



2026

# Rural Municipality of Thompson

## Zoning By-law No. 7-2026

Prepared by WSP

Prepared for the Rural Municipality of Thompson



# **Rural Municipality of Thompson Zoning By-law No. 7-2026**

2026

Prepared By:



Prepared For:

**Rural Municipality of Thompson**

## THE RURAL MUNICIPALITY OF THOMPSON BY-LAW NO. 7-2026

A by-law of the Rural Municipality (RM) of Thompson, in the Province of Manitoba, to regulate and control the use and development of land and buildings within the Municipal limits of the RM of Thompson.

**WHEREAS** pursuant to the provisions of Subsection 40(1) of *The Planning Act*, the Morden-Stanley-Thompson-Winkler (MSTW) Planning District, which includes the RM of Thompson, has, by by-law, adopted *The MSTW Planning District Development Plan By-law 7-2026*;

**AND WHEREAS** Section 68 of *The Planning Act* provides that a Municipal Council within a Planning District must adopt a Zoning By-law that is generally consistent with the Development Plan By-law;

**NOW THEREFORE** the Municipal Council of the RM of Thompson, in meeting duly assembled, enacts as follows:

1. *The RM of Thompson Zoning By-law No. 3/08*, and all amendments thereto, are hereby rescinded.
2. The Zoning By-law, attached hereto and marked as Schedule "A", is hereby adopted.
3. This by-law shall be known as the *RM of Thompson Zoning By-law*.
4. The *RM of Thompson Zoning By-law* shall take force and effect on the date of Third Reading of this by-law.

**DONE AND PASSED** in Council assembled in Council Chambers, in the RM of Thompson, Manitoba, this 9 day of July, A.D. 2026.

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Reeve

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Chief Administrative Officer

Read a First time this 28 day of May, A.D. 2026.

Read a Second time this 25 day of June, A.D. 2026.

Read a Third time this 9 day of July, A.D. 2026.

## ZONING BY-LAW AMENDMENT LISTING

[illegible]

THE RURAL MUNICIPALITY OF THOMPSON  
ZONING BY-LAW  
BEING **SCHEDULE "A"**  
ATTACHED TO BY-LAW NO. 7-2026  
OF  
THE RURAL MUNICIPALITY OF THOMPSON

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# PART A: ADMINISTRATION

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## Section 1: Introduction

### 1.1 Title

- 1.1.1 This by-law shall be known as the Rural Municipality (RM) of Thompson Zoning By-law (By-law).

### 1.2 Purpose

- 1.2.1 The regulations established by this By-law are deemed necessary in order to:
- Ensure general conformance with the objectives and policies of the MSTW Planning District Development Plan (Development Plan) and any Secondary Plan.
  - Outline the powers and duties of RM of Thompson Council (Council), the MSTW Planning District Planning Board (Board), the Designated Officer and the landowner and/or developer as they relate to this By-law.
  - Regulate the following:
    - all buildings and structures erected hereafter;
    - all uses or changes in use of all buildings, structures and land established hereafter;
    - all structural alterations or relocations of existing buildings and structures occurring hereafter; and
    - all enlargements or additions to existing buildings, structures and uses.

### 1.3 Scope

- 1.3.1 This By-law applies to all lands in the RM of Thompson.

### 1.4 Contents of this By-law

- 1.4.1 The By-law is made up of five parts:
- Part A* is the Administrative part of the By-law and explains how to use the By-law.
  - Part B* describes the Development Standards. The first subsection includes General Standards that apply to ALL development in the Municipality. The second subsection lists Specific Standards for the different kinds of development in Thompson.
  - Part C* defines the Zoning Districts and the specific regulations for each of the Zoning Districts within the Municipality.
  - Part D* illustrates on maps how the land is divided in the RM of Thompson.

- e. *Part E* provides a list of definitions to assist with the implementation of the By-law.

## **1.5 Severability**

- 1.5.1 If any part of this By-law, including anything shown on the Zoning District Maps, is declared to be invalid for any reason by an authority of competent jurisdiction, that decision shall not affect the validity of the By-law as a whole, or any other part, section, or provision of this By-law.

## **1.6 Interpretation of Provisions and Standards**

- 1.6.1 In their interpretation and application, the provisions and standards of this By-law shall be held to be the minimum requirements to satisfy the intent and purposes as set forth herein.
- 1.6.2 Any existing use or structure which was illegal under the provisions of any planning schemes or By-laws in force on the effective date of this By-law and amendments thereto shall not become or be made legal solely by reason of the adoption of this By-law or amendments thereto; and to the extent that, and in any matter that, said illegal use or structure remains illegal hereunder.

## **1.7 Other Legislation**

- 1.7.1 A person applying for, or in possession of, a valid development permit is not relieved from full responsibility for ascertaining and complying with or carrying out development in accordance with:
  - a. The regulations of the Manitoba Building Code as well as applicable Municipal or Provincial building regulations;
  - b. The MSTW Planning District Development Plan;
  - c. Any other appropriate federal, provincial, or municipal legislation; and
  - d. The conditions of any caveat, covenant, site plan, development agreement, variance order or conditional use order, easement, mineral, sand or gravel title, or other instrument affecting a building or land.
- 1.7.2 Whenever a provision of another by-law, law or regulation of the provincial or federal government contains a restriction governing the same subject matter contained in this By-law, or imposes inconsistent regulations with respect to uses, buildings, or structures, the most restrictive or highest standard shall prevail.
- 1.7.3 The Province of Manitoba and the Government of Canada are not bound or restricted by any regulation in this By-law. The said governments are encouraged, however, to permit only those developments that are consistent with the regulation of this By-law.

**1.8 Does Not Promote Nuisance**

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

**1.9 Effective Date**

- 1.9.1 This By-law shall be in full force and effect when the council of the RM of Thompson has given it third reading.

## Section 2: Administration

### 2.1 Regulation of Uses

- 2.1.1 No development, except otherwise expressly permitted in this By-law, shall be undertaken in the RM of Thompson unless an application has been approved and a development permit has been issued.

### 2.2 The Designated Officer

- 2.2.1 The Designated Officer shall be appointed by the RM of Thompson Council as the person responsible for the administration of this By-law.
- 2.2.2 The Designated Officer shall be responsible for issuing development permits, demolition permits, building permits, providing notice of decisions, issuing zoning memoranda, and decision-making power for minor variance in accordance with the provisions of *The Planning Act* (*The Act*).

### 2.3 Development Permits

- 2.3.1 Every person shall apply for a Development Permit before commencing any development within the Municipality, except those uses listed in **Subsection 2.5**.
- 2.3.2 Council may require the applicant apply for a Development Permit for the demolition of a dwelling or water well to fill, grade, fence or follow other special conditions imposed for public and environmental safety.
- 2.3.3 All permits shall expire one year from the date of issuance. If requested by the applicant prior to the date of expiry, the Designated Officer may extend the date of expiry by no more than one additional year from the original date of issuance.

### 2.4 Development Permit Applications

- 2.4.1 An application shall not be considered to have been received until the applicant has submitted all information required pursuant to this By-law, to the satisfaction of the Designated Officer, and paid the appropriate fee.
- 2.4.2 The Designated Officer may require an applicant to submit such additional information considered necessary to verify the compliance of the proposed use or development with the regulations of this By-law.
- 2.4.3 The following information may be required to be submitted with an application for a Development Permit, and the appropriate application form fully and accurately completed to the satisfaction of the Designated Officer:
- a. A written statement and other supportive material explaining the proposed development;

- b. The municipal address of land and buildings presently occupying the site, if any;
- c. A Status of Title;
- d. A legal description of the land on which the proposed development is to occur, by lot, block, subdivision and registered plan numbers;
- e. The applicant's name, address and interest in the land and if the applicant is not the landowner, a letter from the landowner authorizing the applicant to apply for a Development Permit;
- f. Description of the work to be performed with respect to:
  - (i) changes in current occupancy of land use; and
  - (ii) description of proposed development or building operations;
- g. Identification of the scale of the development with respect to:
  - (i) gross floor area of the development in square metres (m<sup>2</sup>);
  - (ii) area of the site covered in m<sup>2</sup>;
  - (iii) the number of dwellings or commercial/industrial establishments, or other purposes;
  - (iv) the number of parking and loading spaces required and/or provided;
  - (v) height of the structure in metres (m.); and
  - (vi) number of floors or storeys.
- h. The estimated value, in dollars, of the proposed work;
- i. A site plan, at a minimum scale of 1:500, showing the following:
  - (i) a directional true north arrow with the north point located in such a manner that the true north is in the upper position of the drawings;
  - (ii) setbacks and yard dimensions;
  - (iii) the location of all buildings or structures in relation to property lines;
  - (iv) dimensioned layout of existing and proposed parking areas, driveways, entrances and exits, abutting public roadways, median breaks and auxiliary lanes;
  - (v) the location of sidewalks and walkways, where applicable, parking, loading, storage, outdoor service and display areas; and
  - (vi) the location of fences, screening, retaining walls, trees, landscaping, and other physical features both existing and proposed in the site and adjoining boulevard, if any.
- j. Floor plans at a minimum scale of 1:100, indicating all uses or occupancies, storage and garbage holding areas;
- k. Elevation drawings, including sections and the bulk of buildings, at a minimum scale of 1:100;

- l. A building location certificate in order to confirm separation distances and setback requirements;
  - m. A description of the proposed water supply and wastewater management systems; and
  - n. A description of the proposed site access plans, drainage and flood prevention plans.
- 2.4.4 A Development Permit for an accessory building cannot be issued unless a Development Permit for the principal building has also been issued.
- 2.4.5 A Development Permit for a conditional use shall also include a plan showing the location of adjacent buildings and structures indicating the approximate height and number of storeys.
- 2.4.6 Unless exempted by **Subsection 2.5** below, all development for a temporary use shall require a Development Permit and the following information:
- a. Applicants shall state the temporary nature of the use in a Letter of Intent submitted with their Development Application; and
  - b. The Designated Officer and/or Council shall determine the time limits necessary to confirm the temporary nature of the proposed use as well as any conditions required to satisfy the requirements of this and other by-laws.

## **2.5 Development Not Requiring a Permit**

- 2.5.1 A Development Permit from the RM of Thompson is not required under this By-law for the developments listed below, provided that such development complies with all applicable regulations of this By-law. This does not relieve the applicant or landowner from obtaining approvals from other authorities or agencies. Developments exempt from Development Permit applications are as follows:
- a. Altering, maintaining or repairing any building or structure, provided that the work does not include structural alterations or does not result in an increase in the number of dwelling units;
  - b. Private driveways, utilities, and private wells which are accessory to a development;
  - c. The maintenance and repair of public works, services or utilities carried out by or on behalf of federal, provincial or municipal authorities;
  - d. Temporary use of a building for election or census purposes;
  - e. Construction or maintenance of gates, fences, walls or other means of enclosure less than 1.00 m. (3.28 ft.) in height in front yards and less than 2.00 m. (6.56 ft.) in height in the side and rear yards, except where corner lot restrictions apply;

- f. The temporary installation or use of machinery, structures or buildings such as a construction trailer, the sole purpose of which is incidental to the erection of a building for which a Development Permit has been granted, provided the temporary building is removed within 30 days of substantial completion or as determined by the Designated Officer;
- g. Demolition of a building or structure where a Development Permit has been issued for a new development on the same site, and the demolition of the existing building or structure is implicit in that permit;
- h. Construction or installation of an Accessory Building that:
  - (i) does not exceed 10 m<sup>2</sup> (107.6 ft<sup>2</sup>) in area;
  - (ii) that does not exceed 4.57 m. (15.00 ft.) or one storey in height; and
  - (iii) is not deemed a hazard or detriment by the Designated Officer.
- i. Landscaping where the where the existing grade and natural surface drainage pattern is not materially altered;
- j. Stripping, site grading or excavation that is part of a development for which a Development Permit has been issued;
- k. Ground level (less than 0.61 m. (2.00 ft.) in height) deck, patio, ramps, outdoor ice rink, or similar located in a rear or side yard in any Zoning District;
- l. The use of farmland, farm buildings and structures for permitted agricultural activities, excluding livestock operations; and
- m. Certain accessory signs as described in **Subsection 6.14.**

## **2.6 Special Information Required for Sensitive Lands (Soil and Stability)**

- 2.6.1 When an application for a Development Permit is submitted to the Designated Officer for the development of a site abutting a water course or municipal drain, the Designated Officer may require, in consultation with a Certified Professional Engineer licenced to practice in Manitoba, information regarding the existing and proposed grades at 0.50 m. (1.64 ft.) contour intervals.
- 2.6.2 Despite anything contained herein, the Designated Officer may require a detailed engineering study of the soil conditions prepared by a Certified Professional Engineer licenced to practice in Manitoba prior to the issuance of a Development Permit or the construction of any development abutting a water course or municipal drain.
- 2.6.3 The Designated Officer may require the submission of a detailed engineering study to satisfy requirements of this By-law prior to the issuance of a Development Permit at any location within the Municipality that in the opinion of the Designated Officer has unstable soil conditions.



- 2.6.4 The Designated Officer, having required a detailed engineering study of the soil conditions may, acting on the advice of the Certified Professional Engineer of Manitoba, apply conditions to the approval of the Development Permit to prevent erosion, stabilize soil conditions and ensure proper land drainage.
- 2.6.5 Environmentally sensitive lands may include land near a landfill, sewage lagoon, railway line, major transmission pipelines or power lines, public wells, river or stream flood plains, heritage resources, human remains, unstable slopes, surface water bodies, or any other natural or human-made features that may potentially influence the establishment of new development in close proximity.
- 2.6.6 Council may require the applicant to submit topographic or other information to aid in the evaluation of development applications where a proposed development or any required access driveway is located within a potentially environmentally sensitive area, as determined by the Designated Officer.
- 2.6.7 Where the studies required under the authority of this subsection show that a proposed new use and any required access driveway are suitable to be allowed within an environmentally sensitive area, Council, or their Designated Officer, may either:
- a. Approve the permit for the proposed use and access; or
  - b. Attach special conditions to the permit for that use or access.
- 2.6.8 Where the studies required under the authority of this subsection, show that a proposed new use and any required access driveway are not suitable to be allowed within an environmentally sensitive area, Council, or their Designated Officer, shall refuse the permit. Council shall also refuse a permit for any development for which, in Council's opinion:
- a. Any proposed remedial actions are inadequate to address the possible adverse effects of the proposed new use and access; or
  - b. May result in excessive costs for the municipality, or land use conflict with surrounding landowners.

## **2.7 Conditional Uses**

- 2.7.1 Any conditional use must not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, nor must it be injurious to property, improvements or potential future development in the vicinity. The vicinity includes adjoining property and adjacent area, including an area separated from the property by a street or waterway.

- 2.7.2 The following criteria must be considered in the review of conditional use applications:
- a. Conformance with the Development Plan, any Secondary Plan and this By-law;
  - b. Compatibility with the general nature of the surrounding area;
  - c. Impact on traffic;
  - d. Relationship to, or impacts on, utility services and public facilities such as recreational facilities and schools; and
  - e. Capability of being economically serviced including roadways, water and sewer services, and other supportive utilities and community facilities.
- 2.7.3 The approval of a conditional use by Council shall expire and cease to have any effect if it is not acted upon within twelve (12) months of the date of the decision, unless it is renewed prior to the expiry date, for an additional period not exceeding twelve (12) months, at the discretion of Council and in accordance with *The Act*. Council may extend the deadline for a second period of no more than twelve (12) months if an application is received before the expiry date.
- 2.7.4 Council may place a condition on any new conditional use to apply a time limit after which the conditional use order will expire if the operation ceases. This shall not apply to existing conditional uses.
- 2.7.5 Where an existing use listed as permitted or conditional under a previous zoning by-law, and amendments thereto, is listed as conditional under this By-law, it shall be considered a legally existing conditional use and be subject to all applicable regulations of this By-law and any applicable provisions of *The Act*.

## **2.8 Variances**

- 2.8.1 Any person who is of the opinion that this By-law injuriously or adversely affects their property rights may apply for a variance order.
- 2.8.2 Subject to *the Act*, Council may vary the requirements of this By-law if the variance:
- a. Will be compatible with the general nature of the surrounding area;
  - b. Will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area;
  - c. Is the minimum modification of this By-law required to relieve the injurious affect of this By-law on the applicant's property; and

- d. Is generally consistent with the applicable provisions of the Development Plan, this By-law, and any applicable Secondary Plan.

2.8.3 The Designated Officer may approve the following minor variances if deemed necessary to accommodate development:

- a. Any height, distance, area, size, or intensity of use requirement in this By-law by no more than 15%; and
- b. The number of parking spaces required by this By-law by no more than 15%.

2.8.4 The approval of a variance order by Council shall expire and cease to have any effect if it is not acted upon within twelve (12) months of the date of the decision, unless it is renewed prior to the expiry date, for an additional period not exceeding twelve (12) months, at the discretion of Council and in accordance with *The Act*. Council may extend the deadline for a second period of no more than twelve (12) months if an application is received before the expiry date.

## **2.9 Zoning By-law Amendments**

2.9.1 Subject to the procedures outlined in *The Act*, an amendment to this By-law may be initiated by resolution of Council, or by application to the Designated Officer, or by another party, acting on behalf of the owner, with written consent of the owner.

2.9.2 An application for an amendment to this By-law shall be accompanied by the following information:

- a. A Status of Title may be required which has been issued no later than 30 days prior to the receipt of the amendment application by the Designated Officer;
- b. Written consent, along with contact information from the owner if different from the applicant;
- c. The applicant's name, signature, address, interest in the property, and reason for applying; and
- d. A signed statement by the applicant acknowledging all costs incurred by the RM of Thompson in processing the proposed amendment, whether adopted or not, shall be the responsibility of the applicant; and
- e. The appropriate fee.

## **2.10 Subdivisions**

2.10.1 Subject to **Subsections 2.10.2** and **2.10.3** of this By-law, no parcel of land shall hereafter be divided into sites unless each site conforms to the regulations of the Zoning District in which the site is located.

- 2.10.2 Council may, as provided for in *The Act*, vary the regulations as they apply to an individual site, subject to complying with the objectives and policies of the Development Plan, any Secondary Plan or other Council policies;
- 2.10.3 An existing undersized lot may be increased in area and/or frontage and still remain an existing undersized lot, provided all other relevant requirements are maintained.

## **2.11 Development Agreements**

- 2.11.1 As a condition of amending this By-law, subdividing land, making a variance, or approving a conditional use, Council may require the applicant to enter into a development agreement in respect of the affected property and any contiguous land owned or leased by the owner dealing with one or more of the following matters:
  - a. The use of the land and any existing or proposed buildings;
  - b. The timing of construction of any proposed building;
  - c. The siting and design, including exterior materials, or any proposed building or structure;
  - d. The provision of affordable housing in accordance with the requirements of Section 150.1 of *The Act*;
  - e. Parking;
  - f. Landscaping;
  - g. Heritage resources;
  - h. The construction or maintenance of services and utilities including, but not limited to, sewer and water, waste removal, drainage, public rights-of-way, lighting, pedestrian and active transportation, and access to existing services;
  - i. Payment in lieu of any requirements listed in clause (g); and/or
  - j. The dedication of land or payment in lieu thereof in accordance with Section 135.6 of *The Act*.

## **2.12 Non-Conforming Uses**

- 2.12.1 The intent of this section is to permit a non-conformity to continue until it is removed but not to encourage its survival. Any expansion, addition, relocation or reconstruction of a non-conforming use or a non-conforming building or structure shall conform to the site, parking, and loading requirements of the Zoning District in which it is located unless varied.
- 2.12.2 No existing site shall be deemed to be non-conforming to the By-law regulations despite its dimensions or area failing to meet the standards prescribed for proposed sites in the Zoning District in which it is located.

Development proposed on such sites shall still be required to conform to all relevant By-law use provisions, setbacks, and building standards.

- 2.12.3 Subject to approval and issuance of a Development Permit, repairs or incidental alterations to a building or structure occupied by a non-conforming use may be made as follows:
- a. To the exterior of the building; and
  - b. To those portions of the interior of the building occupied by the non-conforming use, or in connection with an expansion of the non-conforming use.
- 2.12.4 Repairs or incidental alterations may be made to a non-conforming building or structure subject to approval and issuance of a Development Permit, where necessary.
- 2.12.5 The right to maintain a non-conforming building or structure shall terminate when the structure is damaged, in any manner whatsoever, to the extent that the cost of repairing such damage exceeds 50% of the structure's assessed value on the last revised assessment roll.
- 2.12.6 If a non-conforming building or structure is damaged and repair costs are less than 50% of the value of an equivalent new building or structure, repairs may occur if:
- a. The repairs do not introduce new non-conforming uses;
  - b. A building permit is obtained within 180 days of the date of damage; and
  - c. The repair has begun within one year and is diligently pursued to completion.
- 2.12.7 A use that is accessory to a principal non-conforming use may continue as long as the principal non-conforming use exists.
- 2.12.8 A non-conforming sign shall be subject to all the provisions of this By-law relating to non-conformities, except as provided hereafter:
- a. A change in the subject matter represented on a sign shall not be considered a change of use; and
  - b. A non-conforming sign may be structurally altered, reconstructed, or replaced in the same location and position provided that such structural alteration, reconstruction, or replacement does not result in:
    - (i) The creation of a new non-conformity or an increase in the degree of non-conformity;
    - (ii) An increase in the sign surface area; or
    - (iii) An increase in the degree of illumination.
- 2.12.9 A non-conforming use of a structure, or portion thereof, which is, or hereafter

becomes, abandoned, vacant or unoccupied, and remains so for twelve consecutive months, must not be used after that time except in conformity with this By-law.

- 2.12.10 Notwithstanding the provisions of this section, a variation order shall not be required where a non-conforming building or structure is being altered or changed to reduce the degree of non-conformity.

## **2.13 Fees**

- 2.13.1 An applicant for a Development Permit shall pay an application fee in accordance with the fee schedule established by annual review and separate by-law or policy of Council. Separate fees may be charged for each type of development application (Permitted Use, Conditional Use, Zoning amendment, Development Plan amendment, etc.) These fees may be in addition to any fee required to cover the costs of advertising and notifications.

## **2.14 Public Utilities and Services**

- 2.14.1 Nothing in this By-law shall be so interpreted as to interfere with the construction, maintenance, and operation of the facilities of any Public Utility Service or Protective and Emergency Service, as defined in this By-law.

## **2.15 Enforcement**

- 2.15.1 The enforcement of this By-law, or any Resolution or Order enacted by the Council under *The Act* or any Regulation made thereunder, shall be in accordance with *The Act*.
- 2.15.2 Any person who violates this By-law is guilty of an offence and liable, on summary conviction, to the penalties set forth in *The Act*.
- 2.15.3 Fines and penalties will be imposed as per *The Act*.
- 2.15.4 The Designated Officer may suspend or revoke a development permit where:
- a. The applicant fails to comply with the conditions of issuance of a permit;  
or
  - b. Any person undertakes or causes or permits any development on a site contrary to the terms or conditions of a permit.
- 2.15.5 Any person who undertakes, causes or permits, any development on a site without a permit, or after a permit has been suspended or revoked, shall discontinue such development forthwith upon notice in writing issued by the Designated Officer so requiring, and shall not resume such development unless a permit has been issued or the permit reinstated.

## Section 3: Interpretation

### 3.1 Rules of Construction

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

- a. Words, phrases, and terms defined in this By-law shall be given their defined meaning;
- b. Words, phrases and terms not defined herein, but defined in *The Act*, shall be construed as defined in such legislation;
- c. All other words, phrases, and terms not herein defined shall be given their usual and customary meaning except where the context clearly indicates a different meaning;
- d. The word “includes” shall not limit a term to the specific examples provided but is intended to extend the meaning to all instances or circumstances of like kind or character.
- e. The phrase “used for” includes “arranged for”, “designed for”, “maintained for”, or “occupied for”;
- f. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connect by the conjunction “and”, “or”, or “either-or”, the conjunction shall be interpreted as follows:
  - (i) “and” indicates that all the connected items, conditions, provisions, or events shall apply in any combination;
  - (ii) “or” indicates that the connected items, conditions, provisions, or events may apply singly or in combination; and
  - (iii) “either-or” indicates that the connected items, conditions, provisions, or events shall apply singly, but not in combination.

### 3.2 Units of Measurement

3.2.1 For convenience, this By-law contains both metric and imperial measurements. In cases where a discrepancy occurs between the metric and imperial standards, the metric unit shall prevail.

### 3.3 Zoning District Boundaries and Right-of-Way Boundaries

- 3.3.1 Should uncertainty or dispute arise relative to the precise location of the boundary of any Zoning District, as depicted on the Zoning District Maps, the location shall follow the closest logical boundary, or a line that is parallel or an extension to such an existing feature, as determined by the Designated Officer, including:
- a. The centre line of streets, lanes, or other public thoroughfares;

- b. Existing site boundaries;
  - c. Municipal limits;
  - d. The centre of pipelines, railway lines, or utility easements; and
  - e. A topographic contour and/or top-of-bank line.
- 3.3.2 No Zoning District shall apply to any public roadway and, should a public roadway be closed, it will then carry the same zoning as the abutting lands. Where different Zoning Districts regulate the abutting lands, the roadway centreline shall become the Zoning District boundary.
- 3.3.3 Where one lot has more than one Zoning District, the area illustrated for a particular Zoning District shall be treated as the development site and must comply with the bulk regulations for the Zoning District, using the zoning line as the measurement for lot size and setbacks.



# PART B: ZONING DISTRICTS

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## Section 4: Zoning Districts

### 4.1 Zoning Districts

- 4.1.1 This section contains basic information pertaining to Zoning Districts, including statements of purpose and district specific regulations.

### 4.2 Districts Established

- 4.2.1 For the purposes of applying this By-law, the municipality is divided into Zoning Districts found in **Table 4-1**. The descriptions contained in this section are intended to assist in selecting the appropriate Zoning District for different types of land use, and to assist in identifying the intended character of each district.
- 4.2.2 When there is a conflict between any statement in the district description and a substantive requirement in other sections of the By-law, the substantive requirements in other sections apply.

**Table 4-1: Summary List of Zoning Districts**

| Summary List of Zoning Districts               |                        |                         |                                                                                                                                                                                                                 |
|------------------------------------------------|------------------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>District Group</i>                          | <i>District Symbol</i> | <i>District Name</i>    | <i>Description</i>                                                                                                                                                                                              |
| Residential Zoning Districts                   | RG                     | Residential General     | To allow for a range of small-scale residential development, including detached and attached residential housing, in the LUD of Miami. All dwelling units are to be serviced by municipal water and wastewater. |
|                                                | RMH                    | Residential Mobile Home | To accommodate for the location and siting of mobile home parks. Uses within the RMH zone shall be serviced with water and wastewater.                                                                          |
|                                                | RR                     | Rural Residential       | To accommodate large-lot residential development that utilizes onsite water and wastewater services, in rural areas that respects agriculture as the primary rural activity.                                    |
| Commercial Sales and Services Zoning Districts | CC                     | Commercial Central      | To accommodate a variety of smaller-scale commercial uses intended to serve the LUD and overall municipality. This zone also allows for neighbourhood scale and pedestrian oriented mixed-use development.      |
|                                                | CH                     | Commercial Highway      | To accommodate commercial development requiring larger lot sizes and / or commercial uses requiring a location with good visibility from the highway.                                                           |

| Summary List of Zoning Districts   |                        |                           |                                                                                                                                                                                                                                                                                                     |
|------------------------------------|------------------------|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>District Group</i>              | <i>District Symbol</i> | <i>District Name</i>      | <i>Description</i>                                                                                                                                                                                                                                                                                  |
|                                    | <b>CA</b>              | Commercial Agricultural   | To accommodate agricultural related retail and commercial uses in a rural setting.                                                                                                                                                                                                                  |
| <b>Industrial Zoning Districts</b> | <b>MB</b>              | Industrial Business       | To accommodate light industrial and related businesses whose operations are carried out primarily in an enclosed building and with limited outdoor storage or operational characteristics.                                                                                                          |
|                                    | <b>MG</b>              | Industrial General        | To accommodate a range of processing and manufacturing industry within the municipality.                                                                                                                                                                                                            |
| <b>Civic Use Zoning Districts</b>  | <b>OS</b>              | Recreation and Open Space | To accommodate recreation and institutional uses while protecting and enhancing the natural features of the land. This may also include land that is subject to flooding, identified as an environmentally sensitive area, or is unsuitable for development due to physical hazards or limitations. |
| <b>Agricultural Districts</b>      | <b>AG</b>              | Agricultural General      | To accommodate general agricultural uses or other rural uses that are related to or compatible with agriculture.                                                                                                                                                                                    |
|                                    | <b>AR</b>              | Agricultural Restricted   | To accommodate agricultural activities and limit livestock operations in areas that are near urban settlements or other sensitive areas.                                                                                                                                                            |

### 4.3 District Specific Standards

- 4.3.1 The Designated Officer may apply the following Site Development requirements to residential developments within the Residential General (RG) and Residential Mobile Home (RMH) Zoning Districts:
- Any building or dwelling should be sited in a manner that allows for subdivision of the parent lot in the future as surrounding lands are developed and to allow for efficient and cost-effective connection to the community wastewater system as it becomes available.
- 4.3.2 The following Site Development regulations shall apply to development within the Industrial General (MG) Zoning District:

- a. Where a site abuts the lot line of a Residential General (RG), Residential Mobile Home (RMH) or Rural Residential (RR) lot, the abutting yard shall be a minimum of 15.24 m. (50.00 ft.); and
- b. Where the rear or side lot lines of a site abut a Residential General (RG), Residential Mobile Home (RMH) or Rural Residential (RR) lot, and are used for parking, loading, or an outdoor service or display area, they shall be screened as determined by the Designated Officer.

## Section 5: District Use and Bulk Standards

### 5.1 Use and Site Requirements

- 5.1.1 No land shall be used or occupied, and no structure shall be erected, altered, used or occupied hereinafter for any use in the Zoning District in which such land and structure is located other than a use listed in the **USE TABLE** with the exception of uses lawfully established prior to the effective date of this By-law, unless otherwise stated in this By-law.
- 5.1.2 No land shall be used or occupied, and no structure shall be erected, altered, used or occupied herein for any use in the Zoning District in which such land or structure is located other than in accordance with the Site Requirement as listed in the **BULK TABLE** with the exception of development lawfully established prior to the effective date of this By-law.

### 5.2 Use Table Symbols

- 5.2.1 In the **USE TABLE**:
- “P” in a cell indicates that the use identified at the far left of that row is permitted in the zoning district identified at the top of that column;
  - “C” in a cell indicates that, in the Zoning District identified at the top of that column, the use identified at the far left of the row is allowed only if reviewed and approved as a conditional use in accordance with the requirements and procedures of *The Act*;
  - A blank cell indicates the use identified in the far-left column of that row is not permitted within the Zoning District identified at the top of that column;
  - A Section number in a cell within the column “Use Specific Standards” identifies a provision within this By-law which imposes an additional standard with which the use must comply except as authorized by this By-law or by a Conditional Use Order or Variance Order; and
  - An asterisk (\*) following a “P” or “C” symbol indicates that a Use Specific Standard applies to the permitted or conditional use, as the case may allow within a specific Zoning District.

### 5.3 Use Table Organization

- 5.3.1 In the **USE TABLE**, land uses and activities are classified into general “use categories” and specific “use types” based on common functional or physical impact characteristics, such as the type and intensity of land use, the type of customers or residents, how goods or services are sold or delivered, and/or site-specific conditions. This classification provides a systematic basis for assigning present and future land uses into

appropriate Zoning Districts. This classification does not list every use or activity that may appropriately exist within the categories and specific uses may be listed in one category when they may reasonably be listed in one or more other categories. The use category titles are intended to operate as an indexing tool and do not form part of this By-law.

## 5.4 Use Table Categories

- 5.4.1 The following provides a description of the use categories found in the **USE TABLE**:

**Agricultural Uses** means a category of uses that includes land for agricultural purposes or agriculture-related purposes. The listed uses include agricultural activities, different types of farming uses, livestock operations, and various agri-businesses.

**Civic Uses** means a category of uses primarily associated with public recreational, community based or utility based land uses including parks, recreation facilities, and similar.

**Commercial Sales and Services Uses** means a category of uses primarily associated with the sale, lease, or rent of new or used goods or the sale and provision of services, including associated office uses.

**Industrial Uses** means a category of uses including activities and facilities engaged in providing industrial services including manufacturing and production, warehousing and goods movements, as well as waste, salvage and utility services.

**Residential Uses** means a category of uses dealing with different types of living accommodations and associated uses.

**Accessory Uses** means a category of uses, normally accessory to other uses within the By-law, that because of their intensity or site-specific characteristics, require additional consideration or provisions.

## 5.5 Interpretation of Uses and Regulations

- 5.5.1 Any person may apply to the Designated Officer or Council for an interpretation as to whether a proposed use falls within any of the use categories or use types described in this By-law and, if so, which one.
- 5.5.2 The authority to provide an interpretation does not include the authority to add a new permitted or conditional use.
- 5.5.3 A decision of the Designated Officer with respect to interpretation under **Subsection 5.5.1** is final.

# PART C: DEVELOPMENT STANDARDS

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## Section 6: General Development Standards

The following regulations shall apply to all Zoning Districts in this By-law.

### 6.1 Regulation of Uses

- 6.1.1 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; and/or
  - c. Is a temporary use.
- 6.1.2 In any Zoning District in this By-law, the principal use of the land must be established prior to any accessory buildings, structures, or uses being permitted.
- 6.1.3 Temporary Uses may be permitted on a site where a principal development already exists, at Council's discretion.
- 6.1.4 Council may, at its discretion, issue a Development Permit for additional principal developments, uses, or businesses in Agricultural, Civic, Commercial Sales and Services, or Industrial Zoning Districts.
- 6.1.5 Notwithstanding anything contained in this By-law, where any land, building, or structure is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with.

### 6.2 Accessory Uses

- 6.2.1 An accessory use, building, or structure must be naturally or normally incidental, subordinate, and exclusively devoted to the principal use or building, and located on the same lot or site.
- 6.2.2 No accessory building or structure shall be constructed on any site prior to the time of construction of the principal building to which it is accessory.
- 6.2.3 Accessory developments shall be subject to the requirements in the **USE TABLE**. Accessory developments not identified shall be subject to the regulations of the Zoning District in which the principal building is located and:
- a. shall be permitted when accessory to a permitted use; and
  - b. shall be conditional when accessory to a conditional use.



- 6.2.4 Where an accessory building or structure is attached to a principal building or structure, it shall be subject to, and shall conform to, all regulations applicable to the principal building or structure.
- 6.2.5 No accessory building or structure shall be used as a dwelling unit, except as provided for in this By-law.
- 6.2.6 In no instance shall an accessory building or structure be located within a dedicated easement or right-of-way.
- 6.2.7 No accessory building or structure in the RG, RMH, RR, or CC Zoning District shall be located closer to a public roadway than the front wall of the principal building.

### **6.3 Temporary Buildings and Uses**

- 6.3.1 A Development Permit for a temporary building, structure or use shall be subject to such terms and conditions as required by Council or the Designated Officer.
- 6.3.2 Each Development Permit issued for a temporary building, structure or use shall be valid for a period of up to one year and may be renewed for up to an additional year at the same location.
- 6.3.3 In all cases, temporary buildings and structures shall not exceed 92.90 m<sup>2</sup> (1,000.00 ft<sup>2</sup>) in area and one storey or 4.57 m. (15.00 ft.) in height, and:
  - a. May be used as an office space for the contractor or developer;
  - b. May be used as a temporary placement of concrete and asphalt batch plants that are incidental to and necessary for highway construction and maintenance;
  - c. Shall not be used for human habitation, except as temporary accommodation for a caretaker, watchman or construction workers; and
  - d. Shall not be detrimental to the public health, safety, convenience and general welfare, nor detract from the aesthetic value of the neighbourhood.
- 6.3.4 Notwithstanding the regulations of this section of this By-law, a temporary Development Permit may be issued for a carnival provided its maximum permitted duration on a site, which includes the installation and removal of all equipment and structures thereon, is five days.

### **6.4 Noxious or Offensive Uses**

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

where otherwise provided for in this By-law.

## **6.5 Moving of Structures**

- 6.5.1 No building or structure shall be moved or relocated, in whole or in part, to any other location unless every portion of the building or structure conforms to all applicable regulations of the zone in which it is to be moved. All appropriate permits from both originating and destination municipalities must be obtained.
- 6.5.2 Before moving a building or structure which is over 10.00 m<sup>2</sup> (107.00 ft<sup>2</sup>) in size to a new location within the Municipality, the owner shall obtain a relocation permit, that must be approved by the Municipality prior to issuance.
- 6.5.3 Before moving a building or structure to a new location, the owner may be required to enter into an agreement with the Municipality detailing an undertaking of the owner to pay all damages arising out of the move and such other terms and conditions as a Designated Officer deems necessary.
- 6.5.4 Following the removal of a building or structure from a site, any excavation shall be filled, the ground shall be leveled, and the site shall be put in a safe condition to the satisfaction of the Designated Officer within one (1) year of the date of removal.
- 6.5.5 Notwithstanding other requirements of this section, new manufactured homes that have received certifications through the manufacturer are not required to obtain a relocation permit from the municipality for their initial siting. Any subsequent moves shall require a relocation permit.

## **6.6 Subdivision of Attached Dwellings**

- 6.6.1 A site containing more than one attached dwelling unit may be subdivided to provide individual sites to one or more of the attached dwelling units, provided that:
- a. Any new site line shall be a straight line between the front and rear site lines, located in such a way that the party wall of the two adjacent units shall form part of the new site line. Where a site line is unable to be straight due to the irregular shape of the site, the location of the new site line shall be determined by the conditions of any subdivision approval and verified by the Development Officer;
  - b. Each site created shall have frontage on a public right-of-way, except in the case of a bare land condominium development outlined in *The Condominium Act* where the common site elements containing roads shall be deemed to be a right-of-way for the purposes of this provision;
  - c. Each created site may only accommodate 1 dwelling unit;

- d. Each site created must provide at least 1 parking space with access to a public right-of-way;
- e. No side yard is required along the newly created site line; and
- f. Notwithstanding the minimum bulk requirements found in the **Bulk Table**, any parcel created pursuant to this Section shall have a minimum site area of 185.81 m<sup>2</sup> (2,000.00 ft<sup>2</sup>) and a minimum site width of 7.62 m. (25.00 ft.) in the RG Zone.

## **6.7 Frontage, Access, and Approaches**

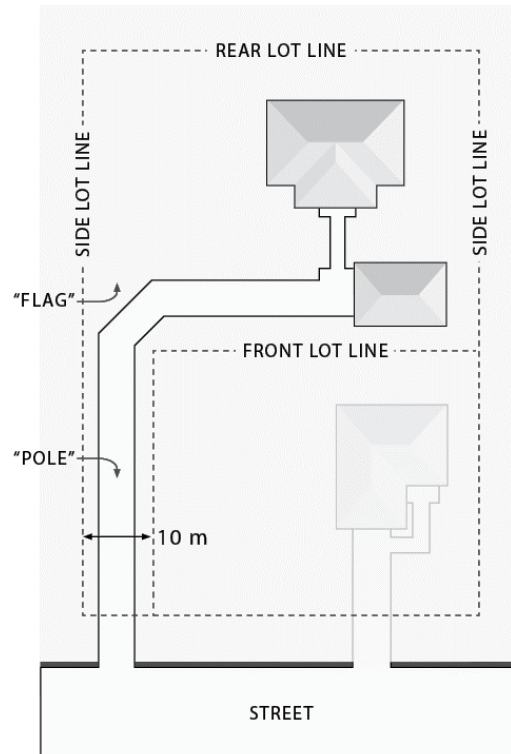
- 6.7.1 A Development Permit shall not be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts, or has frontage on a graded all-weather registered road, or unless satisfactory arrangements have been made with the Council for legal access and/or the improvement or building of a road.
- 6.7.2 For the purposes of this section "developed road" shall mean an existing graded all-weather road on a registered right-of-way, or a road for which a signed servicing agreement has been made with Council to provide for the construction of the road on a registered right-of-way to a standard approved by Council.
- 6.7.3 A subdivision shall not be recommended for approval by Council unless the proposed sites and any un-subdivided remnant of the land being subdivided has frontage on a developed road, or otherwise legal access, including any road which is required to be registered and developed as a public road under a signed servicing agreement.
- 6.7.4 The requirement of a service road or internal subdivision roadway to provide access may be imposed as a condition of approval for any new development other than those deemed approved.
- 6.7.5 All site access from roads shall be to the satisfaction of Council with respect to location, design, and construction standards. Council shall consider the physical capability and safety of the roads that are proposed to serve the development.
- 6.7.6 The Designated Officer shall decide upon all approach applications and based on location, drainage, traffic flow, sight lines, road standards, and safety considerations, may approve or refuse an application for an approach.
- 6.7.7 Adjacent parcels in agricultural and rural residential districts should share approaches to public roads where possible, as otherwise determined by the Development Officer.
- 6.7.8 For residential zoning districts, the location of vehicular approach ramps or driveways at the street line should be no closer than 7.50 m. (24.60 ft.) from

the point of intersection of two property lines at a street intersection. For residential uses in all other zones, the location of vehicular approach ramps or driveways shall be approved by the Municipality.

- 6.7.9 Access must be constructed in conformance with the most current municipal standards and must be located separate and away from utility valve locations.
- 6.7.10 All driveways for corner lots must be accessed via an internal road, where available, unless otherwise determined by the Designated Officer.
- 6.7.11 All access points off a public road must have a minimum width of 10.00 m. (33.00 ft.) of frontage, unless the Designated Officer approved an otherwise legal access.
- 6.7.12 Permits are required from Manitoba Transportation and Infrastructure for any new, modified, or relocated access to a Provincial Trunk Highway or Provincial Road.

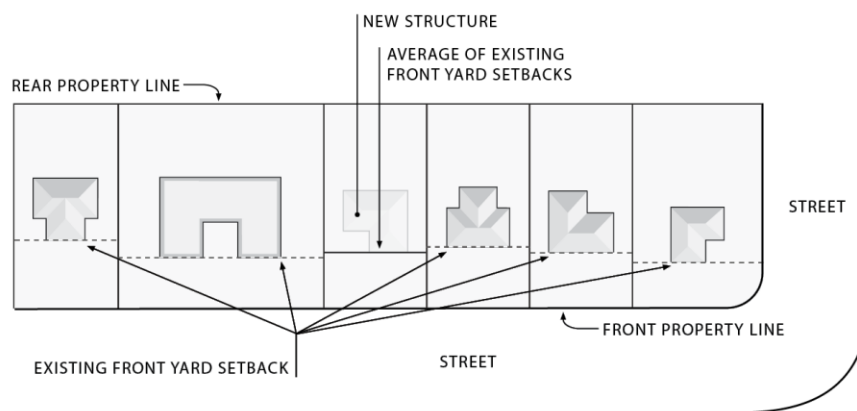
## **6.8 Flag Lots**

- 6.8.1 Flag lots may be created in limited circumstances when other development options are not achievable and provided additional driveways and extended access are minimized. The following provisions apply to flag lots:
  - a. Flag lots are not permitted in Rosebank.
  - b. Flag lots must comply with the standards of the Zoning District except as specified below:
    - (i) A 10.00 m. (33.00 ft.) width is required for the entire length of the pole;
    - (ii) The pole portion must be part of the flag lot, connect to an improved right-of-way (municipal road), and be under the same ownership as the flag portion of the lot; and
    - (iii) Only the flag portion of the lot is included when calculating minimum lot area and lot coverage.
  - c. Where practical, shared access via easements to allow for use of the pole by another lot, may be used at the discretion of the municipality.
  - d. For the purposes of calculating site area, only the flag portion of the lot shall be used; and
  - e. For the purposes of calculating side width, the midpoint of opposite lot lines of the flag portion of the lot shall be used.

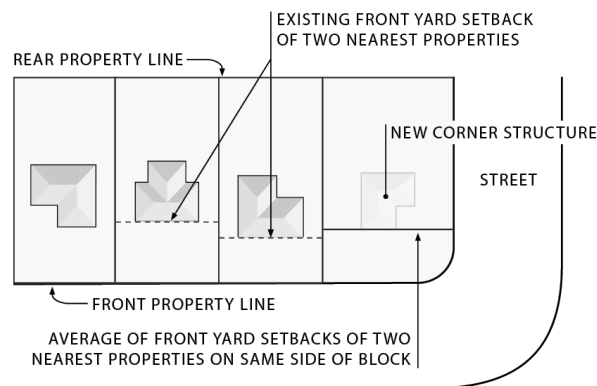


## 6.9 Front Yard Alignment

- 6.9.1 In a street block or portion thereof where at least 80 percent of lots are developed with principal residential structures, any proposed new single-, two-, or multi-unit dwelling or addition must establish a front yard consistent with the average of the existing front yards within that block. This applies when the front yard required by this By-law's Bulk Table is inconsistent with the majority of existing front yards on the street block. In the case of a corner lot, either the average of the setback for the two nearest properties on the same block or for all the properties facing the same street on the same block may be used for calculating the allowed setback.



$$\text{AVERAGE OF EXISTING FRONT YARD SETBACKS} = \frac{\text{SUM OF EXISTING FRONT YARD SETBACKS ON BLOCK}}{\text{NUMBER OF DEVELOPED PROPERTIES}}$$



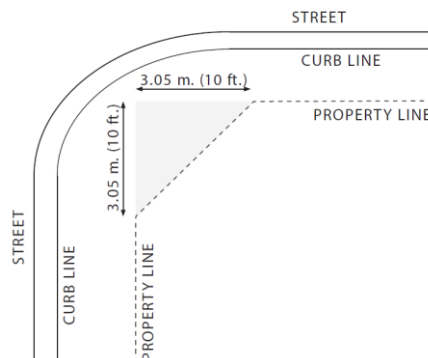
$$\text{AVERAGE OF FRONT YARD SETBACKS OF TWO NEAREST PROPERTIES ON SAME SIDE OF BLOCK} = \frac{\text{SUM OF EXISTING FRONT YARD SETBACK OF TWO NEAREST PROPERTIES}}{\text{NUMBER OF DEVELOPED PROPERTIES}}$$

## 6.10 Protection of Right-of-Way Sight Lines

- 6.10.1 Notwithstanding any other provision of this By-law, buildings, structures, stone, earth, or gravel piles, trees or shrubs, portable structures, machinery, fences, or other objects on private property adjacent to certain roadways shall not be placed in a location that would cause undue accumulations of

snow and/or obstruct the vision of drivers within reasonable sight lines, as determined by the Designated Officer.

- 6.10.2 No building, structure, parking area, shelterbelt, hedge or stockpiling of materials exceeding a height of 0.91 m. (3.00 ft.) above grade shall be located within a triangular area of any lot adjacent to an intersection of two public streets, with the sides of the triangular area being measures 3.05 m. (10.00 ft.) along each lot line from the point of intersection.



## 6.11 Protection of Railway Right-of-Way Sight Lines

- 6.11.1 A person may not erect, on land adjoining the land on which a line of railway is situated, a building or other structure, not being a railway work, that will obstruct rail right-of-way sightlines, as defined by the Transport Canada Rail Safety regulation.
- 6.11.2 A person must not place, on land adjoining the land on which a line of railway is situated, anything that will obstruct rail right-of-way sightlines.
- 6.11.3 A person who grows trees and brush, or allows them to grow, on land in the vicinity of a grade crossing must remove them if they obstruct rail right-of-way sightlines; and
- 6.11.4 A railway company must not leave any railway equipment unattended that obstructs rail right-of-way sightlines.

## 6.12 Fences and Screening

- 6.12.1 Fences, hedges, trees, shrubs, and similar landscape features in all yards may be permitted, provided that:
- Electric or barbed wire fences are only allowed for agricultural or industrial uses; and
  - All other standards of this section are complied with.
- 6.12.2 The height of a fence, hedge, or similar privacy screen or landscape feature must comply with the standards set forth in **Table 6-1** below, unless otherwise provided for **Subsection 7.7**.

**Table 6-1: Maximum Heights for Fencing and Screening**

| <b>Maximum Heights for Fences and Screening</b> |                         |                    |                               |                   |
|-------------------------------------------------|-------------------------|--------------------|-------------------------------|-------------------|
| <b>Yard</b>                                     | <b>Zoning Districts</b> |                    |                               |                   |
|                                                 | <b>AG, AR</b>           | <b>RG, RMH, RR</b> | <b>CC, CH, CA,<br/>MB, MG</b> | <b>OS</b>         |
| Front                                           | 1.828 m. (6 ft.)        | 1.219 m. (4 ft.)   | 1.219 m. (4 ft.)              | 3.048 m. (10 ft.) |
| Side and Rear                                   | 3.048 m. (10 ft.)       | 1.828 m. (6 ft.)   | 3.048 m. (10 ft.)             | 3.048 m. (10 ft.) |

- 6.12.3 Screening fences shall be consistent and complement the quality of building design and materials of the primary building.
- 6.12.4 Commercial and Industrial uses abutting a residential use shall screen permitted storage of materials, inventory, and products from the view of the residential use by:
- An opaque fence or masonry wall at least 1.83 m. (6.00 ft.) in height; or
  - A chain link fence bordered by coniferous trees and shrubs with an expected height at least equal to the height of the fence.
- 6.12.5 No person shall erect or maintain a fence or screening using non-permanent materials such as chicken wire or snow fencing or use materials made of debris, junk, or waste materials, or use dangerous materials.

### **6.13 Accessory Outdoor Storage Regulations**

- 6.13.1 Accessory outdoor storage areas must be screened from the public view using fencing, walls, buildings, topography, shrubs, trees / shelterbelts according to the standards for **Subsection 6.12**. The use of natural features for screening is encouraged.
- 6.13.2 Additional landscaping may be required on any sides adjacent to a residential district, public road, or visible from a public road to the satisfaction of the municipality.

### **6.14 Signs**

Signs are regulated in this By-law to achieve compatibility among adjacent land uses within the public realm. These include various sign types and sign forms that may be found within the Municipality.

- 6.14.1 The following regulations shall apply to all signs in all zoning districts, except wherein otherwise provided for in this By-law:



- a. All signs are subject to the issuance of a Development Permit, unless otherwise stated in this section;
- b. No lot shall contain more than one freestanding sign, unless it is a corner lot or through lot, in which case two freestanding signs may be permitted, at the discretion of the Designated Officer;
- c. No sign shall be erected, operated, used or maintained which:
  - (i) Creates a nuisance, obstructs visibility, or in any manner may interfere with public safety;
  - (ii) Due to its position, shape, colour, format, or illumination, obstructs the view of or may be confused with an official traffic sign, signal, or device as determined by the designated officer;
  - (iii) Displays flashing lights resembling those used by police, fire, ambulance, or other emergency vehicles;
  - (iv) Includes a swinging or swaying motion; or
  - (v) Is located within a public right-of-way, without the consent of the Designated Officer and subject to terms and conditions specified in an agreement with the municipality.

6.14.2 The following signs are not subject to this By-law:

- a. Signs installed by the municipality for traffic control, parking, street/road names and direction or those signs required to be constructed or maintained by law or government order;
- b. Temporary signs including garage sale signs, auction signs, or election signs;
- c. Window signs, unless such signs occupy more than 30 percent of the window surface on any façade of the principal building, in which case they are treated as fascia signs; and
- d. Memorial signs or tablets of non-combustible material when built into or attached to the walls of a building or other structure.

6.14.3 An owner may erect or maintain the following signs in any Zoning District without obtaining a Development Permit:

- a. Signs less than 0.60 m<sup>2</sup> (6.50 ft.<sup>2</sup>) in area that advertise the sale, lease or rent of property, premises or buildings on that site;
- b. One building identification sign not exceeding 0.14 m<sup>2</sup> (1.50 ft<sup>2</sup>) in area for single-unit dwellings, two-unit dwellings and manufactured homes;
- c. One building identification sign not exceeding 4.64 m<sup>2</sup> (50.00 ft<sup>2</sup>) in area for institutional uses;
- d. Signs posted by a duly constituted governmental body in performance of their duties;

- e. 'No Trespassing' or 'Private Property' signs;
- f. Real estate signs no larger than 1.49 m<sup>2</sup> (16.00 ft<sup>2</sup>) and no higher than 6.10 m. (20.00 ft.) in total height; and
- g. Any sign that cannot be seen from off the premises.

6.14.4 The following signs shall be prohibited in all Zoning Districts:

- a. Signs with animations or moving parts;
- b. Signs located on the roof of buildings or structures; and
- c. Signs painted on fences or roofs.

6.14.5 The following regulations shall apply to abandoned and unlawful signs:

- a. Where a Designated Officer finds a sign to be abandoned, the Designated Officer may, after resolution of Council, by notice in writing or by registered mail, order the registered owner, the person in possession of the site or building or the person responsible for the abandoned sign to remove the sign within twenty days after receipt of the notice, or take such measures as are specified in the notice to alter and refurbish the sign so that it correctly identifies the business, or the products and services offered on the site where the sign is displayed;
- b. Where a sign contravenes the regulations of this By-Law, Council may, by notice in writing, order the owner or the person responsible for the contravening sign to take such measures as are specified in the notice to alter the sign so that it complies with the regulations of this By-Law, or remove the sign; and
- c. Failure to remove the abandoned or unlawful signs, or to comply with the measures specified in the notice by Council, shall result in the removal of the sign by the Municipality with the owner or the person responsible for the contravening sign assuming liability for all removal costs.

6.14.6 The following sign types and forms are recognized in this By-law:

**Table 6-2: Sign Types and Permitted Forms**

| <b>Sign Types and Permitted Forms</b> |                  |                                                           |
|---------------------------------------|------------------|-----------------------------------------------------------|
| <b>Sign Type</b>                      | <b>Sign Form</b> | <b>Example</b>                                            |
| <b>Advertising</b>                    | Free-Standing    | <i>Billboards</i>                                         |
|                                       | Temporary        | <i>Mobile, Vehicular, Trailer</i>                         |
| <b>Identification</b>                 | Attached         | <i>Fascia, Awning, Band, Marquee, Projecting</i>          |
|                                       | Free-Standing    | <i>Pedestal, Pole</i>                                     |
| <b>Directional</b>                    | Attached         | <i>Fascia, Projecting</i>                                 |
|                                       | Free-Standing    | <i>Pedestal, Pole</i>                                     |
| <b>Event</b>                          | Temporary        | <i>Inflatable, Banners, Flags, Staked, Sandwich Board</i> |

All signs must comply with the standards shown in **Table 6-3** and the associated yard setbacks where applicable.

Table 6-3: Zone Specific Sign Standards

| Zone Specific Sign Standards                               |                                   |                          |                                                                                                                                                                                                                                              |                         |                         |
|------------------------------------------------------------|-----------------------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-------------------------|
| Zone                                                       | Sign Types Permitted              | Sign Forms Permitted     | Max.                                                                                                                                                                                                                                         |                         | Min.                    |
|                                                            |                                   |                          | Surface Area                                                                                                                                                                                                                                 | Height (from grade)     | Setback (from lot line) |
| <b>RG<br/>RMH<br/>RR</b>                                   | Identification – Building         | Attached or Freestanding | 0.37 m <sup>2</sup><br>(4.00 ft <sup>2</sup> )                                                                                                                                                                                               | Below top floor ceiling | 1.52 m.<br>(5.00 ft.)   |
|                                                            | Identification – Use              | Attached                 | 1.49 m <sup>2</sup><br>(16.00 ft <sup>2</sup> )                                                                                                                                                                                              | Below top floor ceiling | -                       |
|                                                            |                                   | Free Standing            |                                                                                                                                                                                                                                              | 6.10 m.<br>(20.00 ft.)  | 1.52 m.<br>(5.00 ft.)   |
|                                                            | Directional ①                     | Attached or Freestanding | 1.12 m <sup>2</sup><br>(12.00 ft <sup>2</sup> )                                                                                                                                                                                              | 1.83 m.<br>(6.00 ft.)   | 1.52 m.<br>(5.00 ft.)   |
| <b>CA<br/>CC<br/>CH<br/>MB<br/>MG<br/>AG<br/>AR<br/>OS</b> | Advertising                       | Free-standing            | 18.58 m <sup>2</sup><br>(200.00 ft <sup>2</sup> )                                                                                                                                                                                            | 7.62 m.<br>(25.00 ft.)  | 3.05 m.<br>(10.00 ft.)  |
|                                                            |                                   | Temporary                | 4.64 m <sup>2</sup><br>(50.00 ft <sup>2</sup> )                                                                                                                                                                                              | 3.05 m.<br>(10.00 ft.)  | -                       |
|                                                            | Identification – Building and Use | Attached                 | 25% of the front wall of the building façade to a max. 18.58 m <sup>2</sup> (200.00 ft <sup>2</sup> ) for single occupancy; Combined max 55.74 m <sup>2</sup> (600.00 ft <sup>2</sup> ) for multiple occupancy                               | 10.67 m.<br>(35.00 ft.) | -                       |
|                                                            |                                   | Free Standing            | 18.58 m <sup>2</sup> (200.00 ft <sup>2</sup> ) for single occupancy; 27.871 m <sup>2</sup> (300.00 ft <sup>2</sup> ) for double occupancy; and 37.16 m <sup>2</sup> (400.00 ft <sup>2</sup> ) for multiple occupancy of 3 or more occupants. |                         | 3.05 m.<br>(10.00 ft.)  |
|                                                            | Directional ①                     | Attached or Freestanding | 1.12 m <sup>2</sup><br>(12.00 ft <sup>2</sup> )                                                                                                                                                                                              | -                       | 1.52 m.<br>(5.00 ft.)   |

| Zone Specific Sign Standards                                                                         |                      |                          |                                                 |                     |                         |
|------------------------------------------------------------------------------------------------------|----------------------|--------------------------|-------------------------------------------------|---------------------|-------------------------|
| Zone                                                                                                 | Sign Types Permitted | Sign Forms Permitted     | Max.                                            |                     | Min.                    |
|                                                                                                      |                      |                          | Surface Area                                    | Height (from grade) | Setback (from lot line) |
|                                                                                                      | Event                | Attached or Freestanding | 5.95 m <sup>2</sup><br>(64.00 ft <sup>2</sup> ) | -                   | -                       |
| Notes: ① Only 1 sign per entrance or exit shall be permitted, or 2 signs per combined entrance/exit. |                      |                          |                                                 |                     |                         |

6.14.7 The following regulations shall apply to all free-standing advertising signs (billboards):

- a. No free-standing advertising sign may be located within 91.44 m. (300.00 ft). of another free-standing advertising sign; and
- b. No free-standing advertising sign shall be located within a 152.40 m. (500.00 ft.) radius of the centre of an intersection of two public roads, or the intersection of a public road and a rail right-of-way;

6.14.8 The following regulations shall apply to all temporary mobile signs:

- a. There shall be no more than one mobile sign per lot, except for lots with multiple occupancy where two signs shall be permitted. Where there is more than one mobile sign, the signs shall be a minimum of 19.81 m. (65.00 ft.) apart.
- b. Flashing or scintillating mobile signs are prohibited; and
- c. No mobile sign shall be placed in such a way that it may interfere with, obstruct the view of, or be confused with an authorized traffic signal, warning sign or other regulatory or informational device, and in no circumstances shall it be located within 3.05 m. (10.00 ft.) from the nearest part of any exit or entrance driveway.

## 6.15 Site Grading and Levelling

6.15.1 Every development shall be graded and levelled at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent property, or the stability of the land in accordance with, and to the satisfaction of, applicable municipal policies and by-laws and provincial licensing standards.

6.15.2 All developments must provide for the appropriate on-site infrastructure to manage stormwater to the satisfaction of the municipality.

6.15.3 All excavations or filling shall be re-vegetated immediately after other

construction activities conclude, with a suitable ground cover as may be necessary to prevent erosion.

- 6.15.4 All vegetation and debris in an area to be re-graded or filled must be removed from the site prior to site grading and levelling.
- 6.15.5 All topsoil from an area that is to be re-graded must be stripped, stockpiled, and replaced on the re-graded area, or re-located to a site approved by the Municipality.
- 6.15.6 Where excavation or filling is proposed for any development in a flood hazard sub-district, the Municipality may request comments of Manitoba Infrastructure prior to marking a decision on the Development Permit application.

## **6.16 Landscaping and Buffering**

- 6.16.1 The Designated Officer may require that site landscaping be provided in conjunction with, and addressed as part of, any Development Permit approval in any Zoning District.
- 6.16.2 Council may establish specific landscaping requirements to include berms, natural vegetation, planted vegetation, landscaping, trees, shrubs, fences, private signs, parking areas, and similar amenities.
- 6.16.3 Landscape buffers are intended to improve land use compatibility and environmental quality by reducing noise, lighting glare and other nuisances, or facilitate natural drainage. Landscape buffers, where required to separate uses from adjacent properties may require a minimum 1.00 m. (3.00 ft.) wide vegetative landscape buffer, unless a fence is required for other reasons.
- 6.16.4 Rural Residential dwellings may be required to establish a shelterbelt, or vegetative landscape buffer around the residential use to reduce land use conflicts and to recognize the need for a windbreak.
- 6.16.5 All trees, shrubs and other vegetative plantings required pursuant to this section should be drought resistant and hardy to the region, using native species where possible.

## **6.17 Parking Regulations**

- 6.17.1 For the purposes of this By-law and the regulations found within this Section, all required parking areas are to be located on-site.
- 6.17.2 The following regulations apply to all on-site parking areas:
  - a. All accessory on-site parking spaces shall be located on the same lot as the use served, unless permitted by variation order to locate elsewhere;

- b. Accessory parking areas shall have clearly marked approaches or driveways and be defined by a fence, curb or other suitable boundary designed to provide a neat appearance;
  - c. Lighting provided for parking areas shall be shielded and directed away from adjoining residential areas and generally confined to the site;
  - d. The surface of an accessory on-site parking area, and the access driveways thereto shall be surfaced and designed in such a manner that there will be no free flow of water onto either adjacent properties or a public sidewalk;
  - e. The area shall be drained and maintained with a stable surface which is treated to prevent the rising of dust or loose particles. The area may be constructed of crushed stone, slag, gravel, concrete, asphalt, or other material as approved by the Designated Officer;
  - f. Accessory on-site parking areas provided for a use shall be used exclusively for the parking of employees, occupants, patrons or visitors of such use, unless otherwise permitted herein, and shall not be used for motor vehicle repair work or similar such uses;
  - g. When any building, structure or use in existence on the effective date of this By-law is subsequently damaged or destroyed, and is reconstructed or re-established, the accessory on-site parking spaces maintained at the time of such damage or destruction shall be restored or continued in operation; and
  - h. Accessory on-site parking spaces in existence on the effective date of this By-law or amendments thereto shall not be further reduced below the parking requirements for a similar new building or use under the provisions of this section.
- 6.17.3 When any new development is proposed, including a change of use of existing development, or when any existing development is enlarged or increased in capacity or area, provisions shall be made for on-site parking spaces in accordance with **Table 6-4**:

Table 6-4: Minimum On-Site Parking Requirements

| Minimum On-Site Parking Requirements          |                                                                                                                                                                                             |
|-----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use                                           | Minimum On-Site Parking Requirements                                                                                                                                                        |
| <b>Residential Uses</b>                       |                                                                                                                                                                                             |
| Single-Unit Dwelling                          | 1.0 space per dwelling unit                                                                                                                                                                 |
| Two-Unit Dwelling                             | 1.0 space per dwelling unit                                                                                                                                                                 |
| Multi-Unit Dwelling                           | 1.0 space per dwelling unit                                                                                                                                                                 |
| <b>Commercial Sales and Service Uses</b>      |                                                                                                                                                                                             |
| Hotels and Motels                             | 1.0 space per guest room                                                                                                                                                                    |
| Commercial uses less than 2,000 square feet   | Exempt                                                                                                                                                                                      |
| Commercial uses larger than 2,000 square feet | 1.0 space per 60.00 m <sup>2</sup> (645.83 ft <sup>2</sup> ) of gross floor area above 2,000.00 ft <sup>2</sup> ;<br>Minimum of 2 spaces which may be accommodated through on-street spaces |
| <b>Industrial Uses</b>                        |                                                                                                                                                                                             |
| All industrial uses                           | 1.0 space per 185.8 m <sup>2</sup> (2,000.00 ft <sup>2</sup> ) of gross floor area or 1.0 space per 5 employees, whichever is lesser                                                        |
| <b>Civic Uses</b>                             |                                                                                                                                                                                             |
| Assisted Living Facility                      | 0.5 space per bed or sleeping unit                                                                                                                                                          |
| Child Care Facility                           | 1.0 space per 3 employees                                                                                                                                                                   |
| Community Centres and Halls                   | 1.0 space per 20.00 m <sup>2</sup> (215.30 ft <sup>2</sup> ) of assembly room floor area of the largest assembly room within the building.                                                  |
| Funeral Service                               | 1.0 space per 10 seating places                                                                                                                                                             |
| Government Service                            | 1.0 space per 100.00 m <sup>2</sup> (1,076.40 ft <sup>2</sup> )                                                                                                                             |
| Hospitals and Medical Services                | 1.0 space per 50.0 m <sup>2</sup> (538.20 ft <sup>2</sup> ) of gross floor area                                                                                                             |
| Places of Worship                             | 1.0 space per 20.0 m <sup>2</sup> (215.30 ft <sup>2</sup> ) of assembly room floor area of the largest assembly room within the building.                                                   |
| Recreational Uses                             | 1.0 space per 10 seating spaces;<br>Where there are no seats, 1.0 space per 20.00 m <sup>2</sup> (215.30 ft <sup>2</sup> ) of public area                                                   |
| Schools                                       | 1.0 space per classroom, plus 1.0 space for every 20.00 m <sup>2</sup> (215.30 ft <sup>2</sup> ) of public area                                                                             |
| All other civic uses                          | Exempt                                                                                                                                                                                      |



| Minimum On-Site Parking Requirements             |                                                                                                                                                                                                  |
|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use                                              | Minimum On-Site Parking Requirements                                                                                                                                                             |
| <b>Agricultural Uses</b>                         |                                                                                                                                                                                                  |
| Agribusiness or Farm Implement Sales and Service | 1.0 space per 371.60 m <sup>2</sup> (4,000.00 ft <sup>2</sup> ) or 1.0 space per 10 employees, whichever is lesser                                                                               |
| All other agricultural uses                      | Exempt                                                                                                                                                                                           |
| <b>Accessory Uses</b>                            |                                                                                                                                                                                                  |
| Secondary Suites                                 | 1.0 space per secondary suite                                                                                                                                                                    |
| <b>All uses</b>                                  |                                                                                                                                                                                                  |
| All                                              | 1.0 accessible space for every 25 spaces for the first 100 parking spaces; 1.0 accessible space for every 50 spaces for 101 to 200 spaces; 1.0 accessible space for every 100 spaces thereafter. |

6.17.4 The following regulations apply to the calculation of required parking spaces:

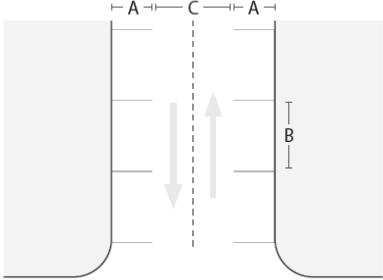
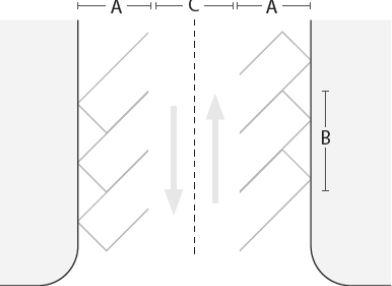
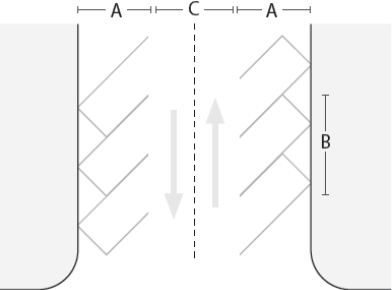
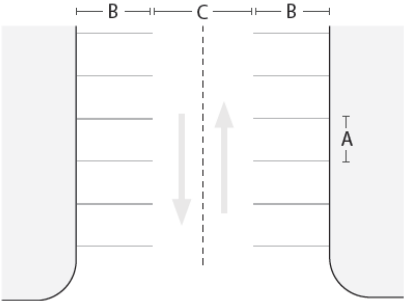
- a. If the calculation of the number of required parking spaces results in a number with a fraction, the number is rounded down to the nearest whole number, but there may not be fewer than one parking space.
- b. The interior floor area of that portion of a building used exclusively for heating, cooling, ventilation, electrical, fire emergency stairwells, elevator shafts, atriums, utility areas, storage areas in the basement, parking space, loading space, or a drive aisle used to access a parking space or loading space, is not included in the gross floor area for the purpose of calculating parking space requirements.

6.17.5 The following regulations apply to the required dimensions for parking spaces:

- a. Parking space dimensions may vary depending on the angle measured perpendicular to the axis of the access aisle of the space provided. The dimensions of parking spaces shall be in accordance with the standards of **Table 6-5** below;
- b. All entrances and egress driveways shall be a minimum of 7.50 m. (24.61 ft.) and no closer than 7.50 m. (24.61 ft.) from the point of two property lines at a street intersection;
- c. Where an aisle serves two different types of angled parking, which are located across from each other, the smallest required access aisle shall be provided;

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

Table 6-5: Parking Space Standards

| Parking Space Standards |                                                                                     |                          |                        |                         |
|-------------------------|-------------------------------------------------------------------------------------|--------------------------|------------------------|-------------------------|
| Angle of Parking        | Configuration                                                                       | Minimum Stall Dimensions |                        | Minimum Aisle Width (C) |
|                         |                                                                                     | Stall Width (A)          | Stall Depth (B)        |                         |
| 0 degrees<br>(Parallel) |    | 2.50 m.<br>(8.20 ft.)    | 5.50 m.<br>(18.04 ft.) | 3.60 m.<br>(11.81 ft.)  |
| 45 degrees<br>(Angled)  |   | 2.50 m.<br>(8.20 ft.)    | 5.00 m.<br>(16.40 ft.) | 3.60 m.<br>(11.81 ft.)  |
| 60 degrees<br>(Angled)  |  | 2.50 m.<br>(8.20 ft.)    | 5.00 m.<br>(16.40 ft.) | 5.00 m.<br>(16.40 ft.)  |
| 90 degrees<br>(Head-In) |  | 2.50 m.<br>(8.20 ft.)    | 5.50 m.<br>(18.04 ft.) | 5.50 m.<br>(18.04 ft.)  |

- 6.17.6 Where in this By-law parking facilities are required for single detached and bare land condominium dwelling units, the parking area shall:
- be provided on the same site;
  - have a minimum required area for each parking space of 15.00 m<sup>2</sup> (161.46 ft<sup>2</sup>), a minimum width of 2.50 m. (8.20 ft.), and a minimum length of 5.50 m. (18.04 ft.); and
  - be constructed so that the location of vehicular approach ramps or driveways at the street line are no closer than 7.50 m. (24.61 ft.) from the point of intersection of two property lines at a street intersection.

## **6.18 Projections into Required Yards**

- 6.18.1 The following features may project into a required yard as provided for below:
- Uncovered walks, wheelchair ramps, trellises, flagpoles, lighting fixtures and lamp posts.
  - Verandas, porches, decks, eaves, shade projections, unenclosed steps, cantilevers, chimney or parts of a chimney, belt courses, sills, together with any other architectural features which, in the opinion of the Designated Officer, are of a similar character, excluding rain gutters provided such projections do not exceed 0.91 m. (3.00 ft.).
  - Bay, oriel, or similar windows, provided that such projections do not exceed 0.61 m. (2.00 ft.).
  - Balconies, provided with such projections do not exceed 0.61 m. (2.00 ft.).
  - Any loading space required under the regulations of this By-law, provided it shall not be in a required front yard.
  - A parking area when comprising parking spaces required under this By-law, provided that no parking area in any Zoning District shall be located within the required front yard. This shall not prohibit the use of a required front yard for such walkways and driveways as the Designated Officer considers necessary.
  - Fences, hedges, walls, and screening.

## **6.19 Water Supply**

- 6.19.1 A potable water supply shall be available to developments where water is required, and the development proponent is responsible to gain confirmation and approval for adequate water service and infrastructure.
- 6.19.2 Council may require an applicant to provide written proof from a qualified professional, that a potable water supply of sufficient quality and quantity is available to service the proposed development or subdivision.

- 6.19.3 If **Subsection 6.19.1** above is not complied with, or if the proposed development or subdivision may jeopardise ground or surface water supplies, Council may refuse a development or recommend refusal of a proposed subdivision.

## **6.20 Waste Disposal**

- 6.20.1 The development proponent is responsible to gain confirmation and approval for adequate wastewater service and infrastructure and solid waste disposal to the satisfaction of approving authorities.
- 6.20.2 Notwithstanding any minimum site size referenced in this By-law, the minimum site size for sites with private onsite wastewater services will be limited by the minimum site size required by the Onsite Wastewater Management Systems Regulation.

## **6.21 Development on Environmentally Sensitive Lands**

- 6.21.1 No buildings or structures shall be built in an area that has been identified either by Council or other agencies as being subject to flooding, unless the development proponent demonstrates to the satisfaction of Council that measures will be taken to protect the development from flood damage.
- 6.21.2 Where development is proposed in an area that, in the opinion of the Designated Officer, may be subject to ponding due to snowmelt or heavy rainfall events, the development proponent may be required to provide additional measures, including the provision of sufficient fill around the building, to provide an additional measure of protection from flood damage. The filling and draining of regulated wetlands (Class 3, 4 and 5) constitutes the construction of water control works. Class 6 and 7 and Unimproved organic soil (agricultural capacity) cannot be drained.
- 6.21.3 No building or structure shall be built in an area that is subject to erosion, bank instability, landslide, and subsidence, is marshy or unstable, or is otherwise hazardous or unsuitable by virtue of its soil or topography, unless it is demonstrated to the satisfaction of Council that proper measures will be taken to deal with the unsuitability or hazard.

## Section 7: Use-Specific Development Standards

The following regulations apply to specific land uses due to their unique characteristics and impact on land and/or infrastructure.

### 7.1 Anhydrous Ammonia Facilities

- 7.1.1 Any Anhydrous Ammonia Facility shall be located at least:
- 1.61 kilometres (1.00 mile) from the RG, RMH, RR, CC, CH, and OS zones;
  - 792.48 m. (2,600.00 ft.) from any residential or institutional development located outside the RG, RMH, RR, CC, CH, and OS zones; and
  - 100.00 m. (328.10 ft.) from the right-of-way of a Provincial Trunk Highway, Provincial Road or Provincial Access Road.

### 7.2 Animal Shelter, Pounds, Kennels, Veterinary Facilities

- 7.2.1 The following additional considerations shall be made for an Animal Shelter, Pounds, Kennels, and Veterinary Facilities:
- No building or exterior exercise area(s), shall be used to accommodate the animals, or allowed within 300.00 m. (1000.00 ft.) of any dwelling;
  - All facilities, including buildings and exterior exercise areas, shall be sited behind the principal building unless otherwise approved by Council;
  - All facilities shall be visually screened from existing dwellings;
  - A use shall at no time unduly interfere with the character of the area or the general enjoyment of adjoining sites; and
  - Failure to comply with any of the above regulations or the conditions of a Development Permit may result in the revoking of the permit by the Municipality.

### 7.3 Commercial Composting

- 7.3.1 Composting for commercial purposes in the AG or AR zones must adhere to the following development standards:
- The processing of composting material, including material undergoing initial decomposition and material undergoing secondary curing before being applied to land, must not occur within 30.00 m. (98.40 ft.) of any parcel boundary, nor within 100.00 m. (328.08 ft.) of any surface water, potable water well or domestic water supply intake, nor within 15.00 m. (49.20 ft.) of any natural watercourse or constructed ditch; and
  - Initial decomposition of compostable waste for operations within 457.20 m. (1,500.00 ft.) of a residential zone must be contained in a vessel or on a site from which potential odours can be mitigated.

- 7.3.2 Composting for commercial purposes in the MG zone must adhere to the following development standards:
- a. Composting materials undergoing initial decomposition must be contained in a closed reactor or vessel in which conditions such as moisture, temperature, and oxygen levels can be closely monitored and controlled, and from which odours detectable by humans cannot escape; and
  - b. Equipment for the shredding or grinding of materials must be located within a structure having solid walls and a roof so that any noise generated by the equipment is attenuated.
- 7.3.3 Composting materials undergoing secondary curing or being stored prior to initial decomposition must be stored on an impermeable surface and any leachate must be collected, such that any contaminants leaching from the composted materials cannot enter the groundwater table.
- 7.3.4 Council may prescribe additional standards on a case-by-case basis related to screening, landscaping, and buffering as appropriate.

#### **7.4 Communication Towers**

- 7.4.1 The Federation of Canadian Municipalities (FCM)/Canadian Wireless Telecommunications Association (CWTA) Antenna System Siting Protocol (Protocol) must be addressed for any new cell towers or similar wireless technology infrastructure to be established in the municipality, including but not limited to:
- a. Notification of potential siting;
  - b. Site investigation meeting with municipality to discuss location and potential co-location;
  - c. Confirmation of municipal development and design preferences and requirements;
  - d. A proposal submitted with all requirements contained in the Protocol; and
  - e. Confirmation of any applicable municipal fees.
- 7.4.2 The following systems are generally excluded from requirements to consult with the municipality, but must still consider local surroundings, neighbouring residents, co-location opportunities, sensitive locations, and Transport Canada marking requirements:
- a. Systems less than 15.00 m. (49.20 ft.) above ground;
  - b. Maintenance of existing radio apparatus;

- c. Additions or modifications to an existing Antenna System, within limits described in the Protocol;
- d. Painting or lighting to comply with Transport Canada; and
- e. Installation for a Special Event or emergency, i.e. less than 3 months.

## **7.5 Farm-Based Commerce**

7.5.1 All farm-based commerce operations shall be subject to the following conditions:

- a. Farm-based commerce operations shall only be located on farmstead sites which are accessory to currently active agricultural operations;
- b. The farm-based commerce use shall be valid only during the period of time the property is occupied as an agricultural operation;
- c. On-site signs shall be permitted according to section **6.14 Signs**;
- d. Off-site directional signs not exceeding 0.50 m<sup>2</sup> (5.00 ft<sup>2</sup>) may be permitted at the discretion of Council where necessary to provide directions from a highway or main road to the operation;
- e. Farm-based commerce operations shall comply with all environmental and public health standards of the Province of Manitoba. If Council determines that a proposed use may conflict with these standards, the application shall be referred to the appropriate provincial department(s) prior to issuing a Development Permit.
- f. A Development Permit for a farm-based commerce operation will include provisions satisfactory to the municipality for the following:
  - (i) Adequate on-site parking and location for vehicles and equipment and materials;
  - (ii) Garbage and debris to be kept out of public view;
  - (iii) Appropriate fencing/landscaping and/or other visual barriers; and
  - (iv) Hours of operation;
- g. Any increase in the operation as originally applied for or approved shall require a new approval;
- h. Council may also apply special standards in the issuance of a Development Permit limiting the size of operation including, but not limited to, the size and number of buildings used for the operation, the number of employees, or the requirement to mitigate negative impacts on neighbouring uses; and
- i. A Development Permit for a farm-based commerce operation may be revoked at any time if, in the opinion of Council, the conditions under which the permit was originally issued are no longer met.



## **7.6 Gas Stations and Automotive Service Stations**

- 7.6.1 Gas Stations and Automotive Service Stations shall be subject to the following requirements:
- a. Entering into a Development Agreement with Council to remove all gas tanks once the operation ceases to exist.
  - b. Gas pumps and islands shall be set back 6.00 m. (20.00 ft.) from any site line;
  - c. Underground storage tanks shall be in accordance with *The Fire Protection Act*;
  - d. Propane and natural gas pumps (retail or wholesale) shall be set back according to Provincial regulations;
  - e. Access/egress points shall not be continuous along a street and shall be at least 10.00 m. (32.00 ft.) apart;
  - f. Gas stations or service stations are restricted to locations with access to a paved road; and
  - g. Vehicles and parts storage shall not locate in any yard abutting a road and must be screened from view by a solid fence with the location, height and materials being first approved by the Designated Officer.

## **7.7 Heavy Industrial Uses**

- 7.7.1 Council may require additional information for the development of a Heavy Industrial site including, but not limited to, impacts to neighbouring land uses, levels of nuisance, access, circulation, and potential truck traffic.
- 7.7.2 Development and maintenance of heavy industrial or manufacturing operations as a principal or accessory use shall be subject to the following:
- a. Where the potential for pollution of the groundwater resources is identified, any appropriate mitigative measures acceptable to the Manitoba Environment and Climate Change shall be implemented; and
  - b. Industrial development that emits, produces, processes, handles, or stores hazardous materials or hazardous wastes shall be subject to appropriate mitigative measures acceptable to Manitoba Environment and Climate Change.
- 7.7.3 Containment ponds shall be constructed to minimize any seepage into underlying aquifers.
- 7.7.4 All new storage tanks and all storage tank replacements shall:
- a. Be situated above ground;
  - b. Have a secondary containment with dykes, impervious liners or equivalent leak detection; and/or

- c. Install a monthly statistical inventory reconciliation system.

## **7.8 Home-Based Commerce**

- 7.8.1 All Home-Based Commerce operations, including home-based occupations and industries, shall be subject to the following general regulations:
- a. Uses are limited to those uses which do not interfere with the rights of other residents to a peaceful enjoyment of their neighbourhood;
  - b. Uses must be accessory to a privately owned single unit dwelling;
  - c. The home-based commerce operation must be operated by a resident of the dwelling unit and shall only be valid during the period of time the dwelling is occupied by said resident;
  - d. A home-based commerce operation shall not significantly change the principal character or external appearance of the dwelling unit unless otherwise permitted through a Development Permit;
  - e. On-site signs shall be permitted according to section **6.14 Signs**;
  - f. Off-site directional signs not exceeding 0.50 m<sup>2</sup> (5.00 ft<sup>2</sup>) may be permitted at the discretion of Council where necessary;
  - g. Home-based commerce operations shall comply with all environmental and public health standards of the Province of Manitoba. If Council determines that a proposed use may conflict with these standards, the application shall be referred to the appropriate provincial department(s) prior to issuing a Development Permit;
  - h. A home-based commerce use shall not be permitted if in the opinion of the Municipality, such a use would be more appropriately located in another Zoning District having regard for, among other matters, the potential for traffic generation and potential interference with the residential character of the area;
  - i. A Development Permit for a home-based commerce use shall include provisions satisfactory to the municipality for the following:
    - (i) A description of the home-based commerce use;
    - (ii) Parking and location for vehicles, equipment, and materials;
    - (iii) Appropriate space for garbage and debris;
    - (iv) Appropriate fencing/landscaping and/or other screening;
    - (v) Hours of operation;
    - (vi) Traffic management; and
    - (vii) Mitigative measures to ensure negative impacts on neighbours are minimized.
  - j. Any increase in the operation over 10% of the area of what was originally applied for or approved shall require a new conditional use approval; and

- k. A Development Permit for a home-based commerce operation may be revoked at any time if, in the opinion of Council, the conditions under which the permit was originally issued are no longer met.

7.8.2 Home-Based Occupations shall be subject to the following additional provisions:

- a. All primary commerce activities must take place inside the existing private dwelling and/or accessory building or structure and there shall be no outside storage of goods or materials associated with the home-based occupation activity;
- b. The home-based occupation shall not create nuisance by way of dust, noise, vibration, smoke, odour, etc., nor shall it create or cause any fire hazard, electrical interference or traffic congestions in the neighbourhood or area;
- c. The maximum floor area for a home-based business shall be 55.74 m<sup>2</sup> (600.00 ft<sup>2</sup>);
- d. May include limited selling of goods and services related to the Home-Based Occupation;
- e. No more than two non-resident full time equivalent employees shall be permitted; and
- f. The home-based occupation operations shall not include social escort services, automotive service uses, and tow-truck operations.

7.8.3 Home-Based Industries shall be subject to the following additional provisions:

- a. No more than five non-resident full time equivalent employees shall be permitted;
- b. Limited and/or controlled character change to the existing buildings/yard may be permitted;
- c. Outside storage of goods and materials, equipment, loading, noise, traffic, hours of operation will generally exceed those of a home-based occupation, and are permitted within the parameters of the development permit;
- d. Outside storage of goods and materials are to be located to the rear of a line adjacent to and parallel with the front wall of the building;
- e. May include the selling of goods or services related to the Home-Based Industry;
- f. Should the operation utilize mechanical or electrical equipment, the application shall include mitigative measures to ensure negative impacts on neighbouring uses are minimized; and

- g. Within the RG and RMH Zone, Home-Based Industries shall only be considered on lots that existed as of the date of adoption of this Zoning By-law.

## **7.9 Keeping of Animals**

- 7.9.1 Keeping of animals shall not be permitted in the LUD of Miami.
- 7.9.2 In the RR, AG, and AR zones, livestock totalling fewer than 10 AUs, including any associated buildings or structures, may be kept as accessory to a dwelling, provided that the following criteria are met:
  - a. The minimum lot size is 2.02 hectares (5.00 acres); and
  - b. The total number of animal units (AU) shall not exceed 1.33 AUs per 0.80 hectares (2.00 acres), to an overall maximum under 10 AUs.Refer to **APPENDIX I – ANIMAL UNIT TABLE** to calculate AUs.
- 7.9.3 A minimum setback of 7.62 m. (25.00 ft.) from all property lines shall be required for all pens, coups, aviaries, hutches, and similar enclosures, and free-range areas. Within the RR Zone, buildings and structures must be located in the rear yard of properties.
- 7.9.4 The keeping of livestock shall not interfere with the use and enjoyment of adjacent land uses as determined by the Designated Officer.
- 7.9.5 Beekeeping as an accessory use is allowed in the RR, AR, and AG Zones only and is subject to the following criteria:
  - a. A maximum of 4 beehives are allowed;
  - b. Beehives shall be located a minimum of 7.62 m. (25.00 ft.) from property lines;
  - c. Beehives shall be located a minimum of 30.48 m. (100.00 ft.) from any off-site dwelling;
  - d. Beehives are located in the rear yard only;
  - e. To ensure the appropriate height of honeybee flight path:
    - (i)
    - (ii) The beehive entrance must be directed away from the neighbouring property and situated behind a solid fence or hedge that is 1.83 m. (6.00 ft.) in height running parallel to the property line; or
    - (iii) The beehive will be located a minimum of 7.62 m. (25.00 ft.) away from the neighbouring property line. If a fence or hedge is not used, the beehive may be as little as 6.1 m. (20 ft.) away.

## **7.10 Livestock Operations**

- 7.10.1 All Livestock Operations shall meet the mutual separation distances as

outlined in **APPENDIX II – MINIMUM SEPARATION DISTANCES FOR LIVESTOCK OPERATIONS** based on the AU calculations and criteria outlined in **APPENDIX I – ANIMAL UNIT TABLE**. Mutual separation distances to dwellings will be measured to the building itself. Separation distances to designated areas will be measured to the boundaries of the designated areas as identified by the Designated Officer.

- 7.10.2 For the purposes of this section of the By-law, the calculation of AUs shall be cumulative across the species as determined by the Province of Manitoba. See **APPENDIX I – ANIMAL UNIT TABLE** for additional information.
- 7.10.3 In addition to the standard development application submission regulations, applications for Livestock Operations producing up to and including 299 AU shall:
- a. Meet or exceed all applicable provincial or federal government environmental health regulations in force at the time of the permit application from the province for the expansion or modification of a livestock operation;
  - b. Have an adequate land base that is either owned or leased by the proponent to carry out the proposed operation requirements; and
  - c. Ensure all manure storage facilities and confinement facilities conform to all applicable provincial government regulations.
- 7.10.4 In addition to the standard development application submission regulations, and the requirements for Livestock Operations up to and including 299 AU, applications for Livestock Operations involving 300 or more AU shall:
- a. Be sent to the Minister for referral to the Technical Review Committee;
  - b. Be subject to any measures required to implement the recommendations of the Technical Review Committee, if imposed by Council;
  - c. Submit analyses of geology, aquifers, and groundwater supply, soils and soil profiles, crop production/nitrogen/phosphorus utilization, and surface drainage relative to the proposed operation if requested by the Designated Officer or as required by the Technical Review Committee; and
  - d. Submit a letter signed by the applicant and agricultural engineer (or other qualified professional) certifying the contents of all information submitted as part of the application, if required by the Designated Officer in consultation with the Technical Review Committee.
- 7.10.5 Notwithstanding any other site regulations set forth in this By-law, no Livestock Operation should be situated on a site less than 16.20 hectares (40.00 acres) in area. Under specific circumstances, a variance may be

considered.

- 7.10.6 In addition to the notice provisions in *The Act*, prior to any hearing of an application for a conditional use permit to establish or expand a livestock operation, the following notice is required:
- a. 10 – 49 AU, send notice by regular mail to every residence within 100.00 m. (328.00 ft.);
  - b. 50 – 299 AU, send notice by regular mail to every residence within 1.00 km. (0.62 miles); and,
  - c. 300+ AU and all earthen manure storage facilities, send notice by regular mail to every residence within 3.00 kms. (1.86 miles).

These notice provisions apply mutually to any hearing of an application for a conditional use permit to establish or expand a dwelling unit not within a designated residential area and in the vicinity of a livestock operation. Notice is required in accordance with **Subsection 2.7.6** of this By-law.

## **7.11 Manure Storage and Disposal**

- 7.11.1 The siting of manure storage facilities must be consistent with the requirements under Manitoba Regulation 42/98 – Livestock Manure and Mortalities Management Regulation.

## **7.12 Metal Shipping Containers (Sea Cans)**

- 7.12.1 Metal shipping Containers must adhere to the following standards:
- a. If used for more than 90 days per calendar year, a shipping container is considered an accessory building and must meet the requirements for accessory buildings in the zone in which it is located;
  - b. Shipping containers, when stacked, must not exceed the maximum height for accessory buildings for the zone;
  - c. Shipping containers must be well-maintained and painted a neutral colour; and
  - d. If used for less than 90 days per calendar year, a shipping container is considered temporary and may be used for temporary storage or emergency purposes, provided it meets the requirements for temporary buildings and structures in this By-law.
- 7.12.2 Metal Shipping Containers used for storage should generally be kept out of sight of public view.
- 7.12.3 Any Development Permit approving a shipping container will include provisions regarding the number of shipping containers allowed on the site and may include requirements for a site plan.

### 7.13 Mobile Home Parks and Dwellings

- 7.13.1 Each mobile home shall comply with its appropriate Canadian Standards Association standards for construction.
- 7.13.2 Wherever a mobile home is allowed under this By-law outside of the RMH Zone, it must be attached to a foundation or otherwise be secured to the satisfaction of the Designated Officer, prior to occupancy.
- 7.13.3 The following dimensional standards shall apply to mobile homes and mobile home parks:

**Table 7-1: Minimum Mobile Home Park Site Requirements**

| Minimum Mobile Home Park Site Requirements                                      |                                                 |                                                 |                                     |
|---------------------------------------------------------------------------------|-------------------------------------------------|-------------------------------------------------|-------------------------------------|
|                                                                                 | With Septic Field Wastewater Management Systems | With Holding Tank Wastewater Management Systems | With Municipal Water and Wastewater |
| Minimum Site Area for Mobile Home Park                                          | 6.00 ac.                                        | 2.00 ac.                                        | 2.00 ac.                            |
| Minimum Width of Roadways                                                       |                                                 |                                                 |                                     |
| Open Ditch                                                                      | 66.00 ft.                                       | 66.00 ft.                                       | 66.00 ft.                           |
| Curb and Gutter                                                                 | 50.00 ft.                                       | 50.00 ft.                                       | 50.00 ft.                           |
| Lane                                                                            | 35.00 ft.                                       | 35.00 ft.                                       | 35.00 ft.                           |
| Minimum Width of Roadway Surface                                                | 24.00 ft.                                       | 24.00 ft.                                       | 24.00 ft.                           |
| Minimum Distance from Mobile Home to Public Street or Mobile Home Park Boundary | 30.00 ft.                                       | 30.00 ft.                                       | 30.00 ft.                           |
| Minimum Mobile Home Site Area                                                   | 40,000.00 ft <sup>2</sup>                       | 10,000.00 ft <sup>2</sup>                       | 3,600.00 ft <sup>2</sup>            |
| Minimum Mobile Home Site Width                                                  | 150.00 ft.                                      | 80.00 ft.                                       | 40.00 ft.                           |

| Minimum Mobile Home Park Site Requirements                 |            |            |           |
|------------------------------------------------------------|------------|------------|-----------|
| <b>Minimum Mobile Home Site Depth</b>                      | 200.00 ft. | 120.00 ft. | 90.00 ft. |
| <b>Minimum Mobile Home Front Setback</b>                   | 20.00 ft.  | 20.00 ft.  | 20.00 ft. |
| <b>Minimum Side to Side Clearance between Mobile Homes</b> | 30.00 ft.  | 30.00 ft.  | 30.00 ft. |
| <b>Minimum End to End Clearance between Mobile Homes</b>   | 30.00 ft.  | 30.00 ft.  | 30.00 ft. |

## 7.14 Natural Resource Developments

- 7.14.1 In addition to the standard Development Permit application submission regulations, an applicant proposing to establish a natural resource development including aggregate, forestry, or mineral mining, may be required to submit the following information:
- a. A description of existing land uses immediately adjacent to the site;
  - b. A description of the proposed operation including:
    - (i) Site preparation measures to accommodate the proposed operation;
    - (ii) Location and size of proposed equipment storage areas as well as aggregate, topsoil or peat moss stockpile areas;
    - (iii) Access and egress locations on the site;
    - (iv) Site security and public safety provisions thereon;
    - (v) Infrastructure servicing needs;
    - (vi) Existing and anticipated final grades of the excavated land;
    - (vii) Drainage and water storage provisions;
    - (viii) Analyses of topography, geology, aquifers, groundwater supply, soils and soil profiles relative to the proposed operation;
    - (ix) Landscaping provisions;



- (x) The condition in which the site is to be left when the proposed operation is complete, or the final disposition to be made of the area from which the topsoil or peat moss is to be removed, including the action which is to be taken for restoring the condition of the surface of the land to be affected, preventing, controlling or lessening the creation of erosion or dust from the land, removing goods and materials from the site and providing for site security and public safety measures; and
  - (xi) Traffic management plan including trip generation data – a Traffic Impact Study may be required.
- 7.14.2 A dwelling unit is allowed provided it is occupied by the owner/operator or a site watchperson or caretaker, if necessary.
- 7.14.3 No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required side or rear yard.
- 7.14.4 When outside storage of goods and materials is required, such storage shall be located to the rear of a line adjacent to and parallel with the front wall of the building.
- 7.14.5 The Natural Resource Development shall comply with all environmental and public health regulations of the Province of Manitoba. If the Designated Officer believes a proposed Natural Resource Development may conflict with these regulations, the application shall be referred to the appropriate Provincial department(s) prior to issuing a Development Permit.
- 7.14.6 No dwelling unit shall be located within 152.40 m. (150.00 ft.) from any active Natural Resource Development.
- 7.14.7 No dwelling unit shall be located within 15.24 m. (50.00 ft.) from the edge of a right-of-way established for the transmission of high-pressure natural gas or the transmission of hydroelectricity in excess of 100 kilovolts;
- 7.14.8 No dwelling unit or farm building shall be located within an area that has been designated as a high or medium quality aggregate area by the Manitoba Mines Branch, unless the site has been reviewed by that Branch and a recommendation provided that would allow development to proceed.

## **7.15 Planned Unit Developments**

A Planned Unit Development (PUD) is a land development project built as an entity in accordance with a comprehensive site plan that is presented by a developer to a board or council. PUDs can be a useful tool for larger mixed-use developments because they give municipalities and developers flexibility in siting building, mix of uses and different housing types, usable open spaces and the preservation of

significant natural features through customized site-specific standards.

7.15.1 A PUD shall comply with the following regulations:

- a. PUDs are only permitted as conditional uses in the following zones:
  - (i) **RG** – Residential General;
  - (ii) **CC** – Commercial Central;
  - (iii) **CH** – Commercial Highway;
  - (iv) **CA** – Commercial Agricultural;
  - (v) **MB** – Industrial Business;
  - (vi) **MG** – Industrial General;
- b. A PUD may only be established on sites or developments larger than 2.00 acres in area;
- c. The uses and standards of a PUD must be generally consistent with the desired character for the area set out in the Development Plan, any applicable Secondary Plan, and the uses and standards intended for the site;
- d. In addition to a conditional use application, an application for a PUD shall include normal Development Permit as well as an impact study that outlines the following information:
  - (i) Economic, social and environmental benefits to the community;
  - (ii) Municipal servicing requirements including water, sanitary and sewer;
  - (iii) The effect on the general character of the area and adjacent areas;
  - (iv) The effect on the general environment including, but not necessarily limited to, drainage, groundwater and erosion;
  - (v) The effect on Municipal services and the street system; and
  - (vi) Other information as required by Council;
- e. PUDs shall be regulated through a site plan or development agreement, which is caveated against the title at the Land Titles office;
- f. An application for a PUD must be accompanied with a detailed site plan, including:
  - (i) The location of the site boundaries
  - (ii) The location, height and types of use of buildings and structures;
  - (iii) The location of all transportation infrastructure;
  - (iv) Landscaping;
  - (v) Parking;
  - (vi) Services including water and sewage collection;
  - (vii) Lot grading;

- (viii) All instances where the bulk standards of proposed buildings or structure do not comply with the requirements of the Zoning By-law; and
- (ix) Other information as required by the Designated Officer.

## **7.16 Secondary Suites**

- 7.16.1 No more than one Secondary Suite shall be permitted on a single zoning site.
- 7.16.2 The following regulations apply to a Secondary Suite that is within or attached to a principal dwelling:
  - a. The principal dwelling must be an existing permanent structure; and
  - b. The maximum floor area shall not exceed 40% of the total habitable floor space of the principal dwelling or 80.00 m<sup>2</sup> (861.10 ft<sup>2</sup>) including any finished basement space, whichever is the lesser.
- 7.16.3 The following regulations apply to a detached Secondary Suite (Coach House & Garden Suites):
  - a. The maximum floor area shall be no greater than 80.00 m<sup>2</sup> (861.10 ft<sup>2</sup>) and shall not exceed the maximum lot coverage for ancillary structures as permitted within the zoning bylaw;
  - b. The maximum building height shall be no greater than:
    - (i) 8.00 m. (26.20 ft.) for an above grade Coach House, and
    - (ii) 5.00 m. (16.40 ft.) for an at-grade Garden Suite or Coach House.
  - c. Where a property with a detached Secondary Suite backs onto a public lane, public right-of-way, public park, or a property zoned for commercial or industrial uses, the Secondary Suite may project into a required rear yard, but must be setback a minimum of 3.00 m. (9.80 ft.);
  - d. Minimum separation from the Principal Dwelling shall be 3.00 m. (9.80 ft.);
  - e. Setback standards for Accessory Uses, Buildings and Structures in the Bulk Table must be followed
  - f. A basement is not permitted; and
  - g. The exterior of the Secondary Suite should incorporate building materials, textures, and colours that are similar to those found on the principal building.
- 7.16.4 A minimum of one on-site parking space must be provided.
- 7.16.5 A mobile home manufactured under the CSA Z240 MH certification shall not be used as a Secondary Suite.

- 7.16.6 Service cables including electrical, telephone and television will be buried underground if underground servicing is the normal practice in the neighbourhood where the detached suite is located.
- 7.16.7 Subdivision of land which results in a separate land title for the secondary suite will not be permitted.
- 7.16.8 Secondary suites are not permitted in a duplex.

## 7.17 Solid or Liquid Waste Disposal Facilities

- 7.17.1 Development and maintenance of a solid or liquid waste disposal facility shall be subject to the following standards:
- A buffer strip containing trees, shrubs or a berm surrounding a solid or liquid waste disposal facility may be required to the specifications established by Council in the required Development Permit;
  - Any solid or liquid waste disposal facility may be fenced to a standard as specified by Council;
  - Development of a solid or liquid waste disposal facility shall also be subject to the minimum separation distance set out in **Table 7-2** below and measured between the fence, berm, or edge of the facility (as the case may be) and the nearby building development.

**Table 7-2: Mutual Separation Distance for Solid/Liquid Waste Disposal Facilities**

| <b>Mutual Separation Distance for Solid/Liquid Waste Disposal Facilities</b>                              |                                                            |                                                             |
|-----------------------------------------------------------------------------------------------------------|------------------------------------------------------------|-------------------------------------------------------------|
| <b>Use</b>                                                                                                | <b>Minimum Separation Distance to Solid Waste Facility</b> | <b>Minimum Separation Distance to Liquid Waste Facility</b> |
| Dwelling                                                                                                  | 800.00 m.<br>(2,624.00 ft.)                                | 457.00 m.<br>(1,500.00 ft.)                                 |
| Intensive rural residential subdivision, community residential, general development or urban municipality | 1,600.00 m.<br>(5,249.00 ft.)                              | 600.00 m.<br>(1,968.00 ft.)                                 |
| Commercial or industrial use                                                                              | 300.00 m.<br>(984 ft.)                                     | 300.00 m.<br>(984.00 ft.)                                   |

## 7.18 Solar Energy Generating Systems

- 7.18.1 All solar energy systems must meet the following standards:

- a. Any solar energy system not connected to a building shall adhere to the same setbacks and height restrictions for accessory buildings for 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 1.50 m. (6.50 ft.) from the surface of the roof but may not extend beyond the outermost edge of the roof; and
- d. A solar energy system that is mounted on a wall may project a maximum of 0.60 m. (2.00 ft.) from the surface of the wall and must be located a minimum of 2.40 m. (8.00 ft.) above grade.

## 7.19 Swimming Pools

7.19.1 Swimming Pools shall be enclosed with a fence or other suitable barrier constructed in accordance with the following requirements:

- a. A minimum height of 1.50 m. (5.00 ft.);
- b. There shall be no openings, other than a door to a building or a gate as described in (c), and it shall not be possible for a child to crawl under either the fence or the gate;
- c. Any gate shall be self-closing, shall be at least 1.50 m. (5.00 ft.) in height and shall be equipped with a lockable latch to prevent unauthorized entry; and
- d. The outside surface of the fence and gate shall be relatively smooth so as not to provide foot or toe holds.

7.19.2 The following pools are not subject to this By-law:

- a. Pools incapable of holding water beyond a maximum depth of 300 millimetre (11 <sup>3</sup>/<sub>4</sub> inch) and beyond the volume of 4,550 litres (1,000 gallons);
- b. Pools owned by a public or government body, agency or authority;
- c. Pools designed and used solely for ornamental purposes;
- d. Farm ponds, which for the purposes of this By-law shall mean a pond which is maintained for agricultural or horticultural uses only; or
- e. Naturally occurring streams, lakes, swamps or other natural bodies of water.

7.19.3 Notwithstanding the requirements outlined in the **BULK TABLE**, the side and rear yard setbacks for a swimming pool are a minimum 1.50 m. (5.00 ft.), all other yard setbacks shall be the same as the site requirements.

7.19.4 All other requirements must be met in accordance with the Manitoba

Building Code on Private Swimming Pools.

## **7.20 Waste Transfer Station**

- 7.20.1 Development and maintenance of a waste transfer station shall be subject to the following standards:
- a. The site should be located on a major haul route to the landfill and designed with a controlled site exit and entry and signage indicating the name of the facility, emergency contacts and a list of materials accepted and unaccepted for transfer;
  - b. Facilities should not be located in the 1:200 year flood plain or in any area which has a greater than 1% chance of flooding in any year;
  - c. There shall be a setback of 30.00 m. (98.43 ft.) from the transfer area to the nearest property boundary and / or nearest back top or high-water mark of any water course or water resource, including any off-site well used as a water supply;
  - d. There shall be a separation distance of 90.00 m. (295.28 ft.) from the transfer area to the foundation or pad of the nearest off-site building or structure;
  - e. The facility must include features to minimize the generation of leachate and odours; and
  - f. The site design should incorporate a vegetated or landscaped buffer of at least 15.00 m. (49.21 ft.) around the perimeter of the transfer area.

## **7.21 Wind Energy Generating Systems**

- 7.21.1 A commercial Wind Energy Generating System (WEGS) must meet the following standards:
- a. A commercial WEGS turbine facility must be setback a distance equal to the height of the WEGS plus 9.14 m. (30.00 ft.) from the property line unless appropriate agreements or easements are in place with adjacent property owners. The total height of any WEGS shall be measured from the ground to the uppermost extension of any rotor blade;
  - b. All commercial WEGS must adhere to a 30.00 m. (98.43 ft.) separation distance from any water body or waterway;
  - c. In addition to satisfying the minimum yard requirements, the minimum separation distance between a commercial WEGS tower and the nearest habitable buildings shall be 457.20 m. (1,500.00 ft.);
  - d. All WEGS shall observe a minimum separation distance of 457.20 m. (1,500.00 ft.) from the boundary of the LUD of Miami, Rosebank, and any Rural Residential area;

- e. Commercial WEGS shall not contain any artificial lighting, other than what is required by federal and provincial regulations;
- f. Commercial WEGS shall not have any advertising or signage, other than the manufacturers or owners name or logo;
- g. As part of their Development Permit application, proponents for commercial WEGS must submit a detailed site plan showing the location of all wind generating devices, associated accessory buildings or structures, electrical lines (above or below ground), on-site roads, and driveways providing access the public road system;
- h. Proponents of WEGS are responsible for obtaining any required federal or provincial permits or approvals from any agencies and a copy of such permits or approvals must be remitted to the municipality;
- i. Where a WEGS is proposed on a site that is not under the ownership of the proponent, they will be required to enter into an easement agreement with the owner of the property in order to secure on-going access to the WEGS; and
- j. Where in the opinion of the Municipality, the distances referred to in this section are not sufficient to reduce the potentially negative impact of WEGS due to the proposed number or density, the existing number or density of other uses in the general vicinity, the proximity to a public road, or any other reason that the Municipality believes is relevant, Council may vary the required distances.

7.21.2 An On-site Use WEGS must meet the following standards:

- a. An on-site use WEGS must be setback at least 6.00 m. (20.00 ft.) behind the front facing wall of the principal building, or in the case of corner lots, at least 4.50 m. (15.00 ft.) from the front and side site lines;
- b. On-site use WEGS are permitted to exceed the maximum heights permitted in the Bulk Table found in the **BULK TABLE**, up to a maximum 4.50 m. (15.00 ft.) above the roof of the principal building; and
- c. An on-site use WEGS must be safely and securely attached to a rooftop in compliance with the National and Provincial Building Codes.

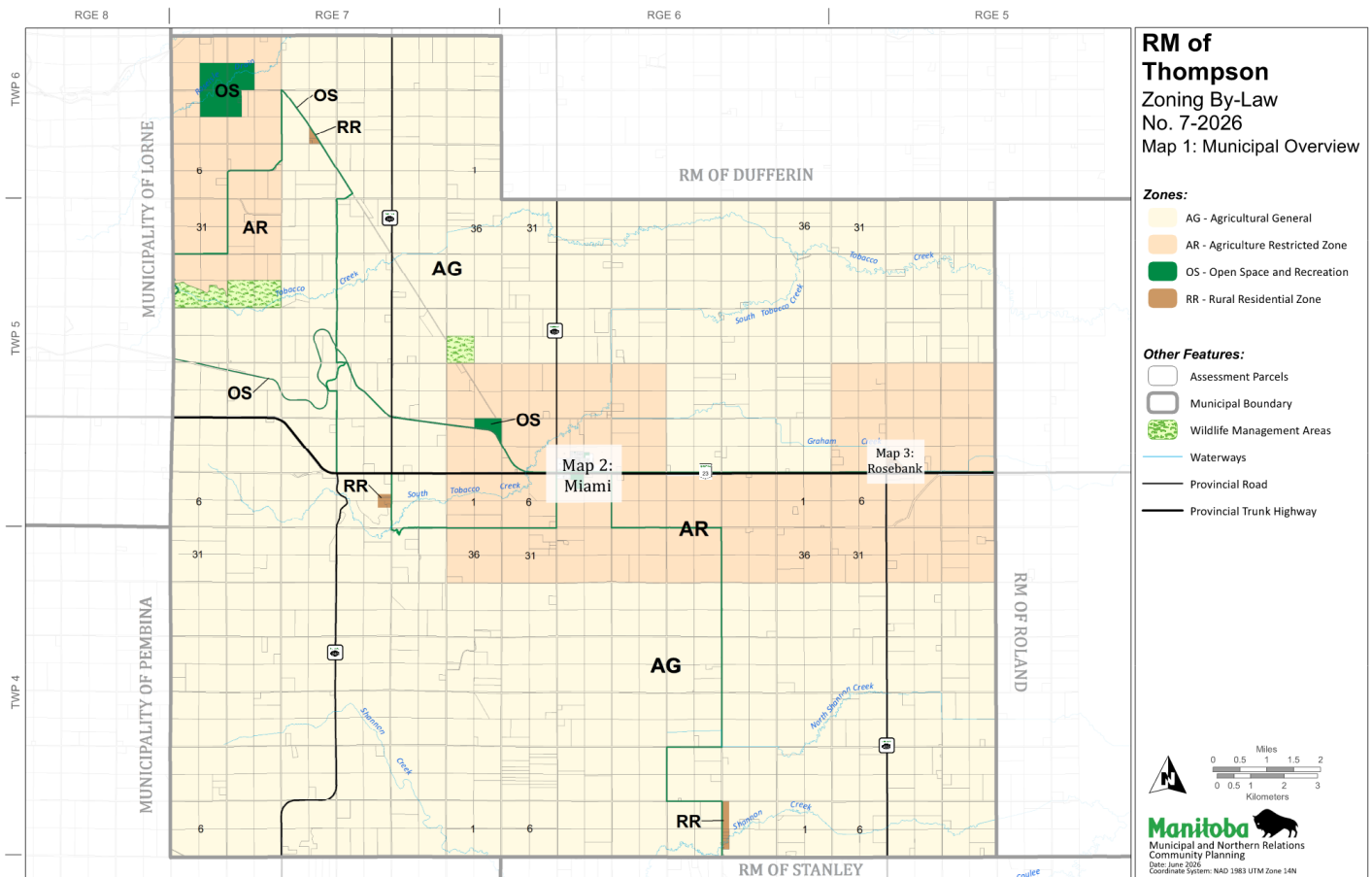
# PART D: ZONING MAPS

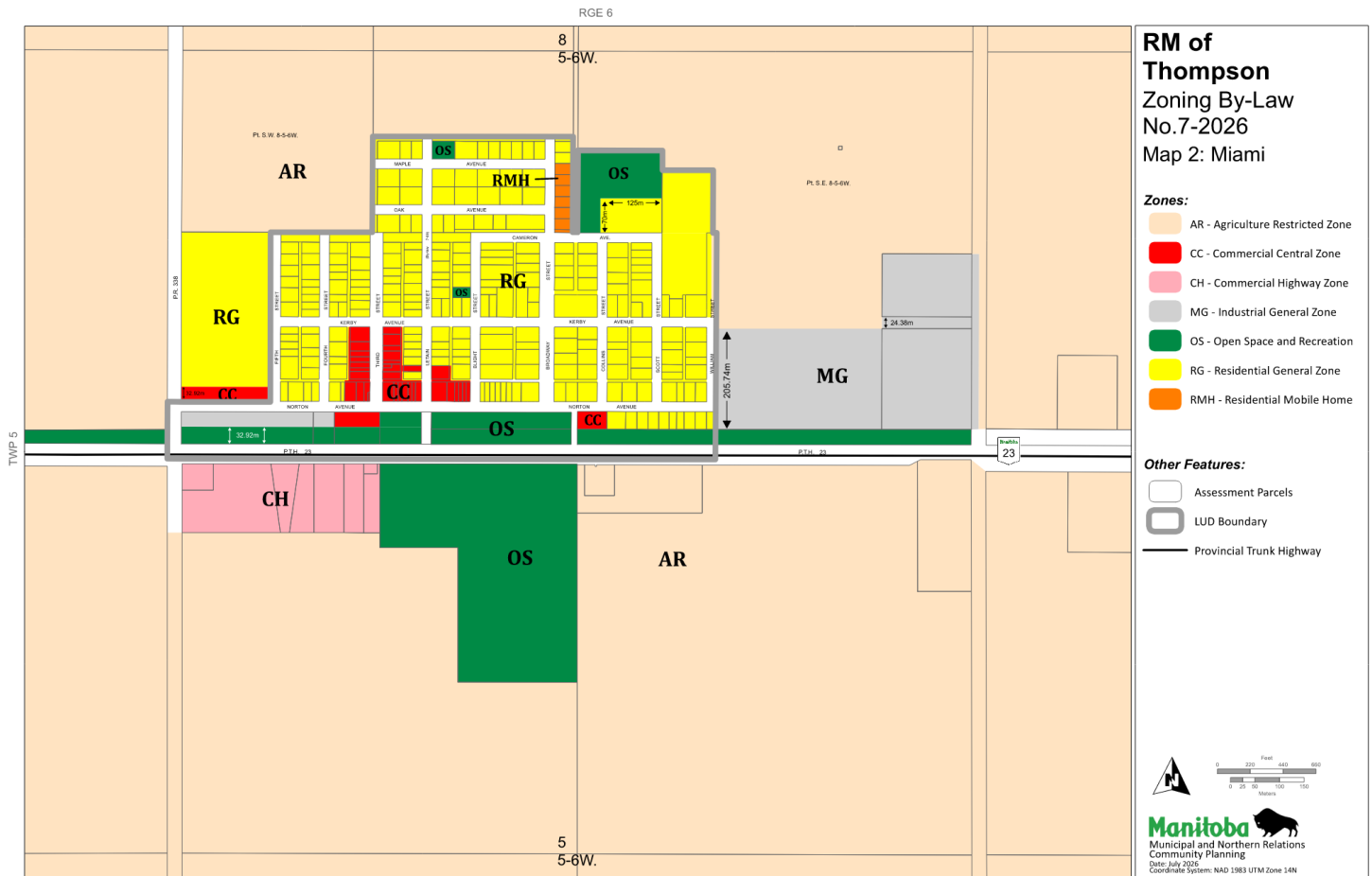
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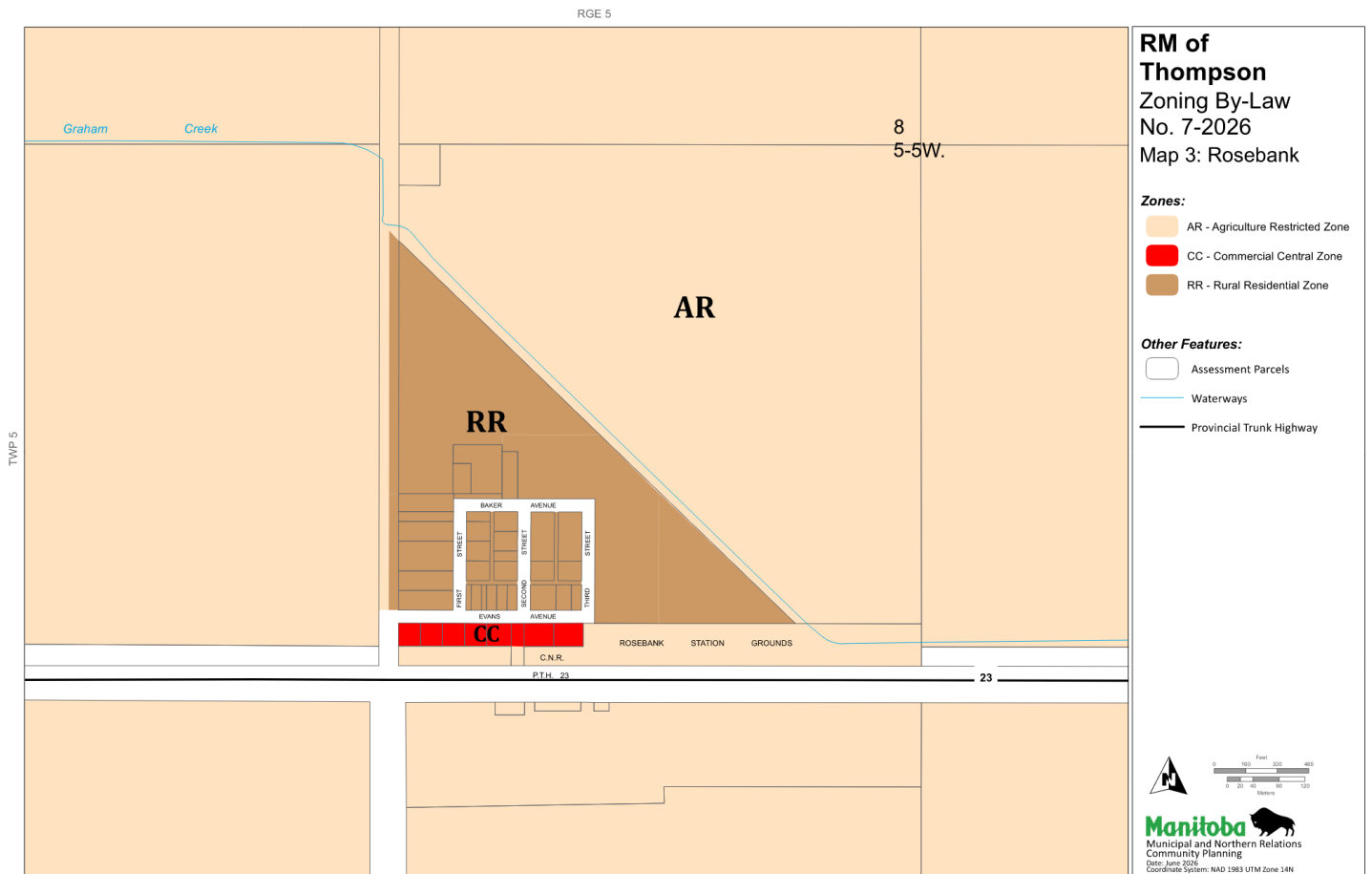
- Map 1: Rural Municipality of Thompson
- Map 2: LUD of Miami
- Map 3: Community of Rosebank



## Section 8: Maps







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## Section 9: Definitions

### 9.1 General Definitions

9.1.1 The terms and words in this By-law as defined in *The Act* have the same meaning expressed therein. Other terms and words, unless the context otherwise requires, are defined herein.

9.1.2 General Definitions:

**Abut** or **abutting** means immediately continuous to or physically touching, and when used with respect to a site, means that the site physically touches upon another site or piece of land, and shares a lot line or boundary line with it.

**Accessory** means, when used to describe a use, building or structure, said use, building or structure is naturally or normally incidental, subordinate, and exclusively devoted to the principal use or building, and located on the same lot or site.

**Act, The** means *The Planning Act* being CHAPTER P80 of the Continuing Consolidation of the Statutes of Manitoba, and amendments thereto.

**Alteration** means any structural change or addition made to any building or structure.

**Animal Unit (AU)** means the number of animals of a particular category of livestock that will excrete 73.00 kg. (160.93 lb.) of nitrogen in a twelve-month period.

**Aquifer** means a confined or unconfined water-bearing subterranean body of water.

**Basement** means the portion of a building or structure which is wholly or partially below grade, having above grade no more than 1.83 m. (6.00 ft.) of its clean height which lies below the finished level of the floor directly above or being a minimum depth of 1.22 m. (4.00 ft.).

**Buffer** means a strip of landscaping or vegetation used to provide a screen between sites in order to mitigate objectionable features between them.

**Building, Accessory** means a subordinate detached building, which serves a principal building or use and is located on the same site.

**Concept Plan** means a land use strategy developed and approved in accordance with Section 63 of *The Act*.

**Conditional Use** means a use or development that may have unique or widely varying operating characteristics and may have potential operational or other impacts on adjacent properties or site development demands, specified as conditional in this By-law.

**Council** means the Municipal Council of the RM of Thompson.

**Development** means the construction of a building or the installation of services and utilities on, over or under land, a change in the use or intensity of use of a

building or land, the removal of soil or vegetation from land, the deposit or stockpiling of material on land, and the excavation of land.

**Designated Officer** means the employee delegated certain authorities by Council to carry out a power or responsibility in accordance with Section 184 of *The Act*.

**Development Permit** means a document issued pursuant to this By-law, authorizing the development of a use.

**Development Plan** means the *MSTW Planning District Development Plan* adopted by by-law and as amended.

**Dwelling Unit** means one or more habitable rooms constituting a self-contained unit and used or intended to be used together for living and sleeping purposes by one or more persons. This calculation shall exclude basement or other areas that are below-grade.

**Environmental Impact Study** means a study prepared in accordance with established procedures to identify and assess the impacts of development on a specified feature or system.

**Environmentally Sensitive Land** means land that has unique natural or man-made landforms, vegetation or wildlife or which is of historically or archaeological importance, including Hazard Lands.

**Existing Registered Site** means any site as defined in this By-law, for which a separate Certificate of Title existed prior to the effective date of the former Zoning By-law No. 20/08, and which has frontage on a currently developed Public Road, which is not seasonal in nature.

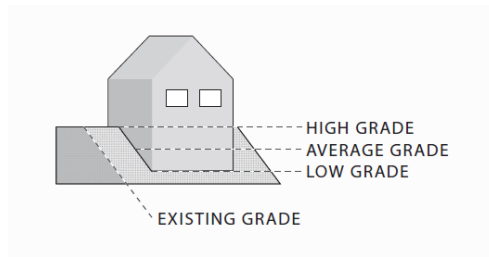
**Farmstead Site** means the portion of land of an agricultural operation, usually surrounded by a well-defined shelterbelt, that currently features a farmstead dwelling and/or farm buildings / structures.

**Floodplain** means an area that would be inundated by a design flood as herein defined.

**Floor Area** means the maximum habitable area contained within the outside walls of a building. In the case of a dwelling, any private garage, porch, veranda, sun lounge, unfinished basement, or attic are excluded from this calculation.

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

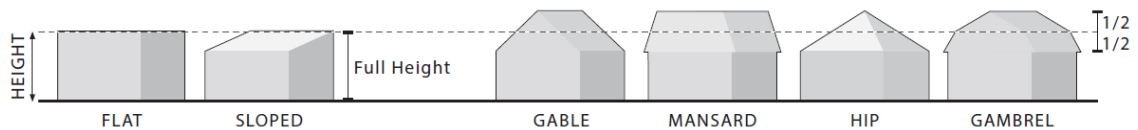
**Grade, Building Lot** means the lot grade elevation of the finished ground surface immediately adjacent to the foundation of a building.



**Hazard Land (Environmentally Sensitive Land)** means land which may be prone to flooding, slumping, subsidence, landslides, erosion, any other instability, or is located within a flood plain or watercourse.

**Height** means, when used with reference to a building or structure, the vertical distance between the horizontal plane through grade and a horizontal plane through:

- The highest point of the roof in the case of a building with a flat roof or a roof having a slope of less than 20.00 degrees;
- The average level between eaves and ridges in the case of a pitched, gambrel, or hipped roof, or a roof having a slope of more than 20.00 degrees, provided that in such cases the ridge line of the roof shall not extend more than 1.52 m. (5.00 ft.) above the maximum permitted building height of the Zoning District; or
- The deck of a mansard roof.



**Landscaping** means any combination of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, paving, screening or other architectural elements, all of which are designed to enhance the visual amenity of a site or to provide a screen between sites in order to mitigate objectionable features between them.

**Lot, Corner** means a lot located at the intersection of two public roadways, the interior angle of such intersection not exceeding 135.00 degrees.

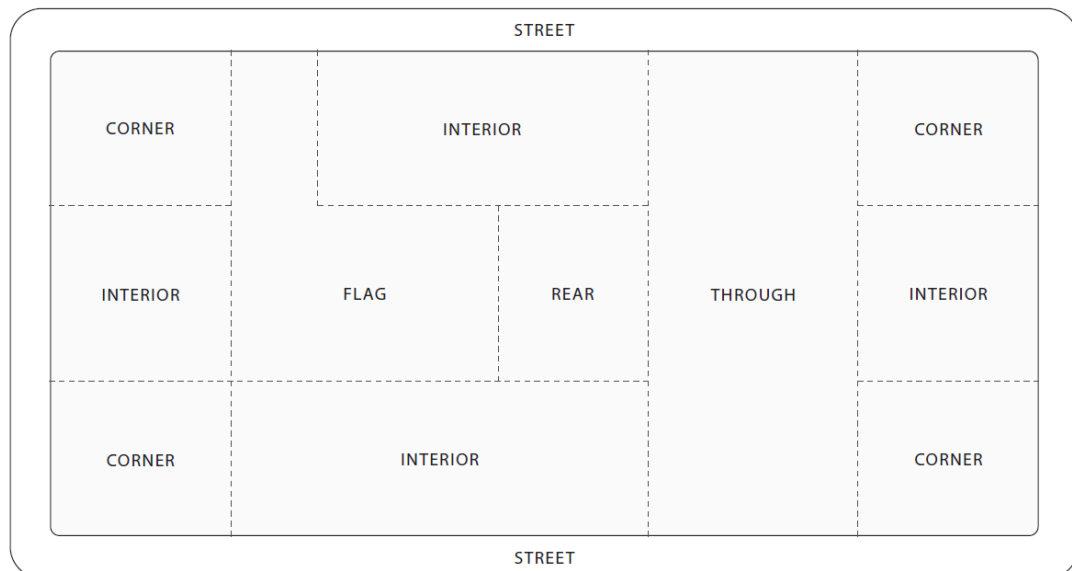
**Lot, Flag** means a lot lacking the required minimum lot width or frontage on an existing or proposed street but having direct access to the street through a narrow access point. Flag Lots have two distinct parts:

- a. The flag, which is the building site and located behind another lot; and
- b. The pole, which connects the flag to the road.

**Lot, Interior** means any lot other than a corner lot or through lot.

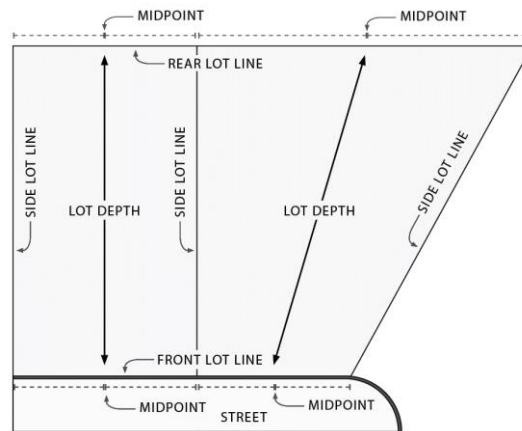
**Lot, Reverse Corner** means a corner lot, the side street line of which is substantially a continuation of the front site line of the first site to its rear.

**Lot, Through** means a lot having a pair of opposite lot lines along two streets. On a through lot, both street lines shall be deemed front lot lines.





**Lot Depth** means the horizontal distance measured between the midpoint of the front lot line and the midpoint of the rear lot line.

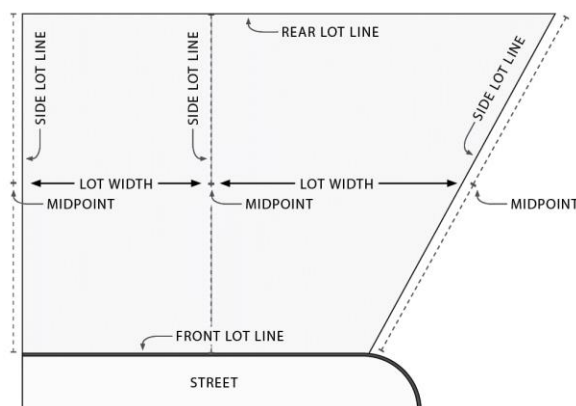


**Lot Line, Front** means the property line a lot abutting public roadway other than a lane. In the case of a corner lot, the front lot line is the shorter of the lot lines abutting a public roadway.

**Lot Line, Rear** means either the lot line which is furthest from and opposite the front lot line or, where there is no such lot line, the point of intersection of any side lot lines which is furthest from and opposite the front lot line.

**Lot Line, Side** means the property line of a lot other than a front lot line or rear lot line.

**Lot Width** means the horizontal distance between the side lot lines of a site, measured at right angles to the lot depth at a point midway between the front and rear lot lines). See **Subsection 6.8** for calculating lot width for flag lots.



**Municipality** means the Rural Municipality of Thompson.

**Non-Conforming** means any use, building, structure or sign, individually or in combination, which lawfully existed prior to the effective date of this By-law but does not conform to one of more of the applicable standards of the by-law now in effect.

**Permitted Use** means a use allowed in a Zoning District without the need for special administrative review or approval, subject to the regulations contained in this By-law.

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

**Prohibited Use** means a new or proposed use, which is not listed as either a permitted or conditional use in this By-law, which is not a legal non-conforming use as defined by *The Act*, and which has not received a legal Development Permit as required in this By-law.

**Principal building, structure, or use** means the main or primary activity, for which a site or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

**Separation Distance** means a horizontal distance between two uses, measured from the nearest points of any structure or areas upon which the uses are located, clear of any projections.

**Setback** means a horizontal distance between a use and a property boundary in which certain types of development and structures shall not occur.

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

**Site Coverage** means the combined area of all buildings or structures 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, screened porches or verandas, patios at grade, steps, uncovered walks, wheelchair ramps, cornices, eaves and similar projections.

**Subdivision** means a division of land and includes a division of a quarter section into legal subdivisions as described in *The Land Titles Act*.

**Temporary Buildings and Uses** means an incidental use, building or structure for which a permit has been issued for a limited time only.

**Use** means the purpose, or activity for which a piece of land or its buildings is designed, arranged or intended, occupied or maintained.

**Variation Order** means the altering of any of the regulations found in this By-law in accordance with *The Act*.

**Yard** means the portion of a site that is unoccupied from any portion of a building or structure and unobstructed from the ground to the sky unless otherwise permitted in this By-law. Yards (also referred to as *setbacks*) are measured using the horizontal distance between any site lined and the closest wall of a building or structure along a line perpendicular to the site line.

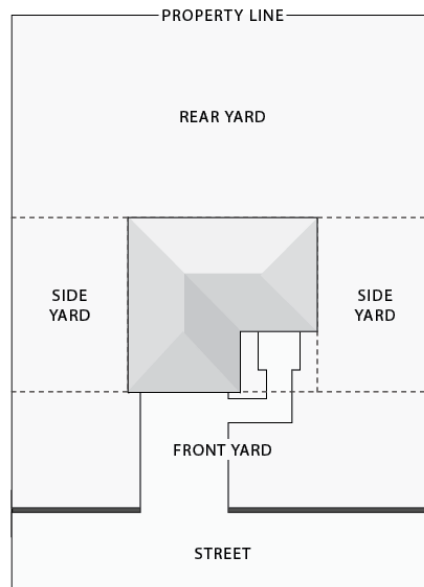
**Yard, Front** means the portion of the lot abutting the front site line extending across the full width of the site, situated between the front site line and the nearest wall of the principal building, not including any projections.

**Yard, Rear** means the portion of the site abutting the rear site line extending across the full width of the site, situated between the rear site line and the nearest wall of the principal building, not including any projections.

**Yard, Side** means the portion of a lot abutting a side site line extending from the front yard to the rear yard. The side yard is situated between the side lot line and the nearest wall of the principal building, not including any projections.

**Yard, Interior Side** means a Side Yard which is adjacent to another zoning site, or to a lane separating the side yard from another zoning site. In the case of a Planned Unit Development, an interior side yard is the space between the walls of adjacent buildings or structures.

**Yard, Corner Side** means a Side Yard that abuts a public street or road way, as seen on a Corner Lot or Reverse Corner Lot.



**Yard, Required** means the minimum distance that the development or a specific portion of a development, must be setback from a site line. Required yards are specified in the dimensional standards for each Zoning District.

**Zoning District** means a section contained in Part II of this By-law which regulates the use and development of land as depicted on the Zoning District Map comprising Part IV of this By-law.

9.1.3 Sign Definitions:

**Sign** means any writing, pictorial representation, emblem, flag, and anything designed or intended to, or having the effect of, announcing, identifying, directing attention to, or advertising any building or use.

**Sign Copy** means letters, graphics, or characters that compromise the sign message.

**Surface Area** means the area of a sign covered by a single rectangle drawn around the extreme edges of the message contained on the sign and, in the case of a multi-faced sign, comprises half of the total of all sign faces.

**Sign Type** means one of the following purposes signs are used:

- a. **Advertising Signs** are used to direct attention to a business, commodity, service, item, message or entertainment conducted, sold or offered elsewhere than upon the same zoning site on which the sign is located. Advertising sign forms can be free-standing (billboards) or temporary (mobile signs).
- b. **Directional Signs** indicate access or egress to and from a building or use, or from a parking or loading area on a zoning site. Directional sign forms can be attached or free standing.
- c. **Event Signs** indicate the time, date and type of event or events scheduled for a venue and are located on the same lot or lands. Event sign forms are temporary in nature.
- d. **Identification Signs** identify a specific building by name, logo, street address, or combination thereof, or a specific use in relation to a business, service or commodity conducted, offered, or sold on the same site. Identification sign forms can be attached or free-standing.

**Sign Form** means one of the following physical styles of sign:

- a. **Attached** means a sign that is attached to the exterior of a building. Attached sign forms include fascia, awning, banner, marquee, blade, volumetric, canopy or others as identified by the Designated Officer.
- b. **Free-standing** means a sign that is supported by a permanent, independent structure that is not attached to a building. Free-standing sign forms include pylons, pedestals, monuments, and others as identified by the Designated Officer.

- c. **Temporary** means a non-permanent, moveable sign designed in such a manner that it can be relocated to another site and which may include copy that can be changed through the use of removeable characters or panels. Temporary sign forms include staked signs, mobile signs, sandwich board signs, inflatable signs and others as identified by the Designated Officer.

## 9.2 Use Class Definitions

- 9.2.1 Use classes group individual land uses into a specified number of classes, with common functional or physical impact characteristics. The Use Classes of this subsection are used to define the range of uses which are permitted or conditional within the various Zoning Districts of this By-law.
- 9.2.2 The definitions provided in this subsection are not meant to be exclusive or restrictive. Reference should be made to the definition of the Use Class in determining whether or not a use is included within a particular Use Class.
- 9.2.3 Where a specific use does not conform to the wording of any Use Class definition or generally conforms to the wording of two or more Use Class definitions, the Designated Officer may deem that the use conforms to and is included a Use Class definition considered the most appropriate in character and purpose.
- 9.2.4 Agricultural Use Class Definitions:

**Agri-Business** means an establishment that provides goods, sales, service, production, processing or manufacturing or other commercial or industrial activities related to the agricultural sector. This use includes, but is not limited to, farm equipment and machinery sales or repair shops, feed or agrichemical operations, professional business services and industrial agricultural/horticultural operations.

**Agricultural Implement Sales and Service** means a building and open space area used for the display, sale, and rental of new or used farm implements. This use may also include repair work.

**Agricultural Product Storage** means the temporary storage of any agricultural product for future use, delivery or processing as per *The Environment Act*.

**Anhydrous Ammonia Facility** means an area for the storage of anhydrous ammonia that is commonly used as fertilizer.

**Communal Farm Operation** means a cooperative settlement whose principal operation is agricultural in nature and contains at least two (2) dwelling units and various accessory uses intended to support the livelihood of its residents. Accessory uses may include, but are not limited

to, accessory dwelling units, commercial or industrial enterprises, educational facilities, community facilities, and/or places of worship.

**Equestrian Establishment** means a facility engaged in the training of horses, the operation of a horse-riding academy, or horse riding stables.

**Farm Produce Outlet** means a building or structure where farm produce is sold in season. This use includes Farmers' Markets.

**General Agriculture** means a use of land for agricultural purposes. Typical uses include cropping and pasture. This use does not include livestock operations or natural resource developments.

**Greenhouse or Tree Nursery** means an establishment used for the storage, display and sales of plants, trees and other garden materials.

**Livestock Auctioneering Establishment** means a development specifically intended for the auctioning of livestock animals, including temporary housing and storage of such animals.

**Livestock Operation** means a permanent or semi-permanent 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.

**Specialized Agriculture** means a use of land for high value, lower volume, intensively managed agricultural activities. Typical uses include greenhouses, apiaries, market gardens or other uses as identified by the Designated Officer.

#### 9.2.5 Commercial Sales and Services Use Class Definitions:

**Animal Shelter, Pound, Kennel or Veterinary Facility** means a development used for the boarding, breeding, retention, training or medical service of animals.

**Auctioneering Establishment** (excluding storage/sales of livestock) means a development specifically intended for the auctioning of goods and equipment, including temporary storage of such goods and equipment.

**Drive-in or Drive-Through Establishment** means a development that allows rapid customer service for patrons using a vehicle.

**Eating or Drinking Establishment** means the sale to the public of prepared foods for consumption within the premises or off the site.

**Equipment Rental, Sales, and Service** means a development used for the rental or sale of tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items.

**Funeral Service** means a development used for the preparation of the dead for burial or cremation, and the holding of funeral services.

**General Contractor** means a development used for the provision of services of a construction nature which require on-site storage space for materials, equipment or vehicles normally associated with the contract service.

**General Retail Sales and Service** means a use involved in the sale or rental of new or used products directly to the public.

**Grocery or Supermarket** means a retail store that sells primarily groceries, produce, and packaged food products, but in which up to forty percent of the gross floor area may be used for the sale of non-food related products, including convenience products.

**Home Improvement Store** means a development used for the sale and provision of goods, equipment and appliances normally found within a dwelling unit.

**Hotel or Motel** means a use where accommodation is provided for transient lodgers, in an individual room or apartment, with or without cooking facilities.

**Landscape or Garden Contractor** means a location to produce landscape materials, including the wholesale of supplies, plants and landscaping materials.

**Office** means a building, or a portion of a building used primarily for conducting the affairs of a business, profession, service, industry, government, or like activity, or that provides direct governmental services to the public, such as employment, public assistance, motor vehicle licensing and registration and similar activities.

**Personal Service Shop** means a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects.

#### 9.2.6 Community, Recreation and Public Service Use Class Definitions:

**Campground** means an area or tract of land on which accommodation for temporary occupancy are located or may be placed, including tents and recreational vehicle equipment.

**Cemetery** means land used or dedicated to the interment of human or animal remains, including columbarium, mausoleums and associated maintenance facilities when operated in conjunction with, and within the boundaries of such cemetery.

**Child Care Service** means a use involving care, educational activities, and supervision of children in the daytime and evening, licensed by the Government of Manitoba under *The Community Child Care Standards Act*. This use does not include overnight accommodations.

**Community Centre or Hall** means a facility for community, social or multi-purpose use where patrons attend on a non-recurring basis.

**Golf Course** means a tract of land laid out in a course having nine or more holes for playing the game of golf.

**Hospitals and Medical Services** means a use that involves outpatient and inpatient medical treatment and may include overnight stays. Treatment may include diagnostic, laboratory, surgical, counselling and rehabilitation of patients.

**Institutional Residence** means a building containing living accommodations for one or more residents who meet the provincial definition for “elderly person” or “inform person” under *The Elderly and Inform Persons’ Housing Act*. This use may include staff not requiring care at the residence and generally has only one kitchen and dining area for the common use of residents. The residence is licensed under applicable provincial legislation and regulations.

**Library, Museum or Gallery** means a use involving collections of literary, artistic, musical and similar reference materials available to the public through a variety of different media. This use also includes any uses involving the collection, preservation, and exhibition of works or objects of historical, cultural, artistic, or scientific value.

**Outfitter** means any land or premises used for outdoor recreational purposes relating to hunting, fishing and other similar pursuits.

**Places of Worship** means a premise used by a charitable organization or religious group for the practice of religious rites, ceremonies or services, which may also be used for the advancement of its charitable purposes.

**Private Club** means a use by a not-for-profit organization incorporated by the Government of Canada or the Government of Manitoba and includes facilities for meetings, social events, and recreational activities of philanthropic, social service, athletic, business or fraternal organizations.

**Protective Emergency Service** means a use required for public protection of persons and property from injury, harm, or damage together with the incidental storage of equipment and vehicles. Typical uses include police station, fire hall and related training facilities.



**Public Parks, Playgrounds, Gardens, and Historical Sites** means a use of land specifically designed or reserved for the public for active or passive recreational use and includes natural and human-designed landscaping, facilities, fields, and other structures that are consistent with the general purposes of park lands.

**Public Utility Service** means any system, works, plant, pipeline, equipment or services and facilities available at approved rates to the public and includes all such carried on by or for the owner of a public utility or the R.M. of Thompson or the Province of Manitoba. This definition excludes Sewage Treatment Sites (Lagoon) and solid Waste Disposal Sites.

**Race Track** means a measured course where animals or machines are entered in competition against one another or against time, including tracks used only in the training of animals.

**Recreation Facility, Indoor** means a use involving entertainment, sports, social, or multi-purpose activities where patrons are primarily participants and any spectators are incidental and attend on a non-recurring basis, occurring in an indoor setting. Typical uses include hockey and skating rinks, curling rinks, swimming pools, billiard rooms, bowling alleys, indoor shooting galleries and similar.

**Recreation Facility, Outdoor** means a use involving entertainment, sports, social or multi-purpose activities where patrons are primarily participants and any spectators are incidental and attend on a non-recurring basis, occurring in an outdoor setting. Typical uses include playing fields, outdoor skating rinks, tennis courts, driving ranges, skateboard parks, paintball arenas and similar.

**School** means a public or private education facility providing instruction to students at the primary, middle or high school level.

#### 9.2.7 Transportation and Automotive Related Use Class Definitions:

**Airport or Aircraft Landing Field** means the use of land for the take-off and landing of aircraft and includes related buildings and structures such as aircraft storage facilities and maintenance hangars, taxiways, runways, and navigational equipment.

**Automotive Sales, Service, Repair and Rental** means a use involving the servicing, repairing, and restoration of automobiles, motorcycles, and similar recreational vehicles. This includes incidental retail sale of related accessories and parts.

**Gas station or Automotive Service Station** means a use that involves the retail sale of gasoline and other petroleum products, along with incidental

motor vehicles sales and service including car washes and similar.

**Heavy Equipment Sales, Service, and Rental** means a use involving the sale, rental and repair of heavy vehicles, machinery, or mechanical equipment typically used in building, roadway, manufacturing, assembly and processing operations.

**Parking Lot or Structure** means a use involving motor vehicle parking that is not primarily intended for residents, employees or customers of an onsite development. This included unenclosed surface, enclosed surface and enclosed above or below grade parking areas.

**Towing and Storage Facility** means a commercial establishment engaged in the towing of vehicles or equipment from one location to another. Such facilities may also include an indoor storage component for such vehicles or equipment, but may not include the storage of junk, salvage or wrecks.

**Truck Stop** means a highway-oriented operation that includes a combination of fuel sales, vehicle repair services, restaurants, and similar uses primarily intended to serve the trucking industry and travelling public.

#### 9.2.8 Industrial Use Class Definitions:

**Abattoir** means a use involving the slaughtering and processing of animals.

**Brewery/Distillery/Winery** means a use involving the blending, brewing, distilling, bottling, sampling of alcoholic beverages and other related operations conducted within a building.

**Bulk Fuel Storage Facility** means the storage of petroleum products or other flammable liquids legally stored within a structure or establishment that is incidental to the primary use of the site.

**Commercial Composting** means an outdoor facility operated for the purpose of composting solid or liquid waste products.

**Communication Tower** means outdoor equipment and structures for the purposes of transmitting or receiving television, radio, microwave, radar or similar communication signals.

**Liquid Waste** means waste that has a slump of more than 150 mm using the Canadian Standards Association Slump Test Method A23.2-5C.

**Manufacturing, Heavy** means the processing, treatment, preparation, packing, transportation, handling and storage of semi-finished or raw materials where such operations have impacts that would make them incompatible with adjacent land uses.

**Manufacturing, Light** means the processing and creation of goods or

materials, provided they do not create unusual fire, explosion or safety hazards, noise more than average intensity of street and traffic noise in the area in question, and 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 site.

**Natural Resource Development** means a use involving the onsite preparation, extraction, and primary processing of raw materials found on or under the site or accessible from the site. Typical uses in this class include aggregate, forestry and mineral mining.

**Recycling Depot** means a facility in which recoverable resources are recycled, reprocessed and treated to return such materials to a condition in which they can again be used for production purposes, or consolidated and packaged for transport to other facilities.

**Research and Technology Facility** means a facility engaged in scientific research, product design, development and testing, and limited manufacturing necessary to produce prototypes.

**Self or Mini Storage** means a use involving storage spaces available to the public on a for-hire basis. This includes storage for motor vehicles and storage provided in portable containers transported to a mini storage site.

**Sewage Treatment Site (Lagoon)** means a site where wastewater is stored and treated through natural biological processes before it is released back into the environment.

**Solar Energy Farm** means a principal facility used to produce energy derived from solar panels or solar cells and intended to provide electricity for commercial sale and distribution to the electrical grid.

**Solid or Liquid Waste Disposal Site** means a permanent facility, either publicly or privately owned, operated for the purpose of disposing of solid waste.

**Solid Waste** means any waste in solid form, including dead animals.

**Warehouse and Distribution** means a use involving the storage and distribution of materials, goods, or products entirely within an enclosed building.

**Waste Transfer Station** means a facility where solid waste from collection vehicles is consolidated and temporarily stored for subsequent transport to a permanent disposal site.

**Wind Energy Generating Station, Commercial** means a large-scale electrical generating facility (also referred to as a wind farm) intended solely

for commercial sale and distribution of electrical power. This use includes wind turbines and accessory facilities, including but not limited to a generator, transformers, storage, collection and supply equipment, underground cables, sub-station or wind-monitoring equipment.

**Wrecking Yard** means an establishment for the dismantling or wrecking of used motor vehicles and the storage, sale or dumping of dismantled, obsolete or wrecked vehicles or their parts.

9.2.9 Residential and Residential Related Use Class Definitions:

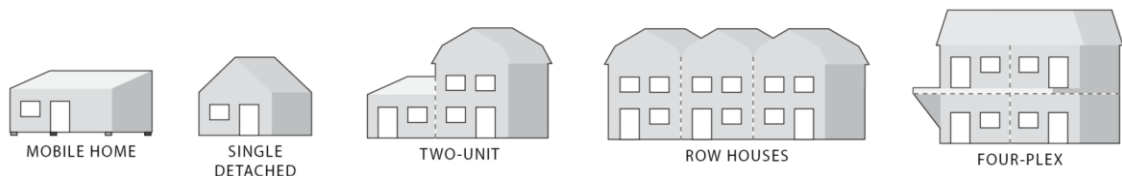
**Dwelling, Mobile Home** means a manufactured home built to CSA specification Z240 MH, tiny homes or ready-to-move (RTMs) suitable for year-round, long-term occupancy and in adherence to any applicable standards of the Manitoba Building Code. This includes mobile homes.

**Dwelling, Multiple Unit** means a building or structure containing three or more dwelling units, arranged in a vertical or horizontal manner, either served by separate entrances or common corridors and entrances. Typical uses include row housing, triplexes, apartment buildings and similar.

**Dwelling, Single Unit** means a building or structure containing only one dwelling unit that is separate from any other dwelling or building.

**Dwelling, Two Unit** means a single building or structure containing two separate dwelling units, separate from any other building. This includes duplexes and side-by-side dwellings.

**Mobile Home Park** means a use wherein more than one mobile home dwelling may be situated on sites and may feature common elements including roads, access and supporting facilities. This includes mobile home parks.



9.2.10 Accessory Use Class Definitions:

**Animal Grooming, Boarding and Breeding** means an accessory use dealing with the caring for household pets and which may include training, care, overnight boarding and grooming activities.

**Bed & Breakfast** means a hospitality use of a dwelling in which temporary overnight and breakfast is provided to guests for remuneration.

**Caretaker's Suite** means a dwelling unit accessory to a principal commercial

or industrial use required for the housing of an employee or caretaker contained entirely within the principal use.

**Drive-in or Drive-Through Establishment** means a development that allows rapid customer service for patrons using a vehicle.

**Farm Buildings and Structures** means a building or structure, or part thereof which does not contain a residential occupancy and meets all of the following criteria:

- a. Associated with or located on land devoted to the practice of farming; and
- b. Used essentially for the housing of equipment or livestock, or the production, storage or processing of agricultural or horticultural produce or feeds, such as barns, produce storage buildings, milking centres, chicken houses, grain bins, silos, machinery sheds, farm workshops, manure storages, greenhouses and garages not attached to a farmstead dwelling.

Farm buildings less than 600.00 m<sup>2</sup> (6,458.00 ft<sup>2</sup>) are required to obtain a building permit from the RM of Thompson. Farm buildings greater than 600.00 m<sup>2</sup> (6,458.00 ft<sup>2</sup>) are subject to the farm building code and must obtain a building permit from the Office of the Fire Commissioner.

**Farm-Based Commerce** means a business operation that is accessory to the principal farming operation on site. Farm-based commerce may entail occupations or industries related and accessory to the farm operation only.

**Farm Produce Outlet** means a principal use or an accessory use to a farming operation that involves the direct sale of farm produce sold on a seasonal basis.

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

**Farmstead Dwelling** means a dwelling accessory to an agricultural operation where the operator of the farm resides. A Farmstead Dwelling is typically situated on a Farmstead Site.

**General Retail** means the direct sale of merchandise, goods, or inventory related and accessory to a principal use.

**Home Day Care** means the use of a portion of a dwelling unit for the provision of child care services provided by a resident of the dwelling, up to a maximum of 8 children. The operation must meet all applicable provincial

legislation and regulations.

**Home-Based Commerce** means a business operation that is accessory to the principal dwelling on a site. Home-based Commerce includes the following:

- a. **Home-Based Occupation** means a home-based commerce use accessory to a dwelling wherein all operations are conducted within the dwelling and where such use does not change the character or exterior of the dwelling in any way.
- b. **Home-Based Industry** means a home-based commerce use accessory to a dwelling wherein operations may be within or external to a dwelling and minimal changes to the character or exterior of a dwelling are expected.

**Keeping of Animals** means a use where less than 10 animal units of livestock or other animals (excluding pets) are sheltered, bred, raised, or sold.

**Metal Shipping Container** means a prefabricated metal structure designed for use as a storage container in accordance with international standards.

**Outdoor Storage** means the storage of merchandise, goods, inventory, materials, or equipment or other times that are not intended for immediate sale and do not constitute outdoor display by locating them outside.

**Private Wireless Communication** means dedicated wireless equipment used to meet the wireless communication requirements of an organization and deployed on the organization's premises.

**Secondary Suite** means a self-contained accessory dwelling unit within a single unit dwelling building. A secondary suite has its own separate cooking, sleeping, and sanitary facilities and has direct access to the outside without passing through any part of the principal dwelling unit. A Secondary Suite does not include two-unit dwellings or multi-unit dwellings.

- a. **Attached** means the Secondary Suite is wholly contained within the dwelling unit or added as an extension or addition to an already existing dwelling unit.
- b. **Detached** means the Secondary Suite is independent of the primary dwelling unit or located above an already existing accessory building or structure, such as a garage or shed.

**Solar Energy System, On-Site Use** means an electrical energy generating system intended to primarily serve the electrical needs of the on-site user or consumer (either behind the meter or off-grid) rather than to produce power for resale. This use includes rooftop collectors and backyard systems.

**Wind Energy Generating Station, On-Site Use** means a small-scale electrical generating facility intended to primarily serve the electrical needs of the on-site user or consumer and not intended to produce power for resale.

## USE TABLE

| <b>LEGEND</b><br><b>P - Permitted Use</b><br><b>C - Conditional Use</b><br><b>* - Use Specific Standard Apply</b> | AGRICULTURAL ZONING DISTRICTS |    | CIVIC USE ZONING DISTRICTS | COMMERCIAL SALES AND SERVICES |     |     | INDUSTRIAL DISTRICTS |     | RESIDENTIAL ZONING DISTRICTS |     |     | USE-SPECIFIC STANDARDS                        |
|-------------------------------------------------------------------------------------------------------------------|-------------------------------|----|----------------------------|-------------------------------|-----|-----|----------------------|-----|------------------------------|-----|-----|-----------------------------------------------|
|                                                                                                                   | AG                            | AR | OS                         | CC                            | CH  | CA  | MB                   | MG  | RG                           | RMH | RR  | Section                                       |
| <b>Agricultural Uses</b>                                                                                          |                               |    |                            |                               |     |     |                      |     |                              |     |     |                                               |
| Agri-Business                                                                                                     | P                             | P  |                            |                               | P   | P   | C                    | P   |                              |     | C   |                                               |
| Agricultural Implement Sales and Service                                                                          | P                             | P  |                            |                               | P   | P   | C                    | P   |                              |     |     |                                               |
| Agricultural Product Storage                                                                                      | P                             | P  |                            |                               | C   | P   |                      | P   |                              |     | C   |                                               |
| Anhydrous Ammonia Facility                                                                                        | C*                            |    |                            |                               |     | C*  |                      |     |                              |     |     | <a href="#">7.1</a>                           |
| Communal Farm Operation                                                                                           | C                             | C  |                            |                               |     |     |                      |     |                              |     |     |                                               |
| Equestrian Establishment                                                                                          | P                             | C  |                            |                               |     | C   |                      |     |                              |     | C   |                                               |
| Farm Produce Outlet                                                                                               | P                             | P  | C                          | C                             | P   | P   | C                    | C   |                              |     | C   |                                               |
| General Agriculture                                                                                               | P                             | P  | C                          |                               | P ① | P ① |                      | P ① |                              |     | C ① |                                               |
| Greenhouse or Tree Nursery                                                                                        | P                             | P  | P                          |                               | P   | P   |                      | C   |                              |     | C   |                                               |
| Livestock Auctioneering Establishment                                                                             | C                             | C  |                            |                               |     |     |                      |     |                              |     | C   |                                               |
| Livestock Operation 100 or fewer AU                                                                               | P*                            | C* |                            |                               |     |     |                      |     |                              |     |     | <a href="#">7.10.</a><br><a href="#">7.11</a> |
| Livestock Operation 101-299 AU                                                                                    | P*                            | C* |                            |                               |     |     |                      |     |                              |     |     | <a href="#">7.10.</a><br><a href="#">7.11</a> |
| Livestock Operation 300+ AU                                                                                       | C*                            | C* |                            |                               |     |     |                      |     |                              |     |     | <a href="#">7.10.</a><br><a href="#">7.11</a> |
| Specialized Agriculture                                                                                           | P                             | P  |                            |                               |     | P   |                      | P   |                              |     | C   |                                               |
| <b>Commercial Sales and Service Uses</b>                                                                          |                               |    |                            |                               |     |     |                      |     |                              |     |     |                                               |
| Animal Shelter, Pound, Kennel or Veterinary Facility                                                              | P*                            | P* |                            | C*                            | C*  | P*  | P*                   | P*  |                              |     |     | <a href="#">7.2</a>                           |
| Auctioneering Establishment (excluding storage/sales of livestock)                                                | C                             | C  |                            | C                             | C   | C   | C                    | C   |                              |     |     |                                               |
| Drive-in or Drive-Through Establishment                                                                           |                               |    |                            | C                             | P   | C   | C                    | C   |                              |     |     |                                               |
| Eating or Drinking Establishment                                                                                  |                               |    | C                          | P                             | P   | C   | C                    | C   |                              |     |     |                                               |



| LEGEND<br>P - Permitted Use<br>C - Conditional Use<br>* - Use Specific Standard Apply | AGRICULTURAL<br>ZONING<br>DISTRICTS |           | CIVIC<br>USE<br>ZONING<br>DISTRICTS | COMMERCIAL SALES AND<br>SERVICES |           |           | INDUSTRIAL<br>DISTRICTS |           | RESIDENTIAL ZONING<br>DISTRICTS |            |           | USE-<br>SPECIFIC<br>STANDARDS |
|---------------------------------------------------------------------------------------|-------------------------------------|-----------|-------------------------------------|----------------------------------|-----------|-----------|-------------------------|-----------|---------------------------------|------------|-----------|-------------------------------|
|                                                                                       |                                     |           |                                     |                                  |           |           |                         |           |                                 |            |           |                               |
| Equipment Rental, Sales, and Service                                                  |                                     |           |                                     | P                                | P         | P         | P                       | P         |                                 |            |           |                               |
| Funeral Service                                                                       |                                     |           |                                     | C                                | C         | C         | C                       | C         |                                 |            |           |                               |
| General Contractor                                                                    |                                     |           |                                     | C                                | P         | P         | P                       | P         |                                 |            |           |                               |
| General Retail Sales and Service (unless otherwise listed)                            |                                     |           |                                     | P                                | P         | C         | P                       |           |                                 |            |           |                               |
| Grocery or Supermarket                                                                |                                     |           |                                     | P                                | P         | C         | P                       |           |                                 |            |           |                               |
| Home Improvement Store                                                                |                                     |           |                                     | P                                | P         | P         | P                       |           |                                 |            |           |                               |
| Hotel or Motel                                                                        |                                     |           |                                     | P                                | P         | C         |                         |           |                                 |            |           |                               |
| Landscape or Garden Contractor                                                        | P                                   | P         |                                     |                                  | P         | P         |                         |           |                                 |            |           |                               |
| Office                                                                                |                                     |           | C                                   | P                                | P         | C         | P                       | P         |                                 |            |           |                               |
| Personal Service Shop                                                                 |                                     |           |                                     | P                                | P         | C         |                         |           |                                 |            |           |                               |
| <b>Community, Recreation and Public Services Uses</b>                                 | <b>AG</b>                           | <b>AR</b> | <b>OS</b>                           | <b>CC</b>                        | <b>CH</b> | <b>CA</b> | <b>MB</b>               | <b>MG</b> | <b>RG</b>                       | <b>RMH</b> | <b>RR</b> | <b>Section</b>                |
| Campground                                                                            | C                                   | C         | C                                   |                                  |           | C         |                         |           |                                 |            | C         |                               |
| Cemetery                                                                              | C                                   | C         | C                                   |                                  |           |           |                         |           |                                 |            |           |                               |
| Child Care Service                                                                    |                                     |           |                                     | C                                | C         |           |                         |           | P                               | C          | C         |                               |
| Community Centre or Hall                                                              |                                     |           | P                                   | P                                | P         | C         |                         |           | C                               | C          | C         |                               |
| Golf Course                                                                           |                                     |           | P                                   |                                  |           |           |                         |           |                                 |            |           |                               |
| Hospitals and Medical Services                                                        |                                     |           | C                                   | C                                | C         | C         | C                       |           |                                 |            |           |                               |
| Institutional Residence                                                               |                                     |           | C                                   | C                                | C         |           |                         |           | C                               | C          | C         |                               |
| Library, Museum or Gallery                                                            |                                     |           | P                                   | P                                | P         | C         |                         |           | C                               | C          | C         |                               |
| Outfitter                                                                             | C                                   | C         | C                                   |                                  | C         | C         |                         |           |                                 |            |           |                               |
| Places of Worship                                                                     |                                     |           | C                                   | C                                | C         |           |                         |           | C                               |            |           |                               |
| Private Club                                                                          |                                     |           | C                                   | C                                | C         |           |                         |           |                                 |            |           |                               |
| Protective Emergency Service                                                          | P                                   | P         | P                                   | P                                | P         | P         | P                       | P         | P                               | P          | P         |                               |
| Public Parks, Playgrounds, Gardens, and Historical Sites                              | C                                   | C         | P                                   | P                                | P         | C         |                         |           | P                               | P          | P         |                               |

| LEGEND<br>P - Permitted Use<br>C - Conditional Use<br>* - Use Specific Standard Apply | AGRICULTURAL ZONING DISTRICTS |           | CIVIC USE ZONING DISTRICTS | COMMERCIAL SALES AND SERVICES |           |           | INDUSTRIAL DISTRICTS |           | RESIDENTIAL ZONING DISTRICTS |            |           | USE-SPECIFIC STANDARDS |
|---------------------------------------------------------------------------------------|-------------------------------|-----------|----------------------------|-------------------------------|-----------|-----------|----------------------|-----------|------------------------------|------------|-----------|------------------------|
|                                                                                       |                               |           |                            |                               |           |           |                      |           |                              |            |           |                        |
| Public Utility Service                                                                | P*                            | P*        | P*                         | P*                            | P*        | P*        | P*                   | P*        | P*                           | P*         | P*        | <a href="#">2.14</a>   |
| Race Track                                                                            | C                             | C         | C                          |                               |           |           |                      |           |                              |            |           |                        |
| Recreation Facility, Indoor                                                           |                               |           | C                          | P                             | P         | C         | C                    | C         | C                            |            |           |                        |
| Recreation Facility, Outdoor                                                          | C                             | C         | C                          |                               | C         | C         | C                    | C         | C                            |            |           |                        |
| School                                                                                |                               |           |                            | C                             | C         | C         | C                    |           | C                            | C          | C         |                        |
| <b>Transportation and Automotive-Related Uses</b>                                     | <b>AG</b>                     | <b>AR</b> | <b>OS</b>                  | <b>CC</b>                     | <b>CH</b> | <b>CA</b> | <b>MB</b>            | <b>MG</b> | <b>RG</b>                    | <b>RMH</b> | <b>RR</b> | <b>Section</b>         |
| Airport or Aircraft Landing Field                                                     | C                             |           |                            |                               |           |           |                      |           |                              |            |           |                        |
| Automotive Sales, Service, Repair and Rental                                          |                               |           |                            | P                             | P         | C         | P                    | P         |                              |            |           |                        |
| Gas Station or Automotive Service Station                                             |                               |           |                            | P*                            | P*        | C*        |                      | P*        |                              |            |           | <a href="#">7.6</a>    |
| Heavy Equipment Sales, Service, and Rental                                            |                               |           |                            | C                             | P         | C         |                      | P         |                              |            |           |                        |
| Parking Lot or Structure                                                              |                               |           |                            | C                             | P         | C         | P                    | P         |                              |            |           |                        |
| Towing and Storage Facility                                                           |                               |           |                            | P                             | P         | C         | P                    | P         |                              |            |           |                        |
| Truck Stop                                                                            |                               |           |                            |                               | P         |           |                      | P         |                              |            |           |                        |
| <b>Industrial Uses</b>                                                                | <b>AG</b>                     | <b>AR</b> | <b>OS</b>                  | <b>CC</b>                     | <b>CH</b> | <b>CA</b> | <b>MB</b>            | <b>MG</b> | <b>RG</b>                    | <b>RMH</b> | <b>RR</b> | <b>Section</b>         |
| Abattoir                                                                              | C                             | C         |                            |                               |           | C         | C                    | C         |                              |            |           |                        |
| Brewery/Distillery/Winery                                                             | C                             | C         |                            |                               | P         |           | C                    | P         |                              |            |           |                        |
| Bulk Fuel Storage Facility                                                            | C                             | C         |                            |                               |           |           |                      | C         |                              |            |           |                        |
| Commercial Composting                                                                 | C*                            | C*        |                            |                               |           |           |                      | C*        |                              |            |           | <a href="#">7.3</a>    |
| Communication Tower                                                                   | P*                            | P*        | P*                         | P*                            | P*        | P*        | P*                   | P*        | P*                           | P*         | P*        | <a href="#">7.4</a>    |
| Manufacturing, Heavy                                                                  |                               |           |                            |                               | C         | C         | C                    | P*        |                              |            |           | <a href="#">7.7</a>    |
| Manufacturing, Light                                                                  |                               |           |                            |                               | P         | C         | C                    | P         |                              |            |           |                        |
| Natural Resource Development                                                          | C*                            | C*        | C*                         |                               |           |           |                      |           |                              |            |           | <a href="#">7.14</a>   |
| Recycling Depot                                                                       | C                             | C         |                            |                               |           |           |                      | P         |                              |            |           |                        |
| Research and Technology Facility                                                      |                               |           |                            |                               | P         |           |                      | P         |                              |            |           |                        |
| Self or Mini Storage                                                                  |                               |           |                            | P                             | P         | C         |                      | P         |                              |            |           |                        |

| LEGEND<br>P - Permitted Use<br>C - Conditional Use<br>* - Use Specific Standard Apply | AGRICULTURAL ZONING DISTRICTS |           | CIVIC USE ZONING DISTRICTS | COMMERCIAL SALES AND SERVICES |           |           | INDUSTRIAL DISTRICTS |           | RESIDENTIAL ZONING DISTRICTS |            |           | USE-SPECIFIC STANDARDS |
|---------------------------------------------------------------------------------------|-------------------------------|-----------|----------------------------|-------------------------------|-----------|-----------|----------------------|-----------|------------------------------|------------|-----------|------------------------|
|                                                                                       |                               |           |                            |                               |           |           |                      |           |                              |            |           |                        |
| Solar Energy Farm                                                                     | C                             | C         | C                          |                               |           |           |                      | C         |                              |            | C         |                        |
| Solid or Liquid Waste Disposal Site                                                   | C*                            | C*        |                            |                               |           |           |                      | C*        |                              |            |           | <a href="#">7.17</a>   |
| Sewage Treatment Site (Lagoon)                                                        | C                             | C         |                            |                               |           |           |                      | C         |                              |            |           |                        |
| Warehouse and Distribution                                                            |                               |           |                            | C                             | P         | C         |                      | P         |                              |            |           |                        |
| Waste Transfer Station                                                                | C*                            |           |                            |                               |           |           |                      | C*        |                              |            | C*        | <a href="#">7.20</a>   |
| Wind Energy Generating Station (Commercial)                                           | C*                            | C*        |                            |                               |           |           |                      |           |                              |            |           | <a href="#">7.20.1</a> |
| Wrecking Yard                                                                         | C                             |           |                            |                               |           |           |                      | C         |                              |            |           |                        |
| <b>Residential Uses</b>                                                               | <b>AG</b>                     | <b>AR</b> | <b>OS</b>                  | <b>CC</b>                     | <b>CH</b> | <b>CA</b> | <b>MB</b>            | <b>MG</b> | <b>RG</b>                    | <b>RMH</b> | <b>RR</b> | <b>Section</b>         |
| Dwelling, Mobile Home                                                                 | P*                            | P*        | C*                         |                               |           |           |                      |           |                              | P*         | C*        | <a href="#">7.13</a>   |
| Dwelling, Multiple Unit                                                               |                               |           | C                          | C                             |           |           |                      |           | C                            | P          | C         |                        |
| Dwelling, Single Unit                                                                 | P                             | P         | C                          |                               |           |           |                      |           | P                            | P          | P         |                        |
| Dwelling, Two Unit                                                                    |                               |           | C                          |                               |           |           |                      |           | P                            | P          | P         |                        |
| Mobile Home Park                                                                      |                               |           | C*                         |                               |           |           |                      |           |                              | P*         |           | <a href="#">7.13</a>   |
| Planned Unit Development                                                              |                               |           |                            | C                             | C         | C         | C                    | C         | C                            |            |           | <a href="#">7.15</a>   |
| <b>Accessory Uses</b>                                                                 | <b>AG</b>                     | <b>AR</b> | <b>OS</b>                  | <b>CC</b>                     | <b>CH</b> | <b>CA</b> | <b>MB</b>            | <b>MG</b> | <b>RG</b>                    | <b>RMH</b> | <b>RR</b> | <b>Section</b>         |
| Accessory Uses, not listed                                                            | C                             | C         | C                          | C                             | C         | C         | C                    | C         | C                            | C          | C         |                        |
| Animal Grooming/Boarding/Breeding                                                     | P                             | P         |                            | C                             | C         |           |                      |           | C                            | C          | C         |                        |
| Bed & Breakfast                                                                       | P                             | P         |                            |                               |           |           |                      |           | P                            |            | P         |                        |
| Caretaker's Suite ④                                                                   | P                             | P         | C                          | C                             | P         | C         | P                    | P         | C                            |            | C         |                        |
| Drive-in or Drive-Through                                                             |                               |           |                            | C                             | P         | C         |                      | P         |                              |            |           |                        |
| Farm Buildings and Structures ③                                                       | P                             | P         |                            |                               |           |           |                      |           |                              |            |           |                        |
| Farm-Based Commerce ③                                                                 | P*                            | P*        |                            |                               |           |           |                      |           |                              |            |           | <a href="#">7.5</a>    |
| Farm Produce Outlet                                                                   | P                             | P         | P                          | P                             | P         | P         |                      |           |                              |            |           |                        |
| Farmers' Market                                                                       | P                             | P         |                            | P                             | P         | P         | P                    | P         |                              |            |           |                        |
| Farmstead Dwelling ③                                                                  | P                             | P         |                            |                               |           |           |                      |           |                              |            |           |                        |

| LEGEND<br>P - Permitted Use<br>C - Conditional Use<br>* - Use Specific Standard Apply                                                                                                                                                                                                                                                                                                                                  | AGRICULTURAL ZONING DISTRICTS |    | CIVIC USE ZONING DISTRICTS | COMMERCIAL SALES AND SERVICES |    |    | INDUSTRIAL DISTRICTS |    | RESIDENTIAL ZONING DISTRICTS |    |     | USE-SPECIFIC STANDARDS |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|----|----------------------------|-------------------------------|----|----|----------------------|----|------------------------------|----|-----|------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                        |                               |    |                            |                               |    |    |                      |    |                              |    |     |                        |
| General Retail                                                                                                                                                                                                                                                                                                                                                                                                         |                               |    |                            |                               |    |    |                      |    |                              |    |     |                        |
| Home Day Care ②                                                                                                                                                                                                                                                                                                                                                                                                        | C                             | C  |                            |                               |    |    |                      |    | C                            | C  | C   |                        |
| Home-Based Industry ②⑤                                                                                                                                                                                                                                                                                                                                                                                                 | P*                            | P* |                            |                               |    |    |                      |    | P*                           | P* | P*⑤ | <a href="#">7.8</a>    |
| Home-Based Occupation ②                                                                                                                                                                                                                                                                                                                                                                                                | P*                            | P* |                            |                               |    |    |                      |    | P*                           | P* | P*  | <a href="#">7.8</a>    |
| Keeping of Animals ②                                                                                                                                                                                                                                                                                                                                                                                                   | P*                            | P* |                            |                               |    |    |                      |    |                              |    | P*  | <a href="#">7.9</a>    |
| Metal Shipping Containers                                                                                                                                                                                                                                                                                                                                                                                              | P*                            | P* | C*                         | C*                            | C* | C* | C*                   | C* |                              |    | C*  | <a href="#">7.12</a>   |
| Outdoor Storage                                                                                                                                                                                                                                                                                                                                                                                                        | P*                            | P* |                            | C*                            | C* | C* | P*                   | P* |                              |    | C*  | <a href="#">6.13</a>   |
| Private Garage or Shed ②                                                                                                                                                                                                                                                                                                                                                                                               | P                             | P  | P                          | P                             | P  | P  | P                    | P  | P                            | P  | P   |                        |
| Private Wireless Communication ②                                                                                                                                                                                                                                                                                                                                                                                       | P                             | P  | C                          | P                             | P  | P  | P                    | P  | P                            | P  | P   |                        |
| Secondary Suite (Attached) ②                                                                                                                                                                                                                                                                                                                                                                                           | P*                            | P* |                            |                               |    |    |                      |    | C*                           |    | C*  | <a href="#">7.16</a>   |
| Secondary Suite (Detached) ②                                                                                                                                                                                                                                                                                                                                                                                           | P*                            | P* |                            |                               |    |    |                      |    | C*                           |    | C*  | <a href="#">7.16</a>   |
| Signs                                                                                                                                                                                                                                                                                                                                                                                                                  | P*                            | P* | P*                         | P*                            | P* | P* | P*                   | P* | P*                           | P* | P*  | <a href="#">6.14</a>   |
| Solar Energy System (On-Site)                                                                                                                                                                                                                                                                                                                                                                                          | P*                            | P* |                            | P*                            | P* | P* | P*                   | P* | P*                           | P* | P*  | <a href="#">7.18</a>   |
| Swimming Pool ②                                                                                                                                                                                                                                                                                                                                                                                                        | P*                            | P* |                            |                               |    |    |                      |    | P*                           | P* | P*  | <a href="#">7.19</a>   |
| Wind Energy Generating Station (On-Site)                                                                                                                                                                                                                                                                                                                                                                               | P*                            | P* |                            | P*                            | P* | P* | P*                   | P* | P*                           | P* | P*  | <a href="#">7.21.2</a> |
| <b>Notes</b>                                                                                                                                                                                                                                                                                                                                                                                                           |                               |    |                            |                               |    |    |                      |    |                              |    |     |                        |
| ① Until such time the land is required for development.<br>② When accessory to a residential use.<br>③ When accessory to an agricultural use.<br>④ When accessory to a commercial or industrial use, enclosed within the principal building and a maximum of 55.74 m <sup>2</sup> (600.00 ft <sup>2</sup> ) in area.<br>⑤ May only be considered on parcels existing as of the date of adoption of this Zoning By-law. |                               |    |                            |                               |    |    |                      |    |                              |    |     |                        |

# BULK TABLE

|                                                                                                                 | Agricultural Zoning Districts |         | Civic Use Zoning Districts | Commercial Sales and Services Zoning Districts |         |         | Industrial Zoning Districts |                        | Residential Zoning Districts |                     |                     |
|-----------------------------------------------------------------------------------------------------------------|-------------------------------|---------|----------------------------|------------------------------------------------|---------|---------|-----------------------------|------------------------|------------------------------|---------------------|---------------------|
|                                                                                                                 | AG                            | AR      | OS                         | CC                                             | CH      | CA      | MB                          | MG                     | RG ⑤                         | RMH ④               | RR ⑤                |
| <b>Principal Uses, Buildings and Structures</b>                                                                 |                               |         |                            |                                                |         |         |                             |                        |                              |                     |                     |
| Site Area (min. ac.) – Agricultural Activities and Livestock Operations                                         | 80 ac                         | 80 ac   | -                          | -                                              | -       | -       | -                           | -                      | -                            | -                   | -                   |
| Site Area (min. ac.) - Permitted or Conditional use other than Agricultural Activities and Livestock Operations | 2 ac                          | 2 ac    | 1 ac                       | 6,000 ft <sup>2</sup>                          | 1 ac    | 5 ac    | 10,000 ft <sup>2</sup>      | 10,000 ft <sup>2</sup> | 4,000 ft <sup>2</sup> ③      | Table 7-1           | 2 ac                |
| Site Width (min. ft.)                                                                                           | 600 ft.                       | 300 ft. | 200 ft.                    | 50 ft.                                         | 150 ft. | 300 ft. | 75 ft.                      | 75 ft.                 | 35 ft. ③                     | Table 7-1           | 200 ft.             |
| Front Yard (min. ft.) ①                                                                                         | 125 ft.                       | 125 ft. | 75 ft.                     | 0 ft.                                          | 125 ft. | 125 ft. | 25 ft.                      | 25 ft.                 | 20 ft.                       | Table 7-1           | 125 ft.             |
| Front Yard (min. ft.) where abutting a Mun./Prov. Right-of-way (ROW) ①                                          | 125 ft.                       | 125 ft. | 75 ft.                     | 50 ft.                                         | 50 ft.  | 50 ft.  | 50 ft.                      | 50 ft.                 | 50 ft.                       | Table 7-1           | 125 ft.             |
| Rear Yard (min. ft.)                                                                                            | 25 ft.                        | 25 ft.  | 25 ft.                     | 20 ft.                                         | 25 ft.  | 25 ft.  | 10 ft.                      | 25 ft.                 | 15 ft.                       | Table 7-1           | 25 ft.              |
| Side Yard (min. ft.)                                                                                            | 25 ft.                        | 25 ft.  | 10 ft.                     | 10 ft.                                         | 25 ft.  | 10 ft.  | 10 ft.                      | 10 ft.                 | 5 ft.                        | Table 7-1           | 25 ft.              |
| Side Yard abutting a Prov. ROW ①                                                                                | 75 ft.                        | 75 ft.  | 50 ft.                     | 50 ft.                                         | 50 ft.  | 50 ft.  | 50 ft.                      | 50 ft.                 | 10 ft.                       | Table 7-1           | 50 ft.              |
| Corner Side yard (min. ft.)                                                                                     | 125 ft.                       | 125 ft. | 15 ft.                     | 15 ft.                                         | 25 ft.  | 25 ft.  | 15 ft.                      | 15 ft.                 | 10 ft.                       | Table 7-1           | 125 ft.             |
| Building Height (max. ft.)                                                                                      | -                             | -       | 45 ft.                     | 45 ft.                                         | 45 ft.  | 45 ft.  | 45 ft.                      | 45 ft.                 | 35 ft.                       | Table 7-1           | -                   |
| Dwelling Unit Area (min. sq. ft.)                                                                               | -                             | -       | -                          | -                                              | -       | -       | -                           | -                      | 700 ft <sup>2</sup>          | 500 ft <sup>2</sup> | 700 ft <sup>2</sup> |
| <b>Accessory Uses, Buildings and Structures</b>                                                                 |                               |         |                            |                                                |         |         |                             |                        |                              |                     |                     |
| Front Yard (min. ft.)                                                                                           | 125 ft.                       | 125 ft. | 50 ft.                     | 0 ft.                                          | 50 ft.  | 50 ft.  | 25 ft.                      | 25 ft.                 | 20 ft.                       | 20 ft.              | 125 ft.             |
| Rear Yard (min. ft.)                                                                                            | 10 ft.                        | 10 ft.  | 10 ft.                     | 20 ft.                                         | 10 ft.  | 10 ft.  | 10 ft.                      | 10 ft.                 | 5 ft.                        | 10 ft.              | 10 ft.              |
| Side Yard (min. ft.)                                                                                            | 10 ft.                        | 10 ft.  | 10 ft.                     | 0 ft.                                          | 5 ft.   | 5 ft.   | 10 ft.                      | 5 ft.                  | 5 ft.                        | 5 ft.               | 10 ft.              |
| Corner Side yard (min. ft.)                                                                                     | 75 ft.                        | 75 ft.  | 25 ft.                     | 0 ft.                                          | 25 ft.  | 25 ft.  | 15 ft.                      | 25 ft.                 | 10 ft.                       | 10 ft.              | 50 ft.              |
| Building Height (max. ft.)                                                                                      | -                             | -       | 40 ft.                     | 40 ft.                                         | 40 ft.  | 40 ft.  | 40 ft.                      | 40 ft.                 | 30 ft.                       | 30 ft.              | 30 ft.              |
| Separation from other on-site buildings (min. ft.) ②                                                            | 10 ft.                        | 10 ft.  | -                          | 6 ft.                                          | 6 ft.   | 6 ft.   | 6 ft.                       | 6 ft.                  | 6 ft.                        | 6 ft.               | 6 ft.               |
| <b>Notes</b>                                                                                                    |                               |         |                            |                                                |         |         |                             |                        |                              |                     |                     |

- ① Minimum setback is the greater of setback stated or minimum required by Manitoba Transportation and Infrastructure, whichever is larger.
- ② Separation between Accessory buildings or structures and Principal buildings or structures shall be measured clear of all projections.
- ③ Notwithstanding the minimum site size listed herein, RG sites utilizing a septic field wastewater system must meet the minimum provincial standard of 2 acres and a minimum site width of 198 ft.
- ④ For dimensional standards for spaces within a mobile home park, see Section [7.13](#).
- ⑤ For dimensional standards for subdivision of attached dwelling units, See Section 6.

## APPENDIX I – ANIMAL UNIT TABLE

| Category of Livestock                                                                                                                                                                                                                                                                                                                                                               | Animal Units (AU)<br>Produced by<br>One Livestock | Number of Livestock to<br>Produce One<br>Animal Unit (AU) |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|-----------------------------------------------------------|
| <b>Dairy</b>                                                                                                                                                                                                                                                                                                                                                                        |                                                   |                                                           |
| Milking Cows                                                                                                                                                                                                                                                                                                                                                                        | 2                                                 | 0.5                                                       |
| <b>Beef</b>                                                                                                                                                                                                                                                                                                                                                                         |                                                   |                                                           |
| Beef Cows                                                                                                                                                                                                                                                                                                                                                                           | 1.25                                              | 0.8                                                       |
| Backgrounders                                                                                                                                                                                                                                                                                                                                                                       | 0.5                                               | 2                                                         |
| Summer pasture / replacement<br>heifers                                                                                                                                                                                                                                                                                                                                             | 0.625                                             | 1.6                                                       |
| Feeder Cattle                                                                                                                                                                                                                                                                                                                                                                       | 0.769                                             | 1.3                                                       |
| <b>Hogs</b>                                                                                                                                                                                                                                                                                                                                                                         |                                                   |                                                           |
| 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                                                                                                                                                                                                                                                                                                                                                                               | 0.2                                               | 5                                                         |
| <b>Chickens</b>                                                                                                                                                                                                                                                                                                                                                                     |                                                   |                                                           |
| 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                                                       |
| <b>Turkeys</b>                                                                                                                                                                                                                                                                                                                                                                      |                                                   |                                                           |
| Broilers                                                                                                                                                                                                                                                                                                                                                                            | 0.01                                              | 100                                                       |
| Heavy Toms                                                                                                                                                                                                                                                                                                                                                                          | 0.02                                              | 50                                                        |
| Heavy Hens                                                                                                                                                                                                                                                                                                                                                                          | 0.01                                              | 100                                                       |
| <b>Horses</b>                                                                                                                                                                                                                                                                                                                                                                       |                                                   |                                                           |
| Mares                                                                                                                                                                                                                                                                                                                                                                               | 1.333                                             | 0.75                                                      |
| <b>Sheep</b>                                                                                                                                                                                                                                                                                                                                                                        |                                                   |                                                           |
| Ewes                                                                                                                                                                                                                                                                                                                                                                                | 0.2                                               | 5                                                         |
| Feeder Lambs                                                                                                                                                                                                                                                                                                                                                                        | 0.063                                             | 16                                                        |
| <b>NOTE:</b><br><i>"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. To calculate the number of animal units, multiply the number of livestock (head) by the animal units produced (i.e.: number of livestock x animal units produced by one livestock = number of animal units).</i> |                                                   |                                                           |

## APPENDIX II – MINIMUM SEPARATION DISTANCES FOR LIVESTOCK 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)                                                             | 1200 (3,937)                                                | 800 (2,625)                                                           |
| 201 – 300                                   | 400 (1,312)                                           | 200 (656)                                                             | 1600 (5,249)                                                | 1070 (3,511)                                                          |
| 301 – 400                                   | 450 (1,476)                                           | 225 (738)                                                             | 1800 (5,906)                                                | 1200 (3,937)                                                          |
| 401 – 800                                   | 500 (1,640)                                           | 250 (820)                                                             | 2000 (6,561)                                                | 1330 (4,364)                                                          |
| 801 – 1,600                                 | 600 (1,968)                                           | 300 (984)                                                             | 2400 (7,874)                                                | 1600 (5,249)                                                          |
| 1,601 – 3,200                               | 700 (2,297)                                           | 350 (1,148)                                                           | 2800 (9,186)                                                | 1870 (6,135)                                                          |
| 3,201 – 6,400                               | 800 (2,625)                                           | 400 (1,312)                                                           | 3200 (10,499)                                               | 2130 (6,988)                                                          |
| 6,401 – 12,800                              | 900 (2,953)                                           | 450 (1,476)                                                           | 3600 (11,811)                                               | 2400 (7,874)                                                          |
| >12,800                                     | 1000 (3,281)                                          | 500 (1,640)                                                           | 4000 (13,123)                                               | 2670 (8,760)                                                          |



## APPENDIX III – MINIMUM MUTUAL SEPARATION DISTANCES TO DWELLINGS

The following table outlines mutual separation distances between specific uses and dwellings that are required throughout the By-law. For ease of interpretation, they have been compiled in this Appendix. For clarification purposes, the specific Subsection of the By-law should be referenced.

| Use                                                         | Separation Distance                                                                                                                                       | Subsection Reference            |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| Airports                                                    | a) 60.96 m. (200.00 ft.) strip parallel to and on either side of the centerline of a runway; and<br>b) 243.84 m. (800.00 ft.) from either end of a runway |                                 |
| Anhydrous Ammonia Facility                                  | 792.48 m. (2,600 ft.)                                                                                                                                     | Subsection 7.14                 |
| Commercial WEGS Tower                                       | 457 m. (1,500 ft.)                                                                                                                                        | Subsection 7.11                 |
| Liquid Waste Disposal                                       | 457 m. (1,500 ft.)                                                                                                                                        | Subsection 7.10                 |
| Livestock Operations                                        | Dependent on size of livestock operation                                                                                                                  | Subsection 7.17 and Appendix IV |
| Natural Resource Developments                               | 152.4 m. (500 ft.)                                                                                                                                        | Subsection 7.9                  |
| Solid Waste Disposal                                        | 800 m. (2,624 ft.)                                                                                                                                        | Subsection 7.10                 |
| Transmission Line right-of-way (natural gas or electricity) | 15.24 m. (50 ft.)                                                                                                                                         | Subsection 7.9.7                |