

RURAL MUNICIPALITY OF WHITEMOUTH ZONING BYLAW

2015

Sawkaconsulting Ltd.

TABLE OF CONTENTS

TABLE OF CONTENTS	1
PART 1 – TITLE, INTENT, PURPOSE, RULES OF CONSTRUCTION, DEFINITIONS	5
1.0. TITLE	5
1.1. INTENT AND PURPOSE	5
1.2. RULES OF CONSTRUCTION.....	5
1.3. DEFINITIONS	6
PART 2 – ADMINISTRATION	27
2.0. SCOPE	27
2.1. AREA AFFECTED	27
2.2. INTENT AND PURPOSE	27
2.3. RESPONSIBLE AUTHORITY	27
2.4. RESPONSIBILITIES OF COUNCIL	27
2.5. AMENDMENTS	27
2.5.1. PROCEDURE.....	27
2.5.2. DECISION OF COUNCIL	27
2.5.3. OBJECTIONS.....	28
2.5.4. DEVELOPMENT AGREEMENTS.....	28
2.6. CONDITIONAL USES.....	28
2.6.1. INTENT.....	28
2.6.2. APPLICATION.....	28
2.6.3. FILING AN APPLICATION	28
2.6.4. DECISION	28
2.6.5. EXPIRY OF CONDITIONAL USE APPROVAL	28
2.6.6. EXISTING CONDITIONAL USE	28
2.6.7. CHANGES TO AN EXISTING CONDITIONAL USE.....	28
2.6.8. REVOKING A CONDITIONAL USE PERMIT	28
2.7. VARIANCE ORDERS	28
2.7.1. APPLICATION.....	28
2.7.2. FILING AN APPLICATION	29
2.7.3. DECISION	29
2.7.4. EXPIRY OF VARIANCE ORDER APPROVAL	29
2.7.5. MINOR VARIATIONS	29
2.8. DEVELOPMENT OFFICER OR DESIGNATED EMPLOYEE	29
2.8.1. DUTIES AND POWERS	29
2.9. DEVELOPMENT PERMIT / BUILDING PERMIT	29
2.9.1. PERMIT REQUIRED	29
2.9.2. REQUIREMENTS.....	30
2.9.3. BUILDING / DEVELOPMENT PERMIT NOT REQUIRED.....	30
2.9.4. WITHHOLDING DEVELOPMENT / BUILDING PERMITS	30
2.9.5. SUSPENSION OR REVOCATION OF DEVELOPMENT / BUILDING PERMITS	30
2.9.6. EXISTING DEVELOPMENT / BUILDING PERMITS	30
2.10. BUILDING TO BE MOVED	30
2.11. NON-CONFORMING USES, PARCELS, BUILDINGS OR STRUCTURES.....	31
2.11.1. CONTINUANCE OF LAWFULLY EXISTING NON-CONFORMITIES	31
2.11.2. INCIDENTAL ALTERATIONS	31
2.11.3. REPAIR OR REBUILDING	31
2.11.4. NON-CONFORMING PARCEL	31
2.11.5. DISCONTINUANCE OF NON-CONFORMING USE	31
2.11.6. NON-CONFORMITY MAY BE ALTERED BY VARIANCE ORDER.....	31
2.12. ZONING MEMORANDUM	32
2.13. INTERPRETATION AND APPLICATION.....	32
2.14. RELATION TO OTHER BY-LAWS	32
2.15. UNDEVELOPED ROAD ALLOWANCE	32
2.16. RESPONSIBILITIES OF THE OWNER	32
2.17. ENFORCEMENT	32

2.18.	FEES	32
PART 3 - GENERAL PROVISIONS		33
3.0.	REGULATIONS OF USE	33
3.1.	ONE (1) MAIN BUILDING / MAIN USE PER ZONING SITE	33
3.2.	MULTIPLE USES OF A SITE	33
3.3.	EXCAVATION AND SOIL STRIPPING	33
3.4.	DEMOLITION AND REMOVAL OF BUILDINGS OR STRUCTURES	33
3.5.	FLOOD RISK AREAS AND HAZARD LANDS	33
3.6.	HOME INDUSTRIES	34
3.7.	GARDEN SUITE / SECOND SINGLE FAMILY DWELLING / DETACHED GUEST COTTAGE / COMMUNAL RESIDENCE	34
3.8.	CONDOMINIUM DEVELOPMENTS	34
3.9.	PLANNED UNIT DEVELOPMENTS	35
3.10.	LIVESTOCK OPERATIONS	35
3.10.1.	CONDITIONAL USE GUIDELINES	35
3.11.	SEPARATION DISTANCE REQUIREMENTS FOR ESTABLISHMENT OF ANHYDROUS AMMONIA STORAGE FACILITIES, WASTE DISPOSAL GROUNDS AND SEWAGE LAGOONS	36
3.12.	QUARRY / AGGREGATE / MINERAL OPERATIONS	36
3.13.	ACCESSORY BUILDINGS AND USES PERMITTED	36
3.14.	THROUGH SITE – MAY BE TWO (2) SITES	37
3.15.	TEMPORARY BUILDINGS AND USES	37
3.16.	AREA AND YARDS: GENERAL REQUIREMENTS	38
3.16.1.	PROJECTIONS INTO YARDS APPLICABLE TO ALL ZONES	38
3.17.	SPECIAL PROVISIONS FOR DEVELOPMENT ALONG MAJOR WATERWAYS	39
3.18.	NOXIOUS OR OFFENSIVE USE	39
3.19.	SIGN REGULATIONS	39
3.20.	LOADING REQUIREMENTS	40
3.20.1.	LOADING SURFACE AREA	40
3.20.2.	ACCESS	40
3.20.3.	LOADING SPACES	40
3.20.4.	TABLE 3.2: MINIMUM LOADING SPACES	40
3.21.	PARKING SPACE REQUIREMENTS, DIMENSIONS AND DESIGN	40
3.21.1.	HANDICAP PARKING SPACES	41
3.22.	ENTRANCES AND EXITS FOR AUTOMOBILE SERVICE STATIONS, PUBLIC PARKING AREAS, DRIVE-IN ESTABLISHMENTS AND ALL VEHICLE / EQUIPMENT SALES	41
3.23.	SUBDIVISION OF LAND	42
3.24.	PUBLIC MONUMENTS AND STATUARY	42
3.25.	PUBLIC UTILITY SERVICE	42
3.26.	SITES REDUCED BY PUBLIC UTILITY SERVICE OR STREET	42
3.27.	CONNECTING TO MUNICIPAL SERVICES	42
3.28.	PROVINCIAL TRUNK HIGHWAYS AND PROVINCIAL ROADS	43
3.29.	NOXIOUS OR OFFENSIVE USES	43
3.30.	PRIVATE SWIMMING POOLS AND HOT TUBS	43
3.31.	BASEMENT / SECONDARY SUITE	43
3.32.	FUTURE ROAD ALLOWANCE DEEMED EXISTING	43
3.33.	HEIGHT LIMITATION	43
3.34.	GENERAL REQUIREMENTS FOR MOBILE HOMES AND MOBILE HOME PARKS	43
3.35.	SPECIAL PROVISIONS - EXISTING MOBILE HOME PARK DEVELOPMENT	44
PART 4 – ZONES		45
4.0.	ZONES	45
4.0.1.	URBAN / RESIDENTIAL ZONES:	45
4.0.2.	RURAL ZONES:	45
4.0.3.	COMMERCIAL / INDUSTRIAL ZONE:	45
4.0.4.	OTHER ZONE	45
4.10.1.	USE CLASS DEFINITIONS	47
4.10.2.	RETENTION OF BULK REQUIREMENTS	47
4.10.3.	BULK USE AND REQUIREMENT TABLES BY ZONE:	47
4.10.4.	TABLE 4.1: "GD" GENERAL DEVELOPMENT ZONE USE AND BULK REQUIREMENTS	48
4.10.5.	TABLE 4.2: "GD" GENERAL DEVELOPMENT ZONE ACCESSORY USES	51
4.10.6.	TABLE 4.3: "RG" GENERAL RESIDENTIAL ZONE USE AND BULK REQUIREMENTS	53

4.10.7. TABLE 4.4: “ RG ” GENERAL RESIDENTIAL ZONE ACCESSORY USES	55
4.10.8. TABLE 4.5: MOBILE HOME PARKS SITE REQUIREMENTS	57
4.10.9. TABLE 4.6: “ RGZ ”, “ RM1 ”, “ RM2 ” RURAL GREEN, RURAL / RESORT MIXED AND RURAL MIXED 2 ZONES USES AND BULK REQUIREMENTS	58
4.10.10. TABLE 4.7: “ RGZ ”, “ RM1 ”, “ RM2 ” RURAL GREEN, RURAL / RESORT MIXED AND RURAL MIXED 2 ZONES ACCESSORY USES	61
4.10.11. TABLE 4.8: LIVESTOCK OPERATION – MINIMUM MUTUAL SETBACK REQUIREMENTS	62
4.10.12. TABLE 4.9: ANIMAL UNIT SUMMARY TABLE	63
4.10.13. TABLE 4.10: “ RCI ” RURAL COMMERCIAL / INDUSTRIAL ZONE USE AND BULK REQUIREMENTS	64
4.10.14. TABLE 4.11: “ RCI ” RURAL COMMERCIAL / INDUSTRIAL ACCESSORY USES	66
4.10.15. TABLE 4.12: “ OSI ” OPEN SPACE AND INSTITUTIONAL ZONE USES AND BULK REQUIREMENTS	67
4.10.16. TABLE 4.13: “ OSI ” OPEN SPACE AND INSTITUTIONAL ZONE ACCESSORY USES	68
4.10.17. TABLE 4.14: MINIMUM SITE REQUIREMENTS FOR CAMPING AND TENTING GROUNDS	69

ZONING MAPS 1 to 5

PART 1 – TITLE, INTENT, PURPOSE, RULES OF CONSTRUCTION, DEFINITIONS

1.0. TITLE

This By-law shall be known and may be cited as "The Rural Municipality of Whitemouth Zoning By-law".

1.1. INTENT AND PURPOSE

The regulations established by this by-law are deemed necessary in order to:

- a. Ensure general conformance with the objectives and policies of the *Whitemouth Reynolds Planning District Development Plan 2030*;
- b. Outline the powers and duties of Council, the Development Officer and / or Designated Officer, the landowner and / or developer as they relate to this By-law;
- c. Regulate the use and development of land and buildings by dividing the Municipality into zones;
- d. Prescribe permitted and conditional uses for land and buildings in each Zone; and
- e. Establish procedures for applying for and issuing building / development permits, non-conforming certificates, and zoning memoranda.

1.2. RULES OF CONSTRUCTION

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

- a. Words, phrases and terms are as defined within this By-law;
- b. Words, phrases and terms not defined within this By-law shall be as defined in *The Planning Act, Municipal Act, Buildings and Mobile Homes Act*, the Building, Electrical or Plumbing By-laws of the Rural Municipality of Whitemouth (if any), and other appropriate Provincial Acts and Regulations;
- c. Words, phrases and terms neither defined within this By-law nor in the Building, Electrical or Plumbing By-laws of the Rural Municipality of Whitemouth (if any) or other Acts shall be given their normative meaning except where Council determines the context clearly indicates a different meaning;
- d. The phrase “used for” includes “arranged for”, “designed for”, or “occupied for”;
- e. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction “and”, “or” or “either-or”, the conjunction shall be interpreted as follows:
 - i. “And” indicates that all the connected items, conditions, provisions or events shall apply in any combination.
 - ii. “Or” indicates that the connected items, conditions, provisions or events shall apply singly or in any combination.
 - iii. “Either-or” indicates that the connected items, conditions, provisions or events shall apply singly, but not in combination.
- f. The word “includes” or “including” shall not limit a term to the specified examples, but is intended to extend the meaning to all instances or circumstances of like kind or character.

1.3. DEFINITIONS

- 1.3.1. **Abattoir** means a building, structure, or part thereof, used for the slaughtering of animals and related activities. This use may also be referred to as a kill plant.
- 1.3.2. **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 with it.
- 1.3.3. **Accessory use, building or structure** means a use, building or structure on the same *zoning site* with, and of a nature customarily incidental, subordinate to, and exclusively devoted to the principal use or structure. The single exception to the above includes accessory off-street parking facilities which may be permitted to locate elsewhere than on the same *zoning site* with the building, structure or use served.
- 1.3.4. **Act** means *The Planning Act*, and amendments thereto.
- 1.3.5. **Aggregate** means quarry minerals that are used solely for construction purposes as a constituent other than in the manufacture of cement and includes sand, gravel, clay, crushed stone and crushed rock (see also [Natural resource development](#)).
- 1.3.6. **Agri-business** means a commercial establishment that provides goods or services to the agricultural sector. Typical uses include new and used implement, farm equipment and machinery sales (including service and rental), bulk fuel stations, chemicals for crop protection and production, feed and fertilizer supply operations, livestock auction marts, grain terminals, commercial seed cleaning plants and storage and handling and / or processing for grains, vegetables and other crops and other similar uses. [Anhydrous ammonia facilities](#) are not included in this use class.
- 1.3.7. **Agricultural activity** means a use of land for agricultural purposes as follows:
- a. The tillage of land and the production and storage of agricultural crops, including hay and forages;
 - b. The production of horticultural crops including vegetables, fruit, tree farming, nurseries, Christmas tree growing / selling operations, sod, greenhouse crops and related structures (see also [Greenhouse / nursery](#));
 - c. Specialized agricultural operations including strawberry farms and similar uses;
 - d. The operation of agricultural machinery and equipment;
 - e. The process necessary to prepare a farm product for distribution from the farm gate as an accessory use;
 - f. The application of fertilizers, manure, soil amendments and pesticides, including ground and aerial application;
 - g. The storage, use or application of organic wastes for farm purposes;
 - h. Pasturage, apiculture (keeping of bees), aquaculture, floriculture and similar uses.
- This Use Class does not include livestock operation productions or natural resource developments.**
- 1.3.8. **Agricultural exhibition grounds** means a competitive or non-competitive exhibition of agricultural products and animals, and can include associated food and merchandise vendors, displays, entertainment and amusement.
- 1.3.9. **Agricultural industry** means the processing of raw food and animal products, including milk and cheese, for wholesale or direct sale purposes. This use class does not include kill plants / abattoirs.

- 1.3.10. **Agri-tourism** means an agricultural establishment that provides a service to promote and educate the public about farming and agricultural activities. For the purposes of this by-law, an agri-tourism use is considered a main or accessory use, located on the same parcel as the farm and can include the following uses: farm produce retail outlet, corn or hay mazes, petting zoo (subject to the livestock requirements in this by-law), hay rides, sleigh rides, buggy or carriage rides, seasonal activities, events related to the farm including farm tours, eating facilities and like uses. Facilities to provide for farm vacations (see [vacation farm](#)) are considered part of an agri-tourism use.
- 1.3.11. **Aircraft landing strip / field** means any area of land or water that is used or intended for a use for the landing or taking off of aircraft and any appurtenant areas which are used or intended for use of aircraft including landing strips or rights-of-way, taxiways, aircraft storage and tie-down areas, hangars and other related buildings and open spaces.
- 1.3.12. **Alter or alteration** means a change or modification to an existing building, structure or use which, unless provided for herein, does not increase the exterior dimensions with respect to height and area.
- 1.3.13. **Alterations, incidental** means changes or replacements in the non-structural parts of a building or structure, including but not limited to the following:
- a. An addition / enlargement / extension on the exterior of a residential building, such as an open porch;
 - b. Alteration of interior partitions in all types of buildings;
 - c. Replacement of, or changes in, the capacity of utility pipes, ducts or conduits;
 - d. Changes or replacements in the structural parts of a building including:
 - i. Adding or enlarging windows or doors in exterior walls;
 - ii. Replacement of building facades; or
 - iii. Strengthening the load bearing capacity, in not more than ten percent (**10%**) of the total floor area, to permit accommodation of a specialized unit of machinery or equipment.
- 1.3.14. **Aggregate extraction operation** means a *zoning site* including accessory buildings and structures used for the removal, refinement and / or processing of sand, gravel, stone or other aggregate resources, and may include borrow pits, gravel pits and stone quarries, but does not include an asphalt plant or a concrete plant.
- 1.3.15. **Amusement establishment** means a facility within any building, room or area having table games or electronic games played by patrons for entertainment. This Use Class includes arcades but does not include carnivals or indoor participant recreation services.
- 1.3.16. **Anhydrous ammonia facility** means an area for the storage of anhydrous ammonia that is commonly used as a fertilizer, including sales and service.
- 1.3.17. **Animal, domesticated (pet)** means any animal that is commonly considered capable of being trained or is capable of adapting to living in a human environment and being of use to human beings, and which is not likely to bite without provocation nor cause death, maiming or illness to human beings, including, by way of example: bird (caged), fish, rodent (bred, such as a gerbil, rabbit, hamster or guinea pig), cat (domesticated), lizard (non-poisonous) and dog. Wild, vicious or exotic animals shall not be considered domesticated. Animals bred, raised or boarded for commercial purposes are not considered pets (see [small animal breeding and boarding establishments](#), [animal \(other\) production operations](#)).
- 1.3.18. **Animal (other) production operation** means an operation where animals, other than livestock and exotic animals, as defined in this By-law, are kept for use, propagation or intended for profit.
- 1.3.19. **Animal and veterinary service** means a development used for the care and treatment of animals where the veterinary services primarily involve outpatient care, minor medical procedures and may include temporary boarding of animals for care and treatment. This Use Class includes pet clinics and veterinary offices.

- 1.3.20. **Animal unit (a.u.)** means the number of animals of a particular category of livestock that will excrete seventy-three (73.00) kilograms or one hundred and sixty and ninety-three one-hundredths (160.93) lbs. of nitrogen in a twelve (12) month period.
- 1.3.21. **Artisan and craftsman establishment** means any business that produces and / or retails articles of artistic quality, effect or handmade workmanship. Examples include candle making, furniture making, glass blowing, weaving, pottery making, woodworking, sculpting, printing and other associated activities.
- 1.3.22. **Asphalt plant** means a plant where aggregate materials and asphalt are heated and mixed to produce a paving mix and includes stockpiling and storage of bulk materials used in the process.
- 1.3.23. **Asphalt plant, temporary** means an asphalt plant, as defined above, that is established in the following rural, non-residential zones: “RGZ”, “RM1”, and “RM2” on a temporary basis, to accommodate requirements for road construction. The establishment of a temporary asphalt plant will require the approval of a conditional use order. Approval of this conditional use order will require that Council establish operating conditions to address potential impacts on adjacent uses.
- 1.3.24. **Auctioneering establishment** means a development specifically intended for the auctioning of goods and equipment, including temporary outdoor / indoor storage of such goods and equipment.
- 1.3.25. **Auctioneering establishment – livestock** means a facility intended for the auction sale of livestock, including associated temporary holding pens, manure and other associated facilities.
- 1.3.26. **Automated teller machine (ATM)** means a device that dispenses cash and conducts limited banking transactions for customers using a credit card, bank card, or other similar personal banking card (see also [Drive-in](#)).
- 1.3.27. **Automobile service station** means a development used for the retail sale of gasoline, other petroleum products, auto accessories, automobile and truck servicing, washing and repairing of vehicles. This use class also includes associated and accessory uses such as eating and drinking establishments, truck stops and similar uses.
- 1.3.28. **Automotive and recreational vehicle (RV) sales, service, rental and repair** means a development used for the sale, servicing, renting and mechanical repair of automobiles, motorcycles, snowmobiles, trailers, all-terrain vehicles (ATVs), boats and similar vehicles and / or the sale, installation or servicing of related parts and accessories. This Use Class includes associated and accessory uses including automobile dealerships, mobile home sales, motorcycle and recreational vehicle (RV) sales, transmission shops, muffler shops, tire shops, automotive glass shops, upholstery shops, car washes and similar uses.
- 1.3.29. **Bar and lounge** means a structure or part of a structure designed, maintained and operated primarily for the dispensing of alcoholic beverages and may include the selling of food and / or snacks. If the bar / lounge is part of the larger dining facility, it shall be defined as that part of the structure so designated and / or operated.
- 1.3.30. **Basement** means that portion of a building between a floor and ceiling that is located partly or completely underground.
- 1.3.31. **Bed and breakfast** means a building, typically a residence or other accessory residential structure or portion thereof, where lodging and / or meals are provided for compensation for persons exclusive of the proprietor and their family.
- 1.3.32. **Boarding house** means a building or portion thereof (other than a hotel, motel, bed and breakfast or farm vacation facility) used for the purpose of providing meals and lodging for pay or compensation of any kind to persons other than members of the family occupying such dwelling.
- 1.3.33. **Boathouse** means a structure used by the occupants of the premises primarily for the parking or storage of private motorboats / personal watercraft, but does not include living accommodations.
- 1.3.34. **Brew pub** means a restaurant type establishment that includes a beer brewery, producing beer and ale products for sale and consumption on-site or, where permitted, for retail carryout sales. Brew pubs can also be accessory uses to hotel establishments, bars and lounges and similar operations.

- 1.3.35. **Broadcast and motion picture studio** means a development used for the production or broadcasting of audio and visual programming typically associated with radio, television and motion picture studios.
- 1.3.36. **Building, main or principal**, means a building in which is conducted the principal use of the site on which it is situated.
- 1.3.37. **Building inspector** means the officer or employee of the Rural Municipality of Whitemouth charged with the duty of enforcing the applicable municipal By-laws and Provincial and National Building Codes or Regulations.
- 1.3.38. **Building / development permit** means a permit issued by the Municipality authorizing the construction / development or alteration of all or part of any building, structure and works, in accordance with the applicable codes and standards.
- 1.3.39. **Bulk** means the following:
- a. The size, including height of building and floor area, of buildings or structures;
 - b. The area of the [zoning site](#) upon which a building is located, and the number of dwelling units or rooms within such building in relation to the area of the [zoning site](#);
 - c. The location of exterior walls of buildings in relation to site lines, to other walls of the same building, to legally required windows or to other buildings; and
 - d. All open areas relating to buildings or structures and their relationships thereto.
- 1.3.40. **Bulk storage facility** means a place for the outdoor storage or tank storage of large quantities of raw materials or industrial related goods such as liquids, fuels, gases, minerals, pipes, gravel, fertilizers and grain. This use does not include anhydrous ammonia facilities.
- 1.3.41. **Business support service** means a development used to provide support services to businesses which are characterized by one (1) or more of the following features: the use of minor mechanical equipment for printing, duplicating, binding or photographic processing, the provision of office maintenance or custodial services, office security and the sale, rental, repair or servicing of office equipment, furniture and machines. Typical uses include printing establishments, film processing establishments, janitorial firms and office equipment rental, sales and repair establishment, which can also be considered accessory uses.
- 1.3.42. **Camping and tenting grounds** means a parcel of land planned and improved to accommodate travel trailers, camping trailers, pick-up coaches, motorized homes, tents, tent trailers or other camping accommodations that are utilized for travel, recreational and vacation uses on a temporary / transient basis. Ownership structure of these facilities can include rental, condominium and bare land condominium ownership and as part of a planned unit development.
- 1.3.43. **Carport** (see [Garage, private](#)).
- 1.3.44. **Cemetery** means a development of a parcel of land, primarily a landscaped open space for the entombment of the deceased and may include, as accessory uses, the following: columbaria, crematoria, cineraria mausoleums and mortuaries, when operated in conjunction with and within the boundaries of such cemetery.
- 1.3.45. **Child care service** means a development licensed by the Province of Manitoba to provide daytime personal care and education to children, but does not include overnight accommodation. Typical uses include day care centers, day nurseries, kindergartens, nursery schools, preschools, play schools and similar uses.
- 1.3.46. **Clinic** means a building for the purpose of consultation, diagnosis and treatment of patients by medical doctors, dentists, optometrists, chiropodists, chiropractors and other medical professionals, including qualified assistants. The building may include administrative offices and staff, waiting rooms, laboratories, pharmacies / dispensaries, operating rooms on an out-patient basis and similar uses.

- 1.3.47. **Commercial resort** means a commercial recreation establishment which may consist of one (1) or more buildings containing single or multiple-family dwelling units, recreational, and service facilities. Other facilities which may form part of the resort development as accessory uses include: camping and tenting grounds, hotel, retail uses, eating and drinking establishment, marina, docks / boat ramps, golf course and other outdoor recreation facilities, game courts, recreation areas, trails and similar uses. Ownership structure of these facilities can include rental, condominium and bare land condominium ownership and as part of a planned unit development.
- 1.3.48. **Commercial school** means a development used for training and instruction in a specific trade, skill or service for the financial gain of the individual or company owning the school. Typical uses include secretarial, business, hairdressing, beauty cultures, dancing, music schools and similar uses.
- 1.3.49. **Common elements**, for the purposes of this By-law, means those areas within a Bare Land Condominium Plan and Plan of Condominium ordinarily used for the passage of vehicles, including roads, road allowances, streets, lanes or bridges, walkways intended solely for pedestrian use, areas for parking of vehicles or other green space. These shall be considered:
- a. A “**street**” as defined herein where such thoroughfare is greater than thirty-three (33) ft. in width; and
 - b. A “**lane**” as defined herein where such thoroughfare is less than or equal to thirty-three (33) ft. in width.
- 1.3.50. **Communal dwelling** means a residence(s), including single-family and multi-family dwellings, associated with a farm operation or other organization carried out on the same or adjacent holding by a religious colony or other association by, on or on behalf of the occupants of the residence, and includes all associated cooking, eating, living, sleeping and sanitary facilities.
- 1.3.51. **Community / public recreation service** means a development for recreational, social or multiple purpose use with or without fixed seats and primarily intended for local community purposes. Typical uses include auditoriums, multi-use halls, community halls and community centers.
- 1.3.52. **Community service club** means a non-profit corporation chartered by the *Canada Corporation Act* or *The Manitoba Corporations Act*, or an association consisting of persons who are bona fide members paying annual dues, which owns or leases land, a building or a portion thereof, the use of such premises being restricted primarily to meeting, community and related activities.
- 1.3.53. **Conditional use** means the use of land or building which may be permitted in a zone only at the discretion of Council, as provided for in *The Act*.
- 1.3.54. **Condominium** means a condominium as established under the provisions of *The Condominium Act*.
- 1.3.55. **Condominium, bare land unit** means a unit of land defined by delineation of its horizontal boundaries without reference to any buildings on a condominium plan. For the purposes of this by-law, a “**bare land unit**” is a bare land unit condominium plan, as defined in *The Condominium Act*, and shall be considered a [zoning site](#).
- 1.3.56. **Contractor service, general** means a development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which requires on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal Contractor service use only.
- 1.3.57. **Council** means the Council of the Rural Municipality of Whitemouth.
- 1.3.58. **Custom manufacturing establishment** means a development used for small scale on-site production of goods, including associated services. Examples include, but are not limited to, cabinet and custom furniture manufacturing, machine shops, upholstery shops and like uses.
- 1.3.59. **Deck** means a platform, either free-standing or attached to a building, but without a roof, that is supported by pillars, posts, or walls.

- 1.3.60. **Density** means the total number of dwelling units divided by the total area of land to be developed, expressed in gross acres.
- 1.3.61. **Detached sleeping quarters / guest cottage** means a single-storey accessory dwelling which is located in a building separate from the main residential use and utilized as a detached dwelling unit. A guest cottage may include cooking, food preparation, sleeping and plumbing facilities.
- 1.3.62. **Development** means the construction of a building / structure on, over or under land, including works as defined in this By-law.
- 1.3.63. **Development officer / designated employee** means the officer appointed by the Council of the Rural Municipality of Whitemouth in accordance with the provisions of *The Act*.
- 1.3.64. **Development / building permit** means a permit issued under this By-law authorizing development, and may include a building permit (see also [Building / development permit](#)).
- 1.3.65. **Dock** means a platform used for the mooring of one or more private motorboats or other personal watercraft. This use class can include boat ramps and boat launching facilities.
- 1.3.66. **Drive-in** means an establishment with facilities for attracting and servicing prospective customers travelling in motor vehicles, which are driven onto the site where the customer may or may not receive service in the vehicle. This use class includes restaurants, coffee shops, **ATMs** and other similar uses, which can also be established as accessory uses.
- 1.3.67. **Dwelling** means a building or portion thereof designed or used for residential occupancy by a single household that includes exclusive sleeping, cooking, eating, sanitation facilities and containing a separate means of ingress and egress.
- 1.3.68. **Dwelling, mobile home** means a dwelling unit designed for transportation after fabrication, whether on its own wheels or on a flatbed or other trailer, and which arrives at the site where it is to be occupied as a dwelling complete and ready for occupancy, being on the site on wheels, jacks or similar supports, or on a permanent foundation, and having been built in accordance with the "Canadian Standards Association (**C.S.A.**) Mobile Home Structural Standards" contained within the **Z240** series and all revisions thereto or shall comply with all residential standards and building regulations under *The Buildings and Mobile Homes Act*. For the purpose of this By-law, the removal of the wheels or permanent or semi-permanent attachment of a foundation to a mobile home dwelling shall not change the classification.
- 1.3.69. **Dwelling, modular home** means a building assembly or system of building sub-assemblies manufactured in its entirety, or in substantial part, off-site and transported to the point of use for installation on-site, with or without other specified components, as a finished building or as part of a finished building in accordance with **C.S.A.** building regulations. Modular homes need not have electrical, plumbing, heating, ventilation, insulation or other service systems, but when such systems are installed at the off-site manufacture or assembly point, they shall be deemed a part of such building or system of building assemblies. Modular homes do not include open frame construction which can be completely inspected on-site.
- 1.3.70. **Dwelling, multiple-family** means a building containing three (**3**) or more dwelling units, each unit designed for and used by not more than one (**1**) family and may include multiple-story structures.
- 1.3.71. **Dwelling, ready-to-move (RTM)** means a method of constructing a dwelling unit whereby all of its component parts have been assembled in an off-site manufacturing facility and transported to a site where it is anchored to a permanent foundation.
- 1.3.72. **Dwelling, single-family** means a detached building designed for and used by not more than one (**1**) family.
- 1.3.73. **Dwelling, stick built** refers to a mode of construction of a residential structure built from boards of lumber and other building materials in which a substantial amount of the required material and construction labour are brought together in final form at the foundation site.
- 1.3.74. **Dwelling, two-family** means a detached or semi-detached building designed for and used by not more than two (**2**) families, each having exclusive occupancy of a dwelling unit.

- 1.3.75. **Dwelling, used** means a building removed from an off-site foundation and transported to a site where it is anchored to a new and permanent foundation. Prior to transportation and placement on an engineer approved foundation, the used dwelling shall require certification of an engineer as to structural integrity and approval of a conditional use order, which may include conditions addressing required interior / exterior renovation as deemed necessary by Council.
- 1.3.76. **Dwelling unit** means one (1) or more rooms in a building designed for one (1) or more persons as a single housekeeping dwelling unit with cooking, eating, living, sleeping and sanitary facilities.
- 1.3.77. **Dwelling unit area** means the total floor area of the dwelling unit contained within the outside surface of the exterior walls, excluding the basement or other areas that are below grade (see also **Floor area**).
- 1.3.78. **Dwelling unit, second** means an accessory single-family dwelling when located on the same zoning site as the main dwelling and as may be allowed in a **Bulk Requirement Table**.
- 1.3.79. **Eating and drinking establishment** means the sale to the public of prepared foods for consumption within the premises or off the site. This use class includes licensed drinking establishments, brew pubs, restaurants, cafes, coffee shops, delicatessens, tea rooms, banquet catering, lunchrooms, drive-in food service, **ATMs** and other similar uses which may also be established as accessory uses (see also **Drive-in, Brew pub**).
- 1.3.80. **Education service** means a development which is privately or publicly supported or subsidized involving public assembly for educational, training or instructing purposes, and includes administration offices required for the provision of such services on either the same site or elsewhere on the same *zoning site*. This Use Class includes public and private schools, community colleges, technical and vocational schools and associated administrative offices and dormitories, which may also be established as accessory uses.
- 1.3.81. **Environmental impact statement** means a study prepared in accordance with established procedures to identify and assess the impacts of development on a specified feature or system.
- 1.3.82. **Equestrian establishment** means a facility engaged in the training of horses, including the operation of a horse riding academy, horse riding stables and like uses for private use and / or for remuneration.
- 1.3.83. **Exotic animals**, for the purposes of this By-law, means any animal not defined as [livestock](#) or [animal, domesticated \(pet\)](#).
- 1.3.84. **Fabric covered structure** means a pre-manufactured structure consisting of wood framing, tubular metal, or tubular plastic frame, covered on the roof and a maximum of three sides with fabric, reinforced plastic, vinyl, or other sheet material intended for storage purposes.
- 1.3.85. **Farm building / structure** means a building or structure which does not contain a residential occupancy and which is:
- a. Associated with and located on land devoted to the practice of farming;
 - b. Used essentially for the housing of equipment or livestock, or the production, storage or processing of agricultural and horticultural produce or feeds, such as barns, produce storage buildings, milking canters, piggeries, poultry houses, grain bins, silos, machinery sheds, farm workshops, feed preparation centers, manure storages, greenhouses and garages not attached to a farm residence; and
 - c. Has a Low Human Occupancy, as applied to farm buildings, of not more than one (1) person per forty (40) square meters during normal use.
- 1.3.86. **Farm produce outlet** means a building or structure where farm produce is sold in season.
- 1.3.87. **Farmers market / outdoor market** means a defined area of land where spaces or stalls are rented, leased or provided for the outdoor sales of fresh fruit, produce, food products, meat and fish items, plants and flowers, baker goods, dairy products, crafts and similar products. Accessory uses include necessary buildings and other infrastructure to accommodate these uses.

- 1.3.88. **Fleet service** means a development using a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long-term lease. This use class includes taxi and bus services, messenger and courier services.
- 1.3.89. **Flood level** means the one hundred (100) year flood level, the level of a known flood exceeding the one hundred (100) year flood or a level as determined to be appropriate by Council in consultation with the appropriate provincial or other government department having jurisdiction.
- 1.3.90. **Flood risk area** means:
- a. The land adjacent to a lake, river or stream which is divided into two parts: the floodway and the floodway fringe. The floodway includes the area where the majority of floodwaters pass. The floodway fringe includes the area outside the floodway which requires approved flood protection measures due to periodic flooding or inundation by floodwaters; or
 - b. Upland areas where periodic ponding due to excess precipitation and / or spring melt occurs.
- 1.3.91. **Floor Area (as applied to bulk regulations)** means the sum of the gross horizontal areas of the several floors of all buildings and structures on the *zoning site*, measured from the exterior faces of the exterior walls or from the center line of party walls (see also [Dwelling unit area](#)). In particular, the floor area of a building or buildings shall include:
- a. Basements when used for residential, commercial or industrial purposes, but not including spaces used for storage or the housing of mechanical or central heating equipment, and accessory off-street parking spaces;
 - b. Floor space used for mechanical equipment (with structural headroom of six (6) feet or more) except equipment, open or enclosed, located on the roof;
 - c. Elevator shafts and stairwells at each storey, except shaft and stair bulkheads and exterior unroofed steps or stairs; and
 - d. Penthouses, mezzanines, attics where there is structural headroom of seven (7) feet or more.
- 1.3.92. **Forestry use** means the general raising, harvesting and cutting of wood. This use includes sawmills and related uses, including accessory structures.
- 1.3.93. **Fuel tank storage** means a tank for the bulk storage of petroleum products or other flammable liquids as part of a retail store or storage tank, which is incidental to the primary use of the premises. Any such structure shall meet all legal requirements as per appropriate *Acts / Regulations*.
- 1.3.94. **Funeral service** means a development used for the preparation of the dead for burial or cremation, and the holding of funeral services. This Use Class includes funeral homes, undertaking establishments, cremation and interment services and related accessory uses.
- 1.3.95. **Game farm** means a development where elk, wild boar, bison, etc. are held in captivity, pursuant to *The Livestock Industry Diversification Act* and *The Wildlife Act*. This use class can include petting zoos as an accessory use.
- 1.3.96. **Garage, attached** means an accessory building used for the parking or temporary storage of private passenger motor vehicles and other personal property which is attached to, and forms part of a dwelling structure and is subject to all yard requirements of the main building.
- 1.3.97. **Garage, loft** means a garage suite dwelling unit located above a detached accessory garage above grade; or a single-storey accessory dwelling attached to the side or rear of a detached garage at grade. A garage suite is accessory to a building in which the principal use is a detached single-family dwelling unit. A garage suite may include cooking, food preparation in addition to sleeping facilities. Plumbing facilities may utilize approved separate wastewater treatment facilities (i.e. separate holding tank) for the exclusive use of the detached unit which are separate from those of the principal dwelling located on the same *zoning site* or as otherwise may be required by regulation. A garage suite shall have an entrance separate from the vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the structure and shall include an emergency second exit for the second floor.

- 1.3.98. **Garage, private or carport** means a detached accessory building used for the parking or temporary storage of private passenger motor vehicles and the incidental storage of other personal property only.
- 1.3.99. **Garden suite** means an accessory, separate (second) dwelling unit that is not attached to the principal residence but is located on a lot containing an existing single unit dwelling (see also [dwelling unit, second](#)).
- 1.3.100. **Gas bar** means a development used for retail sale of gasoline, other petroleum products, and incidental auto accessories and can include accessory uses such as car washes, the sale of convenience food items, **ATMs** and like uses. This use class does not include an automobile service station.
- 1.3.101. **General storage** means the general disposition of articles (goods, wares, equipment or merchandise) for safe-keeping or future use. In order to constitute storage, articles must be left outdoors on a parcel for a period exceeding thirty (**30**) days. Articles appurtenant to the residential use of a property are exempt.
- 1.3.102. **Government service** means a development providing municipal, provincial or federal government services directly to the public. Typical uses include government offices, taxation office, courthouses, postal distribution offices, correctional centers and jails, manpower and employment offices, social services offices and similar uses.
- 1.3.103. **Grade, building lot** means the average level of finished ground adjoining a building or structure at all exterior walls, as applied to the determination of building or structure height, and as determined by the Development Officer.
- 1.3.104. **Greenhouse / nursery** means a structure and / or associated land and accessory uses that are used for the sale of or growing of sod, bushes, trees, vegetables or other gardening, landscaping or orchard stock, including wholesale operations.
- 1.3.105. **Group home** means a residence that is licensed or funded under an *Act* of the Parliament of Canada or the Province of Manitoba for the accommodation of less than five (**5**) persons, exclusive of staff or receiving family, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical conditional, or legal status, require a group living arrangement for their well-being.
- 1.3.106. **Group residence** means a group home for five (**5**) or more residents.
- 1.3.107. **Height** means:
- a. With reference to buildings and structures, including accessory structures, the vertical distance measured from [grade](#) to the highest point of the roof surface; and
 - b. With reference to landscaping, fencing and landscape walls, means the vertical distance between the average level of finished grade within three (**3**) feet of the landscaping, fencing and landscaping walls and the top of such structures.
- 1.3.108. **Home business** means a small business or enterprise, which may include such uses as retail sales, contractor's yard or small trucking enterprise, which may be permitted on a site or in a dwelling, when accessory, secondary and incidental to the principal residential use of the site or dwelling and when owned and operated by the occupant of the dwelling on said site (see also [Home industry](#) and [Home occupation](#)).
- 1.3.109. **Home industry** means non-offensive light manufacturing activities and small businesses that may be permitted as a secondary use in addition to the principal use, subject to the following criteria:
- a. The principal use on the site shall be established as agricultural or residential and the residence shall be the permanent residence of the owner-operator of the proposed use;
 - b. The second use will not generate unacceptable amounts of noise, odour or traffic;
 - c. The second use will not create unsightly appearances or other disturbances that may be deemed by Council as unsuitable;

- d. The second use will not create a potential for conflict with activities that would normally occur in the affected Zone; and
 - e. Shall generally include, but not be limited to, the following: farm-related sales and service, machinery and auto repair, welding, carpentry and other trades and similar uses directly serving the rural population.
- 1.3.110. **Home occupation** means a use which:
- a. Is carried on in a dwelling unit or mobile home or its permitted accessory building;
 - b. Is carried on solely by the members of the family residing at the same dwelling unit without the employment of other persons;
 - c. Is incidental to or secondary to the residential use of the dwelling unit;
 - d. Has no exterior display, no exterior storage of materials, and no other exterior indication of the home occupation or variation of the residential character of the principal or accessory building, except as provided for herein;
 - e. In the opinion of the Council, is not offensive or obnoxious or creates a nuisance;
 - f. Does not cause the generation of undue traffic and congestion in the neighbourhood; and
 - g. Shall generally include, but not be limited to, the following typical uses: child care services; business, professional or organization offices; crafts and hobbies; private tutoring or lessons; hair stylists; and other like uses.
- 1.3.111. **Hobby farm** (see [Residential related farm](#)).
- 1.3.112. **Hotel** means a building or part thereof wherein accommodation is provided for transient lodgers, in any individual room or apartment, with or without cooking facilities, including motels, motor inns, tourist lodges and similar uses. Permitted accessory uses include: restaurants, licensed beverage rooms, [brew pubs](#), banquet halls, ballrooms, amusement establishments and meeting rooms.
- 1.3.113. **Indoor participant recreation service** means a development providing facilities within an enclosed building for sports and active recreation where patrons are predominately participants. Typical uses and accessory uses include athletic clubs, health and fitness clubs, curling, roller-skating and hockey rinks, swimming pools, bowling alleys, paintball games, racquet clubs and similar uses.
- 1.3.114. **Industrial, general** means processing and manufacturing uses, including the manufacturing of products from extracted or raw materials, recycled and secondary materials and including the bulk storage and handling of such products and materials. This classification includes: food manufacturing, beverage and tobacco product manufacturing, textile mills, textile product mills, apparel manufacturing, leather and allied product manufacturing, wood product manufacturing, chemical manufacturing, plastics and rubber products manufacturing, non-metallic mineral product manufacturing, primary metal manufacturing, fabricated metal product manufacturing and similar uses, automotive / truck body repair and paint shops, commercial manufacturing and research facilities, truck terminals and like uses. This use class also includes storage, repair, servicing of loading trucks, transportation trailers and / or buses, automotive repair, eating and drinking areas, gas bar, retail sales, and service station as accessory uses.
- 1.3.115. **Industrial vehicle and equipment sales / service / rentals** means a development used for the sale, rental and repair of heavy vehicles, machinery or mechanical equipment typically used in building and roadway construction, manufacturing, assembly and processing operations and agricultural production.
- 1.3.116. **Information technology use** means the development, design, manufacture, packaging, storage or shipping of computer software, web hosting and data processing service and the design or research of computer, electronic and communication equipment. Uses such as server farms and like uses are included in this definition.

- 1.3.117. **Institutional residence** means a development which is intended for the training, treatment, rehabilitation, housing, care and / or supervision of persons requiring medical assistance. This use class includes nursing homes, personal care homes, senior citizen homes, residential care homes, rehabilitation homes and similar uses.
- 1.3.118. **Lane** means a street not over thirty-three (33) feet in width.
- 1.3.119. **Livestock** means animals or poultry not kept exclusively as [pets](#), excluding bees, and, for the purpose of this Bylaw, limited to the following animals: alpaca, bison (plains and wood), cattle, horses (which may also be part of an [equestrian establishment](#)), chickens, chinchilla, ducks, emu, geese, goats, mink, llama, ostrich, pigs, rabbits, sheep, turkeys and wild boar.
- 1.3.120. **Livestock housing facility / confined livestock area**, for the purpose of this By-law, means a barn or an outdoor, non-grazing area where livestock are confined by fences or other structures, and includes paddocks, corrals, exercise yards, holding areas and hoop structures (see also [Livestock operation](#)).
- 1.3.121. **Livestock operation** means a permanent or semi-permanent facility or non-grazing area where livestock producing ten (10) a.u. or more, are kept or raised, either indoors or outdoors, and includes all associated manure storage facilities. This use class includes, paddocks, corrals, exercise yards and holding areas. The following are **not included**:
- a. An operation for the slaughter or processing of livestock;
 - b. An operation for the grading or packing of livestock or livestock products;
 - c. An operation for transporting livestock or livestock products;
 - d. A livestock auction mart;
 - e. An agricultural fair; and
 - f. A livestock sales yard where livestock are kept for no longer than three (3) days.
- 1.3.122. **Loading space** means an off-street space or berth on the same *zoning site* with a building, or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or material and which has access to a street, lane or other appropriate means of access.
- 1.3.123. **Manufacturing facility** means a facility in which the main use is the production, compounding, processing, crating, bottling, packing, or assembling of raw or pre-processed materials including refining, smelting, forging, stamping, blanking, punch-pressing or the manufacturing of chemical products.
- 1.3.124. **Manure storage facility** means a structure, earthen storage facility, molehill, tank or other facility for storing manure or where it is stored, and includes any permanent equipment or structures in or by which manure is moved to or from the storage facility, but does not include:
- a. A field storage site;
 - b. A vehicle or other mobile equipment used to transport or dispose of manure;
 - c. A gutter or concrete storage pit used to store liquid or semi-solid manure for less than thirty (30) days;
 - d. A collection basin; or
 - e. A composting site for manure or mortalities.
- 1.3.125. **Marina** means a public or commercial dock or basin providing secure moorings for motorboats and other watercraft. This Use Class includes boating supply, repair and other related facilities.
- 1.3.126. **Medical treatment service** means a development providing room, board, surgical and other medical treatment for the sick, injured or infirm including outpatient services and accessory staff residences. Typical uses include hospitals, sanatoriums, nursing homes, convalescent homes and similar uses.

- 1.3.127. **Mini warehouse and self-storage** means a totally enclosed and fenced facility that provides storage space to the general public on a for-hire basis. Mini warehouses and self-storage areas also include storage for recreational vehicles, boats and other vehicles. No other business or service may be allowed to operate out of a rented storage space.
- 1.3.128. **Mobile home park** means any premises which is designed for residential use to accommodate two (2) or more mobile homes or factory-built houses as one-family dwellings, whether or not a charge is made for such accommodation. Sites can either be rented or established in accordance with the subdivision process as individual lots or condominium units.
- 1.3.129. **Mobile home site** means a [zoning site](#) in a mobile home subdivision for the placement of a mobile home and, where permitted, the placement of a factory-built house.
- 1.3.130. **Motel** means a building or part thereof, not over two (2) stories in height wherein sleeping accommodation is provided for transient lodgers and in which there is an exit from each room or suite of rooms directly to the outdoors with access to grade level (see also [Hotel](#)). This Use Class includes restaurants, licensed beverage rooms, banquet halls, ballrooms and meeting rooms, which can also be accessory uses.
- 1.3.131. **Natural resource development** means a development for the on-site removal, extraction, washing, crushing, mixing and primary processing of raw material found on or under the site, or accessible from the site. Typical uses in this class include gravel pits, sandpits, quarries and stripping of topsoil and peat moss.
- 1.3.132. **Non-conforming use** means any lawful use of a building, structure or land, or portion thereof, which does not conform to any one (1) or more of the applicable use requirements of the Zone in which it is located, either on the effective date of this By-law, or amendments hereto (also referred to as a non-conformity).
- 1.3.133. **Non-conforming building or structure** means any lawful building or structure that does not comply with one or more of the applicable site requirements on the effective date of this By-law or amendments hereto (also referred to as a non-conformity).
- 1.3.134. **Non-conforming site or parcel** means any lawful site or parcel of land that does not comply with the site area, width or depth requirements of this By-law, or amendments hereto, and was on record in the Land Titles Office and in separate ownership prior to the effective date of this By-law, or amendments hereto (also referred to as a non-conformity).
- 1.3.135. **Normal high water mark** means the normal high water mark identified on a plan of subdivision or plan of survey, as may be filed in the Land Titles Office. Where such information is unavailable, the normal high water mark means the point where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the watercourse or lake a character distinct from that of the banks thereof in respect to vegetation as well as in respect to the nature of the soil itself.
- 1.3.136. **Nuisance** means, when used with reference to a development, a use which, by its nature, or from the manner of carrying on the same, creates or is liable to create by reason of noise, vibration, smoke, dust or other particular matter, odour, toxic or non-toxic matter, radiation hazards, fire or explosive hazards, heat, glare, unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which in the opinion of Council may be or become hazardous or injurious in regards to health or safety, or which adversely affects the amenities of the neighbourhood or interferes with or may interfere with the normal enjoyment of any land, building or structure.
- 1.3.137. **Outdoor amusement establishment** means a permanent commercial development providing facilities for entertainment and amusement activities which primarily take place out of doors and where patrons are primarily participants. Typical uses include amusement parks, outdoor concert facilities, go-cart tracks, racetracks, moto-cross and all-terrain vehicles (**ATVs**), miniature golf and similar uses.

- 1.3.138. **Outdoor participant recreation service** means a development providing facilities that are available to the public at large for sports and active recreation conducted outdoors. Typical uses include golf courses, driving ranges, ski hills, water slides, sports fields, skate board parks, rock climbing facilities, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens, paintball games, fitness trails and similar uses, including required buildings and storage structures, which can also be considered accessory uses.
- 1.3.139. **Outfitting operation** means any land or premises equipped with a cottage dwelling used or maintained for accommodation of the public for outdoor recreation purposes related to hunting, fishing, nature pursuits and like uses.
- 1.3.140. **Owner** means a person who is owner of a freehold estate in the Municipality and includes a person who is an owner jointly with another person, and a person who is registered under *The Condominium Act* as the owner, as defined in that *Act*, of a unit under that *Act*.
- 1.3.141. **Parking area, private** means an open area of land other than a street or lane or an area within a structure used for the parking of vehicles.
- 1.3.142. **Parking area, public** means a parking area used for the temporary parking of vehicles and is available for public use whether free, for compensation or as an accommodation for clients, customers, employees or visitors.
- 1.3.143. **Parking space** means a space on a parking area, public parking area or [zoning site](#) for the temporary parking or storage of a vehicle. A parking space shall be a minimum of ten (10) feet in width and twenty (20) feet in length and shall have adequate provision for vehicular entry, exit and maneuverability.
- 1.3.144. **Party wall** means a wall forming part of a building and used for separation of adjoining buildings occupied, constructed or adapted to be occupied by different persons or businesses.
- 1.3.145. **Permitted use** means the use of land, buildings or structures provided in this By-law for which a building / development permit shall be issued upon the application having been made, if the use meets all the requirements of this By-law.
- 1.3.146. **Personal care home** means a multiple-unit dwelling or building containing individual rooms where people live and are dependent on personal care, including assisted living developments.
- 1.3.147. **Personal service shop** means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons without limiting the generality of the foregoing. This use class includes barber shops, beauty parlors, hair-dressing shops, coin-op laundries, valets and depots for collecting dry cleaning and laundry and similar uses which can also be considered accessory uses.
- 1.3.148. **Pet cemetery** means a development of a parcel of land for the burial of [pets](#), as defined in this By-law, including associated structures.
- 1.3.149. **Place of assembly** means a public or privately owned auditorium, hall or similar facility developed for the purpose of accommodating groups of persons for meetings, exhibitions, shows, trade fairs, public meetings, banquets, conference meetings and similar activities.
- 1.3.150. **Planned unit development** means a land development project planned as an entity in accordance with a unitary site plan that permits flexibility in siting of buildings, mixture of land uses, lot sizes, useable open spaces and can include the preservation of significant natural features appropriate to the Zone where such a use is located.
- 1.3.151. **Private club** means a development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, without on-site residences. Private clubs may include rooms for eating, drinking and assembly.
- 1.3.152. **Processing use** means a development used for the extraction, treatment, preparation, packaging, transportation, handling and storage of raw materials and other minerals. Typical uses include concrete batching plants, water bottling plants and like uses, including all accessory structures and facilities associated with the collection, extraction, storage, transfer and transportation requirements.

- 1.3.153. **Professional, financial and office support service** means a development primarily used for the provision of professional management, administration, consulting and financial services. Typical uses include lawyer, accountant, engineer and architect offices; real estate and insurance firm offices; clerical, secretarial, employment, call services and similar office support services; banks, credit unions, loan offices and similar financial uses; general office / administration buildings and other similar uses, which can also be considered as accessory uses.
- 1.3.154. **Protective and emergency service** means a development which is required for the public protection of persons and property from injury, harm or damage together with the incidental storage of emergency equipment and vehicles. Typical uses in this class include police stations, fire stations, ambulance services and ancillary training facilities, which can be considered accessory to the main use.
- 1.3.155. **Public building** means a building owned and operated by a public entity, including provincial, federal and municipal governments, for recreational, cultural and administrative purposes.
- 1.3.156. **Public facility** means facilities that are open to, and serve the general public, including medical and health-related offices, parks, recreation complexes, community centers, and like public uses.
- 1.3.157. **Public / private library and cultural exhibit** means a development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use; or a development for the collection, preservation and public exhibition of works or objects of historical, scientific or artistic value. Typical uses include libraries, museums, art galleries and similar uses, which can also be considered accessory uses.
- 1.3.158. **Public park / recreation area** means a development of public land specifically designed or reserved for the general public for active or passive recreational use and includes all natural and human-made landscaping, facilities, playing fields, buildings and other structures that are consistent with the general purposes of public parkland, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park. Typical uses include tot lots, band shells, interpretive centers, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, public docks, boat launching facilities, amphitheaters, athletic fields and similar uses.
- 1.3.159. **Public utility service** means any system, [works](#), as defined in this By-law, plant, pipeline, equipment / buildings or services and facilities available at approved rates to or for the use of the public, and includes all such carried on by or for the owner of a public utility, the Rural Municipality of Whitemouth or the Province of Manitoba. Typical uses include sanitary landfill sites, sewage treatment plants, sewage lagoons, garbage transfer and compacting stations, composting sites, water treatment plants, lift stations, waste recycling plants, communication facilities including telephone, wireless or television and like uses, but does not include [solar energy](#) and [wind generation stations](#) / systems.
- 1.3.160. **Quarry, aggregate, mineral and topsoil extraction** means an area, pit or quarry from which aggregate, stone, minerals, including peat and soil, are removed / extracted.
- 1.3.161. **Rapid drive-through vehicle service** means a development providing rapid cleaning, lubrication, maintenance or repair services to motor vehicles, where the customer typically remains in the vehicle or waits on the premises. Typical uses include automatic or coin operated car and truck washes, rapid lubrication shops or specialty repair establishments, which can also be considered accessory uses.
- 1.3.162. **Recycling / waste collection center** means a use that serves as a drop-off point for temporary storage and processing of recoverable resources such as newspapers, glassware, plastics, and metal cans. This use category also includes waste transfer stations. This use category does not include a salvage yard.
- 1.3.163. **Religious assembly** means a place of worship and related activities. Typical uses include churches, chapels, mosques, temples, synagogues, convents and monasteries. Accessory uses can include associated schools, day-care facilities, parish halls, cemeteries and like uses.
- 1.3.164. **Repair** means the renewal or reconstruction of any part of an existing structure for the purpose of its maintenance or restoration.

- 1.3.165. **Repair service, household** means a development used for the provision of repair services to goods, equipment and appliances normally used in a residential environment. This use class also includes electrical, plumbing, heating, painting, radio, television and appliance repair shops, furniture refinishing, upholstery shops and similar uses as well as the accessory sale of goods, where all materials are kept within an enclosed building.
- 1.3.166. **Residential care facility** means the use of a building for the purpose of providing lodging, meals, care and supervision or transitional services to persons not related by blood, marriage or adoption to the operator nor to each other.
- 1.3.167. **Residential-related farm** means a development for small scale, residential-related agricultural pursuits that are accessory to rural residential uses (also referred to as a **Hobby Farm**). This Use Class shall be developed so that it will not unduly interfere with the general enjoyment of adjacent property and on which an apiary can be established and livestock, can be kept for personal use only, including limits on the number of livestock to a maximum of nine and nine-tenths **(9.9) a.u.**
- 1.3.168. **Retail sales / service / repair** means developments used for the following:
- a. Sale of goods and services including, but not limited to: warehouse sales / storage, groceries, clothing, drugs, pharmaceutical and personal care items, furniture and appliances, building supply / hardware / lumber, automotive parts and accessories, printed matter, confectionary, tobacco, beverages, including sales of alcoholic beverages, bakeries, catering services and associated service / repair, which may also be considered accessory uses;
 - b. Associated services and repair including postal, film processing, movie rentals and similar uses; and
 - c. Outdoor storage of goods as part of the retail operation (storage of building supplies, for example).
- The following uses / use classes are not included: automobile service station, gas bar, automotive and recreational vehicle sales, agri-business, industrial vehicle and equipment sales and sexually oriented businesses.
- 1.3.169. **Salvage operation / yard** means an open area where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including, but not limited to metals, paper, rags, rubber tires and bottles. This Use Class includes automobile wrecking or dismantling yards and uses described that are established entirely within an enclosed building.
- 1.3.170. **Secondary suite** means a private, self-contained unit within a dwelling, occupied by only one (1) family. A secondary suite shall contain associated bathroom facilities, kitchen, living and sleeping areas, but it can share a number of features with the rest of the house. Shared facilities may include a yard, parking area, a hallway, laundry and storage space. A secondary suite can also be a basement suite, providing all building code requirements with respect to windows and access requirements are satisfied.
- 1.3.171. **Separation distance** means a distance to be maintained between two uses, measured from the nearest points of any affected structure. For example, the separation distance to a livestock operation to a dwelling not part of the operation would be measured from the nearest of all structures of the livestock operation, including accessory buildings and manure storage structures, to the limits of the dwelling unit and not from the limits of each respective holding / *zoning site*.
- 1.3.172. **Sexually oriented business** means any sex parlor, nude studio, modeling studio, love parlor, adult bookstore, adult movie theater, adult video arcade, adult movie arcade, adult video store, adult motel or other commercial enterprise where the primary business is the offering of a service or the selling, renting or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customer.
- 1.3.173. **Shipping containers** means an article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one or more means of transportation and includes, but is not limited to, intermodal shipping containers, bodies of transport trailers or straight truck boxes, but does not include a motor vehicle used as an accessory storage structure.

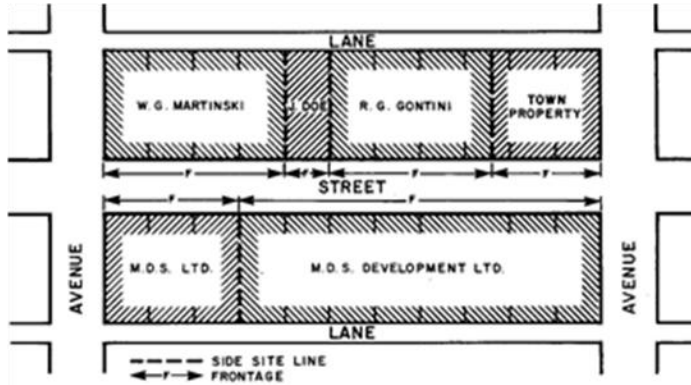
- 1.3.174. **Shopping center / strip mall** means a group of commercial establishments planned, developed and managed as an integrated unit. These can include, but not be limited to, groups of stores, services, associated facilities, eating establishments, business support offices, financial institutions, warehouse sales and similar commercial uses utilizing common facilities such as parking, landscaping, signing and loading areas. Separate buildings and parcels of land may be considered as part of the shopping center / strip mall if they are served by mutual parking and other agreements. Each separate business / use, as part of a shopping center / strip mall requires compliance with Bulk Table requirements with respect to listed permitted / conditional uses for the affected Zone.
- 1.3.175. **Sign** means any writing (including letter, word or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol or trademark), banner, pennant or any other figure of similar character which is a structure or any part thereof, or is attached to, painted on or in any other manner represented on or in a building or other structure and is used to identify, direct attention to, or advertise.
- 1.3.176. **Site, area** means the computed area contained within the site lines of a [zoning site](#).
- 1.3.177. **Site, corner** means a site situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding one hundred and thirty-five (135) degrees.



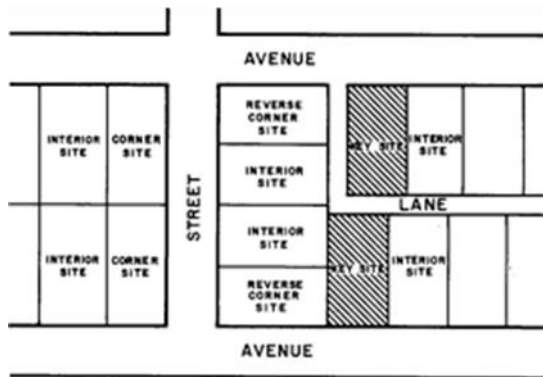
- 1.3.178. **Site coverage** means the combined area of all buildings or structures on the site as a percentage (%) of the site area, measured at the level of the lowest storey above grade, and including all enclosed and insulated decks, sunrooms, porches and verandas, but excluding open or covered seasonal non-insulated structures such as decks, screened porches or verandas, patios at grade, steps, uncovered walks, wheel chair ramps, cornices, eaves and similar projections.
- 1.3.179. **Site, depth** means the horizontal distance between the center points in the front and rear site lines. Where the depth cannot be determined due to an irregular shaped site, the Designated Employee / Development Officer shall make that determination.



- 1.3.180. **Site, frontage** means all that portion of a site fronting on a street and measured between side site lines.

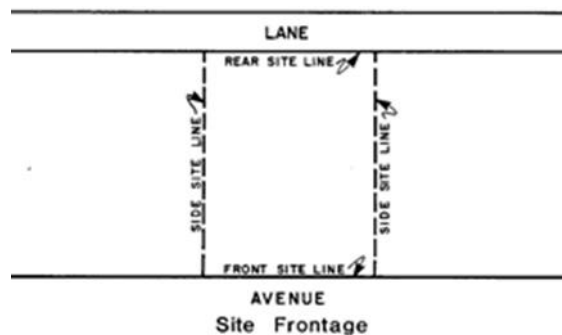


1.3.181. **Site, key** means the first site to the rear of a reversed corner site.



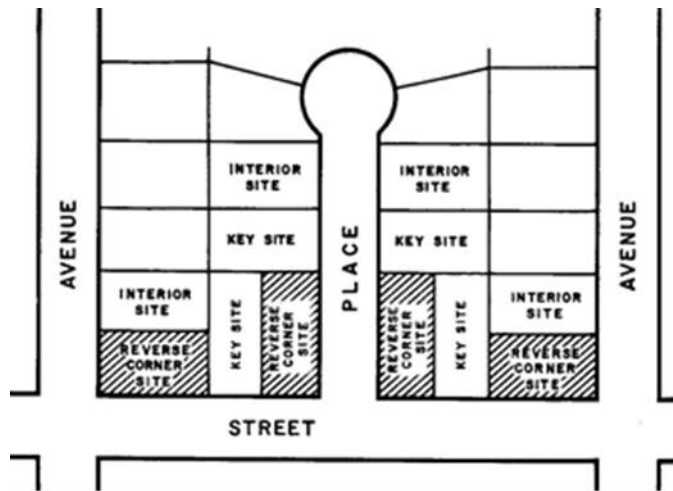
1.3.182. **Site line definitions** are as follows:

- a. **Front site line** means that boundary of a site located along an existing or designated street, public road or lane. For a corner site, the Development Officer may select the front site line, except where an interior site abuts the corner site, in which case the front site line shall be that line which is the continuation of the front site line of the interior site;
- b. **Rear site line** means that boundary of a site which is most nearly parallel to the front site line and in the case of a site in which the side site lines intersect, such as a triangular site, a line ten (10) feet in length within the site, parallel to and at the maximum distance from the front site line;
- c. **Side site line** means any boundary of a site which is not a front or rear site line; and
- d. Where an irregular shaped or sites utilizing right of way or other access cannot have its site lines defined herein, the front, rear and side site lines shall be determined by the Designated Employee / Development Officer.

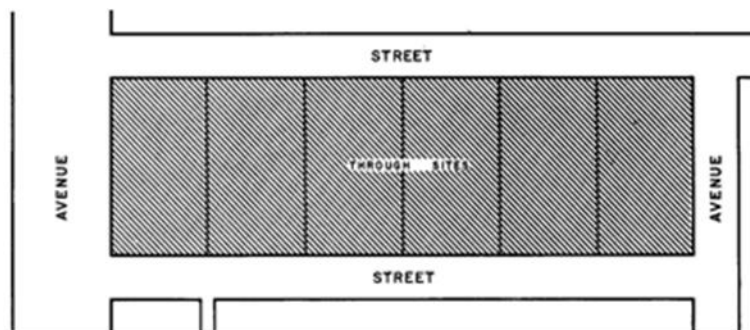


- 1.3.183. **Site requirements** means some or all of the following:
- The **area** of the [zoning site](#) upon which a building is located, and / or the number of dwelling units or rooms within such building in relation to the area of the zoning site;
 - The **location** of exterior walls of buildings in relation to site lines, other walls of the same building, legally required windows, and / or other buildings;
 - All **open areas** relating to buildings or structures and their relationship thereto; and / or
 - The **size**, including height and floor area, of buildings or structures.

1.3.184. **Site, reverse corner** means a corner site, the flanking street site line of which is substantially a continuation of the front site line of the first site to its rear.



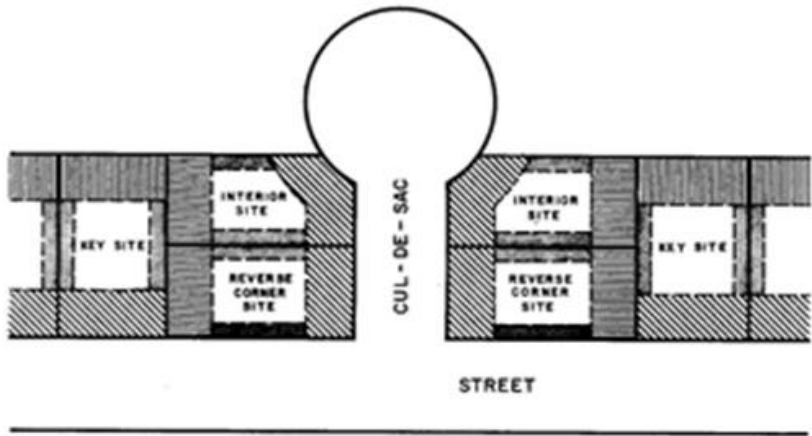
1.3.185. **Site, through** means a lot or parcel of land that has frontage on two public roads / streets and where the lot frontages do not intersect.







- 1.3.186. **Site, width** as it pertains to sites rectangular in shape, means the horizontal distance between the side site lines. For all other sites, including pie-shaped and other irregular shaped sites, the site width shall be determined by the Council, development officer or designated employee. For the purposes of this By-law, Council approval of the subdivision which creates the lot / parcel shall be considered deemed approval of the site width.
- 1.3.187. **Site, zoning** means a parcel of land with frontage on a street, lane, right-of-way, or access by other legal means and of at least sufficient size to provide the minimum requirements for use, area, and required yards. A *zoning site* can include two (2) or more lots / parcels / certificates of title where a building straddles all or parts of these lands. In this case, only the minimum yard requirements of the periphery of the structure to the limits of the combined holding need to be met.

- 1.3.188. **Small animal breeding and boarding establishment** means a development used for the breeding, boarding or training of small animals normally considered as household [pets](#) as defined in this By-law. Typical uses include kennels and pet boarding, pet day-care and similar uses, which may also be considered accessory uses.
- 1.3.189. **Solar energy generation station / system** means a device or group of devices that convert solar energy into electrical energy for generation of power for sale by a public or commercial enterprise, including all associated accessory facilities.
- 1.3.190. **Solar energy generation, personal use** means a small-scale device or group of devices that converts solar energy to electrical energy for primarily private residential, commercial or industrial use.
- 1.3.191. **Spectator entertainment establishment** means a development providing facilities within an enclosed building specifically intended for live theatrical, musical or dance performances or the showing of motion pictures. Typical uses include auditoria, cinemas and theatres.
- 1.3.192. **Storage compound** means a development used exclusively for outdoor storage of goods and materials. Where such storage of goods and materials requires the erection of permanent structures or the material alteration of the existing state of the land, these will be considered an accessory use. Automobile wrecking and recycling facilities and salvage yards are not allowed in this use class.
- 1.3.193. **Street** means a public roadway having a right-of-way greater than thirty-three (33) feet in width that affords the principal means of access to abutting land.
- 1.3.194. **Structure** means anything constructed, built or erected with a fixed location on or below the ground, or attached to something having a fixed location on the ground and includes buildings, walls, fences, signs, billboards, poster panels, light standards and similar items.
- 1.3.195. **Sunroom** means an accessory structure attached to a residence that is designed with a roof and walls that allows sunlight to warm the interior but is not constructed in a manner to be habitable space.
- 1.3.196. **Surface water** means a body of flowing or standing water, whether naturally or artificially created, including but not limited to a lake, river, creek, spring, drainage ditch, roadside ditch, reservoir, swamp, wetland and marsh, including ice on any of them, but not including a dugout on the property of an agricultural operation.
- 1.3.197. **Swimming pool / hot tub, private** means an artificially constructed basin, lined with concrete, fiberglass, vinyl or like material that is capable of containing a water depth greater than twenty-four (24) inches and that is located on the property of a single-family dwelling.
- 1.3.198. **Transport terminal** means a development where commercial passenger vehicles pick up and discharge fare-paying passengers. This use can be accessory to automobile service stations, eating and drinking establishments and like uses.
- 1.3.199. **Travel trailer**, including motor homes, tent trailers, and similar vehicles means a self-propelled vehicle or vehicles without motive power designed to be drawn by a motor vehicle to be used as a transient living accommodation, facility for travel, recreation, business, trade, vacation and construction work, which is designed for frequent moves, but not for long term residential occupation. Travel trailers are capable of being licensed under *The Highway Traffic Act*.
- 1.3.200. **Trucking operation** means the use of land, buildings or structures for the purpose of storing, repairing, servicing or loading of trucks, transportation trailers and / or buses. This use class includes automotive repair, eating and drinking areas, gas bar, retail sales and service stations, which can be considered accessory uses.
- 1.3.201. **Use** means:
- a. Any purpose for which a building or other structure or parcel of land may be designed, arranged, intended, maintained or occupied; or
 - b. Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a parcel of land.

- 1.3.202. **Vacation farm operation** means an accessory development to a farm operation that provides temporary accommodations with or without meals to the travelling public for remuneration. This use class includes tourist campsites, lodges and sites for motor homes and / or travel trailers, which can be considered as accessory uses.
- 1.3.203. **Warehouse** means:
- a. A building or structure used for or intended to be used for the bulk storage and distribution facilities of goods, merchandise or material; and / or
 - b. A building intended for the wholesale storage or distribution of goods or products with associated retail sales.
- 1.3.204. **Wayside pit and quarry** means a temporary pit or quarry opened and used by a public road authority solely for the purposes of a project such as a road construction contract that is not located on the road right-of-way.
- 1.3.205. **Wind energy generation station / system** means a device or group of devices such as wind chargers, windmills, or wind turbines, including towers, that convert wind energy into electrical energy for generation of power for sale by a public or commercial enterprise, including all associated accessory facilities.
- 1.3.206. **Wind turbine, personal use** means a small-scale wind turbine generator tower that converts wind energy to electrical energy for primarily private residential, commercial or industrial use, including all associated accessory facilities.
- 1.3.207. **Works** means all buildings, walls, bridges, trestlework, dams, canals, locks, tunnels, subways, wharves, piers, ferries, viaducts, aqua-ducts, embankment of streams, ditches, culverts, drains, sewers, vaults, mines, wells, roads, pavements, sidewalks, pathways, pedestrian decks or tunnels, street railways, towers, poles, lines and equipment of transportation, telephone, hydro or transit systems, harbors, docks, booms, excavations and fabric made, built, constructed, erected, enlarged, repaired, improved, formed or excavated by means of, or with the aid of, human skill and human, animal or mechanical labor.
- 1.3.208. **Yard** means an open area, on the same *zoning site* containing a building or structure which is unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted and as specified in the bulk table for the affected Zone and includes the following (see illustration below):
- a. **Required yard** means a yard extending along a site line to a depth or width measured from the site line;
 - b. **Required front yard** means a yard extending along the full length of the front site line between the side site lines;
 - c. **Required rear yard** means a yard extending along the full length of the rear site line between the side site lines;
 - d. **Required side yard** means a yard extending along the side site line from the front yard to the rear yard.



- LEGEND
-  FRONT YARDS
 -  REAR YARDS
 -  CORNER SIDE YARDS
 -  INTERIOR SIDE YARDS

PART 2 – ADMINISTRATION

2.0. SCOPE

This By-law shall be in full force and effect when it is given third reading by the Council of the Rural Municipality of Whitemouth.

2.1. AREA AFFECTED

This Zoning By-law shall apply to all of the Rural Municipality of Whitemouth.

2.2. INTENT AND PURPOSE

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

- a. Implement the objectives and policies of the *Whitemouth Reynolds Planning District Development Plan 2030*;
- b. To define and limit the powers and duties of the Council, the Development Officer and / or the Designated Officer; and
- c. To regulate the following:
 - i. All buildings and structures erected hereafter;
 - ii. All uses of buildings, structures and land established hereafter;
 - iii. All structural alterations and relocations of existing buildings and structures occurring hereafter;
 - iv. All enlargements or additions to existing buildings, structures or uses; and
 - v. All changes of use of land, buildings or structures.

2.3. RESPONSIBLE AUTHORITY

The authority responsible for the enactment of this By-law shall be the Council, in accordance with the provisions of *The Act*. Subject to the provisions of *The Act*, the regulations, restrictions and boundaries set forth in this By-law may, from time to time, be amended, supplemented, changed or repealed.

2.4. RESPONSIBILITIES OF COUNCIL

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

- a. Considering the adoption or rejection of proposed amendments or the repeal of this By-law;
- b. Administering and enforcing the provisions of this By-law and the provisions of *The Planning Act*, where applicable;
- c. Considering and issuing variance orders;
- d. Approving or rejecting conditional use applications, and may revoke the authorized conditional use for any violation of any additional conditions imposed by it; and
- e. Establishing a schedule of fees via a special By-law.

2.5. AMENDMENTS

2.5.1. PROCEDURE

Subject to the procedure required under *The Act*, an amendment may be initiated by a resolution of intention by the Council, or by application of one or more owners of the property or their agents within the area proposed to be changed. An application to amend the Zoning By-law, together with all required information and fees, shall be made on a prescribed form to Council.

2.5.2. DECISION OF COUNCIL

If Council approves the application, it shall proceed with the adoption of the amendment in accordance with the provisions of *The Act*.

2.5.3. OBJECTIONS

When an objection to a Zoning By-law or amendment is received subsequent to second reading having been given, a further objection may be filed with the Rural Municipality of Whitemouth as required in *The Planning Act*.

2.5.4. DEVELOPMENT AGREEMENTS

Where an application is made for the amendment of this By-law Council may require the owner to enter into a zoning / development agreement. Development agreements may be registered in the Land Titles Office in the form of a caveat on the title and may be discharged when the requirements or conditions of the agreement have been met.

2.6. CONDITIONAL USES

2.6.1. INTENT

The development and execution of this By-law is based upon the division of *The Area* into zones, within which zones the use of land, buildings and structures in relation to the land are substantially compatible. There are certain uses deemed conditional uses which, because of their unique characteristics, cannot properly be classified in any particular zone or zones without consideration of the impact of those uses upon neighbouring land and of the public need for the particular use at the particular location.

2.6.2. APPLICATION

An application for a conditional use order shall be processed and approved or rejected in accordance with the provisions of *The Planning Act*.

2.6.3. FILING AN APPLICATION

An application for a conditional use order shall be made to Council or the development officer / designated employee and must be in the form and accompanied by a site plan, supporting material and fees as required by Council.

2.6.4. DECISION

An application for a conditional use order shall be processed and approved or rejected in accordance with the provisions of *the Planning Act*.

2.6.5. EXPIRY OF CONDITIONAL USE APPROVAL

The approval of Council in accordance with the provisions of *The Planning Act* shall expire and cease to have any effect if it is not acted upon within twelve (12) months of the date of the decision. The conditional use order may be extended for an additional period not longer than twelve (12) months, if an application for extension is received before the initial deadline.

2.6.6. EXISTING CONDITIONAL USE

Where a use is classified as a conditional use under this By-law or amendments hereto and legally exists as a permitted or conditional use at the date of the adoption of this By-law or amendments hereto, it shall be considered as an existing conditional use.

2.6.7. CHANGES TO AN EXISTING CONDITIONAL USE

Any change in a conditional use shall be subject to the provisions of this section and the appropriate provisions of *The Planning Act*.

2.6.8. REVOKING A CONDITIONAL USE PERMIT

Council may revoke an approved conditional use permit for a violation of any conditions imposed.

2.7. VARIANCE ORDERS

2.7.1. APPLICATION

Any person may apply for an order varying specific provisions of the By-law in accordance with the provisions of *The Planning Act*.

2.7.2. FILING AN APPLICATION

An application for a variance order shall be made to Council or the development officer / designated employee and must be in the form and accompanied by any supporting material and fees as required by Council.

2.7.3. DECISION

An application for a variance order shall be processed and approved or rejected in accordance with the provisions of *The Planning Act*.

2.7.4. EXPIRY OF VARIANCE ORDER APPROVAL

The approval of Council in accordance with the provisions of *The Planning Act* shall expire and cease to have any effect if it is not acted upon within twelve (12) months of the date of the decision. The variance order may be extended for an additional period not longer than twelve (12) months, if an application for extension is received before the initial deadline.

2.7.5. MINOR VARIATIONS

The development officer / designated employee may, in accordance with the provisions of *The Planning Act*, make an order that varies the height, distance, area, size or intensity of use requirements and the number of parking spaces, by no more than ten percent (10 %). The applicant may appeal the order of the Development Officer / Designated Employee to Council.

2.8. DEVELOPMENT OFFICER OR DESIGNATED EMPLOYEE

2.8.1. DUTIES AND POWERS

The Development Officer / Designated Employee, as appointed by the Council of the Rural Municipality of Whitemouth, may:

- a. Issue a development permit where the development of land, buildings or structures that conforms to the adopted Development Plan, the requirements of this By-law and amendments thereto and any other By-law, subject to the provisions of **the Development / Building Permit section**;
- b. Enter any buildings or premises at all reasonable hours in the performance of their duties with respect to this By-law;
- c. Issue building / development permits for the temporary use of buildings, structures or land;
- d. Issue zoning memoranda or such other documents necessary for the administration and enforcement of this By-law;
- e. Allow or refuse such minor variances to the requirements of this By-law as authorized in this By-law and in accordance with the provisions of *The Planning Act*; and
- f. Shall refer, with his / her recommendations to Council, all applications for building / development permits involving:
 - i. Amendments to this by-law;
 - ii. New conditional uses and changes to conditional uses;
 - iii. Variances from zone requirements in excess of that authorized in this By-law;
 - iv. Matters requiring the specific approval of Council pursuant to this By-law; and
 - v. Any other items which may require Council's attention.

2.9. DEVELOPMENT PERMIT / BUILDING PERMIT

2.9.1. PERMIT REQUIRED

The owner or his agent shall obtain all necessary permits as required by the Council and other government agencies. An application for a development permit / building permit is required for the following:

- a. The erection or construction or placement of any building, structure or shed more than one hundred and fifty (150) sq. ft. in area, or light standards, excepting fences;
- b. The addition, extension, structural alteration or conversion of any building or structure;

- c. The relocation or removal or demolition of any building or structure, excepting any non-taxable farm building, more than one hundred and fifty (150) sq. ft. in size; and
- d. The undertaking of works as defined in this By-law, except as noted below.

2.9.2. REQUIREMENTS

In addition to the requirements of any By-law of the Rural Municipality of Whitemouth or any other provincial regulations, all applications for a building / development permit shall include all relevant information required by Council. No person shall erect, locate, relocate, use or occupy any building, land or structure contrary to any building / development permit or the material furnished in support of the application.

2.9.3. BUILDING / DEVELOPMENT PERMIT NOT REQUIRED

The following developments shall not require a development permit, however, such developments must comply with all provisions of this By-law, any other applicable By-laws of the Rural Municipality of Whitemouth and all required provincial setbacks and / or permits:

- a. The carrying out of work or maintenance or repair to any building or structure, provided that such works do not include structural alterations or major renovations;
- b. The development of, including construction, repair, inspection or maintenance of that part of a public works placed in or upon a public works easement, public reserve or road;
- c. The erection, placement, enlargement, structural alteration, relocation or use of any building or structure, not exceeding one hundred and fifty (150) sq. ft. that is normally incidental or accessory to a dwelling as the principal building or use;
- d. General landscaping, construction of private driveways and parking pads and the planting or removal of trees and hedges intended as a shelterbelt or buffer;
- e. The construction or erection of certain non-illuminated signs (see [section 3.19](#)); and
- f. The operation of a home occupation.

2.9.4. WITHHOLDING DEVELOPMENT / BUILDING PERMITS

The Development Officer / Designated Employee may withhold issuing a development / building permit:

- a. As provided for in *The Planning Act*;
- b. That could result in a violation of this Zoning By-law or any By-law of the Rural Municipality of Whitemouth; or
- c. To any person who has failed to pay any fees due and owing to the Rural Municipality of Whitemouth.

2.9.5. SUSPENSION OR REVOCATION OF DEVELOPMENT / BUILDING PERMITS

The Development Officer / designated employee may suspend or revoke a development / building 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.

2.9.6. EXISTING DEVELOPMENT / BUILDING PERMITS

Unless otherwise provided for herein, development / building permits issued prior to the effective date of this Zoning By-law shall be considered valid for the purpose of this Zoning By-law provided all conditions under which the permit was issued are complied with.

2.10. BUILDING TO BE MOVED

No existing building or structure over one hundred and fifty (150) square feet in area shall be moved in whole or in part to any other location unless every portion of the building or structure is made to conform to all the regulations of this By-law applying to the *Zone* in which it is to be located and the owner or his agent *has* first obtained a development / building permit and a conditional use order pursuant to *The Planning Act*.

2.11. NON-CONFORMING USES, PARCELS, BUILDINGS OR STRUCTURES

A non-conforming use, parcel, building or structure shall be regulated in accordance with and subject to the provisions of *The Planning Act*, unless otherwise provided for herein.

2.11.1. CONTINUANCE OF LAWFULLY EXISTING NON-CONFORMITIES

All buildings and structures, parcels of land, including parcels created without subdivision approval as per provisions of *the Act*, and uses of land that lawfully existed before the enactment of this Zoning By-law are deemed to conform to the site and use requirements of the Zone in which the buildings and structures, parcels of land or uses of land are situated. Any expansion, addition, relocation or reconstruction of the said buildings and structures or change in use shall:

- a. Conform to the site and use requirements of the zone in which they are located unless, varied by a variance order; or
- b. In cases where buildings or structures erected prior to the effective date of this Zoning By-law having an existing yard less than required under the provisions of the applicable Bulk Table, may be altered or added to provided that such alteration or addition does not further reduce the existing yard.

2.11.2. INCIDENTAL ALTERATIONS

Incidental alterations that do not increase the non-conformity and otherwise conform to this By-law may be made to an existing building that does not conform to the Zoning By-law, pursuant to *The Planning Act*.

2.11.3. REPAIR OR REBUILDING

Pursuant to the provisions of *The Planning Act*, where a building that does not conform to the provisions of this Zoning By-law is damaged or destroyed to an extent of fifty percent (**50%**) or more of the replacement value of the building above its foundation, said building must not be repaired or rebuilt except in conformity with this By-law and any approved variance order.

2.11.4. NON-CONFORMING PARCEL

If the size or dimensions of an existing parcel of land do not conform to the Zoning By-law, the owner of the land may:

- a. Use the land for any use permitted under the By-law; and
- b. Construct or alter a building on the land if all requirements of the By-law, such as yards, building height and floor area, are met.

2.11.5. DISCONTINUANCE OF NON-CONFORMING USE

If the use of land or the intensity of the use of land does not conform to the Zoning By-law and the non-conformity has been discontinued for more than twelve (**12**) consecutive months, the land must not be used after that time except in conformity with the Zoning By-law.

2.11.6. NON-CONFORMITY MAY BE ALTERED BY VARIANCE ORDER

Council may permit the following alterations to an existing non-conformity by variance order in accordance with *The Planning Act*:

- a. Construction on a non-conforming building beyond that permitted under [section 2.11.3.](#) above;
- b. An increase in the intensity of an existing non-conforming use, other than a variance order to increase the number of animal units in a non-conforming livestock operation;
- c. The repair or rebuilding of a non-conforming building that has sustained more damage than permitted under [section 2.11.3.](#) above; or
- d. The extension of the twelve (**12**) month time limit under [section 2.11.5.](#) for not more than twelve (**12**) additional months.

Where any of the above variance order(s) do not result in the elimination of the non-conformity, the subject building, structure, use or parcel shall retain its non-conforming status as per [section 2.11.1.](#)

2.12. ZONING MEMORANDUM

Upon request, Council will issue a zoning memorandum that states whether or not a building, parcel, or use appears to conform to the Zoning By-law. Application for a zoning memorandum must be in the form and be accompanied by any supporting material and fees as required by Council.

2.13. INTERPRETATION AND APPLICATION

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

2.14. RELATION TO OTHER BY-LAWS

Whenever provisions of any By-law of the Rural Municipality of Whitemouth or any other requirement of the Provincial Government of Government of Canada impose overlapping regulations over the use of land or buildings or bulk requirements or contain any restrictions covering any of the same subject matter contained herein, the most restrictive or highest requirement shall govern.

2.15. UNDEVELOPED ROAD ALLOWANCE

No buildings or structures shall be erected upon any undeveloped road allowance. Any development adjacent to said road allowance shall comply with the requirements of the Zoning By-law as to yard requirements.

2.16. RESPONSIBILITIES OF THE OWNER

Neither the granting of a development / building permit nor the approval of the drawing and specifications nor inspection shall in any way relieve the owner of the responsibility of complying with the requirements of this By-law or of any relevant By-laws of the Rural Municipality of Whitemouth.

2.17. ENFORCEMENT

The enforcement of this Zoning By-law, or any resolution or order enacted by the Council under *The Planning Act* or any regulation made thereunder shall be in accordance with *The Planning Act*.

2.18. FEES

Council shall, by By-law, establish a fee schedule for variance orders, zoning amendments, zoning memoranda, conditional use orders, non-conforming certificates and other appropriate documents.

PART 3 - GENERAL PROVISIONS

3.0. REGULATIONS OF USE

The general provisions listed in this section shall apply to all Zones unless otherwise specifically stated. No land, building or structure shall be constructed, enlarged, placed, used or occupied except for a use that:

- a. Is listed in the *Zone* as a:
 - i. Permitted use development; or
 - ii. Conditional use development, subject to approval of the subject conditional use order.
- b. Is listed as a permitted, permitted by conditional use or requiring a resolution of Council, an accessory use, building or structure; or
- c. Has been granted an appropriate variance order as per provisions of *The Planning Act*; or
- d. Has been approved by a resolution of Council where listed as “**as determined by Council**” or “**approval via resolution of Council**” in a Bulk Table or where a resolution of Council is otherwise required.

3.1. ONE (1) MAIN BUILDING / MAIN USE PER ZONING SITE

Except where otherwise provided for in this By-law (e.g. planned unit development, multiple-family units, additional dwelling allowed as conditional use), there shall be only one (1) main building or one (1) main use on a *zoning site*. For example, a residential *zoning site* shall contain only one (1) single-family dwelling or one (1) two-family dwelling and their accessory buildings, structures and uses.

3.2. MULTIPLE USES OF A SITE

When permitted, and where any land or building is used for more than one purpose or use, all provisions of this Zoning By-law relating to each use shall be satisfied. Where there is a conflict such as in the case of site area and frontage, the higher or more stringent requirements shall prevail. The requirements providing for the maximum site coverage shall also prevail. This provision applies to all Zones.

3.3. EXCAVATION AND SOIL STRIPPING

For the purposes of this Section of the Zoning By-law, a person wishing to excavate or strip land of topsoil:

- a. Requires the prior approval of Council and a development permit for these activities, including stockpiling and / or expansion of any such operation where allowed in a Zone;
- b. May be required to provide Council with information as necessary to evaluate the proposal. Council may impose such conditions and requirements as it deems appropriate and necessary; and
- c. If necessary has obtained the required / necessary permits from the appropriate government department.

3.4. DEMOLITION AND REMOVAL OF BUILDINGS OR STRUCTURES

Where a development permit has been obtained for the demolition or removal of a building or structure, all demolition, removal of debris, filling of excavations or basements and re-grading of the site shall be undertaken within ninety (90) days from the date of issuance of said Designated Employee, due to unusual circumstances such as weather conditions and road restrictions. **Please note:** where affected sites are serviced by on-site wastewater management systems and all structures utilizing these are removed, the septic / holding tank must be decommissioned in accordance with Regulations under the *Environment Act*.

3.5. FLOOD RISK AREAS AND HAZARD LANDS

Notwithstanding any other provision of this By-law, Council may refuse to issue a building and / or development permit where the proposed building or structure, as determined by Council, is to be located within the floodway of a river, stream, drain or watercourse, and where Council has determined that placement of said structure would impede the flow of flood waters and / or create a hazard to life, limb or property.

Where Council has determined that flood hazards do not exist on the entire building site or where the proposed building or structure is to be located in an area of minimal flooding, within the floodway fringe of a river, stream, drain or watercourse, or is otherwise subject to minor ponding or runoff, it may permit such lands to be developed provided that:

- a. Each lot contains an adequate sized building site where all buildings shall be protected from flooding by raising the building site (grade) for at least twenty (20) feet around each building to the flood protection level, which is two (2) feet above the flood level;
- b. The backwater effect from the development and of all other flood prone areas in accordance with these criteria is within the limits specified for the area by the Province;
- c. Prior to the issuance of a building / development permit, Council may require that the permit application be accompanied by a professional engineering report confirming the adequacy and safety of the proposed flood protection works;
- d. The elevation of the basement floor is not lower than the flood protection level by two (2) feet if the fill material is pervious such as sand; or five and one-half (5½) feet if the fill material is impervious such as clay;
- e. Not contain habitable space and not be used for storage of immovable materials or hazardous materials that are buoyant, flammable, explosive or toxic;
- f. Not contain any electrical circuit breaker panels and:
 - i. Be provided with a sump pump; and
 - ii. Have back-up valves in the sewer pipes or pipes leading to a holding tank or disposal field.
- g. Notwithstanding any other provision of this By-law, Council may:
 - i. Refuse a building and / or a development permit where Council has determined that the proposed building or structure is to be located on land subject to erosion, bank instability, sloughing, or is to be located on low-lying wetlands having insufficient bearing strength to accommodate said building or structure;
 - ii. Require that the proposed building or structure be constructed and located in such a manner as to negate the effects of the hazard; and
 - iii. Council may require that the applicant provide, at his / her own expense, such flood levels, elevations, or other geotechnical data as may be required for its determinations with respect to subsections a., b., c. and d. above.

3.6. HOME INDUSTRIES

In order that the business initiatives of the residents are not unreasonably discouraged, non-offensive [home industry](#) activities shall be permitted as a second use, in addition to the principal use, in the "RGZ", "RM1", and "RM2" Zones.

3.7. GARDEN SUITE / SECOND SINGLE FAMILY DWELLING / DETACHED GUEST COTTAGE / COMMUNAL RESIDENCE

It is the intent of this Section to provide some general standards for the placement of an additional dwelling unit on the same site as the principal dwelling, including a (single-family) garden suite, a second single-family dwelling, detached guest cottage and communal residences. Owner-occupiers of the principal dwelling require the approval of a conditional use permit where listed in a Bulk Table, to install a garden suite, second dwelling, detached guest cottag or communal residence, subject to the following:

- a. Hydro, municipal services (if available) and on-site sewage services shall be connected as required upon approval of the affected authorities; and
- b. The additional dwelling unit shall maintain a minimum separation distance of ten (10) feet to the principal dwelling and any accessory building, and be in compliance with all yard requirements as set out in **the Bulk Requirement table of the zone within which the dwelling unit is located.**

3.8. CONDOMINIUM DEVELOPMENTS

[Condominium developments](#) are characterized by individual ownership of dwelling or land units and common ownership of all other property including buildings and structures or parts thereof, open space, roadways, pathways and equipment held by the condominium corporation. Condominium developments shall be regulated by the following provisions:

- a. In bare land unit condominium developments, each **bare land unit**, as defined in *The Condominium Act*, which is delineated by horizontal land boundaries, shall be considered a **zoning site** as defined in this by-law, for the purposes of determining site area and width, yards and other requirements;
- b. In bare land unit condominium developments, **common elements**, as defined in the said *Act*, which will be ordinarily used for the passage of vehicles or pedestrians including roads, road allowances, streets and lanes but not including pedestrian walkways or off-street vehicle parking areas, shall be considered:

- i. A **street**, where such thoroughfare is over thirty-three (**33**) feet in width; and
- ii. A **lane**, where such thoroughfare is not over thirty-three (**33**) feet in width.
- c. In condominium developments where the individual dwelling units within a building form the condominium units, the development shall be considered as a multiple-family dwelling. That is, the individual condominium units within the building shall be considered as dwelling units within a multi-family dwelling (apartment block or townhouse) for the purposes of this By-law, and the building containing the condominium units shall be considered as a multi-family dwelling for the purposes of bulk requirements;
- d. Condominium developments that propose a mixture of different land uses, or which do not conform to the requirements of this By-law will be considered as a Planned Unit Development and shall be subject to [section 3.9.](#);
- e. Condominium developments that propose a phasing of additional condominium development on the same zoning site shall:
 - i. Require appropriate approval of Council as to building / development permit requirements prior to construction and may also require subdivision approval as per requirements of the *Planning Act* and *Condominium Act*; and
 - ii. Shall form part of a Planned Unit Development or be approved as a Planned Unit Development, where applicable.

The provisions of the Bulk Requirement Table for the Zone in which the development is to be located, as well as all other regulations and requirements of this By-law shall also apply.

3.9. PLANNED UNIT DEVELOPMENTS

A Planned Unit Development is primarily a major land development project that, because of its size or complexity, high density, mixture of land uses or other unusual characteristics, is planned as a single entity in accordance with an overall site plan. There are many possible innovative projects that can occur within a Planned Unit Development, including, but not limited to the following:

- a. Comprehensive redevelopment, including mixed use projects;
- b. Townhouse and apartment projects containing two or more principal buildings and characterized by diverse designs;
- c. Alternative subdivision layouts characterized by an open space nature, clustered developments, preservation of natural features, separation of pedestrian and vehicular systems, staggered setbacks, diverse housing types and models and reduced amount of land devoted to streets and public works;
- d. Shopping centers, commercial and industrial developments utilizing common elements to address common needs including parking, access, etc.;
- e. Planned Unit Developments are allowed as a conditional use in the "**GD**", "**RG**", "**RM1**", and "**RCI**" Zones. Bulk requirements for each Planned Unit Development will be determined by Council and included as part of the conditional use order;
- f. An application for the establishment of a Planned Unit Development shall be accompanied by the following information:
 - i. Those requirements normally required for the issuance of a development / building permit as outlined in [section 2.9.](#); and
 - ii. An impact statement, engineering study or such information as Council may consider necessary for the review of the proposal.

3.10. LIVESTOCK OPERATIONS

Livestock operations, including residential related farms, in the "**RGZ**", "**RG**", "**RM1**" and "**RM2**" Zones shall be based upon the intensity of use as measured by animal units (**a.u.**), and as defined for different species of livestock in [TABLE 4.9: ANIMAL UNIT SUMMARY TABLE.](#)

3.10.1. CONDITIONAL USE GUIDELINES

- a. The owner / applicant must demonstrate that sufficient land is available to accommodate for the spreading of manure produced by the operation; and
- b. The proposed use shall adhere to mutual separation distances outlined in [TABLE 4.8: LIVESTOCK OPERATION - MINIMUM MUTUAL SETBACK REQUIREMENTS.](#)

3.11. SEPARATION DISTANCE REQUIREMENTS FOR ESTABLISHMENT OF ANHYDROUS AMMONIA STORAGE FACILITIES, WASTE DISPOSAL GROUNDS AND SEWAGE LAGOONS

Conditions of approval to establish anhydrous ammonia storage facilities, waste disposal grounds and sewage lagoons must confirm compliance with the following setbacks as per **Manitoba Regulation no. 150 / 91**:

- a. Three thousand two hundred and eighty (**3,280**) feet (**1000m.**) from any body of water;
- b. One thousand three hundred and twelve (**1,312**) feet (**400m.**) from any cemetery, and from any potable water well;
- c. Additional requirements for **anhydrous ammonia storage** include:
 - i. Two thousand six hundred and twenty-five (**2,625**) feet from residential areas, schools, hospitals or other institutions;
 - ii. Three hundred and twenty-eight (**328**) feet from an individual residence; and
 - iii. Three hundred and twenty-eight (**328**) feet from the edge of a right-of-way of a highway.
- d. Additional requirements for **waste disposal grounds** include:
 - i. One thousand three hundred and twelve (**1,312**) feet from any dwelling; and
 - ii. Three hundred and twenty-eight (**328**) feet from the nearest edge of the right-of-way of any public road.
- e. Additional requirements for **sewage lagoons** include:
 - i. One thousand five hundred (**1500**) feet from any center of population; and
 - ii. One thousand (**1000**) feet from an individual residence.

3.12. QUARRY / AGGREGATE / MINERAL OPERATIONS

- a. With the exception of lands designated for more intensive uses in the Development Plan and zoned “**GD**” and “**RG**”, development of land on high quality or useable deposits of aggregate in the “**RGZ**”, “**RM1**” and “**RM2**” zones shall be limited to non-intensive agriculture such as grazing, cropping forestry, temporary uses or other uses that will permit access to the resource, in accordance with the *Whitemouth Reynolds District Development Plan 2030*;
- b. The approval of a conditional use permit shall be required, where listed in a Bulk Requirement Table, for quarry / aggregate / mineral extraction operations or for the expansion of an existing extraction operation and shall include:
 - i. In the case of Crown quarry minerals, proof of issuance of a Provincial Lease or Casual Permit under *The Mines Act*;
 - ii. A plan showing areas and means of disposing of overburden and routes for hauling the minerals;
 - iii. A site plan showing the precise plan of operation, the manner in which extraction or development will occur, the means of visual buffering and noise and dust protection, and the intended use(s) of the site upon completion of the extraction phase;
 - iv. Proof that a plan of rehabilitation has been approved by the Province of Manitoba for all commercial operators removing two thousand (**2000**) cubic yards annually, subject to *The Mines Act*.
- c. Council shall, prior to issuance of the above permit, consult with the appropriate Provincial department;
- d. In order to mitigate the negative effects of windrow burning and the impact on municipal drainage, a development permit shall be required for the clearing and development of peat land from its natural state for agricultural or other development purposes as a mineral extraction use, subject to approval of a conditional use permit, as noted in the appropriate zones;
- e. Council shall protect future mineral extraction areas by requiring a four hundred and ninety-two (**492**) ft. (**150 m.**) no-development buffer around high quality deposits shown on **STOP-CAUTION-GO** maps as may be provided and available by the appropriate government department responsible for mineral resources; and
- f. As a condition of approving the conditional use order, Council may require that a development agreement be entered into.

3.13. ACCESSORY BUILDINGS AND USES PERMITTED

Accessory buildings, except as otherwise regulated in this By-law, shall be subject to the following regulations:

- a. Where the accessory building is attached to a main building it shall be subject to, and shall conform to, all regulations of this By-law applicable to the main building;
- b. No detached accessory building shall be located closer than ten (10) feet to any main building, except as provided for herein and except as provided for by variance order;
- c. In no instance shall an accessory building be located within a dedicated easement or right-of-way except as provided for by said easement or right-of-way;
- d. No accessory building shall be erected prior to erection of the main building except where it is necessary for the storage of the tools and materials for use during construction of the main building, as provided for in **section 3.15.**; and
- e. Where a through site has a depth of less than two hundred (200) feet, an accessory building which meets the requirements of the zone in which it is located, may be located in one of the required front yards, provided such building is set back from the nearest site (street) line a distance of not less than the minimum front yard requirement of abutting parcels or sites along the same site (street) line; and
- f. To determine the need for a building / development permit, see [section 2.9](#).

3.14. THROUGH SITE – MAY BE TWO (2) SITES

A through site having a depth of two hundred (200) feet or may be assumed to be two (2) sites with the rear line of each approximately equidistant from the front site lines, provided all area and yard requirements are complied with.

3.15. TEMPORARY BUILDINGS AND USES

Notwithstanding any provisions contained elsewhere in this By-law, the Council may permit, subject to such conditions as it may see fit to impose, and for a period of time determined by Council, the temporary use of lands, buildings or structures not in conformity with the requirements of this By-law, if, in Council's opinion, the amenity or sanitary conditions of property in the vicinity will not be adversely affected thereby. If the proposed use occurs within the control area of a Provincial Highway, the application will be referred to The Highway Traffic Board or to the appropriate Provincial department responsible for highways to establish additional requirements. A development / building requirement shall be obtained for the following temporary buildings, structures and uses:

- a. A structure for temporary storage of construction materials or equipment, both incidental and necessary for construction on the same *zoning site*, subject to the issuance of a development / building permit for both a principal **commercial, industrial or multi-family residential use** and the temporary use. Temporary buildings and structures shall not exceed one thousand (1000) square feet in area and one (1) storey or fifteen (15) feet in height; and
 - i. May be used as office space for the contractor of developer;
 - ii. Shall not be used for human habitation, except as temporary accommodation for a caretaker or watchman;
 - iii. Shall require confirmation of a suitable approved mode of wastewater management; and
 - iv. Shall not be detrimental to the health, safety, convenience and general welfare.

Issuance of a permit may be subject to such additional requirements as may be required by Council.
- b. The placing, erection or construction of a private garage for storage purposes prior to completion of construction of a main single-family and two-family residential use, provided a development / building permit has been obtained for said dwellings and construction of the main use has been completed to the foundation stage;
- c. For the establishment of temporary asphalt, concrete batching plants and wayside pits and quarries to accommodate highway construction and subject to requirements as listed in Bulk Requirements Tables in the following non-residential zones: "RGZ", "RM1", and "RM2" Zones. The approval of a conditional use order allowing such use which may include conditions of Council to establish appropriate operating criteria to mitigate potential impacts on adjacent uses;
- d. Where a travel trailer, as defined in **PART I**, or tent is used for temporary accommodation during construction of a one-family or two-family dwelling in the "GD" *General Development* and "RG" *Residential General Zones* only, confirmation of a suitable and approved mode of wastewater management will be required prior to a Development Permit being issued for this temporary use; and
- e. For the establishment of other temporary uses / structures / buildings not specified above in all Zones.

Each development / building permit issued for a temporary building, structure or use shall be valid for a period as determined by Council. A development / building permit for a temporary building, structure, or use shall be subject to

such terms and conditions as required by Council with fees as may be set by Council. The provisions of this section shall apply to all Zones, except as noted above.

3.16. AREA AND YARDS: GENERAL REQUIREMENTS

The following area and yard requirements shall apply in all Zones:

- a. No parcel of land under separate ownership after this Zoning By-law becomes effective, shall be reduced in any manner below the minimum site area, size of dimensions required by this section;
- b. No building shall be added to, or reconstructed and no site upon which a building stands shall be reduced in area, nor shall its boundaries be altered if such additions, reconstruction, reduction or alterations would cause the violation of any of the provisions of this section;
- c. No required yard or other open space around an existing building, or which is hereafter provided around any building for the purpose of complying with the provisions of this Section shall be considered as providing a required yard or open space for any other building; nor shall any required yard or other required open space on any adjoining site be considered as providing a required yard or open space on a site whereon a building is to be erected;
- d. Where a site not forming part of a larger holding has a site width or site area less than that required in the Zone in which said site is located, and was of record at the time this By-law becomes effective, such site may be occupied by any use permitted in the Zone in which said site is located, provided the minimum required yard and any minimum building unit area requirements of the Zone are complied with;
- e. Where an accessory building forms part of the main building (for example, an attached garage), said accessory building shall be deemed part of the main building for yard requirement purposes;
- f. No building or structure shall be permitted on a corner site, when such building or structure is to be oriented in such a manner as to reduce the front yard requirement on the street on which such corner site has its frontage at the time the By-law comes into force;
- g. Yard requirements on sites fronting, flanking or backing onto Provincial Roads and Provincial Trunk Highways shall be increased in accordance with the setback requirements or control line of said roads, as established by and in consultation with the appropriate government department having jurisdiction;
- h. Any building or structure erected prior to the effective date of the By-law having contiguous thereto a front yard less than required under the provisions of the zone, may be altered or added to, provided such alterations or additions do not further reduce the existing front yard; and
- i. Where sites comprising forty percent (**40%**) or more of the entire frontage of the block (excluding reverse corner sites) are developed with buildings, the average front yard depths established by such buildings shall establish the minimum front yard depths for the entire frontage of the block provided such average is less than the minimum front yard required in the Zone in which the site is located.

3.16.1. PROJECTIONS INTO YARDS APPLICABLE TO ALL ZONES

Except as noted below, every part of a required yard shall be open and unobstructed from ground level to the sky, save for the trees, shrubs, gardens, fences and driveways:

- a. Architectural features such as chimneys, bay windows, alcoves, canopies and awnings, which are included as part of the main building may project into a required front, side or rear yard, a distance of not more than three (**3**) feet, provided that the width of such side yard is not reduced to less than three (**3**) ft.;
- b. Eaves and eaves troughs (gutters) may project into any required front, side or rear yard, a distance of not more than three (**3**) feet, provided that in no case shall an eave project within three (**3**) feet of a side site line;
- c. Open, unenclosed landing places / platforms, stairways or balconies, not covered by a roof or canopy, may extend or project into a required **front, side or rear yard** not more than ten (**10**) feet or to the limit of the required yard if the required yard is less than ten (**10**) feet;
- d. Open, unenclosed decks, not covered by a roof or canopy, may extend or project into a required side or rear yard to within five (**5**) ft. of said side or rear site line;
- e. Openwork ornamental fences, hedges, landscape architectural features or guard railing, for safety protection, may be located in any required front yard if maintained at a height no more than three and one-half (**3 ½**) feet above the average ground level adjacent thereto. An openwork type railing not more than three and one-half (**3 ½**) feet in height may be installed or constructed on any

balcony, stairway, platform or landing place noted in **c.** above. Please note: should Building Code requirements differ from the above, Code requirements shall apply;

- f. Fences and hedges shall not exceed a height of six and one-half (6 ½) feet above the finished grade. A fence or hedge shall be permitted in any required front yard in which case the height shall not exceed two and one-half (2 ½) feet for a distance equal to the front yard requirement of the affected zones;
- g. Landscape features such as trees, shrubs, flowers or plants shall be permitted in any required front, side or rear yard provided they do not produce a hedge effect contrary to the provisions of **e.** above;
- h. Name plates, bulletin boards or signs appertaining to the prospective sale, lease or rental of the premises on which they are located as permitted in this By-law, shall be allowed in any required front, side or rear yard;
- i. A satellite dish, to a maximum of three (3) ft. in diameter as an accessory use, shall be permitted in any required yard. Satellite dishes greater than three (3) ft. in diameter may only be located in the rear yard. The location of such a dish shall not create a shadow on adjoining property; and
- j. The above structures or features shall not be located and maintained so as to preclude complete access at all times about a main building. Gates or other suitable openings at least three (3) feet in width shall be deemed adequate for such access.

3.17. SPECIAL PROVISIONS FOR DEVELOPMENT ALONG MAJOR WATERWAYS

The construction of all main structures alongside the Whitemouth and Winnipeg Rivers shall be subject to a minimum setback requirement of one hundred (100) ft. from the [normal high water mark](#) of the noted waterways, in addition to meeting the requirements of [section 3.5](#). This provision does not apply to the construction of docks and accessory buildings less than one hundred and fifty (150) sq. ft. in size.

3.18. NOXIOUS OR OFFENSIVE USE

Notwithstanding anything herein contained, no use shall be permitted in any zone which may be noxious or offensive by reason of the emission or production of odour, dust, refuse matter, wastes, vapour, smoke, gas, vibration or noise, unless such use is specifically permitted in that zone. Where necessary, all *Environment Act* and / Department of Labour approvals will be obtained as required.

3.19. SIGN REGULATIONS

The regulations of this section are intended and designed to establish a minimum control of signs. Such control is deemed essential to promote the health, safety and general welfare by reducing hazards to pedestrian and vehicular traffic, and by preventing unsightly and detrimental development having a blighting influence upon residential, commercial, agricultural and industrial uses. The following shall apply in all Zones except wherein otherwise stated:

- a. No sign or sign structure shall be erected at any location where it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device;
- b. No sign or sign structure shall be located in such a manner as to materially impede the view of any street or highway intersection, or in such a manner as to materially impede the view of the intersection of a street or highway with a railroad grade crossing;
- c. No rotating beam or beam shall be used in connection with any sign display; nor shall any flashing illumination resembling an emergency light be used for such purposes;
- d. A flashing sign in or within one hundred and fifty (150) feet of any residential use in any Zone shall not be operated between the hours of eleven (11) p.m. and seven (7) a.m.;
- e. All signs and sign structures shall be kept in repair and in proper state of preservation. Signs which have become obsolete because of discontinuance of the business, service or activity, and have not been removed or relocated within thirty (30) days following such condition, may be removed by the Municipality at the owner's expense;
- f. It shall be unlawful to erect or maintain any sign on, over or above land or right-of-way belonging to the Municipality unless such right is established by agreement with the Municipality, and all signs shall adhere to all the requirements of the Zone in which they are located; and
- g. The placing of signs within the control lines and circles of a Provincial Road or a Provincial Trunk Highway shall require a permit from the appropriate authority.

3.20. LOADING REQUIREMENTS

Except as hereinafter provided, the following regulations and requirements shall apply in all Zones to ensure an adequacy of loading spaces and areas.

3.20.1. LOADING SURFACE AREA

The driveways, loading and unloading areas shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles. They shall, before being used, be constructed of crushed stone, slag, gravel, crushed brick or tile, cinders, asphalt, concrete, or Portland cement binder and with provisions for drainage facilities designed in such a manner that there will be no free flow of water unto either adjacent properties or public sidewalks.

3.20.2. ACCESS

Access to loading or unloading areas shall be by means of a driveway at least twenty (20) feet wide contained on the site in which the spaces are located and leading to a street, lane or other approved means of legal access within the Zone in which the use is located.

3.20.3. LOADING SPACES

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

- a. Each loading or unloading space shall be at least thirty (30) feet long, twelve (12) feet wide and have a vertical clearance of at least fourteen (14) feet;
- b. Off-street loading spaces shall not be permitted in a required corner side yard; and
- c. The number of loading spaces in relation to the square footage of the subject building shall be as outlined in **TABLE 3.2: MINIMUM LOADING SPACES** below:

3.20.4. TABLE 3.2: MINIMUM LOADING SPACES

TABLE 3.2: MINIMUM LOADING SPACES	
AREA OF BUILDING	MINIMUM LOADING SPACE
Less than ten thousand (10,000) sq. ft.	One (1) space
Exceeding ten thousand (10,000) sq. ft., but not more than eighty thousand (80,000) sq. ft. (including open air storage)	One (1) for each ten thousand (10,000) sq. ft.
Exceeding eighty thousand (80,000) sq. ft.	One (1) space for each additional twenty-five thousand (25,000) sq. ft.

3.21. PARKING SPACE REQUIREMENTS, DIMENSIONS AND DESIGN

All parking areas and parking spaces shall be maintained with a stable surface, which is treated so as to prevent the raising of dust or loose particles. Such areas shall, before being used, be constructed of crushed stone, slag, gravel, crushed brick (or tile), cinders, asphalt, concrete, or Portland cement binder and also include provisions for drainage facilities. The following standards apply:

- a. All accessory off-street parking spaces shall be on the same site as the use served;
- b. Each parking space shall have a vertical clearance of at least seven (7) feet from the floor or grade;
- c. An accessory off-street parking space shall be ten (10) feet wide and twenty (20) feet long;
- d. A minimum of one (1) parking space shall be provided for each dwelling unit;
- e. For uses listed below, parking spaces shall be provided as follows:
 - i. For **hotels** and **motels**: one (1) parking space for each dwelling unit or guest room;

- ii. For **lounges / bars, general retail, service establishments and administrative / office type uses**: one (1) parking space for each two hundred (200) square feet of floor area attributed to each of the noted uses;
- iii. For **indoor participant recreation services**, including **religious assembly and place of assembly**: one (1) parking space for each two hundred (200) square feet of floor area;
- iv. For **eating establishments**: one (1) space per four (4) seats;
- v. For **industrial uses**: one (1) parking space for each employee on the maximum shift; and
- vi. For other **uses not noted above**, the amount of parking spaces shall be determined by resolution of Council so that the parking requirements do not adversely affect the traffic movements or the established local parking patterns at the time the development / building permit is applied for.
- f. Where lighting is provided, such lights shall be so shielded and directed as to reflect away from adjoining residential areas;
- g. Where a parking area is situated along a site line which coincides with the boundary of a residential use in a "GD" Zone and is not separated therefrom by any street, public land or watercourse, a stable and continuous wall, fence, or screen and the site line shall be landscaped with at least one hedgerow of hardy shrubs not less than five (5) feet in height placed next to wall, and the remainder of such land shall be lawn. The wall, fence, or screen shall be maintained in a stable condition, and all landscaping shall be kept free of refuse and debris and maintained in a healthy, growing condition, neat and orderly in appearance; and
- h. If required for a parking area, no building shall be erected except one (1) shelter for attendants and such shelter shall not exceed twelve (12) feet in height or one hundred and fifty (150) sq. ft. in area.

3.21.1. HANDICAP PARKING SPACES

A portion of the required parking spaces as outlined in **section 3.21**. shall be provided for the physically handicapped in accordance with the following **TABLE**:

TOTAL REQUIRED SPACES	REQUIRED SPACES FOR HANDICAPPED PARKING
4 - 30	1
31 - 75	2
76 - 125	3
126 - 200	4
Greater than (>) 200	four (4) spaces + one (1) for every one hundred (100) required spaces or fraction thereof in excess of two hundred (200)

Required off-street parking spaces for handicapped persons shall be located at the main entrance of the principal buildings and:

- a. Be eight (8) feet in width and include a five (5) ft. wide adjacent access aisle. Two (2) stalls may be served by one (1) access aisle;
- b. Have provision for an accessible route to the handicapped persons parking, having a width of three (3) ft. The minimum width requirement applies to curb ramps, sidewalks and built up curb ramps. Accessible ramps must be located adjacent to the access aisle, not in the parking stall; and
- c. Each handicapped parking stall must include signage reserving the parking space for use by persons with disabilities.

3.22. ENTRANCES AND EXITS FOR AUTOMOBILE SERVICE STATIONS, PUBLIC PARKING AREAS, DRIVE-IN ESTABLISHMENTS AND ALL VEHICLE / EQUIPMENT SALES

Automobile service stations, public parking areas, drive-in establishments and all vehicle / equipment sales shall require at least one (1) entrance and one (1) exit for vehicles, driveways and aisles for the removal of a vehicle without the necessity of moving any other vehicle. Access to sites for the titled uses for vehicles shall be only by way of entrances and exits provided in accordance with the following **TABLE**:

Minimum width of an entrance or exit	20 ft.
Minimum width of a combined entrance and exit	25 ft.
Maximum width of an entrance or exit	40 ft.
Maximum width of a combined entrance and exit	60 ft.
Minimum distance between any part of an entrance, exit and the intersection of street site lines or the intersection of a street site line and a side site line on a public lane	30 ft.
Minimum distance between entrances and exits	30 ft.

A barrier at least two and on-half (2 ½) feet in height on or near all street site lines shall be maintained to prevent vehicles from entering or leaving the property other than by way of the entrance and exits permitted as noted in this section.

3.23. SUBDIVISION OF LAND

- a. Approval of a subdivision of land is subject to the provisions contained in *The Planning Act* and the policies contained within the *Whitemouth Reynolds Planning District Development Plan 2030* and amendments thereto. Parcels or lots resulting from said subdivision must:
 - i. Conform with the site area and site width requirements as set forth in the Bulk Requirement Tables for the Zone in which the subject parcels or lots are located;
 - ii. Obtain approval via resolution of Council, where appropriate, further to an application for subdivision; and
 - iii. Must satisfy conditions imposed via resolution of Council and be approved for any required variance orders and / or conditional use orders.

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

- b. The subdivision of a semi-detached two-family dwelling, a side by side, duplex, row house or other multiple-family dwelling with common party walls may be allowed, subject to any required approvals by Council, to create two (2) or more attached single-family lots through the common party wall. Unless otherwise approved, the lots so created by subdivision may only be used for the purpose of single-family dwellings.

3.24. PUBLIC MONUMENTS AND STATUARY

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

3.25. PUBLIC UTILITY SERVICE

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](#), as defined by this By-law, or [protective and emergency service](#) such as police and fire protection, provided that the requirements of such public utility or protective and emergency service is of a standard compatible with the adjacent area as determined by Council or the Development Officer / Designated Employee. Any building or structure erected in any Zone for this purpose shall comply with the yard and area requirements applicable to the affected Zone.

3.26. SITES REDUCED BY PUBLIC UTILITY SERVICE OR STREET

A site area, site width or required yard reduced below the minimum requirements of this By-law by virtue of a public works, creation of a road unassociated with subdivision development or public utility service shall be deemed to conform to the requirements of this By-law.

3.27. CONNECTING TO MUNICIPAL SERVICES

All principal buildings constructed on a site served by a public sewer, and / or water distribution system shall be connected to such services.

3.28. PROVINCIAL TRUNK HIGHWAYS AND PROVINCIAL ROADS

All development proposed adjacent to Provincial Trunk Highways and Provincial Roads shall comply with the regulations and controls stipulated in the relevant legislation and / or regulations and other policies established by the appropriate provincial authorities.

3.29. NOXIOUS OR OFFENSIVE USES

Notwithstanding anything herein contained, no use that may be noxious or offensive by reason of the emission or production of odour, dust, refuse matter, wastes, vapour, smoke, gas, vibration or noise shall be permitted in any zone unless the use is permitted in the subject zone or measures satisfactory to Council are undertaken to mitigate or eliminate such effects.

3.30. PRIVATE SWIMMING POOLS AND HOT TUBS

The construction of private swimming pools and hot tubs is subject to spatial, structural, electrical, plumbing, health and safety or separation requirements contained in regulations under *The Building and Mobile Homes Act*, *The Public Health Act* or other relevant Provincial and National Building Codes.

3.31. BASEMENT / SECONDARY SUITE

A basement dwelling unit shall comply with the provision of this By-law, the *Buildings and Mobile Homes Act*, and any other By-law or *Act* having jurisdiction.

3.32. FUTURE ROAD ALLOWANCE DEEMED EXISTING

No building or structure shall be erected upon any land acquired by the Rural Municipality of Whitemouth or any other Federal or Provincial government agency and which has been designated for a future road allowance. Any development adjacent to said future road allowance shall comply with the requirements of the By-law as if the said future road allowance was already in existence.

3.33. HEIGHT LIMITATION

The height of any ornamental dome, chimney, tower, electrical or telephone transmission line, television or radio mast, steeple, water storage tank, electrical apparatus or agricultural structures such as silos shall be limited to a maximum of seventy (70) ft. Structures should be set back sufficiently from adjacent property lines and Provincial Highways and right of ways so that if the structure fails, adjacent Provincial Highways / right of ways and neighbouring uses are not affected.

3.34. GENERAL REQUIREMENTS FOR MOBILE HOMES AND MOBILE HOME PARKS

- a. Except as provide for herein, there shall not be more than one (1) mobile home per *zoning site* or not more than one (1) mobile home per space in a mobile home park;
- b. A mobile home dwelling, when located permanently on a *zoning site* or mobile home space, shall:
 - i. Be connected to municipal sewer and water services, when such services are adjacent to the site;
 - ii. Be connected to a private sewage disposal system installed in accordance with this By-law and regulations under the *Environment Act*, where there are no municipal water and sewer services adjacent to the site;
 - iii. Be anchored to a basement, foundation or concrete pad in accordance with **C.S.A. Z240** standards; and
 - iv. Be connected to a hydro system with an approved electrical service outlet.
- c. All structures and / or buildings such as porches, additions, carports, private garages and storage facilities shall be painted or pre-finished and maintained, and in the opinion of Council, will complement the main structure;
- d. All mobile homes shall be provided with skirting extending from the bottom of the mobile home to the ground having adequate ventilation and a readily accessible, removable panel giving access to service connections;
- e. All mobile homes shall meet all building standards required by the "**Canadian Standards Association (C.S.A.) Mobile Home Structural Standards**" contained within the **Z240** series and all revisions thereto or shall comply with all residential standards under *The Manitoba Building Code*;
- f. Attached, enclosed structures or buildings such as cabanas, summer kitchens, breezeways and similar structures shall be permitted onto mobile homes up to a maximum floor area of two hundred and fifty (250)

square feet for each mobile home. For the purposes of compliance with clearance and setback requirements, additions shall be considered as being part of the mobile home; and

- g. The following requirements shall apply to all mobile home parks established within the Rural Municipality of Whitemouth, as provided for in this By-law:
 - i. Each mobile home space shall be clearly marked by corner posts or other satisfactory means and identified by a numbered sign;
 - ii. Every mobile home park shall have provision for the storage of refuse, garbage and debris in a sanitary manner in a location readily accessible to all mobile homes but not more than five hundred (500) feet from any mobile home, or by other means acceptable to Council;
 - iii. All roadways within the mobile home park shall be properly illuminated by lighting units;
 - iv. A separate open area for such purposes as a children's playground or sports field shall be provided on the basis of two hundred (200) square feet per mobile home space or a minimum of five thousand (5,000) square feet, whichever is greater; and
 - v. Identification names shall be given to the mobile home park and the internal roads within the mobile home park and be posted at suitable locations on the site.

3.35. SPECIAL PROVISIONS - EXISTING MOBILE HOME PARK DEVELOPMENT

- a. Mobile home parks lawfully existing at the effective date of this by-law and which do not meet the requirements of this By-law, have non-conforming rights as provided by [section 2.11](#), of this By-law. A mobile home park lawfully existing at the effective date of this By-law may be redesigned or altered without the necessity of a variance order, even though the full requirements of this y-law have not been complied with, provided that the non-conformity is being decreased and that the total number of mobile home spaces is not being increased;
- b. Mobile homes used as dwellings, lawfully in existence and located in the Rural Municipality of Whitemouth at the effective date of this By-law may be relocated to another site or space approved for mobile home use by this By-law. Approval to relocate may be refused, if after an inspection by the Development Officer / Designated Employee and in the opinion of Council, the mobile home is in a state of disrepair or is otherwise unfit or unsafe to be occupied as a dwelling;
- c. Travel trailer spaces located within a mobile home park may be occupied by another travel trailer, but may not be occupied by a mobile home unless the space is made to conform to the requirements of [TABLE 4.5: MOBILE HOME PARKS SITE REQUIREMENTS](#);
- d. Provincial public health and safety regulations, and provincial building and fire codes may supersede the provisions of paragraphs **a.**, **b.** and **c.** above; and
- e. Factory built houses, as defined herein, may be located on any mobile home site that permits either a mobile home or single-family dwelling.

PART 4 – ZONES

4.0. ZONES

In order to carry out the intent and purpose set forth in [section 1.1.](#) of **PART I – TITLE, INTENT, PURPOSE, RULES OF CONSTRUCTION, DEFINITIONS**, the following Zones are hereby established.

4.0.1. URBAN / RESIDENTIAL ZONES:

- a. **"GD" GENERAL DEVELOPMENT ZONE** provides areas for a mixture of residential and commercial uses in the Principal Centers of Elma, Whitemouth and Seven Sisters, as identified in the *Whitemouth Reynolds Planning District Development Plan 2030*; and
- b. **"RG" RESIDENTIAL GENERAL ZONE** provides areas for residential development utilizing on-site wastewater and water facilities, approved alternate sewage systems and in areas served by municipal sewer systems, identified as Principle Centre and Rural Settlement Policy Areas in the *Whitemouth Reynolds Planning District Development Plan 2030*; and

4.0.2. RURAL ZONES:

- a. **"RGZ" RURAL GREEN ZONE** provides for areas where agriculture is the primary land use and makes provision for some resource uses, identified as *Agricultural Green Zone Policy Area* in the *Whitemouth Reynolds Planning District Development Plan 2030*;
- b. **"RM1" RURAL / RESORT MIXED ZONE** provides for a mix of general agriculture, rural / seasonal residential uses and resort type uses, and including provisions for existing livestock production operations, identified as *Rural Mixed Use Area 1* in the *Whitemouth Reynolds Planning District Development Plan 2030*; and
- c. **"RM2" RURAL MIXED ZONE** provides for general agricultural uses and livestock production operations, identified as *Rural Mixed Use Area 2* in the *Whitemouth Reynolds Planning District Development Plan 2030*.

4.0.3. COMMERCIAL / INDUSTRIAL ZONE:

- a. **"RCI" RURAL COMMERCIAL / INDUSTRIAL ZONE** provides areas for commercial / industrial development and those uses requiring large areas otherwise not suitable for urban uses. The corresponding Development Plan designation is Economic Development Area. This zone also identifies and zones existing commercial / industrial developments in the municipality.

4.0.4. OTHER ZONE

- a. **"OSI" OPEN SPACE / INSTITUTIONAL ZONE** provides areas for public and / or private recreational uses.

4.1. ZONING MAPS

The location and the boundaries of the zones listed in [section 4.0.](#) are shown on the Zoning Maps attached hereto and marked as **APPENDIX "B"** to this By-law.

4.2. DIMENSIONS AND SCALE

The scale and all dimensions of the Zoning Map are in feet (ft.).

4.3. REGISTERED PLANS

All plan references on the Zoning Maps pertain to registered plans filed in the Winnipeg Land Titles Office or Director of Survey Plans filed with the Director of Surveys.

4.4. GENERAL PROVISIONS

The general provisions applying to all zones are contained within this **PART**. Also applying to these zones are the provisions of **"PART 1" - INTENT, PURPOSE, RULES OF CONSTRUCTION, DEFINITIONS**, **"PART 2" - ADMINISTRATION**, **"PART 3" - GENERAL PROVISIONS** and the zoning map as per **"APPENDIX B"**.

4.5. INTERPRETATION OF REGULATIONS

In their interpretation and application, the provisions of this **PART** shall be held to be the minimum requirements to satisfy the intent and purpose as set forth in [section 1.2.](#)

4.6. BULK REQUIREMENT AND ACCESSORY USE TABLES

Bulk Requirement and Accessory Use Tables list all uses / use classes that are:

- b. "P" Permitted;
- c. "C" Conditional (which shall comply with the regulations set forth in **PART 2 - ADMINISTRATION**);
- d. "- " Not permitted (in cases where clarity with respect to a particular use is desired in addition to the explanation below); and
- e. "AR" Approved by resolution of Council.

All listed uses / use classes are subject to the provisions contained in the Bulk Requirement and Accessory Use Tables established for each Zone. Please note the following:

- i. **Uses / use classes not listed are not permitted;**
- ii. Where the term "**as required by Council**" is used, it shall be interpreted to mean a condition attached to a conditional use order where listed as "C" Conditional Use; and by resolution of Council where listed as a "P" Permitted Use; and
- iii. Where the term "**AR**" is used, it shall be interpreted to mean that the use requires the passing of a resolution of Council for establishment of the use.

4.7. ZONING MAPS – INTERPRETATION

The location and boundaries of the Zones listed in [section 4.0.](#) above are shown upon the Zoning Maps attached to and forming part of this By-law. All notations, references and other information shown thereon, together with any amendments made by amending By-laws from time to time thereon, together with any amendments to boundaries in the case of street, lane or public utility right-of-way closings, as provided in [section 4.9.](#), shall be as much a part of this By-law as if the matters and information set forth in the said Zoning By-law were fully described herein.

4.8. INTERPRETATION OF DEVELOPMENT PLAN BOUNDARIES

Where a change in land use or amendment to the Zoning By-law is proposed and the bulk, but not all of the subject lands fall within the appropriate Development Plan category, the subject lands shall be deemed to fall within the boundaries of the appropriate Development Plan category so as not to necessitate an amendment to the development plan.

4.9. INTERPRETATION OF ZONE BOUNDARIES

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

- a. Coloured areas represent zone boundaries. Where the zone boundary is broken by the name of a street it shall be construed that the boundary continues through the name of the street;
- f. Notwithstanding that streets, lanes, and public utility rights-of-way may be within the zone boundaries, the regulations contained in this By-law shall not be deemed to be applicable to said streets, lanes and public utility rights-of-way;
- g. Boundaries indicated as following the centrelines of streets, highways or lanes shall be construed as following such centrelines;
- h. Boundaries indicated as following lot, site or property holding lines on a registered plan shall be construed as following such lot, site or property holding lines;
- i. Boundaries indicated as following the limits of an incorporated municipality shall be construed as following the limits of said municipality; and
- j. Boundaries indicated as following the centrelines of railway lines or railway rights-of-way or public utility rights-of-way shall be construed to be midway between the main tracks or the centre of the rights-of-way, as the case may be.

If a street, lane, government road allowance or public utility right-of-way, as shown on the Zoning Map, is lawfully closed, the land formerly comprising the street or lane, government road allowance or right-of-way shall be included within the Zone of the adjoining land; however, if the said street or lane, government road allowance or right-of-way

was a zoning boundary between two (2) or more different zones, the new zoning boundary shall be the former centerline of the closed street or lane or government road allowance, except where the closed road is being transferred to an adjoining owner, in which case the boundary shall follow the limits of the consolidated property.

4.10. ZONING BULK USE AND REQUIREMENT TABLES

- a. The Zoning Bulk Use and Requirement Tables applicable to each Zone of this By-law are intended to regulate the use and development of land within that Zone. Any use listed as a permitted use in a given Zone may be developed on any site within that Zone provided all requirements are complied with. Conditional uses listed in a particular Zone may be permitted subject to any additional conditions that may be applied by means of a conditional use order as provided for in *The Act*; and
- b. The Use and Bulk Table Zoning Bulk Use and Requirement Tables s contained within this By-law have been constructed in such a manner that most requirements for a permitted or conditional use are listed on the table. The permitted and conditional uses of a given Zone are listed; the bulk regulations pertaining to a particular use, such as site areas and yards are also listed on the Table.

4.10.1. USE CLASS DEFINITIONS

- a. The Use Classes group individual land uses into a specified number of classes, with common functional or physical impact characteristics;
- b. The Use Classes, as used in the Zoning Bulk Use and Requirement Tables, define the range of uses which are permitted or conditional within the various Zones of this By-law;
- c. Typical uses listed in the tables and which may be defined in **PART 1** are not intended 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; and
- d. 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 Development Officer / designated employee may deem that the use conforms to and is included in that Use Class and considered to be the most appropriate in character and purpose. In cases of disagreement, approval shall be verified via resolution of Council.

4.10.2. RETENTION OF BULK REQUIREMENTS

- a. It shall be the continuing obligation of the owner to maintain the minimum site area, yards and other open spaces required herein for any use as long as it remains in existence;
- b. The minimum site area, yards and other open spaces allotted to a use as per requirements of this By-law shall not, by virtue of change of ownership, or for any other reason, be used to satisfy the yard, other open space, or minimum site area requirements for any other uses;
- c. All yards and other open spaces required for any use shall be located on the same site as the use; and
- d. No building or structure shall be permitted on a corner site when such building or structure is to be oriented in such a manner as to reduce the front yard requirement on the street on which such corner site has its frontage at the time this Zoning By-law becomes effective.

4.10.3. BULK USE AND REQUIREMENT TABLES BY ZONE:

4.10.4. TABLE 4.1: "GD" GENERAL DEVELOPMENT ZONE USE AND BULK REQUIREMENTS

TABLE 4.1: "GD" GENERAL DEVELOPMENT ZONE USE AND BULK REQUIREMENTS								
USE / USE CLASS Permitted "P" Conditional "C" Not allowed "-"	MINIMUM REQUIREMENTS Acres (ac) Square feet (sf) Feet (ft)							
	Site Area (ac) (sf)	Site Width (ft)	Front Yard (ft) 1	Side Yard (ft) 1 2	Rear Yard (ft) 1	Height (ft)		
	Accessory uses	see TABLE 4.2						
Amusement establishment	C	10,000 sf	100	30	15	25	35	
Animal and veterinary service	C	10,000 sf	100	30	15	25	35	
Animal (other) production operation	-	N / A						
Artisan and craftsman establishment	C	10,000 sf	75	30	15	25	35	
Auctioneering establishment	C	10,000 sf	75	30	15	25	35	
Automated teller machine (ATM): standalone	C	10,000 sf	75	30	15	25	35	
Automobile service station	C	10,000 sf	75	30	15	15	35	
Automotive and recreational vehicle (RV) sales, service, rental and repair	C	10,000 sf	75	30	15	15	35	
Bar and lounge	C	10,000 sf	75	30	15	15	35	
Boarding house	C	10,000 sf	75	30	15	15	35	
Broadcast and motion picture studio	C	10,000 sf	75	30	15	15	35	
Business support service	C	10,000 sf	75	30	15	15	35	
Camping and tenting grounds	C	2 ac	200	30	15	15	35	
Child care service, standalone	C	10,000 sf	75	30	15	25	35	
Cemetery	C	20,000 sf	100	30	15	25	35	
Clinic	C	10,000 sf	75	30	15	25	35	
Commercial school	C	10,000 sf	75	30	15	25	35	
Community / public recreation service	P	as determined by Council						
Community service club	C	10,000 sf	75	30	15	25	35	
Contractor service, general	C	10,000 sf	75	30	15	25	35	
Custom manufacturing establishment	C	10,000 sf	75	30	15	25	35	
Drive-in	C	10,000 sf	75	30	15	25	35	
Dwelling: single-family 3 and two-family 3: used	C	7200 sf	60	30	5 4	25	35	
Dwelling: single-family 3 and two-family 3 incl. modular, RTM, stick built and mobile home only	P	7200 sf	60	30	5 4	25	35	
Dwelling: multiple-family 5 incl. stick built, modular, RTM only	P	as required for two-family dwelling + 0.5 ac. site area for each additional dwelling unit						35
Eating and drinking establishment	C	10,000 sf	75	30	15	25	35	
Education service	C	as determined by Council						
Farmers market / outdoor market	P	10,000 sf	75	30	15	25	35	
Funeral service	C	10,000 sf	75	30	15	25	35	
Gas bar, standalone	C	10,000 sf	75	30	15	25	35	
General storage	C	10,000 sf	75	30	15	25	35	
Government service	C	as determined by Council						
Greenhouse / nursery	P	10,000 sf	75	30	15	25	35	
Group home	P	10,000 sf	75	30	15	25	35	

TABLE 4.1: “GD” GENERAL DEVELOPMENT ZONE USE AND BULK REQUIREMENTS

USE / USE CLASS		MINIMUM REQUIREMENTS					
		Acres (ac) Square feet (sf) Feet (ft)					
		Site Area (ac) (sf)	Site Width (ft)	Front Yard (ft) ¹	Side Yard (ft) ^{1 2}	Rear Yard (ft) ¹	Height (ft)
Permitted “P” Conditional “C” Not allowed “-”							
Group residence	C	10,000 sf	75	30	15	25	35
Hotel / motel	C	10,000 sf	75	30	15	25	35
Indoor participant recreation service	C	10,000 sf	75	30	15	25	35
Information technology use	C	10,000 sf	75	30	15	25	35
Institutional residence	C	10,000 sf	75	30	15	25	35
Manufacturing facility	C	10,000 sf	75	30	15	25	35
Medical treatment service	C	20,000 sf	100	30	15	25	35
Mini warehouse and self-storage	C	20,000 sf	100	30	15	25	35
Parking area, public / private	C	10,000 sf	75	N / A			
Personal service shop	C	10,000 sf	75	30	15	25	35
Place of assembly	C	10,000 sf	75	30	15	25	35
Planned unit development (see also section 3.9.)	C	as determined by Council					
Private club	C	10,000 sf	75	30	15	25	35
Professional, financial and office support service	C	10,000 sf	75	30	15	25	35
Protective and emergency service	P	as determined by Council					
Public building	P	as determined by Council					
Public facility	P	as determined by Council					
Public / private library and cultural exhibit	P	as determined by Council					
Public park / recreation area	P	as determined by Council					
Public utility service	P	as determined by Council					
Rapid drive-through vehicle service	C	10,000 sf	75	30	15	25	35
Religious assembly	P	10,000 sf	75	30	15	25	35
Repair service, household	C	10,000 sf	75	30	15	25	35
Retail sales / service / repair	C	10,000 sf	75	30	15	25	35
Sexually oriented business	C	10,000 sf	75	30	15	25	35
Shopping center / strip mall	C	10,000 sf	75	30	15	25	35
Spectator entertainment establishment	C	10,000 sf	75	30	25	25	35
Storage compound	C	10,000 sf	75	30	15	25	35
Subdivision of existing attached two-family and multiple-family dwellings as per section 3.23.b. (min. site requirements listed for each resulting lot / parcel)	P	2000 sf	20	30	5	25	35
Warehouse / warehouse sales / storage	C	10,000 sf	75	30	15	25	35
Other uses deemed appropriate for the zone by Council	C	as determined by Council					

1 The requirement for yards abutting a Provincial Trunk Highway or Provincial Road is subject to approval by The Highway Traffic Board or appropriate government department if less than the regulatory minimum

2 Side yards on the street side of a corner or reversed corners site shall be a minimum of fifteen (15) feet

3 The minimum dwelling unit size for single-family and two-family dwellings is eight hundred (800) square feet

4 For one-family and two-family dwellings without an attached garage or carport, one side yard shall be fifteen (15) feet

-
- 5 The minimum dwelling unit size for multiple-family dwellings is five hundred (**500**) square feet

4.10.5. TABLE 4.2: “GD” GENERAL DEVELOPMENT ZONE ACCESSORY USES

TABLE 4.2: “GD” GENERAL DEVELOPMENT ZONE ACCESSORY USES									
USES “P” - Permitted “C” – Conditional “AR” – Approved by resolution of Council	REQUIREMENTS Feet (ft), Square feet (sf), Percentage (%)								
	MINIMUM				MAXIMUM				
	Front Yard 1 (ft)	Side Yard 1 2 (ft)	Rear Yard 1 (ft)	Distance to other Buildings (ft)	Site Cove- rage (%)	Number of Accessory Buildings 3	Floor Area (sf)	Height (ft)	
For accessory uses as defined in PART I, DEFINITIONS and not listed below, yard requirements of the main use apply.									
Agriculture use, excluding livestock or as otherwise allowed in TABLE 4.1	P	as required for the main use			N / A				
Automated teller machine (ATM) as accessory to an approved commercial / industrial use	P	30	10	25	N / A			18	
Bed and breakfast	P	as required for the main use							
Business support service as accessory to an approved commercial / industrial use	P	as required for the main use							
Clotheslines, flagpoles and associated structures	P	30	5	5	N / A			30	
Decks / patios, open only	P	30	5	5	N / A			6 ⁴	
Detached dwelling unit / guest cottage (only one (1) accessory dwelling unit permitted per zoning site)	P	30	25	25	10	15	2	500	15
Dwelling single-family ⁵ : standalone / or second floor dwelling unit for caretaker / owner of an approved commercial / industrial use	P	as required for the main use							
Fences	see section 3.16.1.f.								
Home business, home industry, home occupation	P	as required for the main use							
Home child care service	P	as required for the main use							
Lawn ornaments, including birdfeeders and birdhouses	P	N / A							
Lighting fixtures	P	N / A							
Loading requirements	see section 3.20.								
Outdoor cooking facilities, private or as accessory to an approved commercial / industrial use	P	30	25	25	N / A			18	
Outdoor heating appliances (chimney must be equal in height with neighbouring residential chimney(s))	P	30	25	25	N / A				
Parking requirements	see section 3.21.								
Pet enclosures / dog houses: personal / private use	P	30	25	25	10	15	N / A	N / A	18

TABLE 4.2: “GD” GENERAL DEVELOPMENT ZONE ACCESSORY USES

USES “P” - Permitted “C” – Conditional “AR” – Approved by resolution of Council		REQUIREMENTS Feet (ft), Square feet (sf), Percentage (%)							
		MINIMUM				MAXIMUM			
		Front Yard 1 (ft)	Side Yard 1 2 (ft)	Rear Yard 1 (ft)	Distance to other Buildings (ft)	Site Coverage (%)	Number of Accessory Buildings 3	Floor Area (sf)	Height (ft)
Patios, covered, gazebos, sunrooms and like structures	P	30	25	25	N / A			10	18
Patios, commercial: hotel, eating and drinking establishments	AR	as determined by Council							
Play / sports structures	P	30	25	5	N / A			12	
Privacy fences / structures located within a zoning site	P	30	2	2	N / A			12	
Reception equipment, incl. satellite dishes ⁶ , radio antenna towers and similar uses, private	P	30	25	25	N / A			70	
Sheds, including fabric and similar structures	P	30	25	25	10	15	2	N / A	15
Shipping container storage structures	C	30	25	5	10	15	2	N / A	18
Signs (see also section 3.19.)	P	2	2	2	N / A			18	
Solid waste storage structures, private and commercial	P	2	5	5	N / A			15	
Swimming pools, hot tubs and related structures , private and commercial	P	30	25	25	N / A				
Wind turbine, solar energy or standby electrical generation system, private use	P	30	25	25	N / A			70	
Other accessory uses deemed appropriate by Council	C	as determined by Council							

- 1 The requirement for yards abutting a Provincial Trunk Highway or Provincial Road is subject to approval by The Highway Traffic Board or appropriate government department if less than the regulatory minimum
- 2 Side yards on the street side of a corner or reversed corners site shall be a minimum of fifteen (15) feet
- 3 Total number includes accessory dwelling unit
- 4 Or to the limit of the main floor, if attached to a raised dwelling (first floor only)
- 5 The minimum dwelling unit size for single-family and two-family dwellings is eight hundred (800) square feet
- 6 Satellite dishes less than three (3) ft. in diameter can be located in all yards if attached to the main building

4.10.6. TABLE 4.3: “RG” GENERAL RESIDENTIAL ZONE USE AND BULK REQUIREMENTS

TABLE 4.3: “RG” GENERAL RESIDENTIAL ZONE USE AND BULK REQUIREMENTS

USE / USE CLASS Permitted “P” Conditional “C”	MINIMUM REQUIREMENTS Acres (ac), Square feet (sf), Feet (ft)						Max. Height (ft)
	serviced or alternate wastewater system ¹ / un-serviced ²						
	Site Area (ac) (sf)	Site Width (ft)	Front Yard ₃ (ft)	Side Yard _{3 4} (ft)	Rear Yard ₃ (ft)		
Accessory uses	see TABLE 4.4						
Camping and tenting grounds	C	2 ac	200	30	5	25	35
Cemetery	C	20,000 sf	200	30	5	25	35
Dwelling, single-family ⁵ and two-family ⁵ : stick built, RTM , and modular	P	7,200 sf / 2 ac	60 / 200	30 ⁶	5	25	35
Dwelling, single-family ⁵ and two-family ⁵ : mobile home and used only	C	7,200 sf / 2 ac	60 / 200	30 ⁶	5	25	35
Dwelling: multi-family ⁷	C	as required for single / two-family dwelling + 0.5 ac. site area for each additional dwelling unit					
Education service	C	10,000 sf	75	30	10 / 25	25	35
Government service	P	20,000 sf / 2 ac	100	30	10 / 25	25	35
Group home	P	7,200 sf / 2 ac	60 / 200	30	5 / 25	25	35
Group residence	C	20,000 sf / 2 ac	100	30	10 / 25	25	35
Institutional residence	C	20,000 sf / 2 ac	100	30	10 / 25	25	35
Mobile home park including seasonal mobile home parks (see also TABLE 4.5)	C	4 ac	300	30	10 / 25	25	18
Personal care home	C	10,000 sf	75	30	25	25	35
Place of assembly	C	10,000 sf	75	30	25	25	35
Planned unit development (see also section 3.9.)	C	as determined by Council					
Public facility	P	as determined by Council					
Public park / recreation area	P	as determined by Council					
Public / private library and cultural exhibit	P	as determined by Council					
Public utility service	P	as determined by Council					
Religious assembly	C	20,000 sf / 2 ac	75	30	10 / 25	25	45
Residential related farm, max. 9.9 a.u.: 1 a.u. allowed per acre of holding	C	2 ac	200	75	25	25	35
Subdivision of existing attached two-family and multiple-family dwellings as per section 3.23.b. (min. site requirements listed for each resulting lot / parcel)	P	2,000 s.f.	20	30	10 / 25	25	35
Other uses deemed appropriate for this zone by Council	C	as determined by Council					

¹ Serviced or alternate wastewater management system refers to sites serviced by a municipal sewer system or approved alternate system such as a holding tank

² Un-serviced refers to sites utilizing an on-site septic field wastewater management system

³ The requirement for yards abutting a Provincial Trunk Highway or Provincial Road is subject to approval by The Highway Traffic Board or appropriate government department if less than the regulatory minimum

⁴ Side yards on the street side of a corner or reversed corner site shall be a minimum of fifteen (15) feet

⁵ The minimum dwelling unit size for single-family and two-family dwellings is eight hundred (800) square feet

⁶ For one-family and two-family dwellings without an attached garage or carport, one side yard shall be fifteen (15) feet

7 The minimum dwelling unit size for multiple-family dwellings is five hundred (**500**) square feet

4.10.7. TABLE 4.4: “RG” GENERAL RESIDENTIAL ZONE ACCESSORY USES

TABLE 4.4: “RG” GENERAL RESIDENTIAL ZONE ACCESSORY USES									
USES “P” - Permitted “C” - Conditional	REQUIREMENTS Acres (ac), Square feet (sf), Feet (ft), Percentage (%)								
	serviced or alternate wastewater management system ¹ / un-serviced ²								
	MINIMUM				MAXIMUM				
	Front Yard (ft) 3	Side Yard (ft) 3 4	Rear Yard (ft) 3	Distance to other Buildings (ft)	Site Coverage (%)	No. of Accessory Buildings 5	Floor Area (sq ft)	Height (ft)	
For accessory uses as defined in PART I, DEFINITIONS and not listed below, yard requirements of the main use apply.									
Bed and breakfast	P	as required for the main use			N / A				
Clotheslines, flagpoles and associated structures	P	30	5	5	N / A			30	
Decks / patios, open only	P	30	5 / 25	5 / 25	N / A			6 ⁶	
Detached dwelling unit / guest cottage	P	30	5 / 25	5 / 25	10	15	1	500	18
Fences	P	see section 3.16.1.f.							
Garage / carport including fabric structure , private	P	30	5 / 25	5 / 25	10	15	4	N / A	18
Garage, loft:									
Garage unit	C	30	5 / 25	5 / 25	10	15	4	900	23
Dwelling unit								500	
Home child care service	P	N / A							
Home occupation, home business	P	N / A							
Lawn ornaments, including birdfeeders and birdhouses	P	N / A							
Lighting fixtures	P	N / A							
Outdoor cooking facilities, private	P	30	5 / 25	5 / 25	N / A			14	
Outdoor heating appliances (chimney must be equal in height with neighbouring residential chimney(s))	P	30	5 / 25	5 / 25	N / A				
Parking requirements		see section 3.21.							
Pet enclosures / dog houses: personal / private use	P	30	10 / 25	5 / 25	10	15	2	N / A	15
Patios, covered, including decks, gazebos, sunrooms and like structures	P	30	5 / 25	5 / 25	10	N / A			14
Play / sports structures	P	30	5 / 25	5 / 25	N / A			12	
Privacy fences / structures located within a zoning site	P	30	2	2	N / A			12	
Shipping container storage structures	C	30	10 / 25	2	10	15	N / A		15
Signs (see section 3.19.)	P	30	2	2	N / A			18	

TABLE 4.4: “RG” GENERAL RESIDENTIAL ZONE ACCESSORY USES

USES “P” - Permitted “C” - Conditional		REQUIREMENTS Acres (ac), Square feet (sf), Feet (ft), Percentage (%)							
		serviced or alternate wastewater management system ¹ / un-serviced ²							
		MINIMUM				MAXIMUM			
		Front Yard (ft) 3	Side Yard (ft) 3 4	Rear Yard (ft) 3	Distance to other Buildings (ft)	Site Coverage (%)	No. of Accessory Buildings 5	Floor Area (sq ft)	Height (ft)
Reception equipment, incl. satellite dishes ⁷ , radio antenna towers and similar uses, private	P	30	2	2	N / A			70	
Solid waste storage structures, private	P	30	5 / 25	5	N / A			15	
Swimming pools, hot tubs and related structures , private	P	30	5 / 25	5	N / A				
Wind turbine, solar energy or standby electrical generation system, private	P	30	5 / 25	25	N / A			70	
Other accessory uses deemed appropriate by Council	C	as determined by Council							

- 1 Serviced or alternate approved wastewater management system refers to sites serviced by a municipal sewer system or approved alternate system such as a holding tank
- 2 Un-serviced refers to sites utilizing an on-site septic field wastewater management system
- 3 The requirement for yards abutting a Provincial Trunk Highway or Provincial Road is subject to approval by The Highway Traffic Board or appropriate government department if less than the regulatory minimum
- 4 Side yards on the street side of a corner or reversed corner site shall be a minimum of fifteen (15) feet
- 5 Total number includes accessory dwelling unit
- 6 Or to the limit of the main floor, if attached to a raised dwelling (first floor only)
- 7 Satellite dishes less than three (3) ft. in diameter can be located in all yards if attached to the main building

4.10.8. TABLE 4.5: MOBILE HOME PARKS SITE REQUIREMENTS

TABLE 4.5: MOBILE HOME PARKS SITE REQUIREMENTS	
MINIMUM SITE REQUIREMENTS / DEVELOPMENT REQUIREMENTS BASED ON SERVICED (INCLUDING APPROVED ALTERNATE SEWAGE SYSTEM) / (UN-SERVICED) ON-SITE SYSTEMS	
CRITERIA	MINIMUM REQUIREMENTS Feet (ft), square feet (sf)
Minimum site area in square feet (sf), acres (ac)	6000 sf ¹ / 2 ac ²
Minimum site width	50 ft
Minimum side to side clearance between mobile homes (including additions and attachments) and between mobile homes and accessory buildings	20 ft
Minimum end to end clearance between mobile homes	30 ft
Minimum mobile home dwelling unit area	400 sf
Minimum distance between mobile home and permitted accessory buildings	10 ft
Maximum number of accessory buildings	2
Maximum total size of all accessory buildings	600 sf
Maximum height of accessory building	15 ft
Minimum distance between accessory building(s) to an adjoining mobile home space, clear of all projections	10 ft
Minimum distance from mobile home and / or accessory building to internal roadway and / or mobile home park boundary	30 ft
Minimum width of road right-of-way	40 ft
Minimum width of roadway surface	24 ft
Maximum number of mobile homes per site	1
Minimum number of parking spaces per site	1

¹ For sites with serviced by a municipal sewer system or approved alternate wastewater management system such as a holding tank

² For un-serviced sites utilizing an on-site septic field wastewater management system

4.10.9. TABLE 4.6: “RGZ”, “RM1”, “RM2” RURAL GREEN, RURAL / RESORT MIXED AND RURAL MIXED 2 ZONES USES AND BULK REQUIREMENTS

TABLE 4.6: “RGZ”, “RM1”, “RM2” RURAL GREEN, RURAL / RESORT MIXED AND RURAL MIXED 2 ZONES USES AND BULK REQUIREMENTS									
USES / USE CLASSES “P” Permitted “C” Conditional	ZONES	MINIMUM REQUIREMENTS Acres (ac), Square Feet, Feet (ft)							
		MINIMUM					Maximum Height (ft)		
		Site Area (ac) (sf)	Site Width (ft)	Front Yard 1 (ft)	Side Yard 1 2 (ft)	Rear Yard 1 (ft)			
Accessory uses (see Table 4.7)		ALL	as required for main use						
Agri-business	C	ALL	2 ac	200	125	25	25	70	
Agricultural activity , not including livestock operation	P	ALL	80 ac	600	125	25	25		
Agricultural exhibition grounds	C	ALL	10 ac	330	125	25	25		
Agri-tourism	P	ALL	80 ac	600	125	25	25		
Aircraft landing strip / field	C	ALL	15 ac	330	125	25	25	35	
Agriculture industry	C	ALL	80 ac	600	125	25	25	70	
Anhydrous ammonia facility	C	ALL	2 ac	200	125	25	25	35	
Animal and veterinary service	C	ALL	2 ac	200	125	25	25		
Animal (other) production operation	C	ALL	as determined by Council						
Asphalt plant , temporary	C	ALL	as determined by Council						
Auctioneering establishment - livestock	C	ALL	10 ac	330	50	25	25	35	
Camping and tenting grounds (see also TABLE 4.14)	P	RM1	4 ac	200	125	25	25		
Cemetery	C	ALL	4 ac	200	125	25	25		
Commercial resort	P	RM1	2 ac	200	125	25	25		
Community / public recreation service	P	ALL	2 ac	200	125	25	25		
Concrete batching plant, temporary	C	ALL	as determined by Council						
Dwelling, single-family ³ : used , subject to TABLE 4.8	C	ALL	2 ac	200	125	25	25		
Dwelling, single-family ³ : stick-built , mobile home , modular , RTM , (subject to TABLE 4.8 : Livestock Operation – Minimum Mutual Setback Requirements)	P	ALL	2 ac	200	125	25	25		
Equestrian establishment : less than 200 a.u., subject to TABLE 4.8	P	RM2	80 ac	600	125	25	25	35	
Equestrian establishment : greater than or equal to 200 a.u. (subject to TABLE 4.8)	C	RM2	80 ac	600	125	25	25	35	
Equestrian establishment : less than 300 a.u., (subject to TABLE 4.8)	P	RGZ	80 ac	600	125	25	25	35	
Equestrian establishment : greater than or equal to 300 a.u. (subject to TABLE 4.8)	C	RGZ	80 ac	600	125	25	25	35	
Farmers market / outdoor market	P	ALL	2 ac	200	125	25	25	15	
Forestry use	P	ALL	80 ac	600	125	25	25	35	
Game farm : less than 200 a.u. (subject to TABLE 4.8)	P	RM2	80 ac	600	125	25	25	35	

TABLE 4.6: “RGZ”, “RM1”, “RM2” RURAL GREEN, RURAL / RESORT MIXED AND RURAL MIXED 2 ZONES USES AND BULK REQUIREMENTS

USES / USE CLASSES “P” Permitted “C” Conditional	ZONES	MINIMUM REQUIREMENTS Acres (ac), Square Feet, Feet (ft)						
		MINIMUM					Maximum Height (ft)	
		Site Area (ac) (sf)	Site Width (ft)	Front Yard 1 (ft)	Side Yard 1 2 (ft)	Rear Yard 1 (ft)		
Game farm : greater than or equal to 200 a.u. (subject to TABLE 4.8)	C	RM2	80 ac	600	125	25	25	35
Livestock operation : less than 300 a.u. (subject to TABLE 4.8) (see also definition of livestock)	P	RGZ	80 ac	600	125	25	25	70
Livestock operation : greater than or equal to 300 a.u. (subject to TABLE 4.8) (see also definition of livestock)	C	RGZ	80 ac	600	125	25	25	
Livestock operation : less than 200 a.u. (subject to TABLE 4.8) (see also definition of livestock)	P	RM2	80 ac	600	125	25	25	
Livestock operation : greater than or equal to 200 a.u. (subject to TABLE 4.8) (see also definition of livestock)	C	RM2	80 ac	600	125	25	25	
Livestock operation , expansion of existing operations more than 200 a.u. in size only (subject to TABLE 4.8) (see also definition of livestock)	C	RM1	80 ac	600	125	25	25	
Natural resource development	C	ALL	80 ac	600	125	25	25	
Outdoor amusement establishment	C	ALL	2 ac	200	125	25	25	35
Outdoor participation recreation service	C	ALL	2 ac	200	125	25	25	35
Outfitting operation	P	RM1	2 ac	200	125	25	25	15
Pet cemetery	C	RGZ	2 ac	200	125	25	25	15
	C	RM1	2 ac	200	125	25	25	15
	C	RM2	2 ac	200	125	25	25	15
Planned unit development (see also section 3.9)	C	RM1	as determined by Council					
Protective and emergency service	P	ALL	as determined by Council					
Public facility	P	ALL	as determined by Council					
Public park / recreation area	P	ALL	as determined by Council					
Public utility service	P	ALL	as determined by Council					
Quarry / aggregate / mineral extraction operation , including temporary wayside pit and quarry	C	ALL	as determined by Council					
Recycling / waste collection centre	C	ALL	2 ac	200	125	25	25	35
Remnant / isolated rural residential lots created as per section 4.4.2 of the <i>Whitemouth Reynolds Planning District Development Plan 2030</i>	C	RGZ	2 ac	200	N / A			
Residential related farm , max. 9.9 a.u.: 1 a.u. allowed per acre of holding	C	RM1	2 ac	200	125	25	25	35

Rural residential / seasonal residential parcels created pursuant to sections 2.2.2.2. and 2.1.2.9. of <i>The Whitemouth Reynolds Development Plan 2030</i>	P	RM1	2 ac ⁴	200	30	25	25	35
			18,000 sf ⁵	90	30	10	25	35
Small animal breeding and boarding establishment	C	ALL	80 ac	600	125	25	25	15
Soil stripping	C	ALL	as determined by Council					
Solar energy generation station / system	C	RGZ	as determined by Council					
Vacation farm operation	P	ALL	80 ac	600	125	25	25	35
Wayside pits and quarries , temporary	C	ALL	as determined by Council					
Wind energy generation station / system	C	RGZ	as determined by Council					

- 1 The requirement for yards abutting a Provincial Trunk Highway or Provincial Road is subject to approval by The Highway Traffic Board or appropriate government department if less than the regulatory minimum
- 2 Side yards on the street side of a corner or reversed corner site shall be a minimum of one hundred and twenty-five (**125**) feet, excepting serviced rural residential / seasonal residential parcels created pursuant to **section 2.2.2.2.** of *The Whitemouth Reynolds Development Plan 2030*
- 3 The minimum dwelling unit size for a single-family dwelling is eight hundred (**800**) square feet
- 4 For sites utilizing an on-site septic field wastewater treatment system
- 5 For sites serviced by a municipal sewer system or approved alternate system such as a holding tank
- 6 Side yards on the street side of a corner or reversed corner site shall be a minimum of fifteen (**15**) feet

4.10.10. TABLE 4.7: “RGZ”, “RM1”, “RM2” RURAL GREEN, RURAL / RESORT MIXED AND RURAL MIXED 2 ZONES ACCESSORY USES

TABLE 4.7: “RGZ”, “RM1”, “RM2” RURAL GREEN, RURAL / RESORT MIXED AND RURAL MIXED 2 ZONES ACCESSORY USES	PERMITTED / CONDITIONAL
Accessory and associated uses defined in section 1.3. for uses listed in TABLE 4.6. Yard requirements are the same as listed for the main use. The requirement for yards abutting a Provincial Trunk Highway or Provincial Road is subject to approval by The Highway Traffic Board or appropriate government department if less than the regulatory minimum.	
Dwelling, single-family ¹ : including garden suites ² and communal dwellings ³ , on same <i>zoning site</i> as the main residential use including modular , mobile home , RTM and used	C
Bed and breakfast	P
Boathouse (max. size permitted: seven hundred and sixty-eight (768) sq. ft. and twenty-four (24) ft. in width, eighteen (18) ft. height and zero (0) ft. for affected yard nearest water edge)	P
Buildings / structures for the operation and maintenance of an agricultural activity , incl. animal housing, associated manure storage facilities, fabric structures , machine sheds, storage structures	P
Buildings / structures for the operation and maintenance of an outdoor amusement establishment or outdoor participant recreation service	P
Clotheslines, flagpoles and associated structures	P
Contractor service	P
Docks, public and private (zero (0) ft. yard requirement for yard(s) abutting affected water’s edge)	P
Farm produce outlet , including associated structures	P
Fences (see section 3.16.1.f.)	
Garage / carport, private including fabric structures	P
Home business , home industry , home occupation	P
Home child care service	P
Incinerators / individual sewage disposal systems, as approved by authority having jurisdiction	P
Kennels / dog houses, personal / private use	P
Lawn ornaments	P
Lighting fixtures	P
Outdoor cooking facilities, private	P
Outdoor heating appliances	P
Parking requirements (see section 3.21.)	
Patios / Decks , including covered patios / decks, gazebos, sunrooms and like structures	P
Play / sports structures	P
Shipping container storage structures	P
Reception equipment, incl. satellite dishes ⁴ , towers, and similar uses (max. height seventy (70) feet)	P
Signs (see section 3.19.)	

Storage structures including machine sheds, garden sheds and like uses	P
Swimming pools, hot tubs / related structures , private / commercial (subject to regulatory approval)	P
Vacation farm operation	P
Wind turbine, solar energy or standby electrical generation system, private	P
Other accessory uses deemed appropriate for the zone by Council	C

- 1 The minimum dwelling unit size for a single-family dwelling is eight hundred (800) square feet
- 2 The minimum dwelling unit size applicable to a garden suite is five hundred (500) square feet
- 3 On the basis that communal dwellings are multi-family units, the minimum dwelling unit size is five hundred (500) square feet; for a two-family dwelling, the minimum dwelling unit size is eight hundred (800) square feet
- 4 Satellite dishes less than three (3) ft. in diameter can be located in all yards if attached to the main building

4.10.11. TABLE 4.8: LIVESTOCK OPERATION – MINIMUM MUTUAL SETBACK REQUIREMENTS

TABLE 4.8: LIVESTOCK OPERATION – MINIMUM MUTUAL SETBACK REQUIREMENTS				
Size of Livestock Operation in Animal Units (a.u.)	Minimum Setback Requirements in Feet (ft)			
	From a Single Residence ¹		From Designated Areas ²	
	To Earthen Manure Storage Facility or Feedlot	To Animal Housing Facility / Non-Earthen Manure Storage ³	To Earthen Manure Storage Facility or Feedlot	To Animal Housing Facility / Confined Livestock Area / Non-Earthen Manure Storage ³
10 - 100	656 ft	328 ft	2,625 ft	1,739 ft
101 - 200	984 ft	492 ft	3,937 ft	2,625 ft
201 - 300	1,312 ft	656 ft	5,249 ft	3,511 ft
301 - 400	1,476 ft	738 ft	5,906 ft	3,937 ft
401 - 800	1,640 ft	820 ft	6,561 ft	4,364 ft
801 - 1,600	1,968 ft	984 ft	7,874 ft	5,249 ft
1,601 - 3,200	2,297 ft	1,148 ft	9,186 ft	6,135 ft
3,201 - 6,400	2,625 ft	1,312 ft	10,499 ft	6,988 ft
6,401 - 12,800	2,953 ft	1,476 ft	11,811 ft	7,874 ft
Greater than 12,800	3,281 ft	1,640 ft	13,123 ft	8,760 ft

- 1 Not including the residence(s) of the owner / operator of the livestock operation
- 2 Designated areas include the identified limits of the Transitional Principal Centers of Seven Sisters, Whitemouth and Elma; and the Rural Settlement Policy Area of River Hills, as measured from the borders shown on Map 1 – General Land Use Map of *The Whitemouth Reynolds Planning District Development Plan 2030*
- 3 Includes barns and non-earthen manure storage structures such as above or below-grade tanks

TABLE 4.9: ANIMAL UNIT SUMMARY TABLE			
LIVESTOCK		A.U. PRODUCED BY ONE LIVESTOCK	LIVESTOCK PRODUCING ONE A.U.
Dairy	Milking cows, including associated livestock	2.000	0.5
Beef	Beef cows, including associated livestock	1.250	0.8
	Backgrounder	0.500	2.0
	Summer pasture / replacement heifers	0.625	1.6
	Feeder cattle	0.769	1.3
Hogs	Sows, farrow to finish	1.250	0.8
	Sows, farrow to weaning	0.250	4.0
	Sows, farrow to nursery	0.313	3.2
	Weanlings	0.033	30
	Growers / finishers	0.143	7.0
	Boars (artificial insemination operations)	0.200	5.0
Chickens	Broilers	0.0050	200
	Roasters	0.0100	100
	Layers	0.0083	120
	Pullets and broiler breeder pullets	0.0033	300
	Broiler breeder hens	0.0100	100
Turkeys	Broilers	0.010	100
	Heavy Toms	0.020	50
	Heavy hens	0.010	100
Horses (PMU)	Mares, including associated livestock	1.333	0.75
Sheep	Ewes, including associated livestock	0.200	5.0
	Feeder lambs	0.063	16.0

This table is included for reference purposes only. If there is any discrepancy between this table and those contained in the Provincial Farm Practices Guidelines and legislation enacted by the Province of Manitoba, the latter shall apply. For other livestock or operation types, please inquire with your regional Agricultural Engineer or Livestock Specialist. This Table is taken from **Appendix I** of the **Farm Practices Guidelines for Hog Producers in Manitoba**, February 7, 2000 edition.

4.10.13. TABLE 4.10: "RCI" RURAL COMMERCIAL / INDUSTRIAL ZONE USE AND BULK REQUIREMENTS

TABLE 4.10: "RCI" RURAL COMMERCIAL / INDUSTRIAL ZONE USE AND BULK REQUIREMENTS							
USE CLASSES / USES Permitted "P" Conditional "C"		REQUIREMENTS Acres (ac), Square feet (sf), Feet (ft)					
		MINIMUM					Max. Height (ft)
		Site Area (ac) (sf)	Site Width (ft)	Front Yard 1 (ft)	Side Yard 1 (ft)	Rear Yard 1 (ft)	
Accessory uses		see TABLE 4.11					
Abattoir	P	10,000 sf	100	30	15	25	35
Agri-business	P	10,000 sf	100	30	15	25	35
Agriculture industry	P	10,000 sf	100	30	15	25	35
Anhydrous ammonia facility	C	4 ac	300	75	25	25	35
Asphalt plant	C	2 ac	200	75	10	25	35
Automobile service station (see section 3.22. for entrance and exit requirements)	P	20,000	150	30	15	25	35
Automotive and recreational vehicle sales, service, rental and repair (see section 3.22. for entrance and exit requirements)	P	20,000	150	30	15	25	35
Broadcast and motion picture studio	P	10,000 sf	100	30	15	25	35
Business support service	P	10,000 sf	100	30	15	25	35
Bulk storage facility	P	10,000 sf	100	30	15	25	35
Commercial resort	P	20,000 sf	150	30	15	25	35
Commercial school	P	10,000 sf	100	30	15	25	35
Contractor service, general	P	10,000 sf	100	30	15	25	35
Custom manufacturing establishment	P	10,000 sf	100	30	15	25	35
Fleet service	P	10,000 sf	100	30	15	25	35
Forestry use	P	10,000 sf	100	30	15	25	35
General storage	P	10,000 sf	100	30	15	25	35
Industrial general	P	10,000 sf	100	30	15	25	35
Industrial vehicle and equipment sales / service / rentals (see section 3.22. for entrance and exit requirements)	P	10,000 sf	100	30	15	25	35
Information technology use	P	10,000 sf	100	30	15	25	35
Manufacturing facility	P	10,000 sf	100	30	15	25	35
Mini warehouse and self-storage	P	10,000 sf	100	30	15	25	35
Planned unit developments, commercial / industrial only (see section 3.9.)	C	10,000 sf	100	30	15	25	35
Processing use	P	10,000 sf	100	30	15	25	35
Professional, financial and office support service	P	10,000 sf	100	30	15	25	35
Public utility service	P	as determined by Council					
Recycling / waste collection and processing center	P	20,000 sf	15	30	15	25	35
Repair service, household	P	10,000 sf	100	30	15	25	35
Retail sales / service / repair	P	10,000 sf	100	30	15	25	35

TABLE 4.10: “RC” RURAL COMMERCIAL / INDUSTRIAL ZONE USE AND BULK REQUIREMENTS

USE CLASSES / USES Permitted “P” Conditional “C”		REQUIREMENTS Acres (ac), Square feet (sf), Feet (ft)					
		MINIMUM					Max. Height (ft)
		Site Area (ac) (sf)	Site Width (ft)	Front Yard ¹ (ft)	Side Yard ¹ (ft)	Rear Yard ¹ (ft)	
Salvage operation / yard	C	10,000 sf	100	30	15	25	35
Shopping center / strip mall	P	10,000 sf	100	30	15	25	35
Storage compound	P	10,000 sf	100	30	15	25	35
Transport terminal	P	10,000 sf	100	30	15	25	35
Trucking operation	P	10,000 sf	100	30	15	25	35
Warehouse / warehouse sales / storage	P	10,000 sf	100	30	15	25	35
Other uses deemed appropriate for the zone by Council	C	as determined by Council					

¹ The requirement for yards abutting a Provincial Trunk Highway or Provincial Road is subject to approval by The Highway Traffic Board or appropriate government department if less than the regulatory minimum

4.10.14. TABLE 4.11: “RCI” RURAL COMMERCIAL / INDUSTRIAL ACCESSORY USES

TABLE 4.11: “RCI” RURAL COMMERCIAL / INDUSTRIAL ACCESSORY USES	PERMITTED / CONDITIONAL / APPROVED BY RESOLUTION
<p>Accessory and associated uses defined in section 1.3. For uses listed in Table 4.10. Accessory buildings shall maintain a minimum 10 ft. separation to other buildings. Yard requirements are the same as for the main use. The requirement for yards abutting a Provincial Trunk Highway or Provincial Road is subject to approval by The Highway Traffic Board or appropriate government department if less than the regulatory minimum.</p>	
Automated teller machine (ATM)	P
Dwelling(s) , single family ¹ : modular , RTM and mobile home or second floor dwelling unit for caretaker / owner of an approved commercial / industrial use	P
Fuel tank storage	P
Garage / carport, private including fabric structures	P
Loading requirements (see section 3.20.)	
Outdoor heating appliances	P
Parking requirements (see section 3.21.)	
Patios, commercial: hotel, eating and drinking establishments. Yard requirements to be determined by resolution of Council	AR
Shipping container storage structures	P
Signs	P
Reception equipment, including satellite dishes , radio antenna towers and similar uses: maximum height seventy (70) ft.	P
Signs (see section 3.19.)	
Solid waste storage structures, private and commercial	P
Storage compound / area for goods used / produced by an approved commercial / industrial use	P
Storage sheds including fabric covered structures	P
Swimming pools , hot tubs and related structures, commercial (subject to regulatory approval)	P
Wind turbine , solar energy or standby electrical generation system, private	P
Other accessory uses deemed appropriate by Council	C

¹ The minimum dwelling unit size for a single-family dwelling is eight hundred (800) square feet

4.10.15. TABLE 4.12: “OSI” OPEN SPACE AND INSTITUTIONAL ZONE USES AND BULK REQUIREMENTS

TABLE 4.12: “OSI” OPEN SPACE AND INSTITUTIONAL ZONE USES AND BULK REQUIREMENTS							
USE / USE CLASS Permitted “P” Conditional “C”	REQUIREMENTS Acres (ac) Square feet (sf) Feet (ft)						
	MINIMUM						Maximum Height (ft)
	Site Area (ac) (sf)	Site Width (ft)	Front Yard ¹ (ft)	Side Yard ¹ (ft)	Rear Yard ¹ (ft)		
Accessory uses	see TABLE 4.13						
Camping and tenting grounds (see also TABLE 4.14)	C	4 ac	200	30	25	25	35
Cemetery	P	20,000 sf	150	30	15	25	35
Community / public recreation service	C	20,000 sf	150	30	15	25	35
Eating and drinking establishment	C	as determined by Council					
Education service	P	20,000 sf	150	30	15	25	35
Equestrian establishment , max. 9.9 a.u., 1 a.u. allowed per acre of holding	C	2 ac	200	125	25	25	30
Game farm , max. 9.9 a.u., 1 a.u. allowed per acre of holding (see also TABLE 4.9)	C	2 ac	200	125	25	25	30
Government service	P	10,000 sf	100	30	15	25	30
Gun clubs, gun ranges, archery ranges and similar uses	C	2 ac	200	125	25	25	30
Helistop , standalone use	C	as determined by Council					
Indoor participant recreation service	P	20,000 sf	150	30	15	25	35
Marinas	C	as determined by Council					
Medical treatment service	P	20,000 sf	150	30	15	25	35
Outdoor participant recreation service	C	2 ac	200	125	25	25	45
Personal care home	C	20,000 sf	150	30	15	25	35
Place of assembly	C	20,000 sf	150	30	15	25	35
Protective and emergency service	P	10000 sf	75	30	10	25	35
Public / private dock	C	as determined by Council					
Public facility	P	as determined by Council					
Public / private library and cultural exhibit	P	as determined by Council					
Public park / recreation area	P	as determined by Council					
Public utility service	P	as determined by Council					
Religious facility	P	20,000 sf	150	30	15	25	35
Trails, including hiking, biking, ATV and snowmobile (yard requirements applicable to structures only)	C	N / A		30	15	25	35
Zoos	C	as determined by Council					
Other uses deemed appropriate for the zone by Council	C	as determined by Council					
	C	as determined by Council					

¹ The requirement for yards abutting a Provincial Trunk Highway or Provincial Road is subject to approval by The Highway Traffic Board or appropriate government department if less than the regulatory minimum

4.10.16. TABLE 4.13: “OSI” OPEN SPACE AND INSTITUTIONAL ZONE ACCESSORY USES

TABLE 4.13: “ORI” OPEN SPACE AND INSTITUTIONAL ZONE ACCESSORY USES	PERMITTED / CONDITIONAL
<p>Accessory and associated uses as defined for each use listed in Table 4.14. Yard requirements are the same as for the main use, except as may be noted below. Accessory buildings shall maintain a minimum ten (10) ft. separation to other buildings. The requirement for yards abutting a Provincial Trunk Highway or Provincial Road is subject to approval by The Highway Traffic Board or appropriate government department if less than the regulatory minimum.</p>	
Boathouse (max. size permitted: seven hundred and sixty-eight (768) sq. ft. and twenty-four (24) ft. in width, eighteen (18) ft. height and zero (0) ft. for affected yard nearest water edge)	P
Buildings / structures for the operation and maintenance of an “OSI” Zone use / activity	P
Flagpoles and associated structures	P
Decks, open	P
Docks, private and public (yard requirement to be established by resolution of Council)	C
Lighting fixtures	P
Loading requirements (see section 3.20.)	
Parking requirements (see section 3.21.)	
Patios (including covered patios, decks), gazebos, sunrooms and like structures	P
Picnic shelters public / private and similar structures	P
Play / sports structures	P
Reception equipment, including satellite dishes, radio antenna towers, and similar uses (maximum height: seventy (70) feet)	P
Signs (see section 3.19.)	
Storage structures	P
Swimming pools, hot tubs and related structures, public	P
Wind turbine or solar energy generation system	C
Other accessory uses deemed appropriate by Council	C

4.10.17. **TABLE 4.14: MINIMUM SITE REQUIREMENTS FOR CAMPING AND TENTING GROUNDS**

TABLE 4.14: MINIMUM SITE REQUIREMENTS FOR CAMPING AND TENTING GROUNDS	
TRAVEL TRAILER / CAMPING SPACE REQUIREMENTS	MINIMUM REQUIREMENTS Feet (ft), Square feet (sf)
Area of each space	2400 sf
Width of each space	40 ft
Side to side and end to end clearance between travel trailer or camping units, including projections	15 ft
Distance from travel trailer or camping unit or other structure to roadway	30 ft
Parking spaces per unit	1
Minimum width of roadway surface: one way / two way	12 ft / 24 ft
Minimum width of roadway right-of-way: one way / two way	20 ft / 40 ft