>
P = Permitted      C = Conditional      * = Use-Specific Standard Applies      Underline = Only as a Secondary Use														

Secondary suites are only permitted if they comply with the following regulations:

- a) not more than one (1) secondary suite shall be permitted on a single zoning site;
- b) the secondary suite must be attached to or within a principal dwelling or accessory structure;
- c) the principal dwelling must be occupied by the owner of the property;
- d) a minimum of one (1) off-street parking space must be provided for the secondary suite, in addition to the parking required for the principal building;
- e) the maximum floor area of the secondary suite shall not exceed 80 m<sup>2</sup> (860 square feet) or 40% of the total habitable floor space of the principal building (whichever is the lesser); and
- f) a building permit must be obtained for the development of a secondary suite, and the development must conform to the *Manitoba Building Code*.

### 3.7 Fabric-Covered Structures

The installation of a fabric-covered structure shall be allowed as an accessory use except in residential zones and with a permit only if the following standards are met:

- a) a fabric-covered structure is not allowed within the required front yard of a site;

- b) a fabric-covered structure must meet the requirements for accessory building side and rear yards;
- c) a fabric-covered structure must not exceed the height and area restrictions for accessory buildings in the zone in which it is located;
- d) a fabric-covered structure must be kept in good condition. Any rip in the fabric must be repaired; and
- e) a maximum of one (1) fabric-covered structure is allowed on a site.

**3.8 Swimming Pools and Hot Tubs**

Swimming pools, hot tubs and similar structures with a water depth of greater than 0.61 m (2 feet), shall be allowed as a permitted accessory use to a residential use, recreational or commercial development provided that:

- a) they shall be located only in rear and side yards in compliance with the requirements for accessory buildings and structures;
- b) the pool area is protected by a fence with lockable gates and a minimum height of 1.83 m (6 feet) to prevent unauthorized entry. The fence and gate must be constructed so as to prevent a child from climbing over or crawling underneath and maintained in good repair;
- c) hot tubs shall have a lockable cover; and
- d) a Development Permit is issued under this by-law.

Nothing in this subsection shall relieve any such structure from complying with the requirements under the Building By-law or applicable provincial regulations including *The Manitoba Building Code* and *The Public Health Act*.

**3.9 Ponds and Fountains**

Ponds and fountains that are lined and have a water depth exceeding 0.6 m (2 ft) shall be deemed private pools and shall be subject to the Manitoba Building Code and requirements for accessory buildings and structures.

**3.10 Wind Energy Generating Systems**

USE	CC	CG	CH	ML	MH	MD	I	RC	NA	OS	AG	R1	R3	RR
Wind Energy System (commercial)			C*						C*	C*	C*			
on-site/private	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*
P = Permitted      C = Conditional      * = Use-Specific Standard Applies <u>        </u> = Only as a Secondary Use														

**3.10.1 Standards for Wind Energy Generating System (Commercial)**

A commercial Wind Energy Generating System 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, provincial highway controlled area, or railway right-of-way;
- b) it is set back no less than 30 m (100 feet) 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 500 m (1640 feet);
- d) it contains no commercial advertising other than the manufacturer's or owner's name or logo;

- e) it contains no artificial lighting other than the lighting that is required by federal and provincial regulation; and
- f) as part of their development permit application, proponents for Wind Generation Systems 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), shadow study (if required), and on-site roads and driveways providing access to the public road system.

**3.10.2 Standards for Wind Energy Generating Systems (On-Site / Rooftop)**

An on-site Wind Energy Generating System must meet all of the following standards:

- a) it is set back at least 6.0 m (20 feet) from the front building line, or, in the case of corner lots, at least 4.5 m (15 feet) from the front and side lot line;
- b) it is limited to a total turbine height of no more than 4.5 m (15 feet) above the rooftop; and
- c) it is safely and securely attached to the rooftop in compliance with the National and Provincial Building Codes.

**3.11 Solar Collectors**

USE	CC	CG	CH	ML	MH	MD	I	RC	NA	OS	AG	R1	R3	RR
Solar Collector (commercial)			C*				C*	C*	P*	P*	P*			
on-site/private	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
P = Permitted      C = Conditional      * = Use-Specific Standard Applies <u>Underline</u> = Only as a Secondary Use														

**3.11.1 Standards for Solar Collectors**

A commercial 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;
- b) A roof or wall-mounted solar collector shall not exceed, in size, the total square footage of the principal structure;
- c) A solar collector that is mounted on a roof may project a maximum of 1.5 m (6.5 feet) from the surface of the roof and must not extend beyond the outermost edge of the roof; and
- d) A solar collector that is mounted on a wall may project a maximum of 0.6 m (2 ft) from the surface of that wall and must be located a minimum of 2.4 m (8 ft) above grade.

An on-site, private solar collector must meet the yard requirements for accessory uses in the zone in which it is located.

**3.12 Industrial Performance and Development Standards**

The following minimum standards apply to industrial uses in any zone:

- a) Any operation producing intense glare or heat shall be performed within a completely enclosed building in such a manner so as not to be perceptible at or beyond any site line. Exposed sources of light shall be shielded so as not to create a nuisance across any site line.

- b) The storage, use or manufacture of flammable materials, solid or otherwise, shall be in accordance with the regulations of the National Fire Code.
- c) The emission of smoke, odorous matter, gases, dust and other particulate matter shall be in accordance with provincial regulations.
- d) The storage and handling of radioactive material shall be in accordance with the regulations contained in the Government of Canada Atomic Energy Control Regulations.
- e) Notwithstanding anything herein contained, no use that may be noxious or offensive due to the emission or production of odour, dust, refuse matter, wastes, vapour, smoke, gas, vibration or noise shall be permitted in any zone unless the use is permitted in the subject zone or measures satisfactory to Council are undertaken to mitigate or eliminate such effects.
- f) All portions of a lot except those used for buildings, parking, loading or outside storage where permitted shall be landscaped and maintained in good condition. A landscaping plan shall be submitted to Council prior to issuance of a development permit.
- g) All side and rear lot lines in the MH, ML and MD zones which abut residential or open space zones must be screened by a fence, hedge, or evergreen trees which will extend a minimum of 1.8 m (6 feet) in height. Where chain-link fencing is used, it shall be bordered by trees or evergreen hedges that, when planted, are expected to reach a height not less than the height of the fence.

### 3.13 Aggregate Extraction Operations

USE	CC	CG	CH	ML	MH	MD	I	RC	NA	OS	AG	R1	R3	RR
Aggregate Extraction Operation			C*						C*	C*	C*			
P = Permitted      C = Conditional      * = Use-Specific Standard Applies <u>Underline</u> = Only as a Secondary Use														

Development shall not be permitted on high quality or useable deposits of aggregate in accordance with the Development Plan, with the exception of extraction operations.

#### 3.13.1 Application

A development permit shall be required for the removal of quarry minerals or for the expansion of an existing extraction operation. Application for a development permit shall be made in the form prescribed by Council, accompanied by the fee prescribed by Council and include the following plans and information:

- existing soil conditions, including topography, vegetative cover, water courses, soil and water table profiles, etc.;
- proposed extraction operation and staging;
- proposed access and hauling activities;
- reclamation plan and post-extraction conditions, including proposed end use; and
- in the case of Crown quarry minerals, proof of Provincial Lease or Casual Permit issuance under *The Mines Act*.

*The Manitoba Quarry Minerals Regulation* provides provincial operating standards for aggregate extraction operations and should be used for regulatory activities for pit management. The provincial pit and quarry rehabilitation program for reclamation of depleted sites to a condition



that is safe, environmentally stable and compatible with adjoining lands may be accessed as part of the reclamation plan for post mining conditions.

### 3.14 Service Stations

USE	CC	CG	CH	ML	MH	MD	I	RC	NA	OS	AG	R1	R3	RR
Service Station	C*	C*	P*	P*	P*									
P = Permitted      C = Conditional      * = Use-Specific Standard Applies <u>Underline</u> = Only as a Secondary Use														

Notwithstanding the bulk requirements contained within Table 4-3, the following requirements must be met for services stations in the CC, CG and CH zones:

Table 3-2 Service Station Bulk Regulations								
Use		Site Area m <sup>2</sup> (sq.ft.)	Site Width m (ft)	Yard				Height m (ft)
				Front m (ft)	Side m (ft)		Rear m (ft)	
					Interior	Corner		
Service Station	Buildings	1858 (20,000)	30.5 (100)	7.6 (25)	7.6 (25)	7.6 (25)	7.6 (25)	9.1 (30)
	Pumps			4.6 (15)	4.6 (15)	4.6 (15)	4.6 (15)	n/a

#### 3.14.1 Site Location

Service stations shall have frontage on a collector street, municipal road or provincial road. Service stations shall not be permitted on any lane or secondary street feeding onto a highway or collector street.

#### 3.14.2 Special Provisions

Where service stations are permitted, the following special provisions shall apply:

- minimum distance between ramps or driveways shall be 6.1 m (20 feet);
- minimum distance between a ramp or driveway and an intersection shall be 15.2 m (50 feet);
- lighting used to illuminate off-street parking areas shall be arranged and shielded so as to reflect away from adjacent properties;
- the site, buildings and structures must be maintained in a clean, neat and attractive condition, free of rubbish and debris; and
- tanks for the storage and sale of propane shall not be erected or used within 7.6 m (25 feet) of any Residential Zone, unless separated by an unpierced wall or fence of non-combustible material having a minimum height of 1.8 m (6 feet).

### 3.15 Wrecking Facilities – Automotive and Equipment

USE	CC	CG	CH	ML	MH	MD	I	RC	NA	OS	AG	R1	R3	RR
Wrecking Facilities			C*	C*	C*									
P = Permitted      C = Conditional      * = Use-Specific Standard Applies <u>Underline</u> = Only as a Secondary Use														

Application for a development permit for a wrecking facility shall be made in the form prescribed by Council, accompanied by the fee prescribed by Council, and include the following information:

- proof of an Environment Act License;
- a site plan (including areas for dismantling and storage of materials, staff and public parking, visual screening and/or buffering, means of noise and dust protection); and
- proposed access.

### 3.16 Mobile Homes

USE	CC	CG	CH	ML	MH	MD	I	RC	NA	OS	AG	R1	R3	RR
Dwelling, Mobile Home														P*
P = Permitted      C = Conditional      * = Use-Specific Standard Applies <u>Underline</u> = Only as a Secondary Use														

A mobile home is a detached single-unit dwelling, which is factory-built, compact and transportable, with the following characteristics:

- The unit is designed for the long-term occupancy and domestic use by one (1) or more individuals living as a single housekeeping unit; and contains cooking, eating, living, sleeping and sanitary facilities, and has plumbing and electrical connections for permanent attachment to outside systems;
- The unit is designed to be moved or transported, after fabrication, on its own wheels, other trailers, or detachable wheels;
- The unit is designed and built in conformity with the Canadian Standards Association (CSA) Z240 series standards for mobiles homes; and/or
- The unit has the appearance of, or resembles, a mobile home based on maximum length to minimum width aspect ratio of two (2) or more.

The following provisions shall apply:

- a) All mobile homes shall meet the Canadian Standards Association (CSA) Mobile Home Structural Standards Z240 series and all revisions thereto and shall comply with all residential standards of the Manitoba Building Code.
- b) Subject to the Manitoba Building Code, all structures and/or buildings such as porches, additions, carports, skirting, garages and storage facilities shall be CSA factory prefabricated units or equivalent quality and shall be painted or pre-finished and maintained so that the design, construction and maintenance complements the mobile home.
- c) All mobile homes shall be provided with skirting from the bottom of the mobile home to the ground, adequate ventilation, and ready access to service connections through a removable panel.
- d) All mobile homes shall be anchored to a basement, concrete foundation, concrete pad or concrete piers in accordance with the CSA Z240 standards and Manitoba Building Code.
- e) All outside storage of materials, equipment and storage tanks shall be adequately concealed from view by screening or other appropriate measures, unless otherwise approved by Council.

### 3.17 Multi-Unit Dwellings

USE	CC	CG	CH	ML	MH	MD	I	RC	NA	OS	AG	R1	R3	RR
Dwelling, Multi-Unit	C*												P*	
P = Permitted      C = Conditional      * = Use-Specific Standard Applies <u>Underline</u> = Only as a Secondary Use														

#### 3.17.1 Yard Requirements

Semi-detached or multi-unit dwellings with common party walls shall be considered as one building, occupying one site.

#### 3.17.2 Subdivision and Use

A site with a two-unit attached dwelling or row housing located thereon may be subdivided into two or more sites through the common party wall provided:

- each site created has frontage on a street;
- each site created has a minimum of one (1) on-site parking space with direct access to a street or public lane;
- single-unit dwellings are a permitted use; and
- there is compliance with all provisions of this by-law.

### 3.18 Bare Land Unit Condominium Plans

Common elements in bare land unit condominium plans shall be used only for the following:

- streets, lanes, drainage ways, roadways and pedestrian paths;
- parking areas;
- open space areas, buffer strips;
- playgrounds, tot lots, sports and recreation grounds and related facilities;
- boat docks, boat houses and marinas;
- signs; and
- accessory buildings, structures and uses.

No building or structure, other than traffic controls shall be constructed, erected or placed on any part of a "common element" designated as a "street" or "lane."

Use	Yard m (ft)				Site Coverage (%) (max)	Building/ Structure Separation Distance m (ft)
	Front	Side		Rear		
		Interior	Corner			
Common Elements	9.1 (30)	1.5 (5)	9.1 (30)	1.5 (5)	10	3.05 (10)

\*The above table does not preclude compliance with Manitoba Infrastructure and Manitoba Building and Fire Code requirements.

### 3.19 Livestock Operations

USE	CC	CG	CH	ML	MH	MD	I	RC	NA	OS	AG	R1	R3	RR
Greater than 10 A.U.											<u>C*</u>			
P = Permitted		C = Conditional			* = Use-Specific Standard Applies				<u>Underline</u> = Only as a Secondary Use					

All new and expanding livestock operations shall be in compliance with the applicable provincial regulations and the regulations contained within this by-law. The more restrictive requirements shall prevail.

- a) The number of animal units for a livestock operation shall be determined in accordance with Table 3-4.
- b) All new or expanding livestock operations shall require a development permit application. The application shall include the following information:
  - i. Description of the proposed new or expanding livestock operation including:
    1. Number and type of animals;
    2. Number and type of animal housing and other buildings or structures related to the livestock operation;
    3. Type and size of manure storage facility;
    4. Method of manure application;
    5. Means of limiting manure runoff; and
    6. Means of odour control;
  - ii. A site plan showing the location and distance from property lines of the following:
    1. Animal housing and other buildings or structures related to the livestock operation;
    2. Manure storage facility; and
    3. Well;
  - iii. Where a proposed new or expanding livestock operation is 300 A.U. or greater in size, additional information may be required at the request of the Technical Review Committee (TRC). This information shall be certified by a qualified agricultural engineer or other professional acceptable to the TRC.
- c) All proposed livestock operations shall meet the siting criteria outlined in Tables 3-5.
- d) Council may impose the following conditions on an application for a livestock operation:
  - i. Measures to ensure conformity with the applicable provisions of the Development Plan and Zoning By-law;
  - ii. Measures to implement recommendations of the Technical Review Committee;
  - iii. One or both of the following measures intended to reduce odours from the operation:
    1. Requiring a cover on manure storage facilities and/or;
    2. Requiring shelterbelts to be established;
  - iv. Require the applicant to enter into a development agreement regarding one or more of the following matters:
    1. The timing of construction;
    2. The control of traffic;
    3. The construction and maintenance of roads, fencing, landscaping, drainage works, shelterbelts and/or;

4. The payment of a sum of money to Council to be used by Council to construct any of the items mentioned in clause (iii) above.
- e) Notwithstanding the uses contained within the Use and Bulk tables, no new livestock operations greater than 50 A.U. shall be permitted within 1.5 km (1 mile) of any Residential Zone or the AECL Industrial Complex.
- f) The siting of all structures or facilities associated with a livestock operation shall maintain a setback of 100 m (328 ft) from the ordinary high water mark of a designated waterway.
- g) Notwithstanding Table 4-3, animal housing and manure storage facilities for livestock operations greater than 200 A.U. must be located on a site having a minimum area of 32.4 ha (80 ac).

<b>Table 3-4 Calculation of Animal Units by Category of Livestock</b>			
		<b>AU Produced By One Livestock</b>	<b>Livestock Producing One AU</b>
<u>Dairy</u>	Milking cows (including associated livestock)	2	0.5
<u>Beef</u>	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
<u>Hogs</u>	Sows, farrow to finish	1.25	0.8
	Sows, farrow to weanling	0.25	4
	Sows, farrow to nursery	0.313	3.2
	Weanlings	0.033	30
	Growers/finishers	0.143	7
	Boars (artificial insemination operations)	0.2	5
<u>Chickens</u>	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
<u>Turkeys</u>	Broilers	0.01	100
	Heavy Toms	0.02	50
	Heavy Hens	0.01	100
<u>Horses</u>	Mares (including associated livestock)	1.333	0.75
<u>Sheep</u>	Ewes (including associated livestock )	0.2	5
	Feeder lambs	0.063	16

Table 3-5

### Separation Distances for New and Expanding Operations

Size of Livestock Operation in Animal Units	Separation Distance in Metres (Feet) from a Residence		Separation Distance in Metres (Feet) from a Designated Area	
	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility or Non-earthen Manure Storage Facility	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility or Non-earthen Manure Storage Facility
10 – 100	200 (656)	100 (328)	800 (2,625)	530 (1,739)
101 – 200	300 (984)	150 (492)	1,200 (3,937)	800 (2,625)
201 – 300	400 (1,312)	200 (656)	1,600 (5,249)	1,070 (3,511)
301 – 400	450 (1,476)	225 (738)	1,800 (5,906)	1,200 (3,937)
401 – 800	500 (1,640)	250 (820)	2,000 (6,561)	1,330 (4,364)
801 – 1,600	600 (1,968)	300 (984)	2,400 (7,874)	1,600 (5,269)
1,601 – 3,200	700 (2,297)	350 (1,148)	2,800 (9,186)	1,870 (6,135)
3,201 – 6,400	800 (2,625)	400 (1,312)	3,200 (10,499)	2,130 (6,988)
6,401 – 12,800	900 (2,953)	450 (1,476)	3,600 (11,811)	2,400 (7,874)
> 12,800	1,000 (3,281)	500 (1,640)	4,000 (13,123)	2,670 (8,760)

### 3.20 Signs

#### 3.20.1 Location:

- Signs shall not obstruct or confuse the view of any authorized traffic sign, signal or device or any street or highway intersection.
- Signs shall not be located on, over or above any land or right-of-way belonging to the LGD, unless such right is established by agreement with the LGD.
- Signs within the controlled area of a provincial trunk highway or provincial road will require a permit from Manitoba Infrastructure.
- Signs shall be set back a minimum of 0.3 m (1 ft) from property lines.

#### 3.20.2 Surface Area and Height Calculation

- Building Face Signs: Sign surface area shall be calculated to include the area of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the copy plus any material or colour forming an integral part of the background, but does not include any supporting framework.
- Free-Standing or Mobile Signs: Sign surface area shall be calculated to be 1.5 times the area of one face as calculated as per the building face sign calculation.
- Sign Height: The height of the sign shall be calculated as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign.

#### 3.20.3 Permits

- Permits are required for the following:
  - new sign construction or placement; and
  - relocation of existing signs.
- Permits are not required for the following:
  - real estate signs;
  - construction signs;
  - political campaign signs;
  - window signs;

- home identification, home sale/lease/rent;
- non-commercial memorial signs, commemorative plaques or building cornerstones;
- municipal bulletin boards;
- temporary event signs – civic, non-commercial health, safety or welfare, educational or religious signs;
- municipal traffic control, parking, street name and direction signs;
- official public notice signs;
- municipal street decoration; and
- signs erected or maintained by law or government order, rule or regulation.

#### **3.20.4 Maintenance**

Signs shall be maintained in a proper state of repair. Signs that have fallen into an unacceptable state of repair may be removed or repaired by the LGD at the expense of the owner.

#### **3.20.5 Real Estate Signs**

Real estate signs shall be permitted in each zone, provided:








- a) Maximum size of 1.8 m<sup>2</sup> (19.4 sq.ft.) in area;
- b) For the purpose of advertising the sale, rental or lease of a building, structure, site or part thereof; and
- c) Maximum of one (1) sign for each building, structure, site, or part thereof.

#### **3.20.6 Rotating Beam or Flashing Signs**

- a) Beams or rotating beams in connection with any sign display shall not be permitted.
- b) Flashing signs shall not be permitted in any zone, except in the Commercial and Industrial Zones if:
  - i. Located greater than 45.7 m (150 ft) from any Residential Zone, provincial road or provincial trunk highway; and
  - ii. Lights do not resemble an emergency light.

#### **3.20.7 Two Properties – One Sign**

Where a sign straddles two zoning sites, the maximum size for one sign shall apply.

Table 3-6 Sign Regulations		
Sign Type	Specifications	Allowed in Zones
 <p><b>Address/Name</b></p>	Quantity 1 per address Area max 0.19 m <sup>2</sup> (2.05 sq.ft.) Width n/a Height n/a Depth max 0.1 m (4 in.) Clearance n/a	All zones
 <p><b>Bulletin Board</b></p>	Quantity 1 per business Area max 0.6 m <sup>2</sup> (6.5 sq.ft.) Width max 1.2 m (4 ft) Height max 1.2 m (4 ft) Depth max 0.2 m (8 in.) Clearance min 1.2 m (4 ft)	CC, CH, CG ML, MH, MD RC, I
 <p><b>Fascia/Wall</b></p>	Quantity no limit Area 0.6 m <sup>2</sup> (6.5 sq.ft.) per lineal m of building frontage Width n/a Depth max 0.45 m (1.5 ft) Clearance min 2.13 m (7 ft)	CC, CH, CG ML, MH, MD RC, I R3
 <p><b>Freestanding/Ground</b></p>	Quantity 1 per site Area 3.7 m <sup>2</sup> (40 sq.ft.) Height ground = max 2.4 m (8 ft) freestanding = max 6.1 m (20 ft) Width max 1.2 m (4 ft) Clearance ground = n/a freestanding = min 1.8 m (6 ft)	CC, CH, CG ML, MH, MD RC, I R3
 <p><b>Portable/Mobile</b></p>	Quantity 1 per site Area max 4.5 m <sup>2</sup> (48.4 sq.ft.) Width n/a Height max 3.05 m (10 ft) Depth n/a Clearance n/a	CC, CH, CG ML, MH, MD RC, I
 <p><b>Projecting</b></p>	Quantity 1 per business Area max 0.4 m <sup>2</sup> (4.3 sq.ft.) Width max 1.2 m (4 ft) Depth max 1.2 m (4 ft) Clearance min 2.4 m (8 ft)	CC, CH, CG ML, MH, MD RC, I R3
 <p><b>Yard/Identification</b></p>	Quantity 1 per site Area identification = max 0.6 m <sup>2</sup> (6.5 sq.ft.) Width max 0.9 m (3 ft) Height max 0.6 m (2 ft) (not incl. post) Depth n/a Clearance min 0.9 m (3 ft) to sign edge max 1.8 m (6 ft) to top of post Apex	All zones



## PART 4: Zones

### 4.1 Establishing Zones

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

ZONES		ABBR.	INTENT
Agriculture		<b>AG</b>	To conserve agricultural land by providing for a wide range of agricultural uses on large parcels and to provide for compatible non-agricultural uses on a conditional basis.
Commercial	Central Commercial	<b>CC</b>	To provide for multi-functional uses such as retail, social, cultural and civic land uses in the central business area.
	General Commercial	<b>CG</b>	To provide for multi-functional uses along collector and arterial streets such as professional services, retail, recreational, and civic uses primarily serving local clientele.
	Highway Commercial	<b>CH</b>	To provide for businesses that require large areas adjacent to major transportation routes or arterial streets to serve the travelling public.
Industrial	Light Industrial	<b>ML</b>	To provide for light manufacturing and warehouse uses including landscaped industrial parks. Light industrial uses do not require extensive outdoor storage.
	Heavy Industrial	<b>MH</b>	To provide for heavy industrial uses that may involve nuisance due to noise, odour, dust, vibration and heavy truck traffic that may require outdoor storage.
	Waste Disposal Industrial	<b>MD</b>	To provide for public or private waste disposal grounds, waste transfer stations and recycling depots.
Institutional		<b>I</b>	To provide for public and private institutional or community service facilities.
Recreation Commercial		<b>RC</b>	To provide for public recreation areas and private recreation developments, including commercial resorts, arenas, golf courses, and campgrounds.
Natural Areas		<b>NA</b>	To provide for natural areas and extensive recreational uses, while ensuring that areas with inherent hazards are not developed for building purposes.
Parks and Open Space		<b>OS</b>	To provide for public open space and parks in areas owned by a public authority.
Residential	Single-Unit Residential	<b>R1</b>	To provide for single-unit dwellings and related compatible uses.
	Multi-Unit Residential	<b>R3</b>	To provide for multi-unit housing such as duplexes, townhouses and apartments.
	Rural Residential	<b>RR</b>	To provide for existing large lot, unserved residential and seasonal residential development.

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#### **4.2 Zoning Boundaries**

The zones established above in Section 4.1 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 centre lines of streets, lanes, highways, rivers, or railway or public utility lines or rights-of-way shall follow such lines; and
- 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.

#### **4.3 Permitted and Conditional Uses**

The permitted and conditional uses prescribed for parcels within each zone are those set out in the Use Table [Table 4-1] and Accessory Uses [Table 4-2]. 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.

#### **4.4 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 Requirements Table [Table 4-3] or elsewhere in this by-law.



Table 4-1: Use Table															
AGRICULTURAL USE CLASSES	CC	CG	CH	ML	MH	MD	I	RC	NA	OS	AG	R1	R3	RR	U.S.S.
Agri-Business				C	C						C				
Agri-Tourism									<u>C</u>		<u>C</u>				
Agricultural Implement Sales & Service			P	P	P						C				
Agricultural Processing or Food Processing Facility				P	P						C				
Agricultural Operation, excluding livestock									P	P	P				
Animal Kennel			P	P	P						C			<u>C</u>	
Bulk Storage				C	C	C					C				
Cannabis Standard Cultivation					C						C				
Cannabis Standard Processing					C						C				
Contractor's Establishment (incl. exterior storage)			P	C	P						C				
Equestrian Establishment								C	C	C	C				
Garden Centre, Farmers' Market or Produce Stand	C	C	P	P							C				
Greenhouse, Plant and Tree Nursery											C				
Home Industry									<u>P*</u>		<u>P*</u>			<u>P*</u>	3-3
Livestock Operation (greater than 10 A.U.)											C*				3.19
Vertical Farming											C				
SERVICE & INSTITUTIONAL USE CLASSES	CC	CG	CH	ML	MH	MD	I	RC	NA	OS	AG	R1	R3	RR	U.S.S.
Assisted Living Facility	C						P						P		
Auditorium/Assembly Place	P	P	P				P	P					C	C	
Cemetery							P		P		P				P
Child Care Service	P	P	P				P					<u>C</u>	<u>C</u>	<u>C</u>	
Club	C	C					P	P					P	C	
Community Centre	P	P	P				P	P							
Educational Facility	P	P	C	P			P					C	C	C	
Emergency Service	P	P	P	P	P	P	P	P				C	C	P	
Extended Medical Treatment Service	C	C					P								
Funeral Service	C	C	P				P								
Government Service	P	P	P				P								
Health Service	P	P	P				P								
Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Place of Worship	P	P	P				P					P	P	C	
Public Library or Cultural Exhibit	P	P					P	P						C	
Public Utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Residential Care Facility	C	C					P					C	C	C	

P = Permitted | C = Conditional | Underline = only as a secondary use | \* = Use-Specific Standard (U.S.S.) Applies

COMMERCIAL & INDUSTRIAL USE CLASSES	CC	CG	CH	ML	MH	MD	I	RC	NA	OS	AG	R1	R3	RR	USS
Aircraft Landing Strip									P		P				
Asphalt or Batch Plant			C	C	P	P									
Autobody Shop			P	P	P										
Automobile, RV & Marine Sales, Service & Rental	P	P	P	P	P										
Broadcasting and Motion Picture Studio	C	C	P												
Building Supply Sales		P	P	P											
Bulk Fuel and Propane Sales			C			C					C				
Business Support Service	P	P	P	P											
Cannabis Retail Store	C	C	C	C											
Contractor's Establishment (enclosed)			P	P	P										
Custom Manufacturing Establishment	C	P	P	P	P										
Drive-Through Facility	C	P	P												
Eating and Drinking Establishment	P	P	P	P	P		P	P							
Financial Institution	P	P	P				P								
Fleet Service	P	C	P	P	P										
Hotel and Motel	C	P	P	P				P							
Industrial Use, Heavy					P*										3.12
Industrial Use, Light				P*	P*										3.12
Information Technology Use	C	P	P	P	P										
Laboratory		C	P	P	P										
Office	P	P	P	P	P		P								
Parking Area	P	P	P	P	P		P	P		P					
Personal Service Establishment	P	P	P												
Recycling Depot		C	P	P	P	P									
Repair Service, Household	C	P	P												
Retail	P	P	P												
Service Station	C*	C*	P*	P*	P*										3.14
Shopping Centre, Mall, Strip or Plaza	P	P	P												
Storage Facility		C	P	C	P										
Trucking Operation			P	P	P										
Veterinary Clinic	C	C	P	C							C				
Warehouse	C	C	P	P	P	P									
Waste Disposal Grounds/Transfer Station; Lagoons						P									
Wrecking Facilities – Automotive & Equipment			C*	C*	C*										3.15

P = Permitted | C = Conditional | Underline = only as a secondary use | \* = Use-Specific Standard (U.S.S.) Applies

<b>NATURAL RESOURCE USE CLASSES</b>	<b>CC</b>	<b>CG</b>	<b>CH</b>	<b>ML</b>	<b>MH</b>	<b>MD</b>	<b>I</b>	<b>RC</b>	<b>NA</b>	<b>OS</b>	<b>AG</b>	<b>R1</b>	<b>R3</b>	<b>RR</b>	<b>USS</b>
Aggregate Extraction Operation			C*						C*	C*	C*				3.13
Conservation Area								P	P	P	P				
Forestry and Wildlife Management Area								P	P	P	P				
Natural Resource Development								P	P	P	C				
Solar Collectors (commercial)			C*				C*	C*	P*	P*	P*				3.11
Wind Energy Generating System (commercial)			C*						C*	C*	C*				3.10
<b>RECREATIONAL USE CLASSES</b>	<b>CC</b>	<b>CG</b>	<b>CH</b>	<b>ML</b>	<b>MH</b>	<b>MD</b>	<b>I</b>	<b>RC</b>	<b>NA</b>	<b>OS</b>	<b>AG</b>	<b>R1</b>	<b>R3</b>	<b>RR</b>	<b>USS</b>
Campground/Travel Trailer Park	C	C	C	P				P						C	
Fair and Exhibition Grounds	C						P	C	C	C					
Indoor Participant Recreation Service	P	P	P					P							
Interpretive Site or Centre	P	P					P	P	P	P					
Marina	P			P				P		C					
Outdoor Amusement Establishment		C	C	P				C							
Outdoor Participant Recreation Service		C	C	P				P						C	
Resort, Commercial	C	C						P							
<b>RESIDENTIAL USE CLASSES</b>	<b>CC</b>	<b>CG</b>	<b>CH</b>	<b>ML</b>	<b>MH</b>	<b>MD</b>	<b>I</b>	<b>RC</b>	<b>NA</b>	<b>OS</b>	<b>AG</b>	<b>R1</b>	<b>R3</b>	<b>RR</b>	<b>USS</b>
Bed and Breakfast	<u>P*</u>	<u>P*</u>										<u>P*</u>		<u>P*</u>	3.4
Boarding House												C	C	C	
Dwelling, Single-Unit <sup>1</sup>	C										P	P	P	P	
Dwelling, Two-Unit	C											C	P		
Dwelling, Multi-Unit	C*												P*		3.17
Dwelling, Mobile Home														P*	3.16
Dwelling, Modular or Factory-Built												P		P	
Group Home												C	P	P	
Home Occupation	<u>P*</u>	<u>P*</u>	<u>P*</u>						<u>P*</u>		<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	3.2
Neighbourhood Commercial												P	P		
Planned Unit Development	C*	C*	C*	C*	C*		C*	C*				C*	C*		3.1
Secondary Suite												C*		C*	3.6
P = Permitted   C = Conditional   <u>Underline</u> = only as a secondary use   * = Use-Specific Standard (U.S.S.) Applies															

<sup>1</sup> Single-unit dwellings must have a minimum floor area of 74.3 sq.m. (800 sq.ft.).

<b>Table 4-2 ACCESSORY USES<sup>2</sup></b>	<b>CC</b>	<b>CG</b>	<b>CH</b>	<b>ML</b>	<b>MH</b>	<b>MD</b>	<b>I</b>	<b>RC</b>	<b>NA</b>	<b>OS</b>	<b>AG</b>	<b>R1<sup>2</sup></b>	<b>R3<sup>2</sup></b>	<b>RR<sup>2</sup></b>	<b>USS</b>
Boathouses, docks or similar								P	P	P				P <sup>3</sup>	
Private garden house, play structure, greenhouse	P	P	P				P	P			P	P	P	P	
Swimming pool, private (open or enclosed) or pond	P*	P*	P*					P*			P*	P*	P*	P*	3.8/3.9
Fabric-covered accessory building or structures	C*	C*	C*	C*	C*	C*	C*		C*	C*	C*				3.7
Decks, patios, ramps and gazebos	P	P	P				P	P			P	P	P	P	
Accessory off-street parking and loading areas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Private garage, carport, shed	P	P	P	P	P	P	P	P	P		P	P	P	P	
Private wind energy generating system	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	3.10
Private solar collector	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	3.11
Signs	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	3.20
Refuse and garbage area <sup>4</sup>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Dwelling unit when incidental to a permitted use	C <sup>5</sup>	C <sup>5</sup>	C <sup>5</sup>					C <sup>5</sup>	P		P				
Accessory or staff dwelling unit or mobile home	C <sup>5</sup>	C <sup>5</sup>	C <sup>5</sup>	C	C	C	C	C <sup>6</sup>	C <sup>6</sup>		C <sup>6</sup>				
Apartment or dwelling unit (part of principal building)	P <sup>7</sup>	P <sup>7</sup>	P <sup>7</sup>	C	C	C									
Production, processing, cleaning, servicing, repair or storage of merchandise normally incidental to commercial occupancies if conducted by the owners of the principal use and contained within a building	P	P	P	P	P	P		C			C				
Storage of goods used in or produced by manufacturing, agricultural or resource-related activities or office/administration on the same site as a principal use	C	C	P	C	P	P	P	P	P	P	P				
Retail or commercial use, incidental to a principal use	P	P	P	P	P	P	P	P	P	P					
Structures related to agricultural or resource activities									P		P				
Shipping container on same site as principal use	C	C	C	C	C	C					C				
P = Permitted   C = Conditional   <u>Underline</u> = only as a secondary use   * = Use-Specific Standard (U.S.S.) Applies															

<sup>2</sup> The maximum number of accessory buildings shall be limited to four (4) per zoning site in the R1, R3 and RR zones.

<sup>3</sup> Boathouse when accessory to an adjoining permitted use and subject to approval by authority having jurisdiction.

<sup>4</sup> Separate from required parking areas, buffers and open spaces for multi-unit dwellings and other permitted or approved uses where Council deems necessary.

<sup>5</sup> The floor area of the accessory dwelling unit shall not exceed the floor area of the principal commercial or industrial use.

<sup>6</sup> Staff dwelling (single-unit, dormitory or mobile home only) when on the same site with an approved agricultural activity or other approved use.

<sup>7</sup> A minimum of 50 per cent of the floor area must be occupied by the commercial use and the commercial use must occupy the front portion of the main floor of the building.

Table 4.3 Bulk Requirements		CC	CG	CH	ML	MH	MD	I	RC	NA	OS	AG		R1	R3	RR
												Agr	Other			
Site	Site Area (m <sup>2</sup> ) (minimum)	465 <sup>8</sup>	465 <sup>9</sup>	1,858	650	929	16.2 ha	4,047	1,858	1,858	1,858	32.4 ha	0.8 ha	465	<sup>10</sup>	1,394
	Site Width (m) (minimum)	15.2	15.2	30.5	21.3	61.0	61.0	30.5	30.5	30.5	30.5	183.0	61.0	15.2	21.3	24.7
Yard Requirements (metres) (minimum)	Front Yard <sup>11</sup>	7.6	7.6	13.7	6.1	9.1	30.5	7.6	12.2	12.2	12.2	30.5	30.5	6.1	6.1	9.1
	Corner Side Yard	7.6	7.6	13.7	4.6	4.6	30.5	4.6	4.6	4.6	4.6	30.5	30.5	6.1	6.1	4.6
	Interior Side Yard	1.5	0 <sup>12</sup>	3.0	3.0	3.0	30.5	3.0	1.5	1.5	1.5	7.6	7.6	1.2 <sup>13</sup>	1.8 <sup>14</sup>	1.5
	Rear Yard	4.6	10.7	7.6	6.1	6.1	30.5	6.1	1.5	1.5	1.5	7.6	7.6	7.6	7.6	7.6
	Building Separation	Site coverage max. 50% <sup>15</sup>			3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	Site coverage max. 60%		
	Height (maximum)	13.7	13.7	9.1	15.2	15.2	9.1	15.2	13.7	13.7	13.7	10.7	10.7	9.1	13.7	9.1
Accessory/Temporary Structures (metres)	Front Yard (minimum)	7.6	7.6	13.7	6.1	6.1	6.1	7.6	7.6	7.6	7.6	30.5	30.5	6.1	6.1	9.1
	Corner Side Yard (min.)	7.6	7.6	13.7	4.6	4.6	6.1	4.6	4.6	4.6	4.6	30.5	30.5	6.1	6.1	4.6
	Interior Side Yard (min.)	1.5	1.5	1.5	3.0	3.0	3.0	0.6	1.5	1.5	1.5	7.6	7.6	0.6	0.6	1.5
	Rear Yard (minimum) <sup>16</sup>	1.5	1.5	1.5	4.6	4.6	4.6	1.5	1.5	1.5	1.5	7.6	7.6	0.6	0.6	1.5
	Building Separation	Site coverage max.10%			3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
	Height (maximum)	4.6	4.6	6.1	7.6	4.6	4.6	4.6	4.6	4.6	4.6	10.7	10.7	4.6	4.6	4.6

<sup>8</sup> Minimum site area for hotels, motels, bars and assembly places is 1,858 m<sup>2</sup> (20,000 sq.ft.).

<sup>9</sup> Groups of commercial uses (e.g. shopping centre, mall, strip) require a project area of not less than 167 m<sup>2</sup> (1,798 sq.ft.) for each shop exclusive of parking area.

<sup>10</sup> Site area shall be a minimum of 162.6 m<sup>2</sup> (1,750 sq.ft.) for each dwelling unit. Row houses shall require a minimum site area of 232m<sup>2</sup> (2,497 sq.ft.) for each end unit, exclusive of parking space, streets, and public open space.

<sup>11</sup> Subject to Manitoba Infrastructure approval within all Provincial Trunk Highway and Provincial Road controlled areas.

<sup>12</sup> Where a site line is adjacent to a site containing a dwelling or public open space, and where permitted commercial buildings contain dwelling units, the side yard shall be 3.0 m (9.8 ft).

<sup>13</sup> Where a garage or carport is not included as part of the building permit application for a single-unit dwelling, one side yard shall be increased by a minimum of 5.5 m (18 ft).

<sup>14</sup> The minimum interior side yard for a single-unit dwelling shall be 1.2 m (4 ft) and 3.7 m (12 ft) for a multi-family dwelling.

<sup>15</sup> Minimum site area to be landscaped with trees and shrubs shall be 15% and located in the front yard or adjoining perimeter of building.

<sup>16</sup> All docks and boathouses have a minimum rear yard setback of 0 m (0 ft).



#### 4.5 Downtown District Overlay

The intent of the Downtown District Overlay is to reinforce the importance of the Pinawa Waterfront Area as the regional centre for retail, tourism and recreational uses, to ensure that new development is compatible with the character of the area, and to provide the opportunity for mixed-use development.

The Downtown District Overlay shall apply to the lands described in the Pinawa Waterfront Secondary Plan as shown below and in the Town of Pinawa Map in Schedule A.



*Pinawa Waterfront Secondary Plan area (Source: Pinawa Waterfront Secondary Plan By-law 832-18).*

##### 4.5.1 Standards:

In addition to the requirements contained within the Pinawa Waterfront Secondary Plan, the following provisions shall apply to the Downtown District Overlay area. Where the general rules or bulk standards in this by-law appear to be in conflict with the regulations for the overlay zone, the regulations for the overlay zone shall prevail:

- a) Mixed-use developments may be permitted provided that all provisions of this by-law relating to each use are satisfied where two or more uses are proposed for one zoning site. If one of the uses on the site is conditional, the proponent will have to follow the conditional use procedures for review and approval of that use.
- b) Where a consistent building alignment exists along a block, buildings should provide a front yard setback consistent with the average setback on that block to respect this alignment (front and corner side yards).
- c) Deviating from the front yard alignment on a block may be considered to provide active use spaces, such as sidewalk cafés, patios, landscaped spaces or retailer displays.

- d) Landscaped spaces, streetscapes and architectural features should be retained and all commercial, institutional and recreational developments shall be designed to convey an image of cohesive appearance and architectural character. Design should be consistent with heritage buildings where applicable and practical.
- e) Buildings shall be constructed and finished with durable materials to maintain the initial appearance of the development throughout the life of the project.
- f) The design of a structure and its massing on the site should enhance solar exposure for the project and minimize shadow impacts of a proposed development's height and location and the potential to create shadowing on neighbouring properties.
- g) Extensions and new development that significantly reduces the sunlight available to the main habitable rooms of an existing residential property or private garden area will not be permitted.
- h) The Development Officer or Council may require that the appearance of walls exposed to public view from beyond the site be improved to finishing standards consistent with surrounding development. On corner units, architectural materials should be consistent on both exposed elevations.
- i) Parking requirements shall generally be determined pursuant to the policies within the Pinawa Waterfront Secondary Plan (By-law 832-18). Minimum parking requirements may be waived for commercial uses within the Downtown District Overlay at the discretion of Council and the Development Officer. Multi-unit residential developments within the Downtown District shall require a maximum of one space per unit.
- j) Wherever possible, parking areas should be located behind the principal building.
- k) Garbage collection, loading and storage areas shall be located behind the principal building or in a way that is not visible from adjacent sidewalks. Areas visible from residential zones or from a public roadway other than a lane shall be fenced or have screen planting. The location, length, thickness and height of such fence or screen planting shall be in accordance with an approved landscaping plan.

## PART 5: Administration

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

### 5.1 Administration and Enforcement

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

### 5.2 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, greater than 10.0 m<sup>2</sup> (107.6 sq.ft.);
- b) the establishment of a use of land or a building or structure;
- c) the change of a use of land or a building or structure, except where the change is from one agricultural cropping activity to another;
- d) the deposit, removal, alteration, or disturbance of any material, or alteration of surface or subsurface drainage, diversion of waterway or natural watercourse of a river, stream or creek or waterway channel in flood prone or hazard lands;
- e) approaches, driveways, and alterations thereto; and
- f) location of signs.

### 5.3 Development Permits and Other Permits

The issuance of a development permit in respect of a 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.

Development permits issued prior to the effective date of this by-law shall be considered valid for the purposes of this by-law, provided the conditions under which the permit was issued are complied with.

### 5.4 When Development Permits are Not Required

A development permit is not required for the following:

- a) incidental alterations;
- b) agricultural cropping of land;
- c) the erection, construction, enlargement, structural alteration or placing of the following as accessory structures:
  - i) fences, below 1 m (40 in) in height;
  - ii) signs, not including advertising signs where they are conditional uses;
  - iii) outdoor lighting;
  - iv) flagpoles;
  - v) sheds and buildings for the storage of domestic equipment and supplies with a floor area of less than 10.0 m<sup>2</sup> (107.6 sq.ft.) (Note: a locate permit from the LGD is still required);

- vi) garden houses or children's playhouses;
  - vii) private sewage disposal systems (Note: provincial approvals from the authority having jurisdiction may be required);
  - viii) private communications facilities; and
  - ix) unenclosed patios at grade level;
- d) Despite not requiring a development permit, all items in this provision shall be subject to the requirements of this by-law.

#### 5.5 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 and structures;
  - 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) approach, utility connections, parking areas, loading areas, or signage if required by the Development Officer; and
- c) shall be accompanied by the fee prescribed by the LGD of Pinawa.

#### 5.6 Approval of Development Permits

- a) Within the 60-day period from the date of the application, the Development Officer shall consider the application and may approve an application for a permit, if it is the opinion that the proposed building, structure or use of land conforms to the provisions of *The Planning Act*, the LGD of Pinawa Development Plan, any applicable secondary plan, and this by-law.
- b) Every owner shall:
  - i) permit the Development Officer to enter any building or premises at any reasonable time for the purpose of administering or enforcing this by-law, and shall not molest, obstruct or interfere with the Development Officer in the discharge of his or her duties under this by-law;
  - ii) obtain written approval from the Development Officer prior to doing any work at variance with that for which a development permit was issued; and
  - iii) where applicable, be responsible for obtaining from the appropriate authorities, any required permits or licenses relating to blasting, electrical, grades, highways, occupancy, plumbing, private onsite wastewater management systems, sewers or water supply systems, signs, streets, water rights, wells, environmental approvals, and other government department approvals.
- c) The Development Officer may suspend or revoke a permit if the applicant or any persons undertakes, causes or permits development of the site that is not in compliance with the terms and conditions of the permit issued. Development shall be discontinued forthwith upon receiving written notice from the Development Officer and shall not resume until a permit has been issued or reinstated.

### **5.7 The Development Officer**

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

### **5.8 Roles of the Development Officer**

The Development Officer shall have the authority to:

- a) issue development permits, zoning memoranda, non-conforming certificates and similar documents.
- b) exercise the powers of administration, inspection, remedy and enforcement provided in Part 12 of *The Planning Act*.
- c) refuse to issue a development permit where:
  - i) the development permit application, or any information accompanying the development permit application, is incorrect or incomplete; or
  - ii) the proposed building, structure or use does not, to the Development Officer's knowledge, comply with this zoning by-law, the LGD of Pinawa Building By-law or with any other law.
- d) revoke a development permit where the development permit was issued in error.
- e) 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 per cent; or
  - ii) the number of parking spaces required by no more than 15 per cent.

### **5.9 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. Application may be made by the owner(s) or with the owner's written authorization.

The application must also be accompanied by:

- i) plans drawn to scale showing the shape and dimensions of the affected property;
- ii) plans drawn to scale showing the location and dimensions of existing buildings and structures;
- iii) plans drawn to scale showing the location and dimensions of the proposed building, structure, enlargement or alteration;
- iv) a description of the use or uses of each existing and proposed building or structure, or of the land and the area to be occupied by each use;
- v) a description of the reason why the variance, conditional use, or amendment to this by-law is being requested; and
- vi) any other information required by the Development Officer, designated officer or authority having jurisdiction to determine compliance with, and to provide for enforcement of, this by-law.

**5.10 Conditional Use**

- a) Approval of a conditional use shall expire or cease to have any effect if it is not acted upon within 12 months from the date it was made, unless it is renewed before the expiry date at the discretion of Council for an additional period not exceeding 12 months.
- b) A use that is listed as a conditional use within this by-law, but that lawfully existed prior to the effective date of this by-law, shall be considered a lawfully existing conditional use, and except as regulated by this by-law, shall have non-conforming rights in accordance with *The Planning Act*.
- c) Changes to an existing conditional use, such as enlargement, expansion or extension to occupy a greater floor area or site area upon which said use is located, shall require conditional use approval.
- d) In the case of mineral extraction operations, existing pits may be expanded within the site, provided that no new pits are established and provided that said operation was a legally existing conditional use at the effective date of this by-law. The mineral extraction operation shall otherwise conform to the requirements of the zone in which it is located.

**5.11 Variance Orders**

- a) A building, structure or use established by a variance order prior to the effective date of this by-law shall, subject to the provisions of the variance order, be deemed to conform to this by-law.
- b) A variance order shall expire or cease to have any effect if it is not acted upon within 12 months from the date it was made, unless it is renewed before the expiration date at the discretion of Council for an additional period not exceeding 12 months.

**5.12 Zoning Memoranda**

A zoning memorandum may be issued upon application of any person having an interest in land, land use, a building or structure within the area affected by this by-law, stating whether or not the land, building, structure and use appears to conform with this by-law, in accordance with *The Planning Act*. A request for a zoning memorandum must be accompanied by a current Building Location Certificate prepared by a Manitoba Land Surveyor.

**5.13 Non-Conformities**

The enactment of this by-law does not affect any land, buildings, or structures, or affect any intensity of use of any land, building, or structure that lawfully existed prior to the effective date of this by-law, in accordance with *The Planning Act*. The following provisions apply to legally existing non-conformities:

- a) Parcels of land having less than the required site area or site width that were registered at the Land Titles Office at the effective date of this by-law, shall be deemed to be legal non-conforming parcels and shall be subject to all applicable zoning regulations.
- b) A non-conforming site or parcel may be occupied by any building, structure, or use provided:
  - i) The building, structure or use is listed as a permitted or conditional use within the zone in which said site or parcel is located; and
  - ii) All other requirements of the zone in which the site or parcel is located are complied with or variance orders have been issued.

- c) A variance order shall not be required where a site or parcel is being increased in size so as to decrease its non-conformity, even though the enlarged site or parcel does not conform with the site area and site width requirements of this by-law. The enlargement of said site or parcel shall not cause an increase in non-conformity of an abutting or adjoining site or parcel.
- d) Structural alterations shall not be made to a non-conforming building or structure, or a building or structure containing a non-conforming use, unless an appropriate variance order has been issued.
- e) All uses of land, buildings, or structures that lawfully existed prior to the effective date of this by-law, where the use was not discontinued for a period exceeding 12 consecutive months, may continue. Non-conforming uses that lawfully existed prior to the effective date of this by-law may be altered by variance order.
- f) An existing building, structure or use that was illegal under previous by-laws in force on the effective date of this by-law shall not become or be made legal solely by reason of the adoption of this by-law.
- g) The legal status of buildings, structures or land, or their use, is not affected by change of ownership, tenancy or occupancy of the building, structure or land.
- h) A certificate may be issued by Council upon application of any person having an interest therein, describing the land, building, or structure, or the use or intensity of use of land or a structure that was lawfully in existence at the date of the enactment of this by-law, and stating it may continue to exist although it does not conform to this by-law, in accordance with *The Planning Act*.

## PART 6: Definitions

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### 6.1 Rules of Construction

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

- a) Words, phrases and terms defined herein shall be given the defined meaning.
- b) Words, phrases and terms not defined herein but defined in *The Planning Act* and the Building, Electrical or Plumbing By-laws of the L.G.D. of Pinawa shall be construed as defined in such Act and by-laws.
- c) Words, phrases and terms neither defined herein nor in the by-laws of the L.G.D. of Pinawa shall be given their usual and customary meaning except where, in the opinion of Council, the context clearly indicates a different meaning.
- d) The phrase "used for" includes "arranged for," "designed for," or "occupied for."
- e) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction "and," "or" or "either-or," the conjunction shall be interpreted as follows:
  - i. "and" indicates that all the connected items, conditions, provisions or events shall apply in any combination.
  - ii. "or" indicates that the connected items, conditions, provisions or events shall apply singly or in any combination.
  - iii. "either-or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
- f) The word "includes" 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.
- g) 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.

### 6.2 Illustrations

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 this by-law, the text shall govern.

### 6.3 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.

### 6.4 Definitions in this By-law

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

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

**Aggregate Extraction Operation** means a zoning site, including accessory buildings and structures, used for the removal, refinement and/or processing of sand, gravel, stone or other aggregate resources, and



may include borrow pits, gravel pits and stone quarries, but does not include an asphalt plant or a concrete plant or the processing of raw materials transported to the site.

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

**Agri-Tourism** means a use secondary to an agricultural operation that promotes and/or educates the public about farming and agricultural activities. This use includes farm produce stands, corn or hay mazes, petting zoo (subject to the livestock requirements of this by-law), hayrides, sleigh rides, buggy or carriage rides, seasonal activities and temporary accommodations. This use does not include campgrounds or travel trailer parks.

**Agricultural Implement Sales and Service** means a building and open area, used for the display, sale or rental of new or used farm implements and where minor incidental repair work is done.

**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, fruits, mushrooms, sod, trees, shrubs and greenhouse crops;
- b) The use of land for livestock operations and grazing;
- c) The production of eggs, milk and honey;
- d) The raising of game animals, fur-bearing animals, game birds, bees and fish;
- e) The processing necessary to prepare an agricultural product for distribution from the farm gate;
- f) The operation of agricultural machinery and equipment, including the tillage of land and the application of fertilizers, manure, soil amendments and pesticides, whether by ground or by aerial application; and
- g) The storage, use or disposal of organic wastes for agricultural purposes.

**Agricultural Processing Facility** means one or more facilities or operations that transform, package, sort or grade livestock or livestock products, agricultural commodities, or plant or plant products, excluding forest products, into goods that are used for intermediate or final consumption, including goods for non-food use.

**Aircraft Landing Strip** means any area of land or water which is used or intended for the landing or taking off of aircraft and any appurtenant areas which are used or intended for use of aircraft landing strips or rights-of-way, including taxiways, aircraft storage and tie-down areas, hangars and other related buildings and open spaces.

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

- a) An addition, alteration, removal, reconstruction or replacement on the non-structural exterior of a residential building;
- b) An addition, alteration, removal, reconstruction or replacement of any unroofed driveway, sidewalk, patio or any accessory building floor;
- c) Alteration of non-load bearing interior partitions in all types of buildings;
- d) Replacement of, or changes in, the capacity of utility pipes, ducts or conduits;
- e) Replacement and placement of necessary roofing materials, awnings, eaves, overhangs and related structures, provided the area and height of the roof are not increased;

- f) The addition and replacement of interior structures such as furnaces, fuel tanks, water heaters, fireplaces or wood stoves; or
- 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 Kennel** means a premises on which three (3) or more domestic pets are boarded, bred, trained or cared for, in return for remuneration or are kept for the purpose of sale, but does not include a veterinary clinic, animal hospital, or use for the keeping of exotic animals.

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

**Arena** means a facility for sport activities, and may include ice surfaces for sporting activities. This use includes hockey and curling rinks.

**Asphalt Plant** means a plant where aggregate materials and asphalt are heated and mixed to produce a paving mix and includes stockpiling and storage of bulk materials used in the process.

**Assisted Living Facility** means residences that provide for independent living with access to in-house communal services. Such facilities may be (1) equipped with one or two bedroom, self-contained apartments generally designed for single or double occupancy; (2) contain central dining facilities where prepared meals can be served to the residents; (3) employ full time nursing or medical assistance and supervision; and (4) may provide other additional services to residents.

**Auditorium/Assembly Place** means a building or structure where facilities are provided for athletic, civic, educational, political, religious or social events. This use class also includes theatres and cinemas.

**Autobody Shop** means an establishment providing the services of commercial repair of automobile bodies, major and minor collision damage, frame and panel straightening, repainting and refinishing, glass repair and similar activity.

**Automobile and Recreational Vehicle (RV) Sales, Service and Rental** means a development used for the sale, servicing and rental of automobiles, motorcycles, snowmobiles, trailers, all-terrain vehicles (ATVs), boats and similar vehicles and/or the sale, installation or servicing of related parts and accessories. This use class includes automobile dealerships, mobile home sales, motorcycle and RV sales, transmission shops, muffler shops, tire shops, automotive glass shops and similar uses.

**Basement** means a storey of a building located below the first storey and is the portion of a building between two floor levels, which is partially underground and which has at least one half of its height, from finished floor to underside of first floor joists, below the average level of the finished ground surface adjacent to the exterior walls of the building, and in which the height from finished grade to ceiling level is less than 1.8 m (6 ft).

**Batch Plant** means an industrial facility producing bulk processed materials used in building or construction, and may include facilities for the administration or management of the business, stockpiling of bulk materials used in the production of finished products manufactured on the premises and storage and maintenance of required equipment.

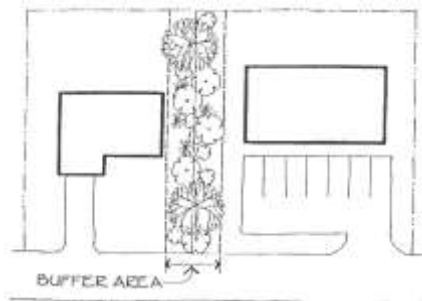
**Bed and Breakfast** means a home-based business operated within a principal dwelling where sleeping accommodation with or without meals is provided to members of the travelling public for remuneration.

**Boarding House** means a building or part thereof, containing no more than four (4) sleeping units, where lodging or sleeping accommodation, with or without meals, is provided for remuneration. This use does not include residential care facilities.

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

**Broadcasting and Motion Picture Studio** means a development used for the production or broadcasting of audio and visual programming typically associated with radio, television, motion picture studios and other media.

**Buffer** means a portion of a lot or land area used to visually separate, shield or obstruct noise, illumination or other incompatibilities or nuisances from one use to another using vegetation, screening, and distance.



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

**Building Separation** means the least horizontal distance permitted between the nearest portions of any building on a lot.

**Building Supply Sales** means an establishment where lumber and other building materials, as well as related materials such as heating, plumbing, electrical, paint, glass, hardware and wallpaper supplies are sold at retail.

**Bulk Storage** means the storage of chemicals, petroleum products or other flammable liquids in aboveground containers for subsequent resale to distributors or retail dealers or outlets.

**Business Support Service** means a development used to provide support services to businesses which are characterized by one or more of the following features: the use of mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of office security; and the sale, rental, repair or servicing of office equipment, furniture, computers, cellular phones and machines. Typical uses include printing establishments, film processing establishments, janitorial firms, and office equipment sales and repair establishments.

**Campground or Travel Trailer Park** means an area of land containing campsites managed as a unit, providing for short term or overnight camping, including tenting and serviced trailer sites, and may include administration offices, laundry facilities, but not the use of mobile homes or trailers on a permanent year-round basis.

**Cannabis Retail Store** means the premises specified in a retail cannabis license where the retail sale of cannabis is authorized.

**Cannabis Standard Cultivation** means the large-scale growing of cannabis plants and harvesting material from those plants, as well as associated activities.

**Cannabis Standard Processing** means the large-scale manufacturing, packaging, and labelling of cannabis products destined for sale to consumers, and the intra-industry sale of these products, including to provincially-authorized distributors, as well as associated activities.

**Child Care Service** means the provision of care for remuneration or reward to a child apart from his parents or guardians for a period in any one day not exceeding fourteen (14) hours. This use includes an unlicensed home or group day care or a development licensed by the Province of Manitoba to provide daytime personal care and education to children, not including overnight accommodation. Typical uses include family and group childcare homes, day care centres, nursery schools and play schools.

**Club** means a building or part thereof, which is owned or leased by a non-profit corporation chartered by *The Canadian Business Corporation Act* or *The Manitoba Corporation Act* or an association consisting of persons who are bonafide members paying annual dues, the use of which is restricted to members and their guests for fraternity, sorority, recreational, sport or similar activities.

**Common Element** means all property within a bare-land condominium plan except for the units. For the purposes of this by-law, those "common elements" which are normally used for the passage of vehicles or pedestrians including roads, road allowances, streets, lanes, bridges, but not including pedestrian walkways or vehicle parking areas, shall be considered a street or lane as defined in this by-law.

**Community Centre** means a development for recreational, social, or multiple purpose use with or without fixed seats and primarily intended for local community purposes. Typical uses include multi-use halls, community centres, and stadiums.

**Compatible** means a building, structure, activity or use that blends with, conforms to, or is harmonious with the surrounding ecological, physical, visual or cultural environment.

**Condominium** means a condominium as established under *The Condominium Act*.

**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. A "bare land unit" shall be considered a "site" as defined in this by-law.

**Conservation Area** means the use of land, which is intended to remain open in character, with the priority use given to the preservation of its natural state or special environmental quality, and may include non-commercial recreational uses only if conservation of the resource is not jeopardized.

**Contractor's Establishment** means an establishment where a construction contractor operates a business and where related equipment and materials may be stored. Typical examples include carpentry, house building, mobile home and "ready to move" house construction, package home or garage construction, kitchen or bathroom renovation, general contracting services, cabinet-making, or siding, stucco, brick-laying, ventilation, heating, air-conditioning, plumbing, refrigeration, insulation, sheet metal, roofing, painting, fencing, landscaping, well drilling and septic tank installation services.

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

**Custom Manufacturing Establishment** means a development used for small-scale, on-site production of goods by hand manufacturing. Typical uses include furniture, jewelry, toy, clothing/shoe and musical instrument manufacturing, gunsmiths, carpentry and upholstery shops, and pottery and sculpture studios.

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

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

**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).

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

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

**Eating and Drinking Establishment** means an establishment where food is prepared and served on the premises for sale to the public, and may include outdoor seating areas. Typical examples include restaurants, delicatessens, cafeterias and tearooms. This use may also include a building or portion of a building licenced by the Province of Manitoba for the sale and consumption of alcoholic beverages on the premises.

**Educational Facility** means a place of instruction, either private or public, which offers courses, training or instruction, and may include administration offices required for the provision of such services. Typical examples include private or public schools, community colleges, technical and vocational schools and adult educational training centres.

**Emergency Service** means a development that is required for the public protection of persons and property from injury, harm, or damage together with the incidental storage of emergency equipment. Typical uses in this class include police stations, fire stations and ancillary training facilities.

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

**Equestrian Establishment** means a facility engaged in the training of horses, including the operation of a horse-riding academy, stables, and like uses for private use and/or for remuneration.

**Existing** means a building, structure, and use existing on the effective date of this by-law.

**Extended Medical Treatment Service** means a development providing room, board and surgical or other medical treatment for the sick, injured or infirm including outpatient services and accessory staff residences. Typical uses include hospitals, nursing homes, convalescent homes and auxiliary hospitals.

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

**Fabric-Covered Accessory Buildings or Structures** means buildings or structures made of canvas, polyethylene, reinforced polyethylene, Kevlar, nylon, or similar material.

**Factory-Built House** means a manufactured dwelling, whether of modular (built in two or more sections) or unitary construction, which complies with the National Building Code, and which is built off-site by a manufacturer having CAN/CSA-A277 "Procedure for Certification of Factory-built houses" accreditation. For purposes of this by-law, a "factory-built house" shall not include a "mobile home" as defined herein.

**Fair and Exhibition Grounds** means the use of land, building or structure where the temporary exhibition of music, art, goods, wares, vehicles, and the like are displayed and made available for sale, and may include a midway and a place of amusement.

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

**Farm Building** means a farm-related building or structure existing or erected on land used primarily for agricultural activities, but does not include dwellings or private garages.

**Financial Institution** means a bank, trust company, credit union or similar establishment.

**Fleet Service** means a development used for a fleet of vehicles for the delivery of people, goods, or services, where such vehicles are not available for sale or long-term lease. This use class includes taxi and bus services, messenger and courier services.

**Floor Area**, as applied to bulk regulations and parking requirements, means the sum of the gross horizontal areas of the floors of all buildings and structures on the zoning site, including basements when used for residential, commercial or industrial purposes, measured from the exterior faces of the exterior walls or from the centre line of party walls. Gross floor areas exclude spaces used for mechanical or heating equipment, parking or loading areas, uncovered porches, chimney projections, steps, terraces, bay windows and the like.

**Food Processing Plant** means a facility, other than an eating or drinking establishment, where food products are processed, stored, or distributed. Typical examples include dairies, bakeries, fruit or meat processing businesses, but not including abattoirs or any premises used for the slaughtering of animals.

**Funeral Service** means a development used for the preparation of the dead for burial or cremation, and the holding of funeral services. This use class includes funeral homes, undertaking establishments and includes cremation and interment services.

**Garage, Private** means an accessory building or portion of a principal building, if attached, used by the occupants of the premises upon which it is located for the parking or temporary storage of private passenger motor vehicles and may also include the incidental storage of other personal property.

**Garden Centre, Farmers' Market and Produce Stand** mean the outside display and sale of garden equipment and supplies, plants, seeds, vegetable and fruit produce, food items produced by vendors and similar items.

**Government Service** means a development providing municipal, provincial or federal government services directly to the public. Typical uses include government offices, taxation offices, courthouses, postal distribution offices, employment offices and social services offices.

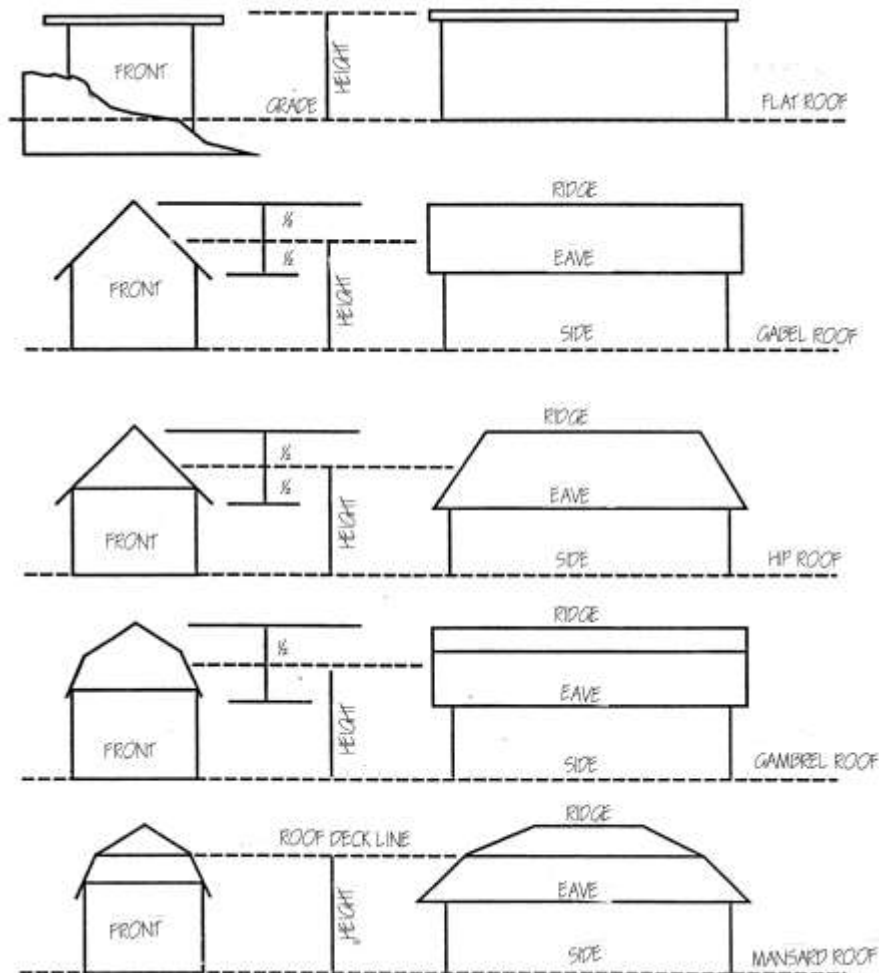
**Grade** means the average level of finished ground adjoining a building or structure at all exterior walls as determined by the LGD of Pinawa.

**Greenhouse, Plant and Tree Nursery** means a structure and/or associated land and accessory uses that are used for the sale of or growing of sod, shrubs, trees, vegetables or other gardening, landscaping or orchard stock, including wholesale operations.

**Group Home** means a residence that is licensed or funded under an Act of the Parliament of Canada or the Province of Manitoba for the accommodation of less than five (5) persons, exclusive of staff or receiving family, living under supervision in a single housekeeping unit and who by reason of their emotional, mental, social or physical condition, or legal status, require a group living arrangement for their well-being.

**Health Service** means a development used for the provision of physical and mental health services on an outpatient basis. Services may be preventative, diagnostic, treatment, therapeutic, rehabilitative or counselling in nature. Typical uses include medical and dental offices, health clinics, and counselling services.

**Height** means the vertical distance measured from the finished grade and the exterior surface of a flat roof, the mean height between the bottom of the eaves and the highest point of the roof surface for a gable, hip, gambrel, or other roof, and the roof deck line of a mansard roof. The Development Officer shall determine the height of an irregularly shaped roof.



**Heritage Resource** means a heritage building, heritage site, heritage object, and any work or assembly of works of natural or human endeavour that is of value for its archaeological, paleontological, prehistoric, historic, cultural, natural, scientific or aesthetic features, and may be in the form of sites or objects or a combination of them.

**Home Industry** means non-offensive light manufacturing activities that may be permitted as a secondary use in addition to the principal use, including but not limited to, farm-related sales and service, machinery and auto repair, welding, carpentry and similar uses directly serving the rural population.

**Home Occupation** means any business activity, including manufacturing, sales, a commercial or professional operation, business service, trade, practice, office, or use which is carried on in or from a dwelling unit and or its permitted accessory buildings; is intended as a profit-making operation; and is clearly incidental to, accessory to, or secondary to the residential use of the dwelling unit.

**Hotel** means a building or part thereof, providing accommodation for transient lodgers, in any individual room or apartment, with or without cooking facilities. Typical examples include a motel, inn, tourist lodge and similar buildings. Accessory uses may include restaurants, licensed beverage rooms, banquet halls, ballrooms and meeting rooms.

**Indoor Participant Recreation Service** means a development providing facilities within an enclosed building for sports and active recreation where patrons are predominantly participants. Typical uses include athletic clubs; health and fitness clubs; arcades; curling, roller-skating and hockey rinks; swimming pools; archery or shooting ranges; bowling alleys and racquet clubs.

**Industrial Use, 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 Use, Light** means processing and manufacturing uses, provided that: they do not create unusual fire, explosion or safety hazards or noise in excess of average intensity of street and traffic and noise in the area in question; they do not emit smoke, dust, dirt, toxic or offensive odours or gas; and there is no production of heat or glare perceptible from any adjacent residential property. Typical uses include commercial manufacturing establishments and research facilities. This use class does not include milling plants, concrete and asphalt plants, foundries, chemical plants and extractive uses. Such uses shall not generate any outside activity other than loading and parking areas.

**Information Technology Use** means the development, design, manufacture, packaging, storage or shipping of computer software, web hosting and data processing services and the design or research of computer, electronic and communication equipment. Uses such as server farms and like uses are included in this definition.

**Interpretive Site or Centre** means a site or centre intended to communicate and reveal meanings and relationships of our cultural and natural heritage, through involvement with objects, artefacts, landscapes and sites.

**Laboratory** means a building or group of buildings, in which are located facilities for scientific research, investigation, testing, or experimentation, but does not include facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

**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.



**Loading Space** means an off-street space located on the same zoning site as the use served, unless permitted by variation to locate elsewhere, used for the temporary parking of a commercial vehicle while loading or unloading merchandise or material, and which has access to a street or lane or other appropriate means of access.

**Manufacture, Assembly, Processing and Sale** means the use of land, buildings, or structures for the purpose of manufacturing, assembly, making, preparing, inspecting, finishing, treating, altering, warehousing, or storing of any goods, substance, article or service, and may include sales.

**Marina** means an area or structure used specifically in connection with the docking, storage, servicing and rental of boats and other watercraft, and may include boat supply, repair and other associated facilities.

**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 detached single-unit dwelling, which is factory-built, compact and transportable, with the following characteristics:

- The unit is designed for the long-term occupancy and domestic use by one (1) or more individuals living as a single housekeeping unit; and contains cooking, eating, living, sleeping and sanitary facilities, and has plumbing and electrical connections for permanent attachment to outside systems;
- The unit is designed to be moved or transported, after fabrication, on its own wheels, other trailers, or detachable wheels;
- The unit is designed and built in conformity with the Canadian Standards Association (CSA) Z240 series standards for mobiles homes; and/or
- The unit has the appearance of, or resembles, a mobile home based on maximum length to minimum width aspect ratio of two (2) or more.

**Modular Home** means a detached single-unit dwelling, which is factory-built, manufactured or fabricated off-site in two (2) or more near-complete, standardized sections or units, and attached or joined together on a foundation at the building site.

**Natural Resource Development** means the general raising, harvesting and cutting of wood or the stripping of topsoil or peat moss. This use includes sawmills and related uses, including accessory structures and renewal and maintenance activities.

**Neighbourhood Commercial** means an establishment that serves the needs of the adjacent neighbourhood. Typical services include convenience stores, personal service establishments and health services establishments.

**Office** means a building or part thereof, primarily used for the provision of professional, management, administrative and consulting services. Typical examples include the offices of lawyers, accountants, engineers, and architects; and offices for real estate.

**Open Space** means that required portion of a zoning site at ground level unoccupied by principal or accessory buildings and available to all occupants of the building. The open space shall be unobstructed from the ground to the sky. The open space may be used for landscaping, recreational space, and other leisure activities, but shall not be used for service driveways, or accessory off-street parking or loading space, unless otherwise provided for herein. Balconies, roof and similar above-grade level areas may be considered as open space.

**Outdoor Amusement Establishment** means a permanent commercial development providing facilities for entertainment and amusement activities that primarily take place out of doors and where patrons are primarily participants. Typical uses include amusement parks, outdoor concert facilities, go-cart tracks, racetracks, motocross and all-terrain vehicles (ATVs), miniature golf, obstacle courses, and similar uses.

**Outdoor Participant Recreation Service** means a development providing facilities that are available to the public at large for sports and active recreation conducted outdoors. Typical uses include golf courses, driving ranges, ski hills, water slides, sports fields, skate board parks, rock-climbing facilities, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens, paintball games, shooting ranges, fitness trails and similar uses, including required buildings and storage structures, which can also be considered accessory uses.

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

## **Parking**

**Accessory Off-Street Parking** means a space on the premises other than streets, used for the temporary parking of motor vehicles.

**Parking Area** means an area used for the temporary parking of motor vehicles and is available for public use whether free, for compensation or as an accommodation for clients, customers, employees, or visitors.

**Parking Space** means a space in a parking area, public parking area or zoning site for the temporary parking or storage of a motor vehicle. A parking space shall have adequate provision for vehicular entry, exit, and manoeuvrability.

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

**Performance Standards** means a standard established to control noise, odour, smoke, toxic or noxious matter, vibration, explosive hazards, glare or heat generated by, or inherent in, uses of land or buildings.

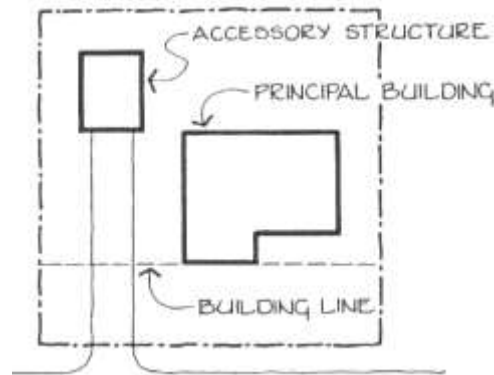
**Personal Service Establishment** means an establishment providing services to the individual and personal needs of persons. Typical examples include barbershops, salons, hairdressers, shoe repair, dry cleaning, tailors, and the like.

**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 a unitary site plan that permits flexibility in siting of buildings, mixture of land uses, lot sizes, useable open spaces and can include the preservation of significant natural features appropriate to the zone where such a use is located. Typical developments include mixed-use projects; townhouse and apartment projects involving two or more principal buildings and shopping centres or similar commercial developments.

**Primary Façade** means a building façade that is in public view and faces a public street.

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



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

**Public Library or Cultural Exhibit** means a development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use; or a development for the collection, preservation, and public exhibition of works or objects of historical, scientific or artistic value. Typical uses include libraries, museums, and art galleries.

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

**Recycling Depot** means a building, structure, or part thereof, in which recyclable material only is collected, processed and/or baled in preparation for shipment for remanufacture into new items.

**Repair Service, Household** means a development used for the provision of repair services to goods, equipment, and appliances normally forming part of a household. This use class also includes electrical, plumbing, heating, painting, radio, television, and appliance repair shops, furniture refinishing, upholstery shops and similar uses as well as the accessory sale of goods, where all materials are kept within an enclosed building.

**Residential Care Facility** means a building or part thereof however named that is advertised, announced or maintained for the express or implied purposes of providing residential care or transitional services to more than three (3) but not more than ten (10) adults, or to more than four (4) but not more than ten (10) children, where these persons are ambulatory.

**Resort, Commercial** means a commercial recreational establishment that may consist of one or more buildings containing single or multi-unit dwellings, recreational facilities and service facilities that are

used on an intermittent and seasonal basis. Other facilities that may be part of the resort development include a campground, hotel, cabins, yurts, retail uses, eating and drinking establishment, marina, docks, boat ramps, and outdoor recreational facilities.

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

**Row House** means a single-family dwelling that is attached to other units by common walls.

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

**Secondary Suite** means:

- a) A private, self-contained unit within a dwelling, occupied by only one (1) family. A secondary suite shall contain associated bathroom facilities, kitchen, living and sleeping areas, but it can share a number of features with the rest of the house.
- b) A basement suite, providing all building code requirements with respect to windows and access requirements are satisfied.

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

**Service Station** means a building or portion thereof and land used for the servicing, washing and repairing of vehicles; and the sale of gasoline, other petroleum products and a limited range of vehicle parts and accessories. Service stations may include eating and drinking establishments. Typical uses include truck stops and highway service stations.

**Shipping Container/Sea Can** means an article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one (1) or more means of transportation and includes, but is not limited to: intermodal shipping containers, but does not include bodies of transport trailers or straight truck boxes or a motor vehicle used as an accessory storage structure.

**Shopping Centre, Mall, Strip or Plaza** means a group of commercial establishments that is planned, constructed, and managed as a total entity with customer and employee parking provided on-site.

**Short-Term Rental** means a building or portion thereof, other than a Hotel, Motel, Commercial Resort, or Bed and Breakfast establishment, in which sleeping accommodations are offered for pay to tourists or transients. The definition does not include private boarding, lodging or rooming houses not accommodating tourists.

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

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

**Advertising Sign** means a permanent sign directing attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere upon the same zoning site where the sign is maintained, and may include a billboard sign.

**Bulletin Board** means a permanent sign with movable copy indicating community events or names associated with events located on-site, or products or services upon the same zoning site where the sign is maintained. Typical examples include school, church, and community centre bulletin boards.

**Business Sign** means a sign directing attention to a business, commodity, service or entertainment conducted, sold or offered on the same zoning site. Typical examples include signs for gas stations, eating establishments or sleeping accommodations.

**Construction Sign** means a sign identifying a construction project and information relative thereto.

**Directional Sign** means a sign indicating the distance or direction, or both, to a place of business, event, or other premises indicated on the sign.

**Identification Sign** means a sign identifying a business, owner, resident or the street address, and which sets forth no other advertisement.

**Mobile Sign** means a sign, which may include movable copy or panels, which is mounted on a trailer, vehicle, stand or similar support structure that allows the sign to be readily relocated to another location.

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

**Undefined Sign** means a sign that cannot be clearly defined as any of the sign types defined in this section, or is deemed a combination of types. In such cases, the Development Officer shall determine the sign type and the regulations applicable thereto.

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

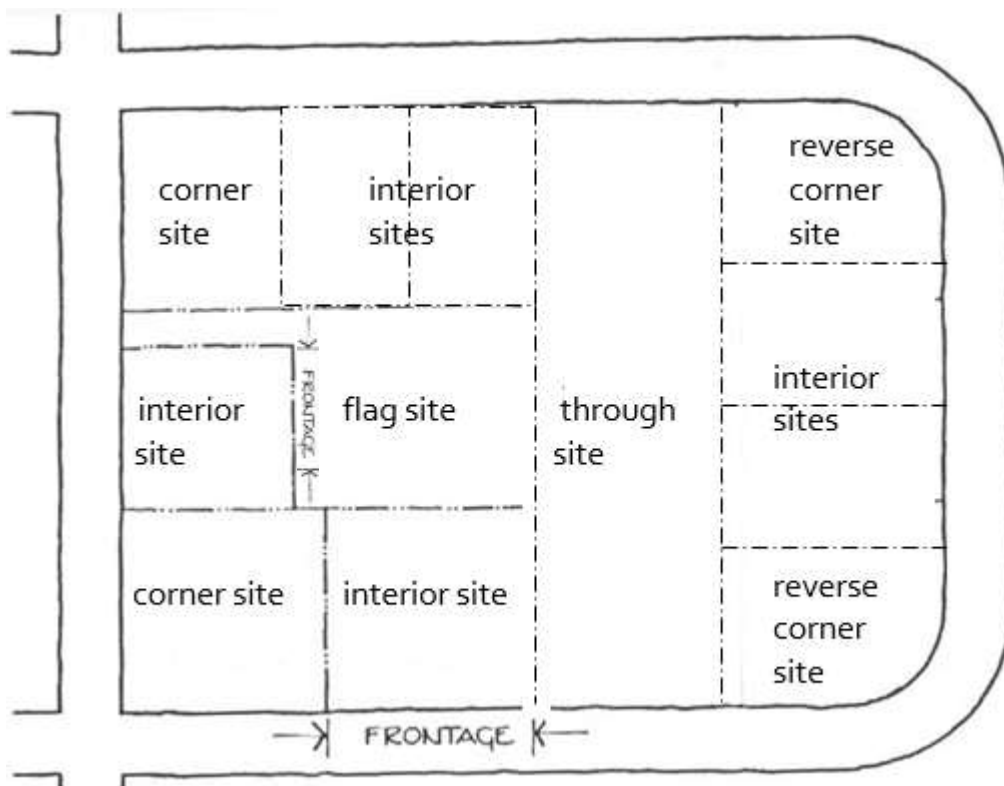
**Site, Corner** means a site situated at the intersection of two streets. A reverse corner site means a corner site where the side site line is substantially a continuation of the front site line of the first site to its rear.

**Site, Flag** means a site not fronting or abutting a public roadway and where access to the public roadway is limited to a narrow private right-of-way.

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

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

- Where a through site has vehicular access across both frontages, both street lines shall be deemed front site lines.
- Where a through site has a depth of 61m or greater, it may be considered as two (2) sites, with the rear lot line being approximately equidistant from the front site lines, provided there is compliance with all site area, site width and yard requirements.
- Where a through site has a depth less than 61 m, the Development Officer shall determine which one of the site lines is to be considered the rear site line.



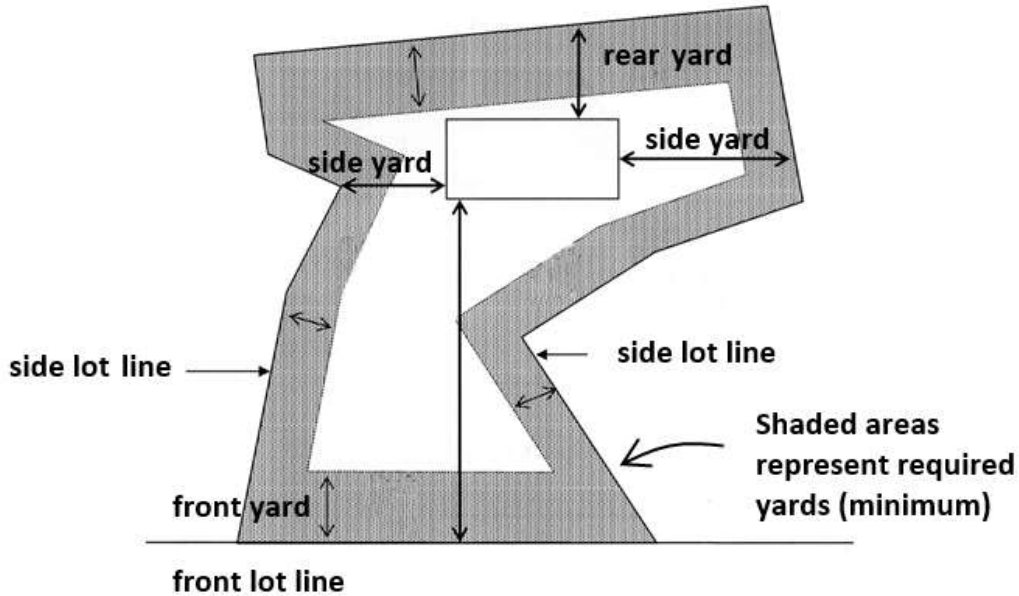
**Site Area** means the total land area contained within the site lines.

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

**Site Depth** means the horizontal distance between the centre point in the front and rear site lines.

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

**Site, Irregular** means a site of such shape or configuration that technically meets the area, frontage, and width requirements of this by-law, but meets these requirements by incorporating unusual elongations, angles, curvilinear lines unrelated to topography or other natural features. The front, rear, and side site lines shall be determined by the Development Officer. In the case of a flag-shaped lot, the front yard shall be measured from the widest portion of the lot excluding the private right-of-way.



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

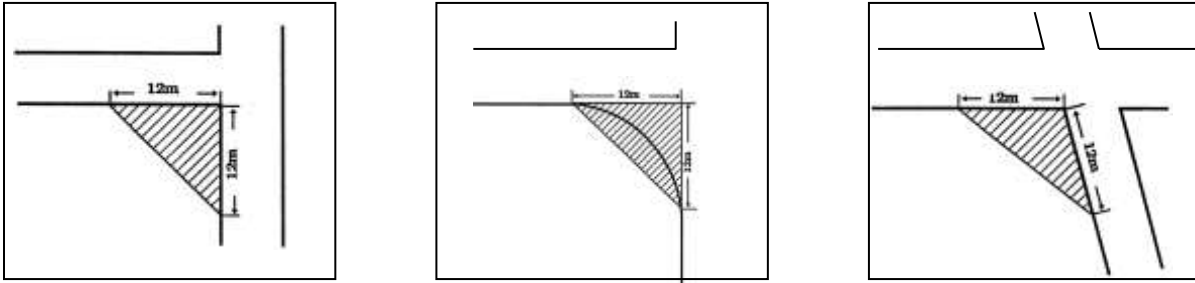
**Site Line, Front** means that boundary of a site along an existing or designated street.

- In the case of a corner site, the front site line shall be the shortest site line, which abuts an existing or designated street, except where an interior site abuts the corner site, then the front site line shall be that line which is the continuation of the front site line of the interior site.
- In the case of a site that does not have frontage on an existing or designated street, and is provided sole means of access by right-of-way, the right-of-way shall be deemed a street for purposes of determining site requirements. The front site line shall be the site line, which abuts the right-of-way. Where the right-of-way is contained within the site, that portion of the right-of-way facing the interior of the site shall be deemed the front site line. Where a street or right-of-way does not cross or abut the entire width of a site, the site line having greatest length abutting the street or right-of-way shall be deemed the front site line.

**Site Line, Rear** means that boundary of a site which is most nearly parallel to the front site line and in the case of a site in which the side site lines intersect, such as a triangular site, a line 3.05 metres (10 ft) in length within the site, parallel to and at the maximum distance from the site line.

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

**Site Triangle** means the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, measured along the street line.



**Site Width** means the horizontal distance between the side site lines of a lot, measured at right angles to the site depth:

- At a point midway between the front and rear site or at a point 15.24 m (50 ft) from the front site line, whichever is the lesser; or
- In a case where the site depth is greater than 91.44 m (300 ft), and the site's front yard requirement is greater than 18.29 m (60 ft), at the point of minimum site depth.

**Solar Collector, Commercial** means a solar collector designed and built to provide electricity for commercial sale and distribution to the electricity grid (ex: solar farm).

**Solar Collector, On-Site Use** means an accessory, small-scale device or group of devices that converts solar energy to electrical energy for primarily private residential, commercial or industrial use.

**Solar Collector, Rooftop** means a roof mounted solar collector and associated equipment for converting solar energy to power.

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

**Storey** means that portion of any building that 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.

**First Storey** means the storey closest to finished grade having its ceiling 1.8 m (6 ft) or more above average finished grade adjacent to the exterior walls of the building.

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

**Temporary Building** means a removable building, structure or use permitted on a temporary basis.

**Tot Lot** means an area dedicated to public playground for pre-school children.

**Townhouse** means a multi-story dwelling which is attached to one or more similar dwellings by shared walls.



**Trucking Operation** means land, buildings or structures used for the purpose of storing, servicing, repairing or loading trucks, transportation trailers and buses, but does not include service stations.

**Use** means any purpose, activity, occupation, business or operation for which a building, structure or land may be designed, arranged, intended, maintained or occupied.

**Veterinary Clinic** means a building or part thereof, with or without related structures where animals of all kinds are treated or kept for treatment by a registered veterinarian.

**Warehouse** means a building or part thereof, which is used primarily for the housing, storage, adapting for sale, packaging or distribution of goods, wares, merchandise, foodstuff, substances, articles or things, and may include the premises of a warehouse watchperson, but does not include a fuel depot.

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

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

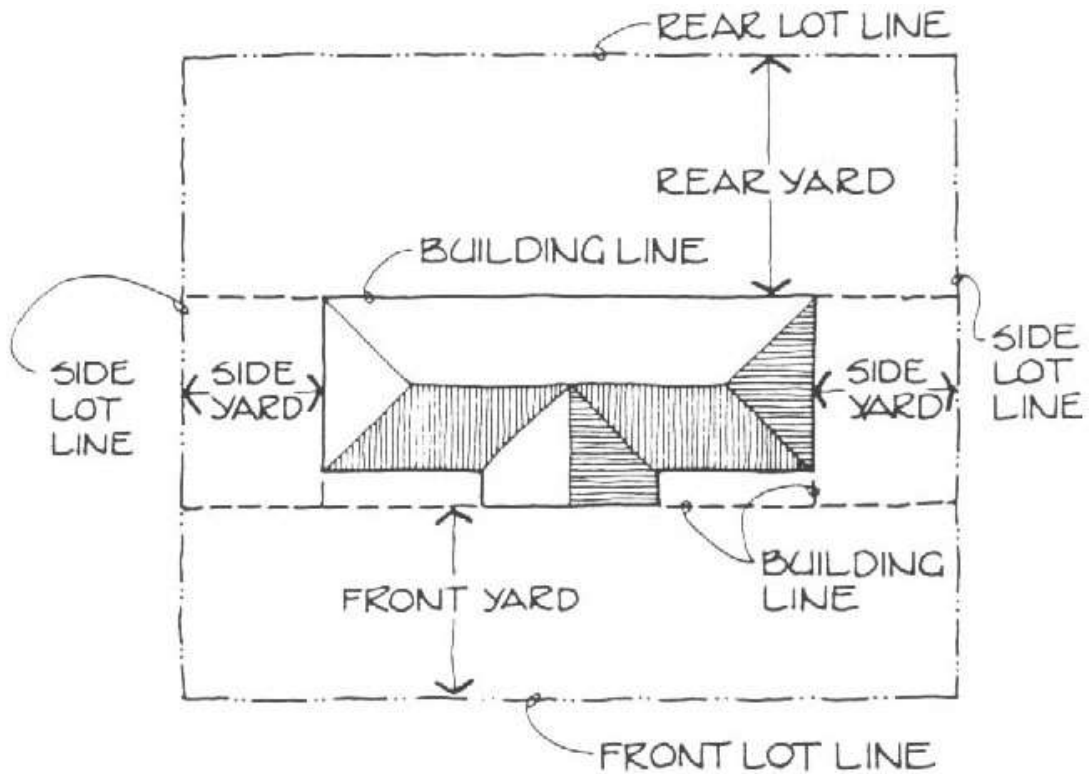
**Wind Energy Generating System** means a device or group of devices such as wind chargers, windmills, or wind turbines, including towers, that convert wind energy into electrical energy for generation of power for sale by a public or commercial enterprise, including all associated accessory facilities.

**Wind Turbine, Private Use** means a small-scale wind turbine generator tower that converts wind energy to electrical energy for primarily private residential, commercial or industrial use, including all associated accessory facilities.

**Wrecking Facilities – Automotive and Equipment** means an area of land deemed as a Class 2 development in accordance with *The Environment Act*, which is used for the storage and processing of wrecked motor vehicles, industrial equipment or farm equipment.

**Yard** means the open area on the same zoning site as a building or structure that is unoccupied and unobstructed from ground level to the sky, except as otherwise permitted herein. Yard measurements within the bulk tables shall be measured from the building face to the property line.

- **Front Yard** means a yard extending across the full width of a lot between the front lot line and the nearest eave of a building or structure.
- **Side Yard** means a yard extending along the side site line between the side lot line and the nearest eave of a building from the front yard to the rear yard.
- **Rear Yard** means a yard extending along the full width of a lot between the rear lot line and the nearest eave of a building or structure.



**Zoning Site** means an area of land consisting of a lot, or two (2) or more abutting lots, or a parcel of land occupied or intended for occupancy by a permitted or conditional use in that particular zone, including one principal building or structure, and any accessory buildings, open spaces and parking spaces as may be permitted or required by this by-law.

## SCHEDULE A: ZONING MAPS

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The dimensions on the Zoning Maps are in metric measure.

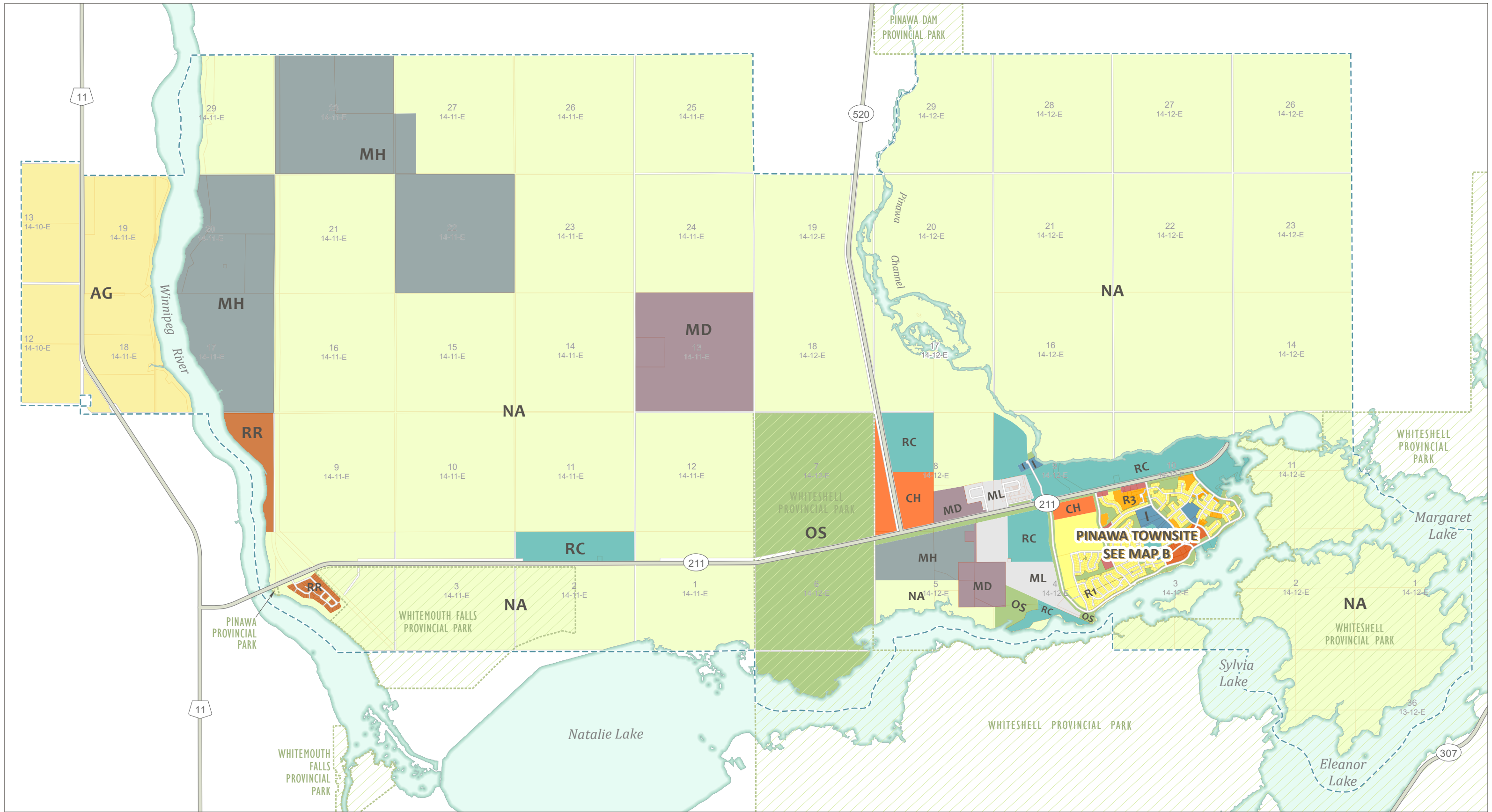
All plan references on the Zoning Maps pertain to registered plans filed in the Land Titles Office.

The abbreviations noted on the Zoning Maps have the following meanings:

- "Blk" means Block;
- "Pcl" means Parcel;
- "Pt" means Part;
- "Rge" means Range;
- "R.M." means Rural Municipality;
- "L.G.D." or "LGD" means Local Government District;
- "Sec" means Section;
- "Twp" means Township;
- "E.P.M." or "E" means East of the Principal Meridian;
- "P.R." means Provincial Road;
- "P.T.H." means Provincial Trunk Highway;
- "D of S" or "D.S. Plan" means Director of Surveys Plan;
- "RD" or "Rd." means Road; and
- "Plan" means Registered Plan.

The following rules shall apply to the interpretation of zone boundaries as shown on the Zoning Maps:

- Notwithstanding that streets, lanes and public utility rights-of-way may be within the zone boundaries, the regulations contained within this by-law shall not be deemed to be applicable to said streets, lanes, and public rights-of way.
- Boundaries indicated as following the centre lines of highways, streets, lanes, or waterways shall be construed as following such centre lines.
- Boundaries indicated as following the lot, site or property holding lines on a registered plan shall be construed as following such lot, site or property holding lines.
- Boundaries indicated as following the shoreline shall be deemed to follow the ordinary high water mark (OHWM).
- If a street, lane or government road allowance shown on the Zoning Maps is lawfully closed, the land formerly comprising the street, lane or government road allowance shall be included within the zone of the adjoining land. However, if the said street, lane or government road allowance was a zoning boundary between two or more different zones, the new zoning boundary shall be the former centre line of the closed street, 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 limits of the consolidated property.
- Where a zone boundary divides or splits a registered parcel of land, the disposition of said boundary shall be determined by dimensions indicated on the Zoning Maps, or by measurements directly scaled from that map.
- Where a change in land use or amendment to this by-law is proposed and most but not all of the subject lands fall within the appropriate Development Plan designation, the subject lands shall be deemed to fall within the boundaries of the appropriate Development Plan designation so as not to necessitate an amendment to the Development Plan.



**LOCAL GOVERNMENT DISTRICT OF PINAWA**

**ZONING BY-LAW NO. 887-2021**

**MAP A: LGD**

Date: September 8, 2021

Zone and Zone Description

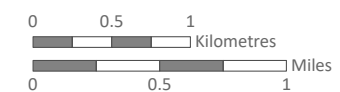
AG, Agriculture	MH, Heavy Industrial	R1, Single-Unit Residential
CC, Central Commercial	ML, Light Industrial	R3, Multi-Unit Residential
CG, General Commercial	NA, Natural Areas	RC, Recreation Commercial
CH, Highway Commercial	OS, Parks and Open Space	RR, Rural Residential
I, Institutional		
MD, Waste Disposal Industrial		

Other Features

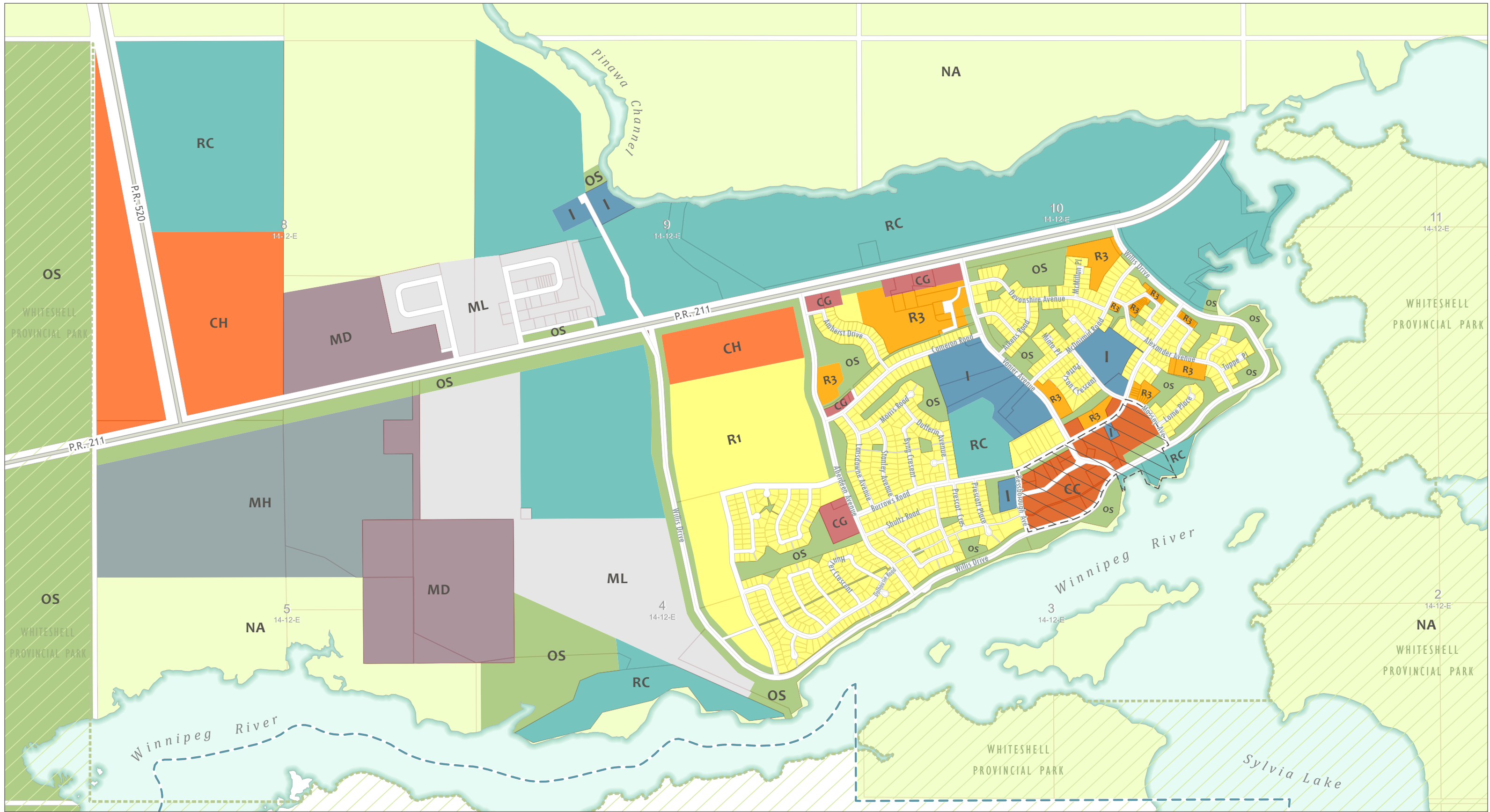
LGD Boundary
Provincial Park
Waterbody
Highway



Scale: 1:48,000



Projection: NAD 83 UTM ZONE 14  
Data Source: Provincial Government



**LOCAL GOVERNMENT DISTRICT OF PINAWA**

**ZONING BY-LAW NO. 887-2021**

**MAP B: PINAWA TOWNSITE**

Date: September 8, 2021

**Zone and Zone Description**

AG, Agriculture	MD, Waste Disposal Industrial	R1, Single-Unit Residential
CC, Central Commercial	MH, Heavy Industrial	R3, Multi-Unit Residential
CG, General Commercial	ML, Light Industrial	RC, Recreation Commercial
CH, Highway Commercial	NA, Natural Areas	RR, Rural Residential
I, Institutional	OS, Parks and Open Space	Downtown District Overlay

**Other Features**

- LGD Boundary
- Provincial Park
- Waterbody



Scale: 1:15,000



Projection: NAD 83 UTM ZONE 14  
Data Source: Provincial Government